

**DRAFT MINUTES**  
**Solid Waste Management Advisory Council**  
**September 7, 2023 Regular Meeting**  
**Department of Environmental Quality**

**Official SWMAC Approval  
at January 11, 2024 meeting**

**Notice of Public Meeting** - The Solid Waste Management Advisory Council convened for its Regular Meeting at 10:00 a.m. on September 7, 2023, 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 1, 2022. 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. Mr. Jim Linn, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

**MEMBERS PRESENT**

Todd Adcock  
Piotr Baidas  
Rachel Hanigan  
Robert Joyce  
Jody Reinhart  
April Sacha  
Jim Linn

**DEQ STAFF PRESENT**

Clifton Hoyle  
Kelly Dixon  
Patrick Riley  
Amanda Scofield  
Sue Sparks  
Kole Kennedy  
Lyndsay Murray  
Cat Ecker  
Dan Melton  
Amber Edwards  
Keisha Cornelius  
Anne Marie Smith  
Kaylee Daneshmand  
Mike Stickney  
Linzi Bhatta  
Michele Woods  
Michelle Wynn  
Quiana Fields

**MEMBERS ABSENT**

Rodney Cleveland  
Brenda Merchant  
Christopher Schaefer

**OTHERS PRESENT**

Bud Ground, EFO  
Jenny Longley, Court Reporter

**Approval of the Minutes for the January 12, 2023 Solid Waste Management Advisory Council Meeting** – Ms. Sacha moved approval of the January 12, 2023 Minutes and Mr. Joyce made the second.

*See transcript pages 3 - 4*

**Roll Call**

Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Robert Joyce	Yes		

**Director’s Report** – Ms. Kelly Dixon, Director of the Land Protection Division, provided an update on Division activities. Also, Patrick Riley of the Land Protection Division gave updates on the Division activities as well.

*See transcript pages 4 - 21*

**Mr. Linn introduced Ms. Rachel Hanigan to the Council.**

**Solid Waste Grant Summary, Fiscal Year 2023 Project** – 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 21 - 31*

**Discussion of Solid Waste Program Fees/Expenditures and Resolution by Council** – Mr. Riley 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 1<sup>st</sup> of this year. Following discussion, Mr. Linn called for a motion to approve the Solid Waste Program Fees/Expenditures and Resolution, Ms. Reinhart moved to approve and Mr. Adcock made the second.

*See transcript pages 31 – 53*

<b>Roll Call</b>			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Robert Joyce	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 252:515-11-3. To clarify the process for measuring the minimum separation from highest groundwater and waste at Construction and Demolition landfills. (2) revise OAC 252:515-43-31 relating to small-scale composting permit exemptions.

*See transcript pages 53 - 64*

**Election of Officers for 2024** – Mr. Adcock made a motion that Mr. Linn remain as Chair and Mr. Joyce made the second.

*See transcript page 64 - 66*

<b>Roll Call</b>			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Robert Joyce	Yes		

Mr. Linn made a motion to nominate Mr. Adcock as Vice-Chair and Ms. Reinhart made the second.

*See transcript page 66*

<b>Roll Call</b>			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Robert Joyce	Yes		

**Suggested Meeting Dates for 2024 Council Meetings** – The suggested 2024 dates are to be January 11, April 11, July 11 and September 12. Ms. Reinhart moved to approve and Mr. Baidas made the second.

*See transcript pages 67 – 71*

<b>Roll Call</b>			
Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Robert Joyce	Yes		

**Public Forum** – No public forum issues raised.

**New Business – None**

**Adjournment** – Mr. Linn called for a motion to adjourn the meeting. Mr. Joyce moved to adjourn and Mr. Adcock made the second. The meeting adjourned at 11:32 a.m.

*See transcript page 72 – 73*

**Roll Call**

Todd Adcock	Yes	Jody Reinhart	Yes
Piotr Baidas	Yes	April Sacha	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Robert Joyce	Yes		

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

Page 1

1 SOLID WASTE MANAGEMENT ADVISORY COUNCIL MEETING

2 ON SEPTEMBER 7, 2023 AT 10:00 AM

3 IN OKLAHOMA CITY, OKLAHOMA

4

5 MEMBERS PRESENT

6 Todd Adcock

7 Piotr Baidas

8 Rachel Hanigan

9 Jim Linn

10 Robert Joyce

11 Jody Reinhart

12 April Sacha

13

14 MEMBERS ABSENT

15 Rodney Cleveland

16 Christopher Schaefer

17 Brenda Merchant

18

19

20

21

22

23

24

25 REPORTED BY: Jenny Longley, CSR

Page 2

1 PROCEEDINGS

2 CHAIRMAN LINN: Good morning. Welcome,

3 everybody. This is the September 7th protocol

4 statement I've got to read; so we'll start with

5 that.

