

**MINUTES
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
September 29, 2020
VIRTUAL MEETING**

**Official WQMAC
Approved at January 12, 2021 Meeting**

Notice of Public Meeting – The Water Quality Management Advisory Council (WQMAC) convened for a Virtual Regular Meeting at 2:00 p.m. The meeting was held in accordance with the Open Meeting Act, with notice of the meeting given to the Secretary of State on October 16, 2019. The agenda was posted at DEQ twenty-four hours prior to the meeting. Mr. Brian Duzan, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT

Robert Carr
Mary Elizabeth Mach
Rick Moore
Jon Nelson
Willard Smith
Steve Sowers
Debbie Wells
Duane Winegardner
Terry Wyatt
Brian Duzan

DEQ STAFF PRESENT

Shellie Chard
Brian Clagg
Nicholas Huber
Erin Hatfield
Paul Parks
Quiana Fields

OTHERS PRESENT

Tammie Shipman, Court Reporter

MEMBERS ABSENT

Mark Matheson

Approval of Minutes from the July 21, 2020 Meeting – Mr. Duzan called for a motion to approve the Minutes of the July 21, 2020 Regular Meeting. Mr. Smith moved to approve as amended with a correct listing of the adjournment list and Ms. Mach made the second.

See transcript pages 6 – 8

Robert Carr	Yes	Steve Sowers	Yes
Mary Elizabeth Mach	Yes	Debbie Wells	Yes
Rick Moore	Yes	Duane Winegardner	Yes
John Nelson	Yes	Terry Wyatt	Yes
Willard Smith	Yes	Brian Duzan	Yes

COUNCIL MEETING SCHEDULE FOR 2021 – Mr. Duzan called for a motion to approve the 2021 schedule as outlined in the agenda; January 12, May 11, July 27 and September 28. Mr. Nelson moved to approve and Ms. Wells made the second.

See transcript pages 8 – 10

Robert Carr	Yes	Steve Sowers	Yes
Mary Elizabeth Mach	Yes	Debbie Wells	Yes
Rick Moore	Yes	Duane Winegardner	Yes
John Nelson	Yes	Terry Wyatt	Yes
Willard Smith	Yes	Brian Duzan	Yes

EMERGENCY RULEMAKING OAC 252:641 – INDIVIDUAL AND SMALL PUBLIC ONSITE SEWAGE TREATMENT SYSTEMS – Mr. Nicholas Huber, Environmental Programs Manager of the ECLS Division, stated that the DEQ staff will be proposing emergency changes to Chapter 641 to: amend and establish certain definitions, under certain situations allow a reduction of the minimum size of subsurface absorption fields for individual on-site sewage treatment systems, establish sizing criteria for manufactured media systems and revise and combine the minimum spray area size for aerobic systems, most of which will result in a reduction of overall application areas. DEQ plans to introduce the same rules as permanent rules at the January 2021 WQMC meeting. Following questions by the Council and the public, Mr. Duzan called for a motion to approve the rule. Ms. Mach moved to approve and Mr. Smith made the second.

See transcript pages 10 – 26

Robert Carr	Yes	Steve Sowers	Yes
Mary Elizabeth Mach	Yes	Debbie Wells	Yes
Rick Moore	Yes	Duane Winegardner	Yes
John Nelson	Yes	Terry Wyatt	Yes
Willard Smith	Yes	Brian Duzan	Yes

DISCUSSION OF RULEMAKING FOR JANUARY 2021 WQMAC MEETING:

OAC 252:606 – OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS – Mr. Brian Clagg, Environmental Programs Manager of the WQD, stated that the DEQ staff will be proposing an update of the progress of the publication date of the federal rules incorporated by reference from July 1, 2018 to July 1, 2020. The final regulatory changes are minor and clarify the regulations in the following categories: Regulatory definitions (new discharger and two definitions related to the discharge of pesticides from pesticide application); permit applications (adding elements such as email address, indicators for cooling water use and variance requests; and clarifying effluent data requirements); and public notice (allowing for public website posting in lieu of newspaper publication). The final rules also updated EPA contact information, web addresses for electronic databases, and outdated references, and deleted a provision relating to best practicable waste treatment technology for POTWs that is no longer applicable. The final rule modernizes the NPDES regulations, promotes submission of complete permit applications, and clarifies regulatory requirements to allow more timely development of NPDES permits that protect human health and environment. There were no comments by the Council and none by the public.

See transcript pages 26 – 30

OAC 252:631 – PUBLIC WATER SUPPLY OPERATION – Mr. Clagg stated that the DEQ staff will be proposing an update of the progress of the publication date of the federal rules incorporate by reference from January 1, 2017 to July 1, 2020. Changes included EPA’s approval of alternative testing methods for measuring the levels of contaminants in drinking water and determining compliance with national primary drinking water regulations. This provides more timely access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protections. There were comments by the Council and none by the public.

See transcript pages 30 – 32

OAC 252:690 – WATER QUALITY STANDARDS IMPLEMENTATION – Mr. Clagg stated that the DEQ staff will be proposing an update of the progress of the publication date of the federal rules incorporated by reference from July 1, 2016 to July 1, 2020. Changes include EPA’s and the Department of the Army’s redefining and clarifying the scope of “waters of the United States” federally regulated under the Clean Water Act, consistent with the Executive Order signed on February 28, 2017. This final rule implements the overall objective of the Clean Water Act and increases the predictability and consistency of Clean Water Act Programs. There were comments by the Council and none by the public.

See transcript pages 32 – 35

DIRECTOR’S REPORT – Ms. Shellie Chard, Division Director of the WQD, provided an update on other division activities.

See transcript pages 35 – 47

NEW BUSINESS – None

ANNOUNCEMENTS – The next scheduled WQMAC meeting will be on January 12, 2021 at 2:00 p.m. in the Multi-Purpose Room, 1st floor, DEQ building or virtually.

Ms. Mach left the meeting before adjournment.

ADJOURNMENT - Mr. Duzan entertained a motion to adjourn. Mr. Nelson moved to adjourn and Mr. Smith made the second. The meeting was adjourned at 3:10 p.m.

See transcript pages 48 – 49

Robert Carr	Yes	Debbie Wells	Yes
Rick Moore	Yes	Duane Winegardner	Yes
John Nelson	Yes	Terry Wyatt	Yes
Willard Smith	Yes	Brian Duzan	Yes
Steve Sowers	Yes		

Transcripts are attached as an official part of these Minutes.

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY MANAGEMENT ADVISORY COUNCIL

WATER QUALITY MANAGEMENT ADVISORY COUNCIL MEETING

SEPTEMBER 29, 2020 - 2:00 P.M.

