

DRAFT MINUTES
Solid Waste Management Advisory Council
September 8, 2022 Regular Meeting
Department of Environmental Quality

Official SWMAC Approval
at January 12, 2023 meeting

Notice of Public Meeting - The Solid Waste Management Advisory Council convened for its Regular Meeting at 9:00 a.m. on September 8, 2022, in accordance with the Open Meeting Act, Section 311 of Title 25 of the Oklahoma Statutes. Notice of Regular Meeting was filed to the Office of the Secretary of State on November 3, 2021. Agendas were posted on the entrance doors at the Department of Environmental Quality (DEQ) Central Office in Oklahoma City at least twenty-four hours prior to the meeting. Ms. Brenda Merchant, Vice-Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT

Todd Adcock
Piotr Baidas
Rodney Cleveland
Jim Linn
Brenda Merchant
Jody Reinhart
April Sacha

DEQ STAFF PRESENT

Clifton Hoyle
Hillary Young
Patrick Riley
Amanda Scofield
Anne Marie Smith
Kole Kennedy
Libby McCaskill
David Burton
Michele Woods
Michelle Wynn
Quiana Fields

MEMBERS ABSENT

Robert Joyce
Christopher Schaefer

OTHERS PRESENT

Jenny Longley, Court Reporter

Approval of the Minutes for the January 20, 2022 Solid Waste Management Advisory Council Meeting – Mr. Linn moved approval of the January 20, 2022 Minutes and Mr. Cleveland made the second.

See transcript pages 3 - 4

Roll Call

Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rodney Cleveland	Yes	Brenda Merchant	Abstain
Jim Linn	Yes		

Director’s Report – Mr. Patrick Riley of the Land Protection Division, provided an update on Division activities.

See transcript pages 4 - 16

Solid Waste Grant Summary, Fiscal Year 2022 Projects – Ms. Amanda Scofield of the LPD, gave a presentation on the Oklahoma Solid Waste Management Act (Act) that created a system of state solid waste fees to fund DEQ’s environmental protection programs. Local governments and nonprofit organizations can apply to DEQ for funding to accomplish environmental improvements.

See transcript pages 16 - 53

Discussion of Solid Waste Program Fees/Expenditures and Resolution by Council – Mr. Patrick Riley of the LPD, stated that the Council’s comments concerning program fees and program expenditures are to be submitted to the Executive Director, Governor and Legislature by November 1st of this year.

See transcript pages 32 – 53

Roll Call			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rodney Cleveland	Yes	Brenda Merchant	Yes
Jim Linn	Yes		

Discussion of proposed changes to Chapter 515 Management of Solid Waste – Mr. Riley stated that the Department of Environmental Quality is proposing, for discussion only, to: (1) revise OAC 252:515-23-3. Disposal of untreated, regulated medical waste, to make clear that regulated medical waste generators, including small quantity generators, are also subject to any additional provisions that may be required by the Oklahoma State Department of Health. (2) revise OAC 252:515-43-31. To define small scale public and educational composting programs and prescribe conditions in which they may operate under a plan approved by DEQ in lieu of a solid waste permit.

See transcript pages 53 - 73

Mr. Cleveland left the meeting during item #7.

Election of Officers for 2023 – Ms. Merchant made a motion to nominate Mr. Linn as Chair and Mr. Adcock made the second.

See transcript page 74

Roll Call			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Abstain	April Sacha	Yes
Jim Linn	Yes	Brenda Merchant	Yes

Mr. Linn made a motion that Ms. Merchant remains Vice-Chair and Mr. Adcock made the second.

See transcript page 75

Roll Call			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Abstain	April Sacha	Yes
Jim Linn	Yes	Brenda Merchant	Yes

Suggested Meeting Dates for 2023 Council Meetings – The suggested 2023 dates are to be January 12, April 13, July 13 and September 7. Ms. Reinhart moved to approve and Mr. Linn made the second.

See transcript pages 75 – 77

Roll Call			
Todd Adcock	Yes	Brenda Merchant	Yes
Rodney Cleveland	Yes	Jody Reinhart	Yes
Jim Linn	Yes	Jeff Shepherd	Yes

Mr. Riley suggested moving future SWMAC meeting time from 9:00am to 10:00am; Council members agreed.

See transcript pages 77 -78

Public Forum – No public forum issues raised.

New Business – Mr. Riley spoke on going paperless for Council packets.

See transcript pages 79 - 81

Adjournment – Ms. Merchant moved to adjourn and Ms. Sacha made the second. The meeting adjourned at 10:44 a.m.

See transcript page 81 - 82

Transcript and sign-in sheet are attached as an official part of these Minutes.

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SOLID WASTE MANAGEMENT ADVISORY COUNCIL MEETING
ON SEPTEMBER 8, 2022 AT 9:01 AM
IN OKLAHOMA CITY, OKLAHOMA

REPORTED BY: Jenny Longley, CSR

Professional Reporters

800.376.1006
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1 VICE-CHAIRWOMAN MERCHANT: Good morning.
 2 Sorry I'm a little slow today. This September 8,
 3 2022 regular meeting of the Solid Waste Advisory
 4 Council was called in accordance with the Open
 5 Meetings Act.
 6 Notice was filed with the Secretary
 7 of State on November 3, 2021. The Agenda was duly
 8 posted on the doors of the DEQ, 707 North Robinson,
 9 Oklahoma City, Oklahoma, at least 24 hours prior to
 10 the meeting.
 11 Only matters appearing on the posted
 12 Agenda may be considered at this regular meeting.
 13 In the event that this meeting is continued or
 14 reconvened, public notice of the date, time, and
 15 place of the continued meeting will be given by
 16 announcement at this meeting. Only matters
 17 appearing on the Agenda of a meeting which is
 18 continued may be discussed at the continued or
 19 reconvened meeting.
 20 Okay. Roll call?
 21 SECRETARY FIELDS: Mr. Adcock?
 22 MR. ADCOCK: Here.
 23 SECRETARY FIELDS: Mr. Baidas?
 24 MR. BAIDAS: Here.
 25 SECRETARY FIELDS: Mr. Cleveland?

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1 MR. CLEVELAND: Here.
 2 SECRETARY FIELDS: Mr. Joyce is absent.
 3 Mr. Linn?
 4 MR. LINN: Here.
 5 SECRETARY FIELDS: Ms. Reinhart?
 6 MS. REINHART: Here.
 7 SECRETARY FIELDS: Ms. Sacha?
 8 MS. SACHA: Here.
 9 SECRETARY FIELDS: Mr. Schaefer is absent.
 10 Ms. Merchant?
 11 VICE-CHAIRWOMAN MERCHANT: Here.
 12 SECRETARY FIELDS: We have a quorum.
 13 VICE-CHAIRWOMAN MERCHANT: Has everybody
 14 had a chance to read the minutes of the meeting from
 15 last time? And, if so, entertain a motion?
 16 MR. LINN: I'll move to approve those.
 17 MR. CLEVELAND: Second.
 18 SECRETARY FIELDS: Mr. Adcock?
 19 MR. ADCOCK: Yes.
 20 SECRETARY FIELDS: Mr. Baidas?
 21 MR. BAIDAS: Yes.
 22 SECRETARY FIELDS: Mr. Cleveland?
 23 MR. CLEVELAND: Aye.
 24 SECRETARY FIELDS: Mr. Linn?
 25 MR. LINN: Yes

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1 SECRETARY FIELDS: Ms. Reinhart?
 2 MS. REINHART: Aye.
 3 SECRETARY FIELDS: Ms. Sacha?
 4 MS. SACHA: Yes.
 5 SECRETARY FIELDS: Ms. Merchant?
 6 VICE-CHAIRWOMAN MERCHANT: Due to the fact
 7 that I was not at the last meeting, I'm just going
 8 to abstain.
 9 SECRETARY FIELDS: Motion passed.
 10 VICE-CHAIRWOMAN MERCHANT: Okay.
 11 Director's report?
 12 MR. RILEY: All right. Thank you.
 13 At this point on the agenda is where
 14 we usually hear from our Land Protection Division
 15 Director and she's not here today; so I'll go ahead
 16 and share some things that are happening in the LPD
 17 and Solid Waste that I think that you'll want to
 18 know, but before we do that, we have a couple of
 19 changes in council members that we'd like to talk
 20 about.
 21 Our Chairman, Jeff Shepherd, has
 22 taken a new position out of state; so he resigned
 23 from the council. He had been on the Solid Waste
 24 Council since June of 2001, so that's a big, big
 25 change.

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1 VICE-CHAIRWOMAN MERCHANT: Long time.
 2 MR. RILEY: Appreciate his years of
 3 service. So, one of the -- later on in the agenda,
 4 you'll see election of officers and we'll have to
 5 appoint a new chairman.
 6 But we also have a new member, Piotr,
 7 welcome. He joins us as a representative from the
 8 waste to energy facility, he's appointed, and
 9 Brenda, do you have his bio that you'd like to
 10 share?
 11 VICE-CHAIRWOMAN MERCHANT: Is it in our
 12 book?
 13 MR. RILEY: I have it if you -- I don't
 14 think it's in the book.
 15 VICE-CHAIRWOMAN MERCHANT: I don't have it
 16 presently with me, I apologize.
 17 MR. RILEY: No, that's okay. So Piotr's
 18 -- I'll share something that he provided for us.
 19 Piotr is the Environmental Manager for Covanta Tulsa
 20 Renewable Energy. Prior to his current position, he
 21 held environmentally-focused positions with the City
 22 of Tulsa, CETCON, Inc. (a Tulsa-based environmental
 23 testing company), and the Beninese mission of the
 24 United States Peace Corps. He is currently pursuing
 25 a Professional Science Master's in Environmental

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1 Management from Oklahoma State University, with
 2 prior degrees including a Master of Science in
 3 Natural Resources and Environment from the
 4 University of Michigan and a Bachelor of Science cum
 5 laude in Engineering Management from the Missouri
 6 University of Science and Technology. In his spare
 7 time, he enjoys reading, volunteering in his local
 8 community, and long-distance hiking.

9 Welcome, Piotr.

10 VICE-CHAIRWOMAN MERCHANT: Welcome.

11 MR. BIDAS: Glad to be here.

12 MR. RILEY: All right. So things that are
 13 happening in LPD and Solid Waste, first thing I want
 14 to point out or want bring to your attention is, we
 15 are resuming some pollution prevention work in LPD.
 16 It was something that we had done previously, the
 17 thought being that the best way to prevent -- or,
 18 the best way to manage hazardous waste is to prevent
 19 its generation in the first place.

20 And so one of the things that we were
 21 able to do is to apply for a pollution prevention
 22 grant from EPA as part of the Bipartisan
 23 Infrastructure Law appropriation, so we have been
 24 provisionally awarded \$350,000 for a couple years to
 25 implement this program.

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1 We're going to do outreach to
 2 business sectors that are using industrial organic
 3 solvents in areas that are deemed to be uniquely
 4 vulnerable. Our goal would be to reduce and replace
 5 toxic chemicals with greener alternatives.

6 We're going to develop a matrix to
 7 identify priority targets for outreach and
 8 assistance using the EJ screening, water resource
 9 maps, water supply, land use and demographics,
 10 current and past RCRA compliance issues and
 11 potential vulnerabilities to vapor intrusion.

12 As part of this, we would also like
 13 to generate an incentive program for small
 14 businesses to replace equipment with greener
 15 equipment, and if we can structure it in such a way
 16 that we can provide rebates to those businesses,
 17 we'll use some of the money to do that. So we're
 18 pretty excited about that, and that's going to be
 19 part of our new Sustainable Materials Management
 20 Group, which you'll hear about in a little while.

21 We also have another grant in
 22 partnership with Product Stewardship Institute,
 23 which is the organization that's been helping us on
 24 our sharps disposal initiative. You may remember a
 25 few years ago, the National Waste & Recycling

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1 Association reached out to DEQ for help in creating
 2 safer disposal options for home-generated medical
 3 sharps, keep them out of the municipal waste stream.