6 "This September 7, 2023 regular

7 meeting of the Solid Waste Management Advisory

8 Council was called in accordance with the Open

9 Meeting Act. Notice was filed with the Secretary of

10 State on November 1, 2022. The Agenda was duly

11 posted on the doors of the DEQ, 707 North Robinson,

12 Oklahoma City, Oklahoma, at least 24 hours prior to

13 the meeting."

14 "Only matters appearing on the posted

15 Agenda may be considered at this regular meeting.

16 In the event that this meeting is continued or

17 reconvened, public notice of the date, time, and

18 place of the continued meeting will be given by

19 announcement at this meeting. Only matters

20 appearing on the Agenda of a meeting which is

21 continued may be discussed at the continued or

22 reconvened meeting."

23 And with that, we'll go to Ms. Fields

24 for a roll call.

25 SECRETARY FIELDS: Mr. Adcock?

Page 3

1 MR. ADCOCK: Here.

2 SECRETARY FIELDS: Mr. Baidas?

3 MR. BAIDAS: Here.

4 SECRETARY FIELDS: Mr. Cleveland is

5 absent.

6 Ms. Hanigan?

7 MS. HANIGAN: Here.

8 SECRETARY FIELDS: Mr. Joyce?

9 MR. JOYCE: Here.

10 SECRETARY FIELDS: Ms. Merchant is absent.

11 Ms. Reinhart?

12 MS. REINHART: Here.

13 SECRETARY FIELDS: Ms. Sacha?

14 MS. SACHA: Here.

15 SECRETARY FIELDS: Mr. Schaefer is absent.

16 Mr. Linn?

17 CHAIRMAN LINN: Here.

18 SECRETARY FIELDS: We have a quorum.

19 CHAIRMAN LINN: Outstanding. If I can

20 find my Agenda, we'll proceed. Here we go.

21 Okay. Item 3, first up is the

22 "Approval of the Minutes for the January 12, 2023

23 Solid Waste Management Advisory Council Meeting".

24 I think we're ready for a roll call

25 vote of the council?

Page 4

1 SECRETARY FIELDS: A motion.

2 CHAIRMAN LINN: Oh, do I have a motion?

3 MS. SACHA: I'll make a motion.

4 CHAIRMAN LINN: Okay. Do I have a second?

5 MR. JOYCE: Second.

6 SECRETARY FIELDS: Mr. Adcock?

7 MR. ADCOCK: Yes.

8 SECRETARY FIELDS: Mr. Baidas?

9 MR. BAIDAS: Yes.

10 SECRETARY FIELDS: Ms. Hanigan?

11 MS. HANIGAN: Yes.

12 SECRETARY FIELDS: Mr. Joyce?

13 MR. JOYCE: Yes.

14 SECRETARY FIELDS: Ms. Reinhart?

15 MS. REINHART: Yes.

16 SECRETARY FIELDS: Ms. Sacha?

17 MS. SACHA: Yes.

18 SECRETARY FIELDS: Mr. Linn?

19 CHAIRMAN LINN: Yes.

20 SECRETARY FIELDS: Motion passed.

21 CHAIRMAN LINN: All right. And to the

22 "Director's Report - Kelly Dixon".

23 MS. DIXON: Good morning. I want to thank

24 you guys once again for your service on the council.

25 It's an important role for the state and for our

Page 5

1 agency; so we really appreciate it.

2 I'm going to give you -- can you guys

3 hear me okay?

4 CHAIRMAN LINN: Yes, ma'am.

5 MS. DIXON: I'm going to give you sort of

6 a little update of things that are happening in our

7 division and in the agency that are not Solid Waste,

8 and then I'm going to kick it to Patrick to talk --

9 give you some Solid Waste updates.

10 So, first of all, I have a little

11 presentation, so you can look at the screen. Go

12 ahead, next slide.

13 We have a lot of retirements we're

14 contending with. Keisha Cornelius is our new

15 Radiation Management Manager. We had a longtime

16 manager retire earlier this year, but Keisha has 20

17 years of experience in the program and she's going

18 to be a great manager for us.

19 You guys may or may not know that

20 Jimmy Givens retired earlier this year, and Rob

21 Singletary has taken his place as the Deputy

22 Director.

23 Saba Tahmassebi also retired and took

24 a job leading as the Director of the Kerr Lab in

25 Ada, Oklahoma; so that position as the Agency Chief

Page 6

1 Engineer is currently vacant, and I'm not quite sure

2 if -- what the plans are to fill that or not.

3 The good news is that, after not

4 being fully staffed, our division is almost -- we

5 have two vacancies in Radiation, we're almost fully

6 staffed, so that's really, really good news and

7 we're happy about that.