VIRTUAL ZOOM MEETING

REPORTED BY: TAMMIE SHIPMAN, CSR

<p style="text-align: right;">Page 2</p> <p>1 COUNCIL MEMBERS PRESENT:</p> <p>2</p> <p>3 MR. BRIAN DUZAN, CHAIRMAN</p> <p>4 DR. DUANE WINEGARDNER, VICE-CHAIRMAN</p> <p>5 MR. ROBERT CARR</p> <p>6 MS. MARY MACH</p> <p>7 DR. RICK MOORE</p> <p>8 MR. JON NELSON</p> <p>9 MR. WILLARD SMITH</p> <p>10 MR. STEVE SOWERS</p> <p>11 MS. DEBBIE WELLS</p> <p>12 MS. TERRY WYATT</p> <p>13 MR. MARK MATHESON - ABSENT</p> <p>14</p> <p>15</p> <p>16 Also Present:</p> <p>17</p> <p>18 Ms. Quiana Fields, Secretary of Board and Council</p> <p>19 Mr. Nicholas Huber, On-Site Total Retention Lagoon Program Manager</p> <p>20</p> <p>21 Ms. Shellie Chard, Director of Water Quality Division</p> <p>22</p> <p>23 Mr. Brian Clagg, Environmental Programs Manager, Water Quality Division</p> <p>24 Ms. Erin Hatfield, Moderator</p> <p>25 Mr. Paul Parks, Electronic Reporting System</p>	<p style="text-align: right;">Page 3</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 4</p> <p>1 (Meeting called to order at 2:05 p.m.)</p> <p>2 CHAIRMAN DUZAN: Okay. My clock says</p> <p>3 2:05, so we're going to go ahead and get</p> <p>4 started. This Regular Meeting of Water Quality</p> <p>5 Management Advisory Council was called in</p> <p>6 accordance with the Open Meeting Act. Notice</p> <p>7 for this September 29th, 2020, virtual meeting</p> <p>8 was filed with the Secretary Of State on</p> <p>9 October 16th, 2019.</p> <p>10 The agenda was duly posted at DEQ at</p> <p>11 least 24 hours prior to the meeting. Only</p> <p>12 matters appearing on the posted agenda may be</p> <p>13 considered at this regular meeting. In the</p> <p>14 event that this meeting is continued or</p> <p>15 reconvened, public notice of the date, time and</p> <p>16 place of the continued meeting will be given by</p> <p>17 announcement at this meeting. Only matters</p> <p>18 appearing on the agenda of a meeting, which is</p> <p>19 continued, may be discussed at the continued or</p> <p>20 reconvened meeting.</p> <p>21 If the meeting host becomes</p> <p>22 disconnected during the meeting, DEQ will</p> <p>23 attempt for 15 minutes to restart the meeting.</p> <p>24 Such an event would require all participants,</p> <p>25 council members and members of the public to log</p>	<p style="text-align: right;">Page 5</p> <p>1 back into the meeting. If successful, the</p> <p>2 meeting would be restarted once a quorum is</p> <p>3 re-established. If unsuccessful, the meeting</p> <p>4 will be continued or reconvened on Wednesday,</p> <p>5 September 30th, 2020, at 2 p.m.</p> <p>6 If such a reconvened meeting becomes</p> <p>7 necessary, only matters appearing on this agenda</p> <p>8 will be discussed, and the video conference and</p> <p>9 the teleconference information for such meeting</p> <p>10 will be posted at</p> <p>11 www.deq.ok.gov/council-meetings/water-quality-management-advisory-council.com. If you have any</p> <p>12 questions, please contact Brian Clagg of the DEQ</p> <p>13 at 405-702-8118.</p> <p>14</p> <p>15 So we'll now call to order, and we'll</p> <p>16 do a roll call.</p> <p>17 MS. FIELDS: Mr. Carr?</p> <p>18 MR. CARR: Here.</p> <p>19 MS. FIELDS: Ms. Mach? Ms. Mach? I</p> <p>20 think she's --</p> <p>21 MS. MACH: I'm here.</p> <p>22 MS. FIELDS: Okay. Mr. Matheson is</p> <p>23 absent.</p> <p>24 Mr. Moore?</p> <p>25 MR. MOORE: Here.</p>

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1 MS. FIELDS: Mr. Nelson?
 2 MR. NELSON: Here.
 3 MS. FIELDS: Mr. Smith?
 4 MR. SMITH: Here.
 5 MS. FIELDS: Mr. Sowers?
 6 MR. SOWERS: Here.
 7 MS. FIELDS: Ms. Wells?
 8 MS. WELLS: Here.
 9 MS. FIELDS: Mr. Winegardner?
 10 MR. WINEGARDNER: Here.
 11 MS. FIELDS: Ms. Wyatt?
 12 MS. WYATT: Here.
 13 MS. FIELDS: Mr. Duzan?
 14 CHAIRMAN DUZAN: Here.
 15 MS. FIELDS: We have a quorum.
 16 CHAIRMAN DUZAN: Okay. The next thing
 17 is the approval of the minutes from the July 22,
 18 2020, meeting, which I believe everybody should
 19 already have. Any discussion?
 20 MR. SMITH: I have one comment. This
 21 is Bill Smith. If you look at the adjournment
 22 list, I think it's an old list. It doesn't
 23 match the beginning list.
 24 CHAIRMAN DUZAN: Okay. I guess, how do
 25 we address that from -- do we just make a note

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1 of that and then vote it be approved as the
 2 amendment?
 3 MS. CHARD: Mr. Duzan, when the council
 4 makes their motion, they should request that
 5 that be specifically corrected.
 6 CHAIRMAN DUZAN: Okay. Then do we have
 7 a motion?
 8 MR. SMITH: This is Bill Smith. I
 9 would make a motion that the minutes be accepted
 10 as amended, with a correct listing of the
 11 adjournment list.
 12 MS. MACH: This is Mary Elizabeth Mach.
 13 I'll second.
 14 MR. WINEGARDNER: This is Duane. I
 15 will second that.
 16 CHAIRMAN DUZAN: Okay. We'll have a
 17 vote.
 18 MS. FIELDS: Mr. Carr?
 19 MR. CARR: Yes.
 20 MS. FIELDS: Ms. Mach?
 21 MS. MACH: Yes. Yes.
 22 MS. FIELDS: Mr. Moore?
 23 MR. MOORE: Yes.
 24 MS. FIELDS: Mr. Nelson?
 25 MR. NELSON: Yes.