4 We've been working on that for a
 5 number of years, but with our partners at PSI and
 6 other partners that include Covanta Environmental
 7 Solutions, OU School of Medicine Harold Hamm
 8 Diabetes Center, the Oklahoma Medical -- Meds &
 9 Sharps Disposal Committee, the Cherokee, Choctaw,
 10 and Chickasaw Nations are expanding disposable
 11 options for these sharps. The goals would be to
 12 increase availability of safe disposal options,
 13 increase quantity of sharps collected and divert it
 14 from the waste stream and develop a best practice
 15 model for others to implement, and that is a -- is
 16 going to be conducted with a \$100,000 grant from
 17 EPA.

18 So some of this work is going to be
 19 done by a group that we've re-organized in Land. We
 20 had a position that managed the Land Reclamation
 21 Section, it was a one-person group, and we were able
 22 to re-organize that and move some vacant positions
 23 into that group and create the Solid Waste and
 24 Sustainability -- or, Solid -- excuse me,
 25 Sustainable Materials Management Section within the

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1 Solid Waste and Sustainability Unit.

2 So as part of that, we hired a new
 3 manager. Libby McCaskill, who's here this morning,
 4 is going to lead that group. She's been at DEQ for
 5 11 years, working in the Radiation Section.

6 She has represented DEQ on -- in a
 7 number of notable national forums, including the
 8 Executive Board of the Organization of Agreement
 9 States, which oversees some of the work that the NRC
 10 does. She's been a long-term member of SWMO, where
 11 she served as the chair of the task force for -- or,
 12 the Radiation Task Force, where she worked on
 13 projects that included radiological disaster degree
 14 management and also worked on a guidance document
 15 for solid waste that contains TENORM, so radioactive
 16 waste.

17 So she has some things that will help
 18 us from her previous life, will help us in the Solid
 19 Waste Group. So, Libby, would you like to talk
 20 about your --

21 MS. McCASKILL: Good morning, everyone.
 22 So as Patrick said, I'm Libby McCaskill, I just
 23 started with -- it's been two months as a
 24 Sustainable Materials Management program manager, so
 25 I'll probably say "SMM", just because Sustainable

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1 Materials Management, the alliteration trips me up
 2 sometimes.
 3 So, currently, as Patrick talked
 4 about, we are working on the P2 grant. The program
 5 also we're going to work on developing our strategic
 6 plan, the draft of that is due fairly soon, so we'll
 7 have that going, but we're going to outline our --
 8 the section goals and functions since it's a newer
 9 section. There are still -- there are some programs
 10 that sort of are inherited that are already going,
 11 like Land Reclamation, the Solid Waste Grants
 12 Program, and the Electronics Recycling. So all of
 13 those are still, you know, programs that are already
 14 developed and going.
 15 So what we're going to really work on
 16 are our sustainability initiatives related to
 17 Materials Management, which will include Waste
 18 Reduction, Toxic Chemical Reduction, Food Waste and
 19 Recovery, including composting and beneficial reuse;
 20 not an exhaustive list, so -- and let's see.
 21 We're also -- we'll still be looking
 22 at the Bipartisan Infrastructure Law. There are a
 23 lot of grants available; so we'll be, you know,
 24 making sure that we are on top of that in case
 25 there's anything that we can apply for and, you

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1 know, help our section, so -- and that's kind of
 2 what I have so far, so thanks.
 3 MR. RILEY: Any questions for Libby? Put
 4 her on the spot while she's up there.
 5 MS. McCASKILL: No? Okay.
 6 VICE-CHAIRWOMAN MERCHANT: Thank you.
 7 MS. McCASKILL: Thanks.
 8 MR. RILEY: So other personnel changes
 9 that we have, the previous Manager of Solid Waste
 10 Permitting, David Cates, has moved on to a new role
 11 at DEQ and Land Protection as a Special Projects
 12 Manager. He had been the Manager of Solid Waste
 13 Permitting for seven years.
 14 His technical understanding of the
 15 subsurface, geology, and hydrogeology is pretty on
 16 point, and it was a blessing and a curse for him
 17 because -- and for us, great insight for solid waste
 18 and -- but because he was so skilled, he was called
 19 upon to do lots of other projects, not just for LPD,
 20 but around the agency. So he was overworked, but in
 21 his new role he can focus on those technically
 22 challenging projects, but we'll miss him.
 23 But, thankfully, we have a new
 24 position, Ann Marie Smith, who has started about a
 25 month ago. So she comes to us from the Air Quality

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1 Division, where she worked for seven years. She's
 2 an experienced permit writer, she's a Professional
 3 Engineer with expertise in civil and environmental
 4 engineering. She received numerous awards in the
 5 Air Quality Division for her work as a permit
 6 writer, so we welcome Ann Marie.
 7 And do you have anything you would
 8 like to talk about?
 9 MS. SMITH: I'm excited. It's only been a
 10 month; so lots to still learn and do. You know, I'm
 11 fortunate to still have David there to provide me,
 12 you know, guidance, and yeah, I'm excited to get the
 13 ball rolling, excited about it.
 14 MR. RILEY: All right. Next thing I have
 15 in my notes is the electronic reporting system for
 16 solid waste. So some of you that work at landfills
 17 and know -- that have to report tonnage monthly are
 18 familiar with the old way of doing things that was
 19 inefficient, paper based, involved sending in things
 20 that had to be transcribed at DEQ to generate an
 21 invoice so that we could be paid the fees that are
 22 based on tonnage.
 23 So we've instituted a new system
 24 that's electronic based, so we're finally kind of
 25 catching up with the times so that we can enter

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1 things in a -- on a web-based system so there were
 2 no transcription errors that happened in DEQ, it's
 3 much faster, it's much more accurate, it saves us
 4 time, saves you time, reduces errors, and takes the
 5 monthly reports and builds a quarterly report, and
 6 payment can be done electronically now.
 7 DEQ provided training and outreach to
 8 the facilities that were required to do the
 9 reporting. The system went live in May, and so far
 10 we've had -- all facilities have completed their
 11 July monthly reports using that new system; so we're
 12 very pleased with that. You can credit Amber
 13 Edwards, who was unable to be here today, but she
 14 really shepherded this program from its idea. She
 15 recognized the problem that really needed to be
 16 fixed and was able to find a solution and implement
 17 that.
 18 So we're excited to have that done
 19 and continue to provide outreach. You know, we --
 20 our solid waste inspectors have been out to some
 21 facilities that were having some -- were finding it
 22 challenging to navigate the system and were able to
 23 help them get online.
 24 So Mr. Adcock, I know that you've
 25 used the system or your company has, so --

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1 MR. ADCOCK: Absolutely, yep.
 2 MR. RILEY: Did you like it or --
 3 MR. ADCOCK: No, love it. I mean, I don't
 4 have to print anything off and scan it and email it,
 5 and it's quick. I haven't done a quarter -- yeah, a
 6 quarterly payment yet, that will be coming up, so
 7 looking forward to seeing how quickly that gets
 8 done.
 9 I like the response back from DEQ,
 10 saying that they're reviewing it, and then after
 11 it's been reviewed it's certified, so I like that
 12 part that I know it's -- someone's actually received
 13 it.
 14 MR. RILEY: Great.
 15 MR. ADCOCK: So, yeah, I think it's a
 16 great system.
 17 MR. RILEY: Good. Appreciate that.
 18 Second thing or the next thing on my list is to talk
 19 about the sustainable scorecard. So the
 20 organization called Sustainable Tulsa is one of our
 21 partners that helps educate organizations on
 22 sustainable initiatives, really focusing on the
 23 people, profit, planet bottom line of measuring an
 24 organization's success.
 25 They've developed a tool to help lead

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1 organizations through a sustainability journey, if
 2 you will, and DEQ's participated in that, as well,
 3 and for the last -- I think we started in 2016, and
 4 so for the last three years we've registered a
 5 result of gold, which is just the -- one step from
 6 the pinnacle for a sustainable organization, and
 7 it's helped us focus our sustainable initiatives as
 8 an organization across divisions and helps us work
 9 on our efficiency, so we're pleased to report that.
 10 Just a few snippets of information
 11 from this past year, you know, we've replaced 6,700
 12 light bulbs with more efficient bulbs; we've donated
 13 \$2,000 -- over \$2,000 back to the community through
 14 employee-led fundraising; we have almost 600
 15 volunteer hours by employees in the DEQ; and created
 16 250 square feet of pollinator habitat on the DEQ
 17 property, so that's just a few interesting facts.
 18 Okay. So that's enough of the fun
 19 things that are happening, one thing that you may
 20 find not as fun is PFOS. So we don't have
 21 rulemaking or -- on the agenda today related to
 22 PFOS, but we should talk about it just a little.
 23 There have been some things going on
 24 at EPA, most pointedly the advance notice of
 25 proposed rulemaking to declare PFOS and PFOA as

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1 CERCLA hazardous substances, which may have some
 2 implications to waste disposal. We're following
 3 that closely. As you know, we've been talking about
 4 this for a couple years now.
 5 No legislation this year, not sure
 6 about next year. Again, we're watching EPA to see
 7 what happens there and figure out -- to help us
 8 figure out how to -- if we need to do rulemaking and
 9 what those rules need to look like.
 10 We've had some stakeholder meetings
 11 that some of you have participated in. I would like
 12 to have another stakeholder meeting before the end
 13 of the calendar year to kind of talk about the
 14 changes that have happened, the movement at EPA, and
 15 trying to think of ways that we can best move
 16 forward with rulemaking at DEQ. So watch for an
 17 invitation to another stakeholder's meeting and that
 18 concludes my report.
 19 And that concludes my report. Are
 20 there any questions about any of those things?
 21 VICE-CHAIRWOMAN MERCHANT: Okay. The next
 22 agenda item, Solid Waste Grant Summary, Fiscal Year
 23 2022 Projects. The Oklahoma Solid Waste Management
 24 Act created a system of state solid waste fees to
 25 fund DEQ's environmental protection programs. Local

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1 governments and non-highlight -- non-profit
 2 highlights from the past fiscal year are provided
 3 And that is, I believe -- does that
 4 start on 3, is that correct, Patrick?
 5 MR. RILEY: Amanda is going to provide a
 6 presentation about the --
 7 VICE-CHAIRWOMAN MERCHANT: I'm sorry, I
 8 should have turned the page and finished.
 9 MS. SCOFIELD: Okay. Hello. I am Amanda
 10 Scofield, I helped coordinate the Solid Waste
 11 Management grant program, so I've created a little
 12 presentation here. Can you guys hear me okay?
 13 Okay. So, yeah, using -- I created
 14 this presentation using a new media, it's called a
 15 story map, so just kind of like a fancy PowerPoint.
 16 But this is on our website and it was made to be for
 17 the public, so for today that just means there's
 18 going to be a little extra information in there that
 19 you all probably already know that I can skim over.
 20 So, yeah, we'll be talking about
 21 project highlights in Fiscal Year '22. I just go
 22 over here the program overview, so it talks a little
 23 bit about, you know, we open an application window,
 24 applicants apply, they're scored. We have five
 25 grant categories: environmental officer, equipment,

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1 collection events, food waste management, and
 2 professional services. So I'll go into some details
 3 on those a little later.
 4 This is an embed of our website,
 5 where you can find more information. And then here,
 6 I just talk about where the funding comes from; so I
 7 mention solid waste disposal fees, the Oklahoma
 8 Computer Equipment Recovery Act, and of course the
 9 statute.
 10 And the grant program is important
 11 because it really allows communities to bring their
 12 own projects to us. You know, we believe that
 13 community leaders like council members and project
 14 managers know best what their own community needs,
 15 so we see many projects tailored to each community.
 16 And, yeah, in Fiscal Year '22,
 17 communities used about \$1.7 million on solid waste
 18 management projects, and in total we had 47 grants,
 19 and you can see most of them here on this map.
 20 And the maps in this presentation are
 21 interactive. So the blue dots are equipment; so you
 22 can click on one and see that the City of Elk City
 23 received a horizontal baler, and then if we do --
 24 the red ones are collection events, so you can see
 25 -- oops, that is -- let's click on this one.