8 And one other good piece of news is

9 we recently were informed that we're being able to

10 give performance-based salary adjustments that

11 average around 5 percent for all of our staff. So

12 that's good news because, you know, that doesn't

13 quite keep up with inflation, but it's a step in the

14 right direction, so we're happy about that.

15 And I did want to mention something I

16 didn't put on the slide. Our parking garage is in

17 disrepair, and you guys may or may not know that,

18 but it's going to come down next year, and that's

19 going to change how we -- you know, we might be

20 doing a lot of telework during that time, depending

21 on availability of parking. So that's going to be

22 worked out, but I think we've determined that

23 telework -- we can cope with telework and be

24 productive, so we'll just see how that goes.

25 We're also losing the visitor

Page 7

1 parking, that's going to impact you guys. The

2 visitor parking is going away. I'm not quite sure

3 what the replacement parking lot's going to be, you

4 might have to plan a little bit more time when you

5 come to meetings because you might have to walk a

6 little bit further. So that's what I know.

7 CHAIRMAN LINN: Thank you.

8 MS. DIXON: We do a lot of technical

9 assistance -- I'm sorry, next slide, yeah. We do a

10 lot of technical assistance in our division, and

11 some of these are to schools where we have cleaned

12 up the school laboratories. This past year, we

13 cleaned up five school laboratories, you can see

14 they're quite a mess.

15 We've been doing this program for the

16 past five or six years, and we average about 20 labs

17 per year. We do it -- it's a one-time cleanup and

18 we counsel the schools on how to manage their

19 laboratory waste going into the future, so it's been

20 a really good program.

21 We're also partnering with Water

22 Quality and our lab to help mitigate lead exposure

23 in schools. The lab and Water Quality will test for

24 lead in the pipes or in the infrastructure of the

25 drinking fountains, and when they find a problem,

Page 8

1 our division has some resources where we can provide

2 funding to replace the plumbing, so we've helped two

3 schools so far.

4 We've had a mercury amnesty program

5 for the past 15 years, where we collect jars of

6 mercury that people have in their garage or their

7 barn or their house, sometimes. I think that the

8 highest number of households we've collected from in

9 the past 15 years is 48, and it's a prevention. You

10 know, we've had medical emergencies where children

11 were exposed and poisoned from a spill on a carpet,

12 so it's a really good thing that we do.

13 If you want to go to the next slide.

14 We have several cleanup programs, we've made a lot

15 of progress in the cleanup world, completed a \$12

16 million soil and sediment cleanup at the Oklahoma

17 Refining Company Superfund Site. At the Wilcox

18 Superfund Site, there was an interim removal of

19 refinery waste that was completed this year.

20 We've closed six sites in our VCP

21 program and cleaned up 68 acres and also helped --

22 through our loan program, helped abate asbestos at a

23 school that's no longer going to be a school,

24 they're going to redevelop it into a community

25 center. So these are all sort of highlights that --

Page 9

1 there's a lot more that we've done, but these are  
 2 some highlights of some of our cleanups.  
 3           The next slide. Tar Creek gets its  
 4 own slide. Largest Superfund site in the state, 40  
 5 square miles, and really technically all of Ottawa  
 6 County could be consider part of the site, but you  
 7 can see all the numbers there.  
 8           This is unique, in a way. It's been  
 9 over 40 years that we've been working on this site.  
 10 40 years. We recently, our agency, I think in 2018  
 11 -- I can't remember how long it's been, but we took  
 12 the lead from EPA, meaning that we had the  
 13 responsibilities to contract and direct the cleanup,  
 14 and we have contracted directly with the Quapaw  
 15 Nation.  
 16           And it's been a great partnership,  
 17 they're doing great work, and the 268,000 tons of  
 18 waste material removed and disposed of, that's an  
 19 average over the past seven or eight years, and with  
 20 a high of about 500,000 tons.  
 21           And then we have yard cleanups, too,  
 22 that will go on as long as we have access to sample  
 23 and cleanup yards, and we will continue to do that  
 24 to continue to protect people from lead exposure.  
 25           Okay. Next slide. We do a lot of

Page 10

1 regulatory assistance. The EPCRA Tier II reporting  
 2 is a little bit complicated, and so we trained lot  
 3 of folks on that and held workshops to show people  
 4 -- help people learn how to report. We've worked  
 5 with OSU to do hazardous waste generator training,  
 6 which is very valuable to people that generate  
 7 hazardous waste that don't really know how -- those  
 8 regulations are so complicated.  
 9           And as part of our continuous  
 10 improvement initiatives, we've finished our third  
 11 project to have online reporting and submittal of  
 12 payment to make it easier for our customers and for  
 13 our staff to improve efficiency.  
 14           And then the last thing I wanted to  
 15 touch on, you guys might have heard of some of the  
 16 hand sanitizer fires that happened over the past  
 17 year, it was almost a year ago it started.  
 18           And we had to -- we had a day to plan  
 19 a sampling plan and to respond to the fire and go  
 20 out and sample to find out what kind of contaminants  
 21 had been released, and we were able to do it really  
 22 quickly, but we decided that we really need a better  
 23 framework to have a team of people prepared to go  
 24 out on a dime with the resources and templates for a  
 25 sampling plan so we can do it quickly.