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1 MS. FIELDS: Mr. Smith?
 2 MR. SMITH: Yes.
 3 MS. FIELDS: Mr. Sowers?
 4 MR. SOWERS: Yes.
 5 MS. FIELDS: Ms. Wells?
 6 MS. WELLS: Yes.
 7 MS. FIELDS: Mr. Winegardner?
 8 MR. WINEGARDNER: Yes.
 9 MS. FIELDS: Ms. Wyatt? Ms. Wyatt?
 10 MR. WINEGARDNER: Excuse me?
 11 MS. WYATT: Yes.
 12 MS. FIELDS: Okay. Mr. Duzan?
 13 CHAIRMAN DUZAN: Yes.
 14 MS. FIELDS: Motion passed.
 15 CHAIRMAN DUZAN: Okay. Next is the
 16 discussion of the schedule for next year, the
 17 meetings for the 2021 calendar year. The Staff
 18 recommends that meetings be held at 2 p.m. at
 19 DEQ's first floor of multipurpose room at DEQ's
 20 Oklahoma City office at 707 North Robinson,
 21 unless it's deemed that we do more virtual
 22 meetings.
 23 The dates listed, which you should have
 24 had before, everybody, Tuesday, January 12th,
 25 Tuesday, May 11th, Tuesday, July 27th, and

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1 Tuesday, September 28th. Any discussion from
 2 the Council?
 3 MR. NELSON: I would move approval of
 4 the schedule.
 5 MS. WELLS: I second.
 6 CHAIRMAN DUZAN: Okay. Let's have a
 7 vote.
 8 MS. FIELDS: Mr. Carr?
 9 MR. CARR: Yes.
 10 MS. FIELDS: Ms. Mach?
 11 MS. MACH: Yes.
 12 MS. FIELDS: Mr. Moore?
 13 MR. MOORE: Yes.
 14 MS. FIELDS: Mr. Nelson?
 15 MR. NELSON: Yes.
 16 MS. FIELDS: Mr. Smith?
 17 MR. SMITH: Yes.
 18 MS. FIELDS: Mr. Sowers?
 19 MR. SOWERS: Yes.
 20 MS. FIELDS: Ms. Wells?
 21 MS. WELLS: Yes.
 22 MS. FIELDS: Mr. Winegardner?
 23 MR. WINEGARDNER: Yes.
 24 MS. FIELDS: Ms. Wyatt?
 25 MS. WYATT: Yes.

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1 MS. FIELDS: Mr. Duzan?
 2 CHAIRMAN DUZAN: Yes.
 3 MS. FIELDS: Motion passed.
 4 CHAIRMAN DUZAN: Okay. Next on the
 5 agenda is Emergency Rulemaking to OAC 252:641,
 6 Individual And Small Public On-site Sewage
 7 Treatment Systems. I believe we have a
 8 presentation from Nicholas Huber from the DEQ.
 9 So Nicholas.
 10 MR. HUBER: Yes. Thank you. I want to
 11 say hello to everyone. I'll try to get in
 12 control of the presentation here. Here we go.
 13 All right. I'll say hello. My name is
 14 Nicholas Huber. I'm the On-site Total Retention
 15 Lagoon Program Manager for the Enviromental
 16 Complaints and Local Service Division. I'll be
 17 presenting rules to the council as to Chapter
 18 641.
 19 These emergency changes are in response
 20 to some legislative directive that we received
 21 in the spring to make changes to the sizing of
 22 lateral line systems and aerobic spray
 23 application areas. During that session, we saw
 24 House Bill 3461 move through the House with
 25 almost unanimous support. It was viewed in the

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1 we presented the rules at in soliciting comments
 2 from our stakeholders.
 3 Various other meetings were held with
 4 interested parties throughout the (undiscernible
 5 audio portion) to continue with the revision of
 6 these rules. It was this large collaboration
 7 that allowed us to come to the draft that we
 8 have today.
 9 I will discuss changes to 641 that
 10 include definition revisions, expansion of
 11 dispersal system requirements, an addition of an
 12 optional reduction for conventional subsurface
 13 absorption systems, and then changes to sizing
 14 criteria that are Appendix H in this chapter.
 15 Here we'll see in 641-1-2 in our
 16 definitions that we are looking to add a
 17 manufactured media system definition. We'll be
 18 amending water body protection area, Zone 1
 19 definition, and then we'll also make a deletion
 20 of a definition.
 21 I'm not -- there we go. Okay. So
 22 we're proposing to add a definition for
 23 manufacturing media systems. It will read, "A
 24 system containing a dispersal trench product
 25 utilizing a non-gravel, fines-free storage media

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1 Senate, and they did send it back to the House
 2 for renaming.
 3 It was at this time that COVID began to
 4 take place, to really take hold, and that House
 5 bill did not make it into law. Through
 6 discussion, we decided to continue with the
 7 emergency revision, since all indications were
 8 that that bill would have become law had the
 9 pandemic not occurred.
 10 We also noted that several of the
 11 changes that we were looking at making would
 12 address perceived prejudice to public interest,
 13 that had resulted from our current rules. These
 14 changes will allow Oklahomans more freedom to
 15 use their property and, thus, better control
 16 over their personal interest, all while
 17 providing for a continued protection of human
 18 health and the environment.
 19 Through this process, we continue to
 20 rely on our stakeholders to assist in the
 21 revision of Chapter 641. We had significant
 22 contributions from many of the certified
 23 installers in Oklahoma, along with industry
 24 professionals and manufacturers. During this
 25 process, we did hold three virtual meetings that

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1 specifically designed for the dispersal and the
 2 treatment of sewage." That's a new definition
 3 that will set some groundwork for changes of --
 4 (inaudible portion.)
 5 THE REPORTER: I'm sorry. I'm sorry,
 6 Mr. Huber. For some reason you're fading in and
 7 out. When -- maybe just try and speak right
 8 into your microphone. I apologize but I'm
 9 struggling getting what you just said.
 10 MR. HUBER: Okay.
 11 THE REPORTER: Can you -- that's really
 12 clear, right there. Can you go back over what
 13 you just said? I apologize.
 14 MR. HUBER: Yes. We are proposing to
 15 add a definition for manufacturing media
 16 systems. This definition will state, "A system
 17 containing a dispersal trench product, utilizing
 18 non-gravel fines-free storage media,
 19 specifically for the dispersal and treatment of
 20 sewage."
 21 This definition will allow us to expand
 22 the types of systems that will be used in
 23 Oklahoma, including, but not limited to,
 24 chambers, vinyl expanded polystyrene, and other
 25 synthetic media systems. With the inclusion of

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1 this definition, we will be removing --
2 proposing to remove the definition that was
3 currently in place for the changes.
4 The next definition that we're
5 proposing to amend is Zone 1, which has been
6 defined as 660 feet from the highest normal pool
7 elevation or a streambed. This change is being
8 proposed to reduce this distance to 300 feet.
9 The reduction of this distance will still
10 maintain a level -- high level of protection for
11 the water to the State, but will open up system
12 options for property owners. This change also
13 puts it in line with the standard that has been
14 in place for many years, for separation distance
15 to the public water supply.
16 The next change we're proposing is in
17 Subchapter 12-1, The General Provisions. We're
18 looking to add a Part F to provide additional
19 guidance for the use of dispersal systems. This
20 section includes criteria for perforated storage
21 media and manufactured media systems. By
22 placing this new language in the general
23 provisions, we'll be able to provide guidance
24 for conventional subsurface absorption systems,
25 shallow extended systems, low pressure dosage