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1 Collection events, you can see
 2 Waynoka had a free dump day, and so the collection
 3 events will tell you what they collected, and then
 4 if you click on the county, those are the
 5 environmental officers and you can see the stats for
 6 each county. So, you know, 53 dumps cleaned in
 7 Osage County.
 8 All right. But, yeah, not all
 9 projects fit onto a map; so here are some other
 10 entities that received a grant, and we'll talk about
 11 some of these in more depth later on.
 12 So we'll go through each category and
 13 do some project highlights for environmental
 14 officers. These grants are given to curtail illegal
 15 dumping, and we had 20 programs in Fiscal Year '22,
 16 and we have another interactive map.
 17 So we collect stats, like you saw on
 18 the map, for each county and then we compile them at
 19 the end for program totals. So over 1,000 dumps
 20 identified, over 800 dumps cleaned, 700,000 pounds
 21 of trash cleaned, over 4,000 tires, 3,000 miles of
 22 road, 15 collection events, 81 no-dumping signs,
 23 fencing or cameras installed, and we have a new
 24 store in Cleveland County. We don't have sound
 25 today; so, we -- y'all can watch that on your own

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1 time.
 2 And then this just talks about how
 3 the environmental officers use social media to kind
 4 of get their message across, and citizens can help,
 5 you know, identify the dumpers and stuff like that,
 6 and they also use tip lines. Here's an online one
 7 from Lincoln County, and there's also phone numbers.
 8 So that's environmental officers.
 9 For equipment grants, these help
 10 manage storm debris and recycling and more. Our --
 11 the program's most popular piece of equipment is a
 12 chipper, so here's our map of the eight communities
 13 that received funding for equipment. Four
 14 communities received a chipper, which are helpful in
 15 our Oklahoma ice storms, but off season they're also
 16 helpful to keep roadsides and power lines clear.
 17 And when we grant out these chipper
 18 grants, we encourage the community to divert their
 19 chips from the landfills to reuse them in their
 20 community, and sometimes that means giving the mulch
 21 away for free to whoever wants it, and other times
 22 they use the much for community gardens, parks or
 23 playgrounds.
 24 And here's a quote from the town of
 25 Olustee, 'The press chipper has been a huge blessing

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1 to our town, from saving countless hours of labor
 2 and hauling off limbs to water conservation and
 3 infrastructure safety. We're so proud to have our
 4 new machine, we couldn't have done this without DEQ
 5 awarding us this grant.' So there's their pile.
 6 So other than chippers, one other fun
 7 grant we gave out this year was for the city of
 8 Stillwater. They received 10 Bigbelly receptacles
 9 for their historic downtown area, and Bigbellys, if
 10 you're not familiar, they hold five times the amount
 11 of a normal bin because they have a trash compacter
 12 built inside, they're solar powered and sensor
 13 equipped to communicate collection times.
 14 And so far, in the first seven
 15 months, Stillwater has collected over 4,000 pounds
 16 of trash and they have solved issues of overflowing
 17 bins, blowing litter, strong smells, and visits from
 18 critters. They put one also in their downtown park,
 19 and that is kind of cool that this park is handicap
 20 accessible, that's kind of cool.
 21 Anyways, Chris Knight, City of
 22 Stillwater, says, 'The units allowed the city of
 23 Stillwater to become more environmentally friendly
 24 and efficient. We would not have been able to
 25 purchase these units without the grant opportunity

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1 provided by DEQ.'

2 All right. And since I'm not going

3 over every single grant today, we also funded two

4 balers, a trench burner, and a grapple loader in

5 Fiscal Year '22, but the program also accepts, you

6 know, communities who are interested in household

7 hazardous waste, recycling or composting equipment,

8 as well.

9 All right. Moving on to collection

10 events. Sometimes these are one-time events,

11 sometimes they're annual, sometimes they're

12 biannual, but either way, they're a great way to

13 prevent illegal dumping and a convenient way for

14 citizens to dispose of their hazardous waste or

15 their bulky materials.

16 Whenever we grant these, we encourage

17 communities to collect as many items as possible at

18 the event to kind of make it a one-stop shop for

19 everybody, so we encourage household hazardous

20 waste, of course, tires through DEQ's program,

21 e-waste, pharmaceuticals, medical sharps, scrap

22 metal, bulky waste. So we had 13 communities

23 directly receive a collection event grant, but

24 overall, the programs supported 21 events, and here

25 they are laid out. So \$114,000 expended directly

Page 23

1 toward collection events, over 97,000 pounds of

2 material recovered in total, over 5,000 tires

3 collected, and this is a quote from Deputy Dean Wise

4 from Creek County: 'The county-wide free dump event

5 made possible by a DEQ grant will help reduce

6 illegal dumping Creek County.'

7 So this picture is actually from

8 Creek County's event and so is this, that's the same

9 pile as this one here, and this is the scrap metal

10 they collected. They have a drone; so it makes for

11 some good pics. And then they said that all of

12 these roll-off dumpsters were emptied and refilled

13 31 times and that they did a two-day event; so, that

14 was a community who really needed one.

15 And then Randy Thomas from

16 Pottawatomie County Commissioner says, 'Our spring

17 and fall clean-up has been a great success, and it's

18 growing every time. I have people calling, wanting

19 to know when the next one will be'. And then, yeah,

20 the community members are always super appreciative

21 of these events, as well.

22 All right. Next category, Food Waste

23 Management. This was a new category in Fiscal Year

24 '22 that we were excited to promote and solicit

25 projects for. The -- our ideal is to feed people,

Page 24

1 not landfills, and to kind of understand existing

2 food infrastructure -- food recovery infrastructure

3 in Oklahoma, and then support new and existing

4 community projects that divert wasted food to hungry

5 people or hungry animals or composting.

6 So we had one bite, we had one

7 application for this category, from Our Daily Bread,

8 a food and resource -- food and resource center in

9 Stillwater, Oklahoma. So there's a link to their

10 website, and this -- Our Daily Bread, they really do

11 it all.

12 They do food recovery, so they

13 partner with grocery stores in town and restaurants

14 and, like, Starbucks, and whatever those stores have

15 to give away by law, but that -- when the food is

16 still good, Our Daily Bread comes and recovers it

17 and they set it up in their own little grocery store

18 where low income or food-insecure people can come

19 shop.

20 They also do meal deliveries, pop-up

21 markets for communities outside of town. They grow

22 their own produce and they do their own composting,

23 whatever produce goes bad, and they do lots of other

24 stuff, too. We went to take a tour of their

25 facility, and we were really impressed.

Page 25

1 So, yeah, for their grant, they

2 received an insulated trailer and some

3 industrial-sized coolers where you could, like, fit

4 a full human inside of them, and -- they're not

5 going to do that, though. But, yeah, so before the

6 grant, they were just using volunteer's pickup

7 trucks, and as you can imagine in Oklahoma summers,

8 that's not great for food quality, so we were

9 excited for that.

10 And then, yeah, for other projects,

11 we're still looking for more projects, we got a few

12 more bites for this next year, but we are

13 reimbursing for supplies and equipment, kind of like

14 what Our Daily Bread got, but then also technical

15 support for food share or community share -- food

16 share programs, and then again, university research

17 projects to kind of define infrastructure or set up

18 some connects like, you know, an app that connects

19 stores to recovery centers to the hungry people, so

20 projects like that.

21 All right. And the last grant

22 category, Professional Services. This category sees

23 more of a variety than the other categories, so we

24 use it a lot for non-profits that demonstrate sole

25 source provisions, also multifaceted projects and

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1 specialty projects that might not fit into another
 2 category. So just because we don't have a category
 3 for it, we don't want to rule a project out. And,
 4 yeah, these encourage environmental education,
 5 sustainability, beautification, litter abatement,
 6 and more.

7 So just to go through a few of our
 8 big ones, Keep Oklahoma Beautiful, active in all 77
 9 counties, and this is a list of all the programs
 10 that the grant supports: Sustainable Tulsa, Patrick
 11 mentioned that earlier when he talked about the
 12 scorecard program; PSI.

13 Patrick also mentioned the Oklahoma
 14 Meds & Sharps Disposal Committee, SDC, so yeah, they
 15 do really, really great work and this is a
 16 stakeholder-led work group, and this year was pretty
 17 exciting, we had -- we did an educational campaign
 18 on social media to try and, you know, spread our
 19 message of safe disposal, and then we had five
 20 sharps pilot collection sites around the state, and
 21 then what we learned from those pilot sites we added
 22 onto this guide for municipalities to set up their
 23 own sharps collection program in their own
 24 municipality, so really exciting stuff with PSI.
 25 Oklahoma City Beautiful, and here are the programs

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1 that they -- that our grant supports for them.

2 And then, last but not least, OCCEDB.
 3 They distribute additional funding to our counties
 4 and they do really great work and send a number of
 5 grants out. They grant out similar categories like
 6 environmental officer, equipment. They do some
 7 smaller equipment grants, like, for chainsaws, they
 8 do roll-offs, roll-off rentals for collection
 9 events, and yeah, just creates another avenue for
 10 communities to find funding. so we're grateful for
 11 their work. And I'll just leave you with this quote
 12 from Lisa Synar: 'We could not do what we do without
 13 DEQ'.
 14 Thank you, that's all I have. Any
 15 questions?

16 VICE-CHAIRWOMAN MERCHANT: Council,
 17 questions? Nobody? Anybody from the public?

18 MS. SCOFIELD: Okay. Thank you.

19 VICE-CHAIRWOMAN MERCHANT: Thank you,
 20 Amanda, I'm sorry I almost skipped over you. That's
 21 a great report.

22 MS. SCOFIELD: Thank you.

23 MR. RILEY: I would just like to add that,
 24 you know, we really want to tell the story of what
 25 we're doing with the money that we have. You know,

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1 we're obligated by statute to return this -- some of
 2 this money to local governments and non-profits to
 3 focus on difficult-to-manage solid waste and illegal
 4 dumping, and I think sometimes we haven't done as
 5 good of a job as we could telling that story. So
 6 the story map forum is something that can live on
 7 our website, it can be accessible to the community,
 8 be accessible to anyone that wants to get there, we
 9 can refer people to that website.

10 We will chronicle our efforts over
 11 the years, so what you just saw that Amanda put
 12 together for Fiscal Year '22, we'll keep there,
 13 we'll start a new one for next year, and maintain
 14 those projects so that we can look back over time
 15 and see all the work that we've done.

16 And I think it's -- it's striking to
 17 me when I see photos of illegal dumping, a couch,
 18 one couch and a few tires on the side of the road
 19 are -- it doesn't take much to mar the landscape.
 20 So even though it may not be a lot of tonnage, it is
 21 an eyesore and it's something that takes a lot of
 22 effort to pick up. So, you know, when we can help
 23 clean those up off the road and not attract more
 24 dumping in the same spot, you know, I think that's
 25 worth the effort. So that's all I have to say about

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1 that.

2 MR. CLEVELAND: As the county commissioner
 3 representative on this board and everything, we
 4 greatly appreciate the funding that we get through
 5 solid waste. The county commissioners, we take full
 6 advantage of it. We have way more requests than
 7 what we can fund, and so that way it's done and the
 8 OCCEDB does a very good job of communicating that
 9 throughout -- through the -- to the commissioners
 10 and managing that.

11 The county sheriffs, the
 12 environmental officers, the little bit that that
 13 does fund, it allows a county sheriff to -- a lot of
 14 times, they'll bring in maybe a reserve officer that
 15 they can actually fund a car or something for them.

16 A lot of times, those environmental
 17 officers aren't actually paid, they're reserve
 18 officers, but they have support staff and
 19 everything, stuff with that, and I know Pottawatomie
 20 County has had some great success with it, Cleveland
 21 County is doing very well with it, and our sheriff
 22 has really taken that on and expanded it out. So
 23 there's a lot more expense in the sheriff's office
 24 than what the grant can provide, but anyway, I just
 25 wanted to let you know that we appreciate it and it

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1 is being well spent and everything, and any more
 2 that we can do, we'll take.
 3 The other thing, too, is from the
 4 grant program that we have with DEQ, we implemented
 5 or we kind of -- we took that same program and we
 6 modeled a new legislation for cannabis that is
 7 through OMMA.
 8 So this same kind of grant program
 9 that DEQ has, we've kind of taken it and put it into
 10 OMMA to allow county sheriffs to be able to get a
 11 grant to assist Oklahoma Medical Marijuana
 12 Association with their enforcement and also
 13 investigations and everything, stuff, because the
 14 sheriffs, they're kind of tasked, they're kind of --
 15 you know, there's not -- the departments aren't real
 16 big, and any extra help that they can get to
 17 supplement a deputy that can specialize in either
 18 one of these two areas and everything is greatly
 19 helpful.
 20 VICE-CHAIRWOMAN MERCHANT: That's
 21 excellent. Do you all -- are you tied in, in any
 22 way, with some of the projects that you're doing,
 23 like, the way it's mapped on DEQ? I mean, is there,
 24 like, a link or something where you can kind of --
 25 where the general public could go and look and say,

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1 'Oh, this is cool, I didn't know they were doing
 2 this', or --
 3 MR. CLEVELAND: I don't think so, I don't
 4 think -- do we -- Randy, do we have anything on the
 5 -- on the website?
 6 MR. ROBINSON: We just have -- we just
 7 reference the state statute and the laws --
 8 MR. CLEVELAND: Okay.
 9 MR. ROBINSON: -- and the policies, but I
 10 do like what's been done and the story map, and
 11 that's something we'll probably be reaching out to
 12 you because I think that's important to show where
 13 we've been and where we'd like to go with the
 14 program. We have about -- right now, about 67 new
 15 county commissioners that will be taking office in
 16 January, plus maybe another 14, so that -- it's
 17 going to be crucial to get that information out, and
 18 so I'll be probably visiting with you to maybe doing
 19 that, to get that word out via our website.
 20 MR. CLEVELAND: Randy Robinson's the
 21 Circuit Engineering District Manager --
 22 VICE-CHAIRWOMAN MERCHANT: Gotcha.
 23 MR. CLEVELAND: -- with ACCO.
 24 VICE-CHAIRWOMAN MERCHANT: That's great.
 25 Any more questions or comments?

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1 Council, public?
 2 Whose turn is it?
 3 MR. RILEY: We're on Number 6, Agenda Item
 4 Number 6. So, now we can talk about -- so all the
 5 good things that were done, now we can see how or
 6 talk about how we paid for it all. So if you -- if
 7 you'll look at -- for council members, behind Tab
 8 Number 3, there are spreadsheets that document our
 9 income and spending for Fiscal Year '22 and then
 10 also a budgeted -- what we have budgeted for Fiscal
 11 Year '23.
 12 We are obligated, by statute, to
 13 report to you our income and expenditures for the
 14 previous fiscal year, and it's been our practice
 15 each year, at the same time each year, about what we
 16 are proposing for next year.
 17 So if you'll look -- if you'll look
 18 at the first one, the solid waste report for Fiscal
 19 Year '22, and Jeff has it pulled up on the screen
 20 there. If you look at the very top, on the
 21 right-hand side, right-hand corner, you'll see the
 22 revenue that we received for FY '23, so \$6.3 million
 23 came in.
 24 And just to point out and remind you
 25 that, you know, the only money that we have to spend

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1 is money that we receive through solid waste fees,
 2 so the dollar-and-a-quarter fee that's assessed on
 3 each ton of waste that's disposed in landfills and
 4 waste to energy facilities and commercial composting
 5 facilities we can use to fund our projects, use to
 6 pay employees, keep the lights on, fund all the
 7 projects that we just heard about; so that's where
 8 that \$6. -- that's what we need that money for.
 9 Just for comparison's sake, if you go back a year,
 10 the previous year's income was \$5.8 million, and so
 11 Fiscal Year '22 was a little better and we did a
 12 little better than anticipated as far as income.
 13 Some things to point out, there were
 14 some differences in salaries and compensation, we've
 15 had some vacancies, so that's a little lower than it
 16 was in previous years. We have some equipment and
 17 some computer expenses to pay for that we still have
 18 some outstanding bills, so that's where you see the
 19 \$100,000 remaining encumbrance, but I would direct
 20 you to the bottom half of this spreadsheet, where it
 21 talks about "Professional Services and Local
 22 Government & Non-Profit Programs" because this is
 23 where all our projects are done, right? So this is
 24 where we have -- what you just saw Amanda talk
 25 about, this is what paid for it all.

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1 So, close to, you know, between \$1.7
 2 and \$1.9 million was expended on projects. We have
 3 some bills yet to come in, so about \$200,000
 4 remaining encumbrances for this year. Some of that
 5 money will be spent, some of it is expense,
 6 encumbered expenses that won't be spent, just for a
 7 variety of reasons, either the equipment that they
 8 obtained was cheaper than they thought it was going
 9 to be, they had -- maybe an environmental officer
 10 program didn't have as many hours in labor that they
 11 anticipated, so some of that money is not going to
 12 be realized. So, overall, you can see we ended the
 13 year with a slight surplus, about \$200,000 that will
 14 carry over for or be available to provide us a
 15 cushion for FY '23, should we need it.
 16 COVID has really taken a toll on our
 17 ability to predict income and the waste stream
 18 generated, and we saw a huge shift from commercial
 19 waste -- as you all know, from commercial waste
 20 generation to residential waste generation, and so
 21 now, as we're getting back to normal and the
 22 economy's picking up again, we'll see what happens
 23 to waste tonnage. I don't know that we'll receive
 24 as much as we did this year, I'm hopeful. We tend
 25 to be right around that \$6.1 to \$6.2 million range

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1 for income, which is where we like it to be, but
 2 we'll have to wait and see.
 3 So if you turn the page to FY '23,
 4 you know, we've predicted an income or budgeted for
 5 income of about \$6.1, almost \$6.2 million, and I
 6 think we'll be all right with that number, and we'll
 7 see what happens, and we do have a slight cushion
 8 from this year to carry over, should we need it.
 9 So I'll stop there and let you ask
 10 any questions.
 11 MR. ADCOCK: Patrick, did you have any --
 12 I think it was in past years, legislator would --
 13 they'd come in and pull some funds out of DEQ. Do
 14 you anticipate that or did that happen?
 15 MR. RILEY: We're always worried about it,
 16 as you might imagine. It did not happen this year,
 17 so -- and, you know, our legislative liaison,
 18 Michelle Wynn, is here. If she has any insight or
 19 can look into her crystal ball and predict, you
 20 know, we'd love to hear it, but I don't think we're
 21 anticipating that this year, so --
 22 VICE-CHAIRWOMAN MERCHANT: No whispers?
 23 MR. CLEVELAND: You know, what's kind of
 24 curious about that is whenever legislators build out
 25 fees to be increased because that doesn't have to

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1 take a supermajority, whereas taxes have to have a
 2 supermajority, but whenever they pull that money,
 3 those fees and everything and stuff, I had an
 4 argument with them, I said, 'Well, you're pulling
 5 fees, if you're pulling them and appropriating them,
 6 then that changes the fee to a tax', so then, you
 7 know, legally, we're in -- you know, did that, but
 8 that didn't go anywhere even though I reminded them
 9 of it.
 10 VICE-CHAIRWOMAN MERCHANT: I like the
 11 argument, though.
 12 MR. RILEY: Well, and I think it's
 13 important to point out that this
 14 dollar-and-a-quarter fee has not changed since the
 15 mid '90's, all right? So when this was first passed
 16 by statute, that solid waste fee has never
 17 increased. So while expenses obviously have gone
 18 up, cost of living, inflation, et cetera, you know,
 19 we have not changed that fee.
 20 So one of the things that you're
 21 obligated to do as a council is report each year, by
 22 a resolution, to the effectiveness of the income
 23 that was received and the revenue that was spent and
 24 decide on if it's appropriate. You know, I think
 25 that the income that we report right now shows that

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1 we're accomplishing good things with the money that
 2 we have, but we're always interested in your view
 3 and what you think about the fee and its adequacy.
 4 Piotr?
 5 MR. BAIDAS: Does DEQ track tonnage from
 6 out of state versus that generated within the state?
 7 MR. RILEY: We receive -- if a facility
 8 gets more than 200 tons a day from out of state,
 9 then we -- they have to have a disposal plan on
 10 file, so we do get some information about that. It
 11 is a source of revenue, you know, it's waste -- it's
 12 an interesting thing to talk about because, you
 13 know, we like to get the revenue in, but then that
 14 also means there's more waste coming into the state,
 15 and you can debate whether that's good or bad, but
 16 yeah, that's it, that has an impact.
 17 MR. BAIDAS: Well, I noticed in the
 18 previous minutes regarding PFOS legislation, you had
 19 mentioned the potential concern with Oklahoma being
 20 viewed as a dumping ground --
 21 MR. RILEY: That's right.
 22 MR. BAIDAS: -- for other states that have
 23 stricter environmental regulations. Have you looked
 24 at implementing an out-of-state fee to recoup some
 25 of those losses or to potentially offset that?

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1 MR. RILEY: That's -- you know, that's an
 2 interesting question. We could do that and we have
 3 the ability, by statute, to surcharge waste that
 4 comes from out of state, and that may be a way to
 5 disincentive the importation of PFOS waste to
 6 Oklahoma.

7 You know, I would -- that's something
 8 we can certainly talk about at our stakeholder's
 9 meeting, if that's an option, but you bring up a
 10 great point to remind everyone that we don't want
 11 Oklahoma to be a dumping ground for those wastes
 12 that are especially problematic, which a lot of the
 13 PFOS waste, we decided, may be.

14 The -- one of the things that we're
 15 working on right now I mentioned earlier, that we
 16 don't have legislation in play, we don't have rules
 17 -- we've talked about rules in this council, but we
 18 don't have anything to vote on. But we are working
 19 on a fact sheet to send out as an outreach mechanism
 20 to disposal facilities, just to make sure -- to let
 21 them know what the current climate of regulation is
 22 on the federal level and the state level because
 23 we're getting a lot of questions about, 'Hey, we've
 24 been approached by this waste company from out of
 25 state they want to bring PFOS and, you know, AFFF,

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1 you know, into the state to dispose, can we take
 2 it?', and our response is that, 'There's no
 3 prohibition on taking that waste right now, but you
 4 may want to consider carefully if that's something
 5 that your facility wants to accept'.

6 And so, you know, to -- you know,
 7 we're working on that outreach layer just to make
 8 sure everybody's aware of what's happening, that the
 9 legislation's moving pretty rapidly on the federal
 10 level. We're not sure what's going to happen -- you
 11 know, what things are going to be a year from now,
 12 case in point, the advance notice of proposed
 13 rulemaking for CERCLA hazardous substances. So,
 14 yeah, PFOS is a great thing to talk about, and it
 15 may -- and the mechanism of charging an additional
 16 fee on that waste may be a solution. Good thoughts.

17 VICE-CHAIRWOMAN MERCHANT: Well, I'm happy
 18 to hear that we're going to be holding additional
 19 stakeholder meetings because this isn't going away.

20 MR. RILEY: I -- yeah, I think they've
 21 been really helpful. We get the professors and the
 22 attorneys and the engineers all in a room together
 23 and we -- and, you know, as much as that makes me
 24 want to lose my mind, trying to work through all
 25 those different perspectives, it's extremely

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1 helpful, and I think it'd be -- at the end, the end
 2 result will be worth it.

3 VICE-CHAIRWOMAN MERCHANT: Patrick, I
 4 wanted to ask you, you mentioned the tonnages during
 5 COVID -- and not that we're after COVID, but we're
 6 certainly in a different place -- and the
 7 differences between residential and commercial waste
 8 and how that affects the fees you all are
 9 collecting. Because I know for some of the haulers,
 10 a lot of that shifted just from the commercial
 11 customer to now the residences throwing away five
 12 times what they did before because they're staying
 13 home and they're cooking at home.

14 MR. RILEY: Right.

15 VICE-CHAIRWOMAN MERCHANT: So is there --
 16 was there -- did you all have a way to --
 17 specifically, I guess, how much decrease did you see
 18 -- you all see in fees?