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1 evaluated 20 years worth of rainfall data,
2 across nine different identified zones, to
3 evaluate current sizing of our conventional
4 system.
5 The model indicated a scaled reduction
6 in sizing was appropriate for parts of the
7 state. Based on these findings, we are looking
8 to propose optional reductions of 15 and
9 30 percent, depending on where you are in the
10 state. The 15 percent reduction is being
11 proposed to what we consider net evaporation
12 Zones 6 through 8, which are certain counties in
13 central Oklahoma; and a 30 percent reduction for
14 net evaporation Zones 9 and 10, which are
15 western Oklahoma. Both of these reductions will
16 be based on soil profile test methods.
17 The research project did not recommend
18 a reduction in eastern Oklahoma. Found the
19 sizings there were appropriate. Here we can see
20 a breakdown of how that classification will
21 work. The brown shaded area in eastern Oklahoma
22 would not receive a reduction and would be
23 compliant with our standard sizing. The blue
24 counties would be our 15 percent reduction
25 option, and the yellow counties would fall

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1 and ETA systems.
2 Part one of the new language is taken
3 from the Sections I just mentioned, so it is not
4 changing something added to this section. The
5 second part here for manufacturing media systems
6 is providing that guidance for their systems and
7 their manufacturers to comply with. This new
8 language will remove the need to provide
9 individual approval to manufacturers for various
10 systems. So as long as the criteria is met,
11 then the dispersal systems can be used in
12 Oklahoma. Along with this definition of
13 criteria, it will be also including equivalent
14 sizing for manufactured media systems.
15 In 641:12-2 -- 641-12-2, conventional
16 subsurface absorption fields, we're looking to
17 include language that defines the use of
18 optional reductions in certain counties. These
19 reductions were based on research that was
20 completed by Josh Maple under the supervision of
21 Professor Sergio Abit at Oklahoma State
22 University.
23 The modeling project evaluated the
24 impact of rainfall on subsurface absorption
25 systems across the state. The modeling system

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1 within that category for 30 percent reduction.
2 With the addition of the sizing
3 equivalent to manufactured media system, the
4 optional reduction in parts of the state, we had
5 to make changes to our appendix and the charts
6 contained within those appendices. The best way
7 we found to do that was combine the sizing for
8 gravel and manufactured media systems based on
9 the soil testing.
10 So here in an attempt to be consistent
11 across all the sizing charts, we combined the
12 sizing to the percolation test method in Figure
13 1. Now all the sizing for the percolation test
14 method would be in Figure 1, Appendix H.
15 As we go to Figure 2, we see our
16 standard statewide sizing for gravel and
17 manufactured media systems. Manufactured media
18 systems have a sizing equivalent of .75 to a
19 gravel sizing. This would be what we would
20 recommend statewide for use.
21 Figure 3 contains our 15 percent
22 reduction for gravel systems. It still
23 maintains that equivalent sizing for
24 manufactured media, which is at .75. This is
25 for those zones designated 6 through 8 in our

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1 Net Evaporation Chart at the end of Appendix H.
2 Figure 4 will contain the 30 percent
3 reduction, which we have applied in sizing for
4 gravel and manufactured media system. We
5 have -- in combining this, it provides for
6 condensed sizing for the design criteria for
7 soil testing view.
8 So as we continue on, we have been
9 tasked with addressing the issue with aerobic
10 system application. Current sizing areas within
11 eastern Oklahoma are very large, requiring large
12 pieces of property to be held for the
13 application of effluent. These sizing increases
14 were made in 2007 and were based on the 90th
15 percentile rainfall.
16 Changes didn't take into account the
17 absorption that occurred by the soil and the
18 uptake by the vegetation there. In reviewing
19 our complaints and talking with installers, we
20 just weren't seeing any issue with those older
21 systems' design on the sizing pre 2007. So
22 based on this, we're proposing to roll back
23 their sizing numbers for aerobic systems to what
24 they were in 2007.
25 Upon review, we noted that several of

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1 majority of Oklahoma west of I-35, will be --
2 use one sizing chart. I believe, also, in this
3 review, noted that there was sizing criteria
4 that was admitted from the previous provision
5 that was done. It took effect September 15th.
6 In the identification of that, we have made
7 changes to include drip irrigation sizing and
8 spray irrigation sizing for small public aerobic
9 systems.
10 Figure 13 is our drip sizing, which is
11 going to include another column for the sizing
12 based on soil loading rate. I need to go back
13 to the chart. I'll let you guys look at that.
14 Here's our drip sizing. We already
15 established sizing for our individual residents.
16 We have simply added another chart to this
17 Figure 4, Small Public. The spray irrigation
18 has been applied to our small public with a per
19 gallon, per day square footprint. It will
20 pull -- it will pull from the residential
21 sizing.
22 This is the changes that we proposed.
23 I will now turn it back over to the council for
24 any questions they may have.
25 CHAIRMAN DUZAN: Okay. Thank you,

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1 the sizing for the different net evaporation
2 zones were very close in footprint. So we are
3 proposing that we combine some of those charts,
4 and we'll look at those now.
5 Here we see net evaporation Zones 1 and
6 2 being combined into a single sizing chart.
7 The current sizing for a three bedroom home in
8 the Zone 5 soil is roughly 19,000 square feet,
9 so the reduction that we're proposing is quite
10 significant. This is going to allow Oklahomans
11 to have more control in use of the property they
12 have in a fairly large part of Oklahoma.
13 Net Evaporation Zone 3 contains its
14 own -- has its own sizing chart. It's still a
15 reduced footprint.
16 Okay. Having problems going to the
17 next slide.
18 Okay. 4 and 5 was also combined.
19 Again, it's a slight reduction. It's not near
20 as significant as we see in eastern Oklahoma,
21 Zones 1 and 2. 6 and 7 is also combined.
22 Again, a slight reduction. This is -- as we're
23 getting into western Oklahoma, the reductions
24 are less significant.
25 8, 9 and 10, which will consist of the

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1 Nicholas.
2 And now we'll open up questions from
3 the council. Anybody have any questions?
4 Comments?
5 MR. NELSON: This is John Nelson. I
6 think at the last meeting you mentioned that
7 this criteria, this new criteria, lined up
8 fairly well with surrounding states; is that
9 correct?
10 MR. HUBER: Yes. The modeling that was
11 completed by OSU to evaluate Kansas' application
12 of reduction from east to west.
13 MR. NELSON: So just Kansas?
14 MR. HUBER: Yes. Kansas was the one
15 state that was listed in that report.
16 MR. NELSON: Thank you.
17 MR. HUBER: You're welcome.
18 MR. SMITH: Nicholas, this is Bill
19 Smith. I did review the study that you
20 submitted, and I -- I had raised a question last
21 meeting about the precipitation and the source
22 of the precipitation. And I concur with what
23 they are using, so I just wanted to clarify
24 that.
25 MR. HUBER: Thank you.