19 MR. RILEY: Well, so I can compare the
 20 numbers that I have with me today. This year
 21 compared to last year, we were down --

22 VICE-CHAIRWOMAN MERCHANT: Right.

23 MR. RILEY: -- last year, we were down
 24 close to half a million dollars, between \$400,000,
 25 and \$500,000. So you can do the math and work out

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1 that's less per ton, I mean, at a dollar and a
 2 quarter a ton.

3 But that is a really interesting
 4 question, and I would hope that some graduate
 5 student someday does some research and figures all
 6 that out, you know, the shift of, you know,
 7 workplace -- you know, of, like a centralized
 8 workplace to working at home, and of course at the
 9 very beginning of the pandemic, we had these odd
 10 things where, 'Okay, I'm home, I've got all this
 11 time, I'm going to clean out everything that was in
 12 my garage for the last 20 years', so you have all
 13 that.

14 VICE-CHAIRWOMAN MERCHANT: Yes.

15 MR. RILEY: You have businesses that
 16 aren't open, but they have the opportunity do
 17 remodeling; so the remodeling business, construction
 18 and demolition waste seemed to pick up dramatically.
 19 So -- and as the COVID -- you mentioned that we're
 20 in a very different place, it may not go away, but
 21 we're in a different place. It seems to have
 22 evolved over the years, and we are -- you know,
 23 every day's a new day, so it's hard to predict, but
 24 yeah, I would love to see some data on that

25 VICE-CHAIRWOMAN MERCHANT: Yeah, I think

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1 it'd be great, too, I know for the most part just,
 2 you know, all -- anyone who's operating, you know,
 3 residential routes, you know, probably would say the
 4 same thing, but your -- you know, the route that you
 5 once had for this driver, as now it needs two
 6 drivers to finish the day or things like that
 7 because you're picking up so much more. And you're
 8 just totally rerouting everything, need more trucks,
 9 more drivers, more all of that, so it really was a
 10 shift. But your parking, some of this commercial
 11 stuff --
 12 MR. RILEY: Right, right.
 13 VICE-CHAIRWOMAN MERCHANT: -- so it's --
 14 MR. RILEY: Interesting times.
 15 VICE-CHAIRWOMAN MERCHANT: That's why I --
 16 you know, I was really curious to see what the
 17 Oklahoma tonnage differences were from year to year
 18 and how -- you know, I would think, I guess,
 19 environmental cleanups and, you know, I'm not sure
 20 what all would affect that number because it's still
 21 trash.
 22 MR. RILEY: Right. Right.
 23 VICE-CHAIRWOMAN MERCHANT: So, yeah.
 24 MS. REINHART: And now that we're back to
 25 -- now we're going into the hybrid, you know,

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1 environment where stay in the office a few days and
 2 at home some days, you know, it's, you know, not the
 3 way it was before COVID, so --
 4 MR. RILEY: Right. It's all new.
 5 VICE-CHAIRWOMAN MERCHANT: And you had
 6 said -- I'm sorry, were you finished?
 7 MS. REINHART: No, go ahead.
 8 VICE-CHAIRWOMAN MERCHANT: You had
 9 mentioned that obviously your staffing was down from
 10 year over year, and I'm assuming that in the new
 11 budget, though, you're assuming that those positions
 12 will be filled or they already have been filled?
 13 MR. RILEY: So we've made some changes, I
 14 think. If we look at salaries and compensation, it
 15 is a little -- it's budgeted to be a little higher
 16 than what we realized in expenditures of this year,
 17 but it's not up to the level that we had budgeted
 18 for FY '22, and I think that's reflective of a
 19 belief that we're going to continue to carry some
 20 vacancies, we're going to fill some of those
 21 positions.
 22 We have vacancies that we need to
 23 fill in Solid Waste right now. We're down an
 24 inspector, we're down an engineer, we're definitely
 25 going to fill those as quickly as possible, but some

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1 other vacancies we'll continue to carry over.
 2 VICE-CHAIRWOMAN MERCHANT: Okay. But
 3 those are in the budget to fill those positions?
 4 MR. RILEY: Yes. Yeah, we have the
 5 ability to do that.
 6 MR. ADCOCK: Patrick, you had talked about
 7 the possibility of raising the dollar and a quarter
 8 at some point. What -- how long has that been in
 9 place, when did that --
 10 MR. RILEY: So it came about with Subtitle
 11 B legislation, which -- mid '90's, '95-ish, I want
 12 to say; so it's been quite a while.
 13 MR. ADCOCK: So, I mean, moving to a buck
 14 50, I mean, from someone who captures those fees and
 15 pays those fees, I mean, it directly comes from the
 16 customer. I mean, you know, the company doesn't --
 17 we just collect it and pass it on to you.
 18 MR. RILEY: Right.
 19 MR. ADCOCK: I mean, that's a long time
 20 without a pay increase or a collection increase. So
 21 have you talked internally about the possibility or
 22 a timeline, you know, in the next "X" years of when
 23 you'd like to do that?
 24 I would assume you'd like to at least
 25 put it out there and say, 'Hey, next year, we're --

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1 this is going to happen', so that sticker shock --
 2 it's just a quarter, but still it's -- people are
 3 going to --
 4 MR. LINN: Right.
 5 MR. ADCOCK: And I always -- I get in
 6 arguments all the time with people who say, 'Well,
 7 I'm tax exempt'. 'Well, that's not a tax, it's a
 8 fee'. 'Well, what's the difference?', 'Ask a
 9 lawyer'.
 10 VICE-CHAIRWOMAN MERCHANT: Ask your
 11 lawyer.
 12 MR. ADCOCK: So I would think that that
 13 quarter increase should come sooner rather than
 14 later, especially because, you know, what the
 15 economy's going to do --
 16 MR. RILEY: Right.
 17 MR. ADCOCK: -- is anybody's question, but
 18 I think it'd be something to look at in the next
 19 three to five years.
 20 MR. RILEY: I appreciate those -- you
 21 sharing that, and it is -- anytime we talk about the
 22 budget, we talk about potential income, and that's
 23 something that we kick around. You know, right now
 24 I don't know that there's any serious intent or
 25 movement toward that direction right now, but it's

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1 always on our mind, especially when we talk about
 2 programs demands.
 3 You know, for instance, last few
 4 years we've worked on coal combustion residuals, and
 5 that's been a significant increase in our workload.
 6 You know, we -- at first, we weren't sure how much
 7 work it was going to take; it's ended up being a
 8 lot.
 9 So we have that, we have PFOS issue,
 10 we're not sure where that's going and the additional
 11 demands that that will create on staff, but you
 12 know, there are some things that we need to think
 13 about and, you know, if we had -- it's good to know
 14 that, from your perspective, from the waste
 15 community and regulative community, that it makes
 16 sense.
 17 It's certainly something that we
 18 wouldn't do lightly, it's a statutory change and,
 19 you know, those conversations happen at a very high
 20 level at DEQ and with the, you know, legislature; so
 21 I kind of leave some of those discussions to those
 22 people above me, but you know, when we're talking
 23 about solid waste income and revenue, that's
 24 something that we definitely all have to consider.
 25 VICE-CHAIRWOMAN MERCHANT: Would it be

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1 possible for -- and I don't know if -- it's up to
 2 the council if they even want to see this, but
 3 taking, I don't know, the next five year -- or, the
 4 last five years, how many tons, what was collected
 5 in fees each year and even a projection of if it was
 6 a 10-cent increase or if it was a what increase, you
 7 know, a particular amount, and also how DEQ would
 8 assist the stakeholders in communicating with our
 9 great peers the necessity and the -- and, basically,
 10 that's how ODEQ's funded.
 11 MS. REINHART: Well, I mean, but if they
 12 also understand what it pays for and what it would
 13 --
 14 VICE-CHAIRWOMAN MERCHANT: Right.
 15 MS. REINHART: -- also protect them
 16 against and so forth, that's what's going to get
 17 them.
 18 You know, a few years ago, several
 19 agencies of federal government enacted that
 20 inflation factor, you know, on EPA and OSHA fines
 21 and things like that so every year those fines go
 22 up, you know, substantially based upon, you know,
 23 your -- the increase for the year and stuff. So,
 24 you know, if we applied that same logic to that
 25 dollar-and-50, you know, fee, what would the fee be

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1 at this point? You know, probably way higher.
 2 MR. RILEY: Significantly higher.
 3 MS. REINHART: So you could actually, you
 4 know, justify it just by inflation.
 5 VICE-CHAIRWOMAN MERCHANT: Jody, I know
 6 with the -- you know, like, your closure and post
 7 closure fees and things like that there is a CPI
 8 escalator in there, and we do that, then it's up to
 9 us, normally, as landfills, to communicate that to
 10 our great peers, you know, if we see a need that
 11 we've got to pass any of that on at all.
 12 MS. REINHART: Right.
 13 VICE-CHAIRWOMAN MERCHANT: When we first
 14 -- when first the fee was implemented, it was very
 15 difficult to explain to our customers and to the
 16 general public, you know, that, 'That's your
 17 problem, not my problem', kind of thing and I'm just
 18 hoping we do -- if and when we do this that we do a
 19 better -- a different job of it.
 20 MR. RILEY: Right, we would definitely not
 21 move forward without a plan for communication, but
 22 those are good thoughts. And just one more thing I
 23 would throw out there is that, you know, we have a
 24 certain fixed cost that we're going to have with
 25 personnel and administration, the things that we

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1 have to do statutorily in permit writing and
 2 inspection, that kind of thing. What tends to be
 3 affected most by decline in income are the projects
 4 that we were talking about.
 5 So the things that we showcase, the
 6 things that -- the money that we're giving back to
 7 communities, the work that we're doing, that's what
 8 would decline first. And right now, we have more
 9 demand than we have money, so we have more, you
 10 know, demand for projects, you know, we turn folks
 11 down, we are not able to fund everyone with as much
 12 money as they want -- surprise, surprise, but -- so
 13 that would be the funds used first.
 14 MS. REINHART: Well, I know that those
 15 free events that are being held at various places,
 16 the reason they're so, so popular is because people
 17 don't want to pay those fees to go dispose of their
 18 old couch, things like that.
 19 MR. RILEY: Right.
 20 MS. REINHART: You know, I had a coworker
 21 few years ago, he goes, 'That much? Why should I
 22 have to pay that much?' You know, so he was just
 23 going to wait for a free day to be able to manage
 24 his old couch, so yeah.
 25 MR. RILEY: And if we have enough of those

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1 free days, we can capture that waste; otherwise,
 2 it's going to be dumped on the side of the road,
 3 very -- could very well.
 4 MS. REINHART: Well, this person would not
 5 put it on the road, but anyway, yeah, but it's --
 6 that's kind of -- there's a way of communicating it
 7 and in that communication plan so the public has a
 8 better way of accepting those -- that increase in
 9 fees.
 10 MS. SACHA: Speaking of, like, household
 11 hazardous waste days, is there an allowance for
 12 companies or communities that do joint household
 13 hazardous waste days to apply for any of the grants?
 14 I know Phillips 66 up in Ponca City and Bartlesville
 15 sponsors those through our company for the community
 16 that we work in, but could they apply for a grant
 17 even though they're not a municipality?
 18 MR. RILEY: We are restricted by statute
 19 to contract only with local governments and
 20 non-profits, but what you could do is -- we have a
 21 lot of partnerships, so our agreement could be with
 22 a local government --
 23 MS. SACHA: So the city could apply for
 24 it, that's right, okay.
 25 MR. RILEY: Yeah. Right. So that would

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1 be a good approach.
 2 MS. REINHART: And it may not be funded.
 3 MS. SACHA: Right. Right. Right.
 4 MS. REINHART: But that's okay.
 5 MS. SACHA: So increase your fee.
 6 MS. REINHART: But that's okay, I mean,
 7 we're keeping chemicals out of the dam.
 8 MS. SACHA: That's right. That's the most
 9 important part of those is the hazardous waste.
 10 MR. RILEY: For sure. The other reports,
 11 if there are any additional questions on solid waste
 12 income, expenditures, budget?
 13 VICE-CHAIRWOMAN MERCHANT: Council?
 14 MR. CLEVELAND: Make a motion to approve
 15 the resolution.
 16 MS. REINHART: Second.
 17 MR. RILEY: And let's -- let me interrupt
 18 just for a second.
 19 MS. REINHART: -- language.
 20 MR. RILEY: As part of the -- we also have
 21 reports in here on electronic waste and tires. If
 22 you have questions about that, we can certainly do
 23 that. But the -- there is a resolution that that's
 24 how you approve the report and, you know, just to
 25 keep things -- you know, cross all our t's and dot

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1 all our i's, I would ask that the -- that we -- that
 2 Brenda read the resolution into the record before
 3 you vote -- the draft resolution, we could certainly
 4 make changes -- and it is located behind Tab 6.
 5 VICE-CHAIRWOMAN MERCHANT: Okay. The
 6 "Resolution of the Solid waste management Advisory
 7 Council". "Whereas, the Oklahoma Solid Waste
 8 Management Act (27A O.S. 2-10-802(E) requires the
 9 DEQ to annually report to the Solid Waste Management
 10 Advisory Council its income from solid waste fees
 11 and its expenditures of those monies during the
 12 previous fiscal year."
 13 "Whereas, the Council is also
 14 required to develop comments comparing income with
 15 project expenditures."
 16 "The solid waste fee income is
 17 adequate to support the solid waste management
 18 program" -- "Council hereby resolves the following:
 19 The solid waste fee income is adequate to support
 20 the solid waste management programs for which it was
 21 originally intended; and approves the report of the
 22 income and expenditures for fiscal year 2022."
 23 "Adopted by majority vote in open
 24 meeting this 8th day of September 2022."
 25 Do I have a motion?

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1 MR. CLEVELAND: It's my motion to adopt
 2 the resolution.
 3 MS. REINHART: Second.
 4 SECRETARY FIELDS: Mr. Adcock?
 5 MR. ADCOCK: Yes.
 6 SECRETARY FIELDS: Mr. Baidas?
 7 MR. BAIDAS: Yes.
 8 SECRETARY FIELDS: Mr. Cleveland?
 9 MR. CLEVELAND: Aye.
 10 SECRETARY FIELDS: Mr. Linn?
 11 MR. LINN: Yes.
 12 SECRETARY FIELDS: Ms. Reinhart?
 13 MS. REINHART: Aye.
 14 SECRETARY FIELDS: Ms. Sacha?
 15 MS. SACHA: Yes.
 16 SECRETARY FIELDS: Ms. Merchant?
 17 VICE-CHAIRWOMAN MERCHANT: Yes.
 18 SECRETARY FIELDS: Motion passed.
 19 VICE-CHAIRWOMAN MERCHANT: Are we on ??
 20 MR. RILEY: We are.
 21 VICE-CHAIRWOMAN MERCHANT: All right. Do
 22 I need to read this?
 23 MR. RILEY: I can introduce it.
 24 VICE-CHAIRWOMAN MERCHANT: It's been a
 25 while. Thank you.

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1 MR. RILEY: So this is -- you know, along
 2 with approving budget and income expenses, et
 3 cetera, the other obligation of the council is to
 4 review rules. We don't have formal rulemaking
 5 proposed for today, but you know, we're always
 6 looking at things that need to be fixed or improved
 7 in our solid waste rules. So a couple of things to
 8 talk about today, one's related to medical waste and
 9 the others' related to composting, we'll talk about
 10 each of those.

11 The regulated medical waste, you can
 12 see -- and this is located behind Tab Number 4. A
 13 section from the rules, the underlined text is what
 14 we're proposing to be added, changed. So there was
 15 a legislative inquiry related to disposal of medical
 16 -- regulated medical waste from a small quantity
 17 generator and, you know, based on that inquiry --
 18 some of the questions were, 'How do you know he's a
 19 small quantity generator?'. Well, we looked at the
 20 rules and the rules don't really require any
 21 documentation of such; so we thought, well, that's
 22 something that we probably want to include.

23 And we also -- in that review, we
 24 discovered that there are some Oklahoma State
 25 Department of Health regulations that could apply

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1 and we don't reference that in the rules, and we
 2 would assume that the generators would be aware of
 3 their obligation, but just to make -- to add clarity
 4 to the rules, which we're always wont to do, we are
 5 proposing a change. And again, this is not to vote
 6 on today, bringing it to your attention and we
 7 would, if you guys concur, come back in January for
 8 a formal rulemaking.

9 But what we would propose to do, in
 10 the first section, in "b", add a statement along
 11 with the other pointing to the federal regulations
 12 and other things, add that, the "Oklahoma State
 13 Department of Health requirements. Generators of
 14 regulated medical waste may be subject to additional
 15 provisions required by the Oklahoma State Department
 16 of Health." So that's a pretty bland statement, but
 17 important, nonetheless.

18 And then, in our definitions for
 19 "Small quantity regulated medical waste generator",
 20 we've added the line that -- or, the provision that
 21 to be defined as a small quantity generator, you
 22 have to be able to document that you meet that
 23 criteria. So we're saying a small quantity
 24 generator "means a generator that can document it
 25 generates less than 60 pounds of regulated medical

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1 waste per month from one physical location and makes
 2 records of generation available to DEQ upon
 3 request."

4 So this shouldn't be an increase in
 5 burden that's for anyone that wants to claim
 6 exemption as a small quantity generator of regulated
 7 medical waste, but -- so that's what we're proposing
 8 here.

9 Any questions about that? Brenda?

10 VICE-CHAIRWOMAN MERCHANT: This is tiny,
 11 but --

12 MR. RILEY: Sorry.

13 VICE-CHAIRWOMAN MERCHANT: Small quantity,
 14 where it says "can document", "a generator that can
 15 document it generates records", if they're, I don't
 16 know, for whatever reason not able to or haven't
 17 done it before, do -- are they automatically thrown
 18 into a large quantity category?

19 MR. RILEY: I would say it's incumbent
 20 upon them to be able to document their status as a
 21 waste generator, and if they cannot, then they would
 22 call into the category of they would not meet this
 23 exemption.

24 VICE-CHAIRWOMAN MERCHANT: Right.

25 MR. RILEY: So if they want to enjoy the

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1 exemption, they need to document their status. And
 2 I think that's fairly typical with -- you know, it's
 3 something that we would expect of all waste
 4 generators, that they be able to document their
 5 waste status or at least be aware of what it is that
 6 they're generating and quantities that they
 7 generate.

8 MS. REINHART: So are they not required to
 9 document records, right now, of waste generation?

10 MR. RILEY: That's correct.

11 MS. REINHART: Okay. I'm just asking
 12 because --

13 MR. RILEY: Yeah, so this would be --

14 MS. REINHART: It's different than waste
 15 -- hazardous waste generation.

16 MR. RILEY: It is.

17 MS. REINHART: Okay.

18 MR. RILEY: Yeah.

19 VICE-CHAIRWOMAN MERCHANT: I guess I -- I
 20 know we're not voting on it today, but --

21 MS. REINHART: Right, yeah.

22 VICE-CHAIRWOMAN MERCHANT: -- the concern
 23 would be that this is -- would be something new for
 24 some stakeholders out there, very much so that, 'Oh,
 25 I'm going to have to prove I'm a small quantity

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1 generator now', literally have documentation for
 2 that where it was not required of statute before.
 3 MR. LINN: Patrick, give us an idea of --
 4 would that be a -- I mean the size, the relative
 5 scale, would that be like a doctor's office, a small
 6 one? Who would generate 60 pounds a month? It
 7 doesn't sound like a lot, you know, when we haul
 8 270,000 tons of trash every year, but still,
 9 Brenda's right, I think --
 10 VICE-CHAIRWOMAN MERCHANT: County Health
 11 Department's definitely one, for sure.
 12 MR. LINN: Yeah.
 13 VICE-CHAIRWOMAN MERCHANT: Anybody giving
 14 out the COVID shots the last year probably did.
 15 MR. RILEY: Yeah, it's -- I don't know the
 16 extent of the universe of small quantity generators
 17 of regulated medical waste; I suspect it's fairly
 18 small. And I would also expect that a lot of them
 19 rely on commercial regulated medical waste disposal
 20 facilities to manage that waste or service
 21 providers, so they can choose to manage it that way.
 22 So -- but, yeah, I don't have an answer to that
 23 question.
 24 MS. REINHART: I have a question on your
 25 addition to "b". Would it be a problem to add the

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1 state regulation for the Oklahoma State Department
 2 of Health so it kind of sends the reader straight to
 3 their regs?
 4 MR. RILEY: You know, we thought about
 5 that. One of the problems with -- that we've run
 6 into when we reference other people's rules is that
 7 if they change the rules, now ours are referring to
 8 places that don't exist anymore --
 9 MS. REINHART: True.
 10 MR. RILEY: -- and so -- but, yeah, that's
 11 a good thought.
 12 MS. REINHART: Okay.
 13 MR. RILEY: It's tripped us up before.
 14 MS. REINHART: No, that makes sense.
 15 MR. RILEY: Yeah.
 16 VICE-CHAIRWOMAN MERCHANT: I know we're
 17 not going to vote on this, but are there any
 18 questions from the public regarding this change --
 19 or, proposed change?
 20 MR. RILEY: Okay. Thanks. So let's move
 21 on to composting. This one is not as well-defined,
 22 it's more conceptual as a rule change, so let me
 23 describe the scenarios and why I wanted to bring
 24 this to your attention and get you thinking about
 25 it.

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1 To kind of give you some context, our
 2 composting rules used to be very prohibitive and
 3 strict, if you think back to -- you know, some of
 4 you were on the council when, a few years ago, we
 5 added Subchapter 43 to more adequately describe
 6 permitting processes for composting facilities.
 7 Before that, we had yard waste
 8 composting and then anything else, if you wanted to
 9 do anything else, you needed to build and operate a
 10 facility that was comparable to a landfill. And so
 11 there was not -- while there was a demand and
 12 interest on the part of the community to do
 13 composting, and they were prohibited by the
 14 regulations.
 15 So we wrote Subchapter 43, which
 16 allowed an operation and design criteria to more
 17 appropriately match what facilities wanted to
 18 compost based on their feedstock, the perceived
 19 environmental risk, problems that might result from
 20 operations their size and the feedstock, so, much
 21 improved.
 22 Based on our experience of a few
 23 years -- of the last few years working with those
 24 rules, we've seen some additional areas where we
 25 could improve. So -- and I'll describe a few

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1 different scenarios to try to illustrate my point.
 2 And I should also say that there is a
 3 restriction on taking off-site waste to a facility
 4 that is not permanent, there's a restriction on the
 5 generator to not dispose of the waste and there's a
 6 restriction for taking waste, if you're not
 7 permitted, from -- off-site. If you generate site
 8 -- if you generate waste on-site, much less
 9 restricted.
 10 So we have currently in our rules an
 11 allowance for nurseries, for neighborhood
 12 associations that manage waste that they generate
 13 themselves, they can compost it a certain way and we
 14 have exemptions allowed; where we get into trouble
 15 is when those same types of facilities wanted to
 16 take waste from off-site.
 17 So let's envision some examples. The
 18 first example is an elementary school, and the kids
 19 want to learn about composting and so the 3rd grade
 20 teacher starts a series of worm bins, right? So
 21 then they encourage -- this teacher encourages the
 22 kids to bring waste from home and bring it on-site,
 23 bring it to the school, and they'll compost it in
 24 their worm bins. Clearly, we have no interest in
 25 requiring that 3rd grade teacher to come to us and

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1 get a solid waste permit for her worm bin, right?
 2 That's very cut and dried, very clear.
 3 But let's take that example a step
 4 further and let's say it's not an elementary school,
 5 but it's a high school of 1,000 or 1,500 students
 6 and now they have an environmental group and they
 7 want to compost on-site, but they want to take waste
 8 from the Starbucks next door, and so they have --
 9 you know, on part of their property now they've got
 10 a, say, 100-foot by 40-foot area for composting and
 11 they're bringing waste from off-site. So, again, I
 12 don't know if they need a permit or should get a
 13 permit, I question the value of that, but if you --
 14 a strict interpretation of the rules says that they
 15 shouldn't take the waste from off-site, and we would
 16 -- you know, if we were forced, we'd shut them down,
 17 say, 'No, you can't do that', so it's a little
 18 problematic, but still on the gray area.
 19 And then the last scenario I would
 20 describe to you is what if a university like
 21 Oklahoma State wants to start a composting program,
 22 and now they're -- instead of a 10-foot by 40-foot
 23 plot, now they've got 20 acres and they're going to
 24 receive produce for off -- or, waste produce from
 25 grocery stores and things to start disposing of it.