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1 CHAIRMAN DUZAN: Any other questions or
 2 comments from the council?
 3 MR. WINEGARDNER: This is Duane
 4 Winegardner. I thought the study was done very
 5 well. I went through it pretty carefully, and I
 6 enjoyed reading it and I'm glad it was provided
 7 to us.
 8 CHAIRMAN DUZAN: Okay. If there's no
 9 other questions or comments from the council at
 10 this point, we'll open it up to the public. And
 11 they have the little thing that you raise your
 12 hand, and then I think there's a Mr. Parks from
 13 the ODEQ will administer that. So we'll open it
 14 up for questions from the public.
 15 MS. HATFIELD: It's now, like the Chair
 16 said, time for public questions and comments.
 17 If you wish to make a comment, either click the
 18 Raise Hand icon on your device, at the bottom of
 19 the participant's list, or, if you were calling
 20 in by phone, you can hit *9. If you do not have
 21 a microphone on your device, you will need to
 22 call 1-312-626-6799. And you can see the
 23 meeting ID and password on your screen.
 24 I will then identify you by name or the
 25 last four digits of your phone number when it's

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1 openness of the process, and we want to commend,
 2 to the council, DEQ's staff's inclusion of
 3 interested parties, at least, specifically, with
 4 respect to our involvement to the proposed rules
 5 that are put before you presently. Thank you.
 6 CHAIRMAN DUZAN: Okay. Thank you, sir.
 7 We appreciate it. I think everybody at the DEQ
 8 and the council, you know, try to get as much
 9 information out there as they can, because
 10 there's a lot of stakeholders out there. So we
 11 appreciate the good work.
 12 I guess we'll move on to the next, if
 13 there's any more questions.
 14 MS. HATFIELD: There are currently no
 15 raised hands. We'll give the public about a
 16 minute to raise their hand.
 17 MR. HUBER: While we're waiting, I
 18 would like to make a comment here. We will be
 19 bringing these to permanent rule in,
 20 approximately, January, as well. I forgot to
 21 add that. We will be bringing this to everyone
 22 for a vote in January.
 23 MS. HATFIELD: We don't have any raised
 24 hands. If you do wish to speak, please raise
 25 your hand or push *9 on your phone.

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1 your turn to speak, and then I will unmute your
 2 line. Please state your name and affiliation
 3 for the record, and you will have approximately
 4 three minutes to make your comment.
 5 Once you begin to speak, your -- the
 6 timer will begin at the bottom of the screen.
 7 Once you have reached three minutes, we will
 8 give you an additional three minutes, but please
 9 be mindful of the time and try to wrap your
 10 comments up after that.
 11 So if anyone has any comments, please
 12 raise your hand.
 13 Mr. Bachelder, I will now unmute you
 14 and you can begin speaking. And please note the
 15 timer at the bottom of the screen. Thank you.
 16 MR. BACHELDER: Thank you very much.
 17 My name is Dick Bachelder. I'm a government
 18 Affairs Specialist with Infiltrator Water
 19 Technologies. Upon learning about the proposed
 20 changes in the rules last fall, our company,
 21 Infiltrator Water Technologies, submitted
 22 comments to DEQ. And from that point forward,
 23 we have enjoyed a very back and forth dialogue
 24 with Nicholas and the members of the staff. And
 25 we're very grateful for the involvement and the

Page 25

1 MR. PARKS: I have a comment.
 2 Nicholas, are you -- so this won't be put to a
 3 vote today at all?
 4 MR. HUBER: That is incorrect. These
 5 emergency rules will be voted on today. We will
 6 also be bringing them back to the council in
 7 January to be voted on as permanent rules.
 8 MS. HATFIELD: It would appear that we
 9 do not have any additional raised hands, so if
 10 we would like to move on, we can do so.
 11 CHAIRMAN DUZAN: Okay. We will move on
 12 from the discussion. If somebody has a motion.
 13 MR. SOWERS: Steve Sowers, make a
 14 motion --
 15 MS. MACH: This is Mary --
 16 MR. SOWERS: Go ahead, Mary.
 17 MS. MACH: This is Mary Elizabeth Mach,
 18 and I make a motion that we approve the
 19 emergency rule.
 20 MR. SMITH: This is Bill Smith. I
 21 second that motion.
 22 CHAIRMAN DUZAN: Okay. We'll have a
 23 roll vote.
 24 MS. FIELDS: Mr. Carr?
 25 MR. CARR: Yes.

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1 MS. FIELDS: Ms. Mach?
 2 MS. MACH: Yes.
 3 MS. FIELDS: Mr. Moore?
 4 MR. MOORE: Yes.
 5 MS. FIELDS: Mr. Nelson?
 6 MR. NELSON: Yes.
 7 MS. FIELDS: Mr. Smith?
 8 MR. SMITH: Yes.
 9 MS. FIELDS: Mr. Sowers?
 10 MR. SOWERS: Yes.
 11 MS. FIELDS: Ms. Wells?
 12 MS. WELLS: Yes.
 13 MS. FIELDS: Mr. Winegardner?
 14 MR. WINEGARDNER: Yes.
 15 MS. FIELDS: Ms. Wyatt?
 16 MS. WYATT: Yes.
 17 MS. FIELDS: Mr. Duzan?
 18 CHAIRMAN DUZAN: Yes.
 19 MS. FIELDS: Motion passed.
 20 CHAIRMAN DUZAN: Okay. The next thing
 21 on the list is the Discussion Of Rulemaking for
 22 the January 2021 WQMAC Meeting on the Oklahoma
 23 Pollutant Discharge Elimination System, the
 24 OPDES Standards. And we have a presentation by
 25 Brian Clagg from the DEQ.

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1 and it appears many of those were minor.
 2 One was a change to the definition of
 3 new dischargers, which in the previous CFR was
 4 defined, in part, as a building structure or
 5 facility or installation, which has never
 6 received a finally effective NDPES permit for
 7 discharges at that site.
 8 It was hard for me to say NDPES,
 9 because we all know that we always say NPDES.
 10 So that was the change that was made to that, so
 11 as you can see, many of these changes are really
 12 relatively minor. There were a couple of
 13 definitions added related to discharge of
 14 pesticides, from pesticide applications, and
 15 this would be regulated by the Department of
 16 Agriculture and Forestry here in Oklahoma.
 17 Some of the things that were more,
 18 perhaps, kind of tangible changes to us, were
 19 changes to EPA contact information, such as web
 20 addresses for electronic databases. Also,
 21 making current, just some of the outdated
 22 references.
 23 There were changes made to permit
 24 application, such as requiring e-mail addresses,
 25 indicating that the facility uses cooling water

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1 So Brian.
 2 MR. CLAGG: All right. Thank you,
 3 Brian.
 4 As he mentioned, we'll be going over
 5 those areas of our rules that we incorporate by
 6 reference. So I will discuss the rulemaking for
 7 the January 2021 council meeting as it relates
 8 to the rules that we incorporate by reference,
 9 certain sections out of the federal regulations.
 10 So of these we have identified three
 11 that need to be updated. These include Chapter
 12 606, which is our Oklahoma Pollutant Discharge
 13 Elimination System Standards, Chapter 631, which
 14 is Public Water Supply Operations, and, lastly,
 15 Chapter 690, which is our Water Quality
 16 Standards Implementation. So the agenda
 17 provides a brief summary of what those changes
 18 entail, and I will go through each of those
 19 beginning with Chapter 606.
 20 So for 606, DEQ staff will be proposing
 21 an update of the progress of the publication
 22 date of the federal rules incorporated by
 23 reference from July 1st, 2018, to July 1st,
 24 2020. The summary in the federal register
 25 describes the final regulatory changes as minor,