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1 Now, I think we all agree that they do need a
 2 permit.
 3 But over the past few years, we've
 4 been approached by folks in -- across the whole
 5 spectrum in some of these scenarios, and it's -- it
 6 -- although we have select -- we can selectively
 7 enforce and say -- and use our best professional
 8 judgment to say, 'Oh, that's not worthy of a
 9 permit', it would be helpful, I think, to have some
 10 clear lines in the rules.
 11 So what I would propose is to have
 12 something for off-site waste that would allow them
 13 to receive some waste in the scenarios described and
 14 allow a permit that maybe is not as complex as a
 15 solid waste permit that you all may be familiar with
 16 for a large facility, and we can structure it in a
 17 way that's based on the size or the amount of
 18 material received to make it more appropriate. But
 19 what we would have to do is to allow some type of
 20 permit, you know, to comply with the law. So maybe
 21 a general permit or a permit by rule, something that
 22 maybe they fill out a notice of intent to compost
 23 and then we can give them a blanket permit, but that
 24 -- conceptually, that's what we're thinking about.
 25 But before we go down this road, I

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1 wanted to bring that to you guys to see if that's
 2 something that you would even entertain because it
 3 may take a little bit of effort. I think it's
 4 important to do, but I also think it may take some
 5 work, and I don't want to spend a lot of time
 6 working on something that you guys in here disagree
 7 with.
 8 Yes?
 9 VICE-CHAIRWOMAN MERCHANT: I would just
 10 ask, is this a solution looking for a problem or --
 11 MR. RILEY: It depends. So, you know, if
 12 it's an elementary school, I'm not -- we're not even
 13 going to think about it twice, but we do have some,
 14 like, public parks that want to engage in this, and
 15 that's where it becomes more problematic. So
 16 depending on the size, again, it could be a problem.
 17 VICE-CHAIRWOMAN MERCHANT: Is there a
 18 particular -- I mean, I notice the "X"s here so it
 19 doesn't really give, you know, what the quantities
 20 are, so that's something to come. What -- how would
 21 you decide --
 22 MR. RILEY: Right.
 23 VICE-CHAIRWOMAN MERCHANT: -- when too
 24 much is too much?
 25 MR. RILEY: That's it, that -- yeah,

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1 that's a good question. And that's why I would like
 2 to have some guardrails in the rules rather than
 3 just rely on best professional judgment and so that
 4 we're not being arbitrary. But, you know, one of
 5 the things that we did when we crafted Subchapter 43
 6 was to look at the national composting -- US
 7 Composting Council's model for state rules in that.
 8 I think we'd go back to that and look for some
 9 guidance there and see what they propose and see
 10 what other folks have done.
 11 You know, because as great of a
 12 product that is generated through composting,
 13 composting has a potential to create some nuisances,
 14 as well, so we want to make sure that it's done
 15 properly. We certainly don't want to discourage
 16 anyone from engaging in that, especially if it's
 17 done in an educational or a public demonstration of
 18 type project, so we can look at that, too, and put
 19 in some exclusions for that purpose. And again,
 20 this would be for non-commercial facilities.
 21 VICE-CHAIRWOMAN MERCHANT: Right. Right,
 22 so there could be some examples out there, possibly,
 23 that are already out there, already written.
 24 MR. RILEY: Right.
 25 VICE-CHAIRWOMAN MERCHANT: Because of --

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1 maybe, you know, they came up with them for the very
 2 same reason, for wanting to have some guardrails.
 3 MR. RILEY: Right.
 4 VICE-CHAIRWOMAN MERCHANT: Maybe it's
 5 already out there.
 6 MR. RILEY: And that -- I would --
 7 VICE-CHAIRWOMAN MERCHANT: In another
 8 state.
 9 MR. RILEY: -- like that, rather than
 10 having to create it from the ground up or just --
 11 you know, to have some basis for it I think is
 12 helpful.
 13 VICE-CHAIRWOMAN MERCHANT: We may have
 14 some composting operations like City of Norman and
 15 folks like that that have already looked at this in
 16 other states and stuff and maybe would be a good
 17 resource.
 18 MR. RILEY: And so that's -- you know, we
 19 could begin our research doing some of those things
 20 (Mr. Cleveland was absent from this point forward.)
 21 MR. RILEY: So what I -- I don't hear a
 22 strong opposition to exploring this further, is that
 23 -- am I correct in that perspective?
 24 MS. REINHART: You know, I think that's a
 25 good idea to -- because you guys are kind of

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1 operating in a gray and there's not a safety net for
 2 the agency, so we need to put some things in place
 3 to give people guidance and give you guys those
 4 guardrails, as well as them, to know what they can
 5 and can't do, and so -- no, I think it's a good
 6 idea. I mean, and then just, again, you know,
 7 public outreach about, you know, how this can be
 8 down and how you make certain you're doing the right
 9 thing and giving them some guidance, so --
 10 MR. RILEY: Very good.
 11 VICE-CHAIRWOMAN MERCHANT: There could be
 12 some extremely ambitious schools out there.
 13 MS. REINHART: Oh, yes.
 14 MR. RILEY: Very well-intentioned, but --
 15 VICE-CHAIRWOMAN MERCHANT: Right.
 16 MR. RILEY: -- also nuisances.
 17 MS. SACHA: Maybe you develop a fact sheet
 18 or a guidance sheet like you put on your website for
 19 other programs and put those out the same time so
 20 that you kind of give them that framework so they
 21 don't go crazy or overambitious.
 22 MS. REINHART: Well, I mean --
 23 MR. RILEY: Right.
 24 MS. REINHART: Right, you send it to all
 25 the school administrators and you can make certain

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1 they read it to their school because that's
 2 typically going to be done through their science
 3 departments and stuff, so --
 4 MR. RILEY: Good thoughts.
 5 MR. LINN: For a school, you know, the
 6 permit could be timed to match the desires of their
 7 program, for example, and then the permit would
 8 expire, say at the end of the school year, so their
 9 -- you could put timing guardrails up about when the
 10 permit is going to be in play.
 11 MS. REINHART: Yeah, but some schools go
 12 year-round with --
 13 MR. LINN: They do.
 14 MS. REINHART: -- their activities, yeah,
 15 so --
 16 MS. SACHA: But the permit by rule idea is
 17 nice that you can do the annual notice like NOI or
 18 NOT, like they could cancel it or start it depending
 19 on their program --
 20 VICE-CHAIRWOMAN MERCHANT: Or extend it,
 21 yeah.
 22 MS. SACHA: -- and put your time limit on
 23 that instead of them actually having to get a
 24 permit, which is harder.
 25 MR. LINN: Do we all agree that probably

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1 there need to be some guardrails? I do. I think
 2 so, for odor, critters.
 3 VICE-CHAIRWOMAN MERCHANT: That's going to
 4 be a big one, yeah.
 5 MS. REINHART: Yeah, it's how they're
 6 approved.
 7 MR. LINN: You know, the normal things you
 8 run into with those larger -- even the small ones,
 9 if they're not done properly.
 10 MS. SACHA: Especially during a drought.
 11 VICE-CHAIRWOMAN MERCHANT: Well, one time
 12 a city with an ice storm went and -- no offense, I
 13 know they were trying to get rid of everything, but
 14 a two-year project sat in the great, big middle of
 15 -- yeah, actually caught on fire. Things like that,
 16 so you know, but it was -- they were keeping it and
 17 it had to do with a parks -- they were just going to
 18 slowly use it up or whatever, and kids were going
 19 out there for a field trip, so --
 20 MR. RILEY: Great timing.
 21 VICE-CHAIRWOMAN MERCHANT: Yeah, so --
 22 MS. SACHA: But again, I think it's good
 23 for all the sustainability programs. I mean, if
 24 you're not going to encourage composting, that's
 25 pretty basic, I mean, small scale, I think it should

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1 be allowed.

2 MR. RILEY: Good, yeah, and I agree.

3 Well, so we'll start working on that, and the plan

4 by rule concept I think has merit, we'll look into

5 it. It's actually an idea that Ann Marie came to us

6 with from Air Quality, so she's already earning her

7 money in Solid Waste, so, you know, but she needs a

8 project to get to work on already.

9 Is there any other questions or

10 comments on the proposed rulemaking? And again, no

11 action is necessary, but we can -- I just wanted to

12 share those thoughts with you. We'll come back --

13 in January, we'll come back with formal rulemaking

14 for the regulated medical waste.

15 MR. BAIDAS: Just a -- I have a quick

16 question.

17 MR. RILEY: Sure.

18 MR. BAIDAS: Does this make any

19 distinction between, like, putrescible and

20 non-putrescible waste considering, like -- you were

21 saying work on vermiculture --

22 MR. RILEY: Right.

23 MR. BAIDAS: -- you can use a lot of

24 non-putrescible feedstock for those systems.

25 MR. RILEY: So that's something we could

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1 certainly consider. The composting rules right now

2 define feedstocks into different classes and they're

3 kind of broadly defined, but yeah, and -- and I

4 don't know that we -- we don't have regulations

5 specific to vermicomposting, and our regulations for

6 in-vessel composting are a little brief, as well,

7 you know.

8 So I'm sure as we start to look at

9 this -- and we're learning more -- as the

10 stakeholders come to us, talking to us about what

11 they want to do and how they want to do that, then

12 we're getting more insight into what our rules

13 should look like, and the other -- just the wild

14 card added to all that is the medical marijuana

15 waste, which is -- has a lot of interesting

16 composting, so that's another weird thing to kind of

17 fit in. But, yeah, good thought.

18 MS. REINHART: So since you raised medical

19 marijuana --

20 MR. RILEY: Oh, now I wish I hadn't.

21 VICE-CHAIRWOMAN MERCHANT: It's not on the

22 agenda.

23 MS. REINHART: No, but he kind of raised

24 that little -- we now have a lot of medical

25 marijuana going on in the state of Oklahoma --

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1 MR. RILEY: Right.

2 MS. REINHART: -- so where are you guys at

3 with rulemaking about how to deal with the waste?

4 Because I know before it even got started, DEQ was

5 looking at it with Fenton Rood and various other

6 agency personnel and stuff, so where is that at this

7 point?

8 MR. RILEY: So it's a very interesting

9 dynamic between DEQ and the Oklahoma Medical

10 Marijuana Authority because they regulate -- they

11 have full regulation over generation of medical

12 marijuana and require licensing for disposal of

13 waste and hauling and they have a lot of regulations

14 that pertain to management of that type of product,

15 the product of course, but also the waste.

16 But we maintain regulation for

17 disposal of all kinds of waste. So our rules talk

18 about disposal of waste in terms of, you know, its

19 physical composition as solid waste. But what the

20 Medical Marijuana Authority would say is, 'You need

21 to get a license from us for disposal, but you need

22 to apply with DEQ regs'.

23 So there is a very important need for

24 us to communicate clearly with OMMA, back and forth,

25 have that dialogue on what they're requiring and

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1 make sure that their message gets out clearly on

2 what and when to talk to DEQ about and then what we

3 require for permitting so that the OMMA inspectors

4 and folks understand what we would require for

5 permits.

6 But there's a -- so there is a lot of

7 back and forth between us and them, but I wouldn't

8 anticipate crafting specific marijuana waste

9 disposal regs, I would -- I think we leave that to

10 the medical marijuana authority and then we rely on,

11 you know, the engineering and operational principles

12 in our rules that apply to disposal of all waste, so

13 that's kind of where we're at right now. And that

14 may change, you know, as we work with OMMA to figure

15 out what -- you know, what's the best cooperative

16 arrangement, but it's -- yeah, it's a -- you know,

17 brand new industry, so lots of questions about how

18 to do it properly, including disposal.

19 MS. SACHA: Have you looked at other

20 states that have already approved medical or

21 recreational to see how they're handling it?

22 MR. RILEY: Colorado's an example, so

23 we've -- we do. You know, we've look at that a

24 little bit, but again, mostly we've relied on OMMA.

25 Other questions? Comments?

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1 VICE-CHAIRWOMAN MERCHANT: Moving along.
 2 Election of officers for 2023. Each year at the
 3 September council meeting, the council elects
 4 officers for the next calendar year, and so I will
 5 call nominations by the council.
 6 I would like to make a motion to
 7 nominate Mr. Linn as -- for the position of
 8 Chairman.
 9 MR. ADCOCK: Second.
 10 SECRETARY FIELDS: Mr. Adcock?
 11 MR. ADCOCK: Yes.
 12 SECRETARY FIELDS: Mr. Baidas?
 13 MR. BAIDAS: Seeing as I don't have really
 14 -- haven't interacted, I'll abstain from this.
 15 SECRETARY FIELDS: Mr. Cleveland has left
 16 the meeting.
 17 Mr. Linn?
 18 MR. LINN: Yes. Yes, yes.
 19 SECRETARY FIELDS: Ms. Reinhart?
 20 MS. REINHART: Yes.
 21 SECRETARY FIELDS: Ms. Sacha?
 22 MS. SACHA: Yes.
 23 SECRETARY FIELDS: Ms. Merchant?
 24 VICE-CHAIRWOMAN MERCHANT: Yes.
 25 SECRETARY FIELDS: Motion passed.

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1 MR. LINN: And because Brenda, our
 2 Vice-Chairwoman, made that nomination, I would like
 3 to nominate her for the Vice chair.
 4 MR. ADCOCK: Second.
 5 SECRETARY FIELDS: Mr. Adcock?
 6 MR. ADCOCK: Yes.
 7 SECRETARY FIELDS: Mr. Baidas?
 8 MR. BAIDAS: Abstain.
 9 SECRETARY FIELDS: Mr. Linn?
 10 MR. LINN: Yes.
 11 SECRETARY FIELDS: Ms. Reinhart?
 12 MS. REINHART: Yes.
 13 SECRETARY FIELDS: Ms. Sacha?
 14 MS. SACHA: Yes.
 15 SECRETARY FIELDS: Ms. Merchant?
 16 VICE-CHAIRWOMAN MERCHANT: Yes.
 17 SECRETARY FIELDS: Motion passed.
 18 VICE-CHAIRWOMAN MERCHANT: Okay. Next
 19 item on the agenda, suggested meeting dates for 2023
 20 council meetings. Each year at this time, the
 21 council sets meeting dates and locations for the
 22 next calendar year.
 23 Patrick?
 24 MR. RILEY: Quiana, do you have those
 25 dates in front of you?

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1 SECRETARY FIELDS: I have what you gave
 2 me: January 12th or the 19th, April 13th, July 13th,
 3 September 7th, they're all Thursdays.
 4 VICE-CHAIRWOMAN MERCHANT: Can you repeat
 5 everything after "January"?
 6 SECRETARY FIELDS: April 13th, July 13th,
 7 September 7th.
 8 MR. LINN: 2nd?
 9 SECRETARY FIELDS: 7th.
 10 MR. LINN: 7th, okay, thank you.
 11 SECRETARY FIELDS: And the January was two
 12 dates, whichever one, the 12th or the 19th.
 13 MS. REINHART: In January?
 14 SECRETARY FIELDS: In January, yes.
 15 VICE-CHAIRWOMAN MERCHANT: Discussion from
 16 the council? Any preference?
 17 MS. REINHART: Why don't we do the 12th,
 18 that way it kind of stays at the front of the month,
 19 January 12th, and then the other dates, you know,
 20 make a recommendation for April 13th, July 13th, and
 21 September 7th in 2023.
 22 SECRETARY FIELDS: That's a motion, right?
 23 MS. REINHART: I make a motion for those
 24 dates.
 25 MR. LINN: Second

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1 SECRETARY FIELDS: Mr. Adcock?
 2 MR. ADCOCK: Yes.
 3 SECRETARY FIELDS: Mr. Baidas?
 4 MR. BAIDAS: Yes.
 5 SECRETARY FIELDS: Mr. Linn?
 6 MR. LINN: Yes.
 7 SECRETARY FIELDS: Ms. Reinhart?
 8 MS. REINHART: Yes.
 9 SECRETARY FIELDS: Ms. Sacha?
 10 MS. SACHA: Yes.
 11 SECRETARY FIELDS: Ms. Merchant?
 12 VICE-CHAIRWOMAN MERCHANT: Yes.
 13 SECRETARY FIELDS: Motion passed.
 14 MR. RILEY: Would you all entertain moving
 15 the time of the meeting from 9:00, break with
 16 tradition and go to 10:00? Would that be helpful to
 17 anyone, especially people coming in from out of
 18 town?
 19 MS. REINHART: I would love for you to do
 20 that.
 21 VICE-CHAIRWOMAN MERCHANT: I'd like to be
 22 with some traffic, selfishly, but yes.
 23 MS. REINHART: Yeah.
 24 MR. RILEY: Okay. So can we make that
 25 10:00, then?

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1 VICE-CHAIRWOMAN MERCHANT: You guys all
 2 good?
 3 MR. RILEY: Does that work --
 4 MR. ADCOCK: That's just crazy talk,
 5 that's just -- come on.
 6 VICE-CHAIRWOMAN MERCHANT: Todd's going to
 7 vote no.
 8 MR. ADCOCK: That's fine with me.
 9 MR. RILEY: Okay.
 10 MR. ADCOCK: If I get here at 9.00, I'm
 11 just going to come sit in your office.
 12 VICE-CHAIRWOMAN MERCHANT: Do we add to
 13 the motion? That doesn't require a motion for the
 14 time change?
 15 MR. RILEY: I don't think so --
 16 MS. SACHA: Make it all one big motion.
 17 MS. REINHART: Yeah.
 18 MR. RILEY: But if you all agree, that's
 19 what we'll propose for next time.
 20 VICE-CHAIRWOMAN MERCHANT: Any new
 21 business limited to any matter not known or which
 22 could not have been reasonably foreseen prior to the
 23 time of the posting of the agenda 24 hours prior to
 24 the meeting?
 25 MR. LINN: Brenda, let's do Number 10 --

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1 VICE-CHAIRWOMAN MERCHANT: Did I skip it?
 2 MR. LINN: -- first, please.
 3 VICE-CHAIRWOMAN MERCHANT: We have --
 4 MR. LINN: Public forum.
 5 VICE-CHAIRWOMAN MERCHANT: -- public
 6 forum, open discussion. Council and/or public,
 7 right?
 8 Anyone? Good news, bad news, fun
 9 news?
 10 Thank you, Mr. Linn.
 11 MR. LINN: You're welcome, ma'am.
 12 VICE-CHAIRWOMAN MERCHANT: Okay. Now new
 13 business limited to any matter not known or which
 14 could not have been reasonably foreseen prior to the
 15 time of the posting of the agenda 24 hours prior to
 16 the meeting.
 17 MR. RILEY: I have some new business, but
 18 it's very minor. We've attempted to go to a
 19 paperless or as close to paperless meeting as
 20 possible, which is why we have everything projected
 21 on the screens. We did print these out, these
 22 notebooks for benefit of the council; do you want to
 23 continue receiving those notebooks or would you be
 24 willing to go electronic or provide your own copies?
 25 MS. REINHART: If you could provide power


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1 sources.
 2 MR. RILEY: Okay.
 3 MS. REINHART: Because sometimes our
 4 computers don't have very much power anymore.
 5 MR. RILEY: That's a good point.
 6 VICE-CHAIRWOMAN MERCHANT: I'm willing to
 7 cut down one tree a year to have this printed, and
 8 we do return the books so that we can reuse --
 9 MS. REINHART: Right.
 10 VICE-CHAIRWOMAN MERCHANT: -- the portions
 11 of it.
 12 MR. RILEY: Right.
 13 VICE-CHAIRWOMAN MERCHANT: But, yeah,
 14 electronically, sometimes it doesn't always work out
 15 well due to this building
 16 MR. BAIDAS: Could we just do, like, an
 17 opt in if you'd like a notebook?
 18 MR. RILEY: We could do that. We could --
 19 well, let me propose this. When we send out the
 20 reminder to the council -- when we send out the
 21 council packet email 10 days before, we could -- you
 22 could respond if you would like a notebook or not or
 23 if you wanted to opt out. Is that --
 24 MS. SACHA: Yeah, maybe you keep one or
 25 two here on-site in case you can't get your screens

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1 up or something like that.
 2 MR. RILEY: Right.
 3 MS. SACHA: And we could even share, you
 4 know --
 5 MS. REINHART: Yeah.
 6 MS. SACHA: -- yeah, or bring our own.
 7 MR. RILEY: I think that works.
 8 MR. LINN: Yep, that's reasonable. We'll
 9 cut down a little bit of paper use, maybe.
 10 VICE-CHAIRWOMAN MERCHANT: But it's helped
 11 back here.
 12 MR. RILEY: Yeah, the --
 13 VICE-CHAIRWOMAN MERCHANT: The handouts.
 14 MR. RILEY: We used to produce at least 10
 15 copies of the entire packet for members of the
 16 public, and as you can see today, there are not many
 17 members of the public that arrive to receive it, so
 18 we just ended up recycled that. So we saved at
 19 least a ream of paper, you know, 500 pages that we
 20 didn't have to print, there's the cost of printing,
 21 of course, and the time that it takes to generate
 22 that, so it's helpful to cut down on hard copies.
 23 That's all the new business that I
 24 have.
 25 VICE-CHAIRWOMAN MERCHANT: Okay. I move

1 for adjournment. Page 82
 2 MS. SACHA: Second.
 3 SECRETARY FIELDS: Who motioned?
 4 VICE-CHAIRWOMAN MERCHANT: (Raised hand).
 5 SECRETARY FIELDS: Mr. Adcock?
 6 MR. ADCOCK: Yes.
 7 SECRETARY FIELDS: Mr. Baidas?
 8 MR. BAIDAS: Yes.
 9 SECRETARY FIELDS: Mr. Linn?
 10 MR. LINN: Yes.
 11 SECRETARY FIELDS: Ms. Reinhart?
 12 MS. REINHART: Yes.
 13 SECRETARY FIELDS: Ms. Sacha?
 14 MS. SACHA: Yes.
 15 SECRETARY FIELDS: Ms. Merchant?
 16 VICE-CHAIRWOMAN MERCHANT: Yes.
 17 SECRETARY FIELDS: Motion passed.
 18 VICE-CHAIRWOMAN MERCHANT: We are
 19 adjourned.
 20 (The SOLID WASTE MANAGEMENT ADVISORY COUNCIL meeting
 21 was concluded at 10:44 a.m.)
 22
 23
 24
 25

1 **CERTIFICATE** Page 83
 2 I, Jenny Longley, Certified Shorthand
 3 Reporter within and for the State of Oklahoma, do
 4 hereby certify that the above and foregoing meeting
 5 was by me taken in shorthand and thereafter
 6 transcribed; and that I am not an attorney for nor
 7 relative of any of said parties or otherwise
 8 interested in the event of said action.
 9 IN WITNESS WHEREOF, I have hereunto
 10 set my hand and official seal this 15th day of
 11 September, 2022.
 12 
 13 _____
 14 Jenny Longley, CSR
 15 CSR # 1903
 16
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 22
 23
 24
 25



**SOLID WASTE MANAGEMENT
ADVISORY COUNCIL**
Attendance Record
September 8, 2022
Oklahoma City, Oklahoma

CHECK BOX TO COMMENT

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

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Jody Reinhardt	EFO	
Jim Linn	City of OKC	
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