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1 or it is requesting a variance. These -- there
 2 were changes to public notice, allowing for
 3 public website posting in lieu of newspaper
 4 publication.
 5 In summary, for this -- for this rule,
 6 these changes are intended to modernize --
 7 modernize the regulations, promote submission of
 8 complete permit application, and it clarifies
 9 regulatory requirements to allow more timely
 10 development of the NPDES permits that protect
 11 human health and the environment.
 12 So that basically concludes my update
 13 on 606. I turn it back to Mr. Duzan.
 14 CHAIRMAN DUZAN: Okay. Is there any
 15 discussion from the council on these changes
 16 that are coming up for the January meeting?
 17 Okay. Since there's no questions
 18 there, I guess we'll go back to see if we can
 19 get some comments from the public. Erin, I
 20 think, was in charge of that.
 21 MS. CHARD: Excuse me, Mr. Duzan.
 22 Whoever is controlling the slides, you are at
 23 least two slides ahead. If you could go back to
 24 OAC 252:606. This is Shellie Chard, Water
 25 Quality Director. Thank you.

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1 CHAIRMAN DUZAN: So do we have any
 2 raised hands from the public?
 3 MS. HATFIELD: As of right now we do
 4 not have any raised hands from the public. If
 5 you would like to comment, please raise your
 6 hand or push *9 on your phone.
 7 CHAIRMAN DUZAN: Okay. Since we don't
 8 have any yet, I want to say we move on down to
 9 631, since we're not voting any permanent rules.
 10 These are all fairly related. So this is the
 11 Item B, the Public Water Supply Operation,
 12 Chapter 631.
 13 So Brian.
 14 MR. CLAGG: Okay. For Chapter 631, DEQ
 15 is proposing an update of the progress of the
 16 publication date of the federal rules,
 17 incorporated by reference from January 1, 2017,
 18 to July 1, 2020. These changes concern approval
 19 of alternative test methods.
 20 So when the EPA determines that an
 21 alternative analytical method is equally
 22 effective, for example, is as effective as a
 23 method that has already been promulgated in the
 24 regulations, then the Safe Drinking Water Act
 25 allows the EPA to approve the use of the

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1 comments from the public? Which you have to go
 2 back and raise your hand and they'll let you in.
 3 MS. HATFIELD: We don't currently have
 4 any raised hands. But if you would like to do
 5 so, please use the raise hand function or press
 6 *9 on your phone.
 7 CHAIRMAN DUZAN: Okay. We'll give them
 8 a little bit of time here before we move on.
 9 MS. HATFIELD: There are still no
 10 raised hands.
 11 CHAIRMAN DUZAN: Okay. Then we'll move
 12 on to 690, Water Quality Standards
 13 Implementation.
 14 Brian.
 15 MR. CLAGG: Okay. Chapter 690 DEQ
 16 staff will be proposing an update of the
 17 progress of the publication date of the federal
 18 rules, incorporated by reference from July 1,
 19 2016, to July 1, 2020. These changes include
 20 EPA's and the Department of the Army's
 21 redefining and clarifying the scope of Waters of
 22 the United States federally regulated under the
 23 Clean Water Act, consistent with the executive
 24 order signed on February 28th, 2017. This final
 25 rule implements the overall objective of the

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1 alternative testing methods through publication
 2 in the federal register.
 3 The EPA used that authority to make
 4 about 100 additional methods available for
 5 analyzing drinking water samples. Therefore,
 6 these changes provide more timely access to new
 7 measurements techniques and greater flexibility
 8 in the selection of analytical methods, thereby
 9 reducing monitoring costs, while maintaining
 10 public health protection. And that concludes my
 11 update on Chapter 631.
 12 CHAIRMAN DUZAN: Okay. Any discussion
 13 from the council on 631?
 14 MR. NELSON: So, Brian, nothing was
 15 eliminated? No test procedures were eliminated,
 16 just additional tests were added?
 17 MR. CLAGG: Right. That's my
 18 understanding. Like I say, there was about 100
 19 of them that were added, so...
 20 CHAIRMAN DUZAN: Yeah, typically, the
 21 technology moves faster than the EPA can develop
 22 new methods and get through the publication
 23 process.
 24 So any other questions or comments from
 25 the council? If not, we'll -- any questions or

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1 Clean Water Act and increases the predictability
 2 and consistency of Clean Water Act programs.
 3 That concludes information on that one.
 4 Back to you, Brian.
 5 CHAIRMAN DUZAN: Okay. Questions or
 6 comments from the council?
 7 MS. MACH: I have a question. This is
 8 Mary Elizabeth Mach. I recall Director Chard
 9 noting that there were going to be some changes
 10 to the Waters of the United States. Is this at
 11 all related to the current work that the EPA is
 12 doing? And, if so, is this incorporation by
 13 reference or is it actually adopting all of
 14 those changes?
 15 MR. CLAGG: Go ahead, Shellie.
 16 MS. CHARD: So this is adopting what
 17 the federal requirements or the federal
 18 definition is. We do not adopt anything in
 19 advance, so this would be adopting what the
 20 federal rule is right now.
 21 As it relates to Waters of the US, at
 22 least for some of the states, including
 23 Oklahoma, is we do have our own definition of
 24 Waters of the State. Based on our definition of
 25 Waters of the State, this will have no impact on

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1 our permitting programs in Oklahoma.
2 MS. MACH: Okay.
3 MS. CHARD: So you hear a lot of talk
4 about this, and you hear a lot of talk of how it
5 greatly impacts certain issues in some states.
6 The only time this is going to become more
7 challenging for us is, I'm sure, many of you
8 have seen the McGirt decision, the Supreme Court
9 case involving the Muskogee Creek Nation. And
10 so there is some review going on at this time.
11 It does not appear that this is an
12 issue that we have to address, but that's a set
13 of circumstances where, if the federal
14 government were to -- I started to say retain,
15 but it's actually to take over that authority,
16 that could have impacts in that area that EPA
17 would be governing. But from our practical
18 standpoint, these changes we have to include in
19 order to be consistent with the federal laws and
20 our delegation agreement. But our state
21 definition goes beyond what the federal is, and
22 that has been the case for a very long time in
23 Oklahoma.
24 MS. MACH: Okay. Thank you, Shellie.
25 I love -- I love your background, by the way.

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1 that is through our Operators Certification
2 Program. Because those are occupational
3 licenses, they are covered under the governor's
4 executive order, which automatically extends
5 those licenses to ten days past the expiration
6 of this last executive order.
7 So while we've had maybe a third or so
8 of license holders renew, that still leaves a
9 big chunk that have yet to renew this year. So
10 we're watching our budget very closely to see
11 what changes or how that may impact us.
12 Also, even though our state
13 appropriated dollars is announced at the
14 beginning of the fiscal year, that we will have
15 X number of dollars, we actually receive 1/12th
16 each month. And anytime that there is a
17 decrease in state appropriated dollars collected
18 by the Tax Commission, that can impact our
19 budget.
20 So I'm expecting that we will be
21 hearing conversations of a revenue failure,
22 which is when the Excise Board, they meet, they
23 discuss, they determine what the actual revenue
24 is, or they will make an adjustment to what they
25 predicted initially. And what that means is we

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1 That's all I have.
2 CHAIRMAN DUZAN: Okay. Any other
3 questions or comments from the council?
4 Questions or comments from the public? Do we
5 have any raised hands?
6 MS. HATFIELD: We currently do not have
7 any raised hands.
8 CHAIRMAN DUZAN: Okay. Okay. Well,
9 thanks, Brian, for the presentation.
10 Then we're going to go ahead and move
11 on, since we don't have any raised hands or
12 other questions or comments, to the director's
13 report from Shellie Chard.
14 So Shellie.
15 MS. CHARD: Good afternoon, everyone.
16 So I had just a few things that I wanted to
17 cover with you today, first being a budget and
18 some COVID-19 issues. I'm sure it's not a
19 surprise to anyone that the State is seeing a
20 decline in revenue, not only because of COVID-19
21 and the economic slowdown that it has caused,
22 but also in the oil and gas industry.
23 So we know that we, as an agency, are
24 seeing decreases in the amount of fee dollars
25 that we are receiving of -- the biggest chunk of

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1 could have all state agencies receive a X
2 percent decrease in State appropriated dollars,
3 or the legislature could come back into session,
4 or when they are in session in February, adjust
5 the dollars appropriated to each agency.
6 So, again, that's something we're
7 watching. And I don't have any really good
8 information to share with you, other than I know
9 budget always comes up when we have these
10 conversations, so I wanted to let you know where
11 we stood there.
12 So drinking water issues with EPA. We
13 know that we're going to be seeing the new lead
14 and copper revised rule coming out any day. EPA
15 has said it has been returned to them from OMB,
16 and so they're scheduling a signing ceremony,
17 basically is what we're waiting on.
18 We know from what we saw in the
19 proposal that this one is going to be a big one
20 for us as far as the amount of work this rule
21 requires, not only of drinking water systems but
22 also on State agencies. So that's one, you may
23 see some rulemaking. You definitely will hear
24 about it. And those of you that run drinking
25 water systems or laboratories, this is going to

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1 be one that we're going to be dealing with for a
 2 very long time in trying to determine the best
 3 way to move toward compliance and all of the
 4 revised sampling plans that are required and the
 5 different kinds of sampling.

6 This is one of the few rules that
 7 mandates monitoring. But they're not all
 8 regulatory compliance samples, so that creates a
 9 whole other level of tracking, monitoring,
 10 reporting. So that will be certainly
 11 interesting.

12 We are seeing a lot of activity from
 13 EPA on microbial -- microbes in drinking water
 14 and also in the interest of disinfection
 15 by-products. EPA is convening a stakeholder
 16 meeting. It's six or seven hours on two
 17 back-to-back days in October. I believe it's
 18 the 14th and 15th. I will be participating as
 19 one of the state panelists in a couple of
 20 discussions.

21 The focus seems to be on looking at,
 22 would EPA, or should EPA, establish residual
 23 levels in distribution systems, and what, as the
 24 state, we've kind of been referring to as Stage
 25 3 disinfection by-products, with a focus on

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1 We are also going through SDWIS
 2 modernization. SDWIS is the Safe Drinking Water
 3 Information System. This is where all the
 4 drinking water information is tracked. EPA has
 5 been working on this, it feels like forever, but
 6 I think the actual length of time is somewhere
 7 around ten years.

8 They've used multiple different
 9 contractors, and they've spent two or three
 10 years and then have stopped work, and then spent
 11 two or three years. And last summer stopped the
 12 entire process because of some fatal flaws in
 13 the database that's behind the system, that they
 14 discovered.

15 I have been serving on that
 16 modernization board in trying to ensure that the
 17 states are overseeing the process, seeing what's
 18 happening, and helping to guide EPA down a path
 19 so that the states get something that is useable
 20 and meets the requirements of the rules. EPA
 21 does very little direct implementation, so
 22 sometimes they don't necessarily understand all
 23 of the things that it takes to implement the
 24 rules that they put in place for us. So that's
 25 going to be something that's going to continue

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1 nitrosamine. It's, basically, the disinfection
 2 by-products formed by the use of chloramination,
 3 as opposed to the chlorine that we see now.

4 This is one that's a lot of discussion
 5 at this point, and we don't have any indication
 6 on timing, of when EPA would look to move
 7 forward with any new regulation changes to
 8 existing regulations. But this is one I will
 9 definitely keep you all informed.

10 We're also seeing continued expansion
 11 in the capacity development areas of the
 12 drinking water program. We've seen it through
 13 rules over time. We're now seeing it in
 14 Congressional acts. The WIIN Act and AWIA, both
 15 of those continue to expand that focus on
 16 capacity development, the financial, managerial,
 17 and technical competencies in drinking water
 18 facilities.

19 Fortunately, in Oklahoma we do have
 20 really good experts and partners that we are
 21 working with to help systems. One of the
 22 biggest areas that we've talked about before is
 23 the Water Loss Audit Program. So that is
 24 continuing to expand, and we're seeing some
 25 really positive results there.

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1 for quite some time.

2 In the last month or so there's been a
 3 lot of activity around water reuse. There
 4 was -- what was supposed to be a two-day
 5 meeting, of course, that moved to virtual, that
 6 we met every Thursday in September for about
 7 three hours on different topics of water reuse.
 8 I'm definitely seeing a lot of interest and
 9 expanding interest nationwide in enhancing
 10 drinking water sources.

11 Oklahoma has been featured pretty
 12 heavily in some of these activities because of
 13 the drought that we suffered a few years ago and
 14 were able to get our aquifer storage recovery
 15 rules in place and all of our non-potable reuse
 16 rules and our indirect potable reuse rules. So
 17 we are, again, being able to help direct some of
 18 that national dialogue and working closely with
 19 EPA and the Water Reuse Action Plan.

20 Some examples of areas where we've had
 21 some pretty significant input at the American
 22 Water Works Association Virtual ACE, their big
 23 conference every year, we have presenters
 24 talking about potable, both direct and indirect
 25 from a state perspective. Produced water

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1 continues to be a big discussion for us. There
2 are presentations that have already been
3 prerecorded for the Water Environment
4 Federation's annual conference, WEFTEC. This
5 year, WEFTEC Connect. I was able to participate
6 in one of the produced water sessions there.
7 We -- the Groundwater Protection
8 Council annual forum is going on this week
9 virtually, and there were a couple of
10 presentations highlighted by DEQ staff on our
11 aquifer storage and recovery, the intersection
12 of Safe Drinking Water Act and Clean Water Act
13 as it relates to reuse, and also on produced
14 water. So we are very active right now and have
15 big roles in driving some of the nation's water
16 policy.
17 And, finally, I know many of you have
18 heard EPA talk about some of their streamlining
19 processes and how they are shifting and doing
20 more lean processes. They have asked that the
21 states also participate with them in identifying
22 some processes that we have, and going through
23 that lean process in order to improve timelines
24 and to provide better customer service. So this
25 was something that fits perfectly into DEQ's

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1 that our water and waste water operators are
2 acknowledged, not only as first responders, but
3 as continuous responders. Because we do need
4 them every day to make sure that we protect
5 public health in the water we drink and in being
6 able to wash our hands frequently, as we try to
7 get through the global pandemic.
8 So with that, I think I'll stop there
9 and answer any questions that anyone might have.
10 MR. WINEGARDNER: This is Duane
11 Winegardner. I have a question for you. On the
12 internet I have seen a lot of discussion about
13 fluoroalkyl substances in groundwater. And has
14 that been brought up or is that under
15 discussion?
16 MS. CHARD: So all of the PFAS
17 compounds, there's definitely a lot of
18 discussion there. DEQ, as an agency, we do have
19 a team that is following that issue and working
20 on that issue. Kay Coffey, who is the PhD
21 drinking water engineer here in Water Quality,
22 is heading up the agency team.
23 We also are working with other state
24 agencies, looking at where we might have
25 detection of those PFAS compounds, what are they

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1 strategic plan.
2 And the first lean process that water
3 quality has undergone is our storm water
4 construction permit process. And after
5 attending one meeting with our staff, after they
6 had made their virtual board presentation to
7 EPA, our process and our virtual management
8 system or virtual visible -- okay. Let me try
9 that again. Virtual visual management board.
10 EPA was so impressed with that, that they asked
11 that we make ourselves available and help them,
12 working with EPA headquarters and, potentially,
13 some of the other regions, to highlight how we
14 were able to make the transition to physically,
15 all being in the same place, to a visual
16 management system that is all electronic. So
17 I'm pretty proud of my staff for what they've
18 been able to do with that project, and they have
19 been recognized by EPA, which is pretty
20 exciting.
21 One last good news item. DEQ is
22 working with Oklahoma State University in their
23 Water Resources Center, in their effort to
24 highlight careers in the water sector and,
25 hopefully, elevate that profile and make sure

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1 likely attributed to, and working with
2 responsible parties on cleanup and that sort of
3 thing.
4 Right now our Land Protection Division
5 is the division that's seeing the most activity.
6 They are working with the military departments,
7 the various installations as they're going
8 through their site characterization process.
9 Just -- so you know, in the earlier rounds of
10 drinking water sampling in Oklahoma, we only had
11 one drinking water system that had a detection
12 in their source water, and it was below the
13 current health advisory. So we've been very
14 fortunate so far.
15 We are participating in state and
16 national work groups on the subject. I can tell
17 you, Congress has taken an issue -- an interest
18 in this issue. They are likely to propose
19 language again this year -- or this Congress,
20 that would set regulatory levels as opposed to
21 relying on the scientists in EPA to work through
22 that process.
23 There are groups that are lobbying very
24 hard for Congress to mandate standards. EPA
25 does have a PFAS team that is also working on

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1 this issue, but they're not moving fast enough
2 for Congress.
3 The House, in the past, has advanced
4 some bills; the Senate has not taken them up.
5 The Defense bills had drinking water levels, as
6 well as cleanup levels. At one point the
7 cleanup levels made it, but the drinking water
8 levels have not.
9 There's also been discussion about
10 setting levels for biosolids. There have been
11 discussions about groundwater cleanup levels,
12 drinking water, MCLs. There has been a lot of
13 talk. I can't really tell you where it's going
14 at this point, other than some states have moved
15 forward and established levels, and now they're
16 unhappy that all states that have set levels,
17 have set their own and they're not consistent.
18 So they're kind of pushing EPA to develop a
19 nationwide approach.
20 So I think it's a topic we're going to
21 continue to hear a lot about. In a regulatory
22 context from EPA, I think we're going to
23 continue to hear a lot about it, from cleanup
24 sites and projects, and Congress definitely has
25 indicated an interest.

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1 2021, at 2:00 p.m. So if that's all, we'll take
2 a motion for adjournment.
3 MR. NELSON: Move, Brian.
4 MR. SMITH: Second. This is Bill.
5 CHAIRMAN DUZAN: Okay. We'll have a
6 vote.
7 MS. FIELDS: Mr. Carr?
8 MR. CARR: Yes.
9 MS. FIELDS: Ms. Mach has left the
10 meeting.
11 Mr. Moore?
12 MR. MOORE: Yes.
13 MS. FIELDS: Mr. Nelson?
14 MR. NELSON: Yes.
15 MS. FIELDS: Mr. Smith?
16 MR. SMITH: Yes.
17 MS. FIELDS: Mr. Sowers?
18 MR. SOWERS: Yes.
19 MS. FIELDS: Ms. Wells?
20 MS. WELLS: Yes.
21 MS. FIELDS: Mr. Winegardner?
22 MR. WINEGARDNER: Yes.
23 MS. FIELDS: Ms. Wyatt?
24 MS. WYATT: Yes. But I want to commend
25 you all on the meeting. You all have done a

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1 Back a month or two ago when I
2 testified before the House, it was supposed to
3 be on all drinking water standards. Very
4 quickly the conversation went to PFAS. So I
5 know they have an interest and I know we're
6 going to be hearing more about it.
7 MR. WINEGARDNER: Thank you.
8 CHAIRMAN DUZAN: Okay. Any other
9 questions or comments from the council?
10 Okay. I guess the next thing on it is
11 new business, which I do not believe we have any
12 new business for this agenda.
13 The next thing is announcements. I'd
14 like to thank the DEQ and everybody over there.
15 It takes a lot of work, a lot of organization to
16 get all these meetings going. You know, in two
17 or three years this may be old hat, but right
18 now there's a lot of people behind the scenes
19 that, you know, have done test runs and have
20 worked with council members and others to get
21 them online. So a big thanks to everybody over
22 there to get this all taken care of.
23 Our next meeting, whether it be in
24 person, at DEQ, or virtual meeting like this
25 one, is scheduled for Tuesday, January 12th,

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1 wonderful job of putting everything together,
2 and I really appreciate all the work you've
3 done.
4 MS. FIELDS: Mr. Duzan?
5 CHAIRMAN DUZAN: Yes.
6 MS. FIELDS: Motion passed.
7 CHAIRMAN DUZAN: So we are adjourned.
8 Thanks everybody.
9 (Meeting concluded.)
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C E R T I F I C A T E

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STATE OF OKLAHOMA)

)

COUNTY OF TULSA)

I, Tammie Shipman, Certified Shorthand Reporter
in and for the State of Oklahoma, do hereby certify
that the foregoing proceedings are a true and correct
transcript of the record of the machine shorthand
notes taken by me and transcribed into written form
under my supervision, direction and control.

I further certify that I'm neither related to nor
attorney for any interested party in the named action,
nor otherwise interested in the outcome of said
action.

WITNESS MY HAND, this 6th day of October, 2020.

Tammie Shipman

Tammie Shipman

Shorthand Reporter

CSR #1564