Page 11

1           So that's one of our strategic goals  
 2 for this year is to come up with that framework and  
 3 identify staff and have a team that's ready to  
 4 quickly deploy. We're not first responders, we're  
 5 not putting out fires, but we're doing the sampling  
 6 and support afterwards to identify, you know, how  
 7 big and how bad a problem might be.  
 8           So that's the update that I have.  
 9 Before I turn it over to Patrick, I'll answer any  
 10 questions if you have any.  
 11           All right. Patrick, it's all yours.  
 12           MR. RILEY: Thanks, Kelly.  
 13           So the first thing on my list is  
 14 introduction of a new Solid Waste Management  
 15 Advisory Council member. I'd ask Jim to -- if you  
 16 could introduce Ms. Hanigan.  
 17           CHAIRMAN LINN: Happy to. On my right  
 18 shoulder is Rachel Hanigan, who is a Professional  
 19 Engineer. Rachel is a Region Engineer for Waste  
 20 Connections. She primarily oversees environmental  
 21 permitting and compliance, capital improvement  
 22 projects, renewable energy development -- that's  
 23 cool -- and sustainability initiatives for districts  
 24 in Oklahoma and Kansas.  
 25           She has previously served as the

Page 12

1 Interim DM, District Manager, of Waste Connections  
 2 OKC landfill, overseeing all day-to-day operations  
 3 at one of the largest landfills in Oklahoma.  
 4           Prior to joining Waste Connections,  
 5 Rachel worked as an engineering manager in the  
 6 Environmental Programs Division of ODOT. She was  
 7 responsible for managing ODOT's stormwater, U.S.  
 8 Army Corps of Engineer permitting and mitigation  
 9 projects, and noise programs across the state. She  
 10 also served as an NEPA Manager, Project Manager at  
 11 ODOT, delivering decision documents for more than  
 12 150 proposed projects.  
 13           Prior to joining ODOT, Rachel worked  
 14 as an engineer in the Solid Waste Permitting Section  
 15 of ODEQ, strangely, so -- Rachel received a Master  
 16 of Engineering Management from University of  
 17 Nebraska-Lincoln. Well, as a Longhorn, I'm okay  
 18 with that, so she -- y'all probably aren't okay with  
 19 me being a Longhorn, but...  
 20           She also holds a Master of Science in  
 21 Sports and Recreation studies and a BS, a Bachelor  
 22 of Science, in Agricultural and Biosystems  
 23 Engineering. She is a Registered Professional  
 24 Engineer in Oklahoma. Welcome.  
 25           MS. HANIGAN: Thank you.

Page 13

1 CHAIRMAN LINN: That is impressive, I have  
 2 to say. Don't you guys agree? This is fabulous.  
 3 Welcome, we're glad to have you.  
 4 MS. HANIGAN: Thank you.  
 5 MR. RILEY: I think she got a wonderful  
 6 start in her career.  
 7 CHAIRMAN LINN: I agree.  
 8 MR. RILEY: And Rachel replaces Jeff  
 9 Shepherd, who was formerly on the council,  
 10 representing --  
 11 CHAIRMAN LINN: Our dearly departed  
 12 leader. Not departed that way, but -- sorry, Jeff,  
 13 wherever you are in Washington.  
 14 MR. RILEY: All right. So, welcome.  
 15 MS. HANIGAN: Thank you.  
 16 MR. RILEY: Next item, if there are new  
 17 Solid Waste staff members in attendance, I'd like to  
 18 introduce them, that maybe have not been here since  
 19 the last council meeting.  
 20 Lauren, you're a new inspector in  
 21 Solid Waste. You may have been here before, but in  
 22 case you haven't met Lauren, new Solid Waste  
 23 inspector. Is Kendra Hess here?  
 24 MS. SMITH: She's at new employee  
 25 orientation today.

Page 14

1 MR. RILEY: Okay. Brand new engineer in  
 2 Solid Waste permitting. So as Kelly alluded to,  
 3 we're fully staffed now in Solid Waste, so that's --  
 4 it really makes a difference in being able to  
 5 accomplish our work; so we're happy about that.  
 6 Who did I forget? Lyndsay Murray?  
 7 In the back. Lyndsay Murray, new engineer. Already  
 8 been through new employee training; so she was able  
 9 to be here today. Not quite as new, but if you  
 10 haven't met Lyndsay, please introduce yourself.  
 11 Anybody else I forgot? I apologize.  
 12 All right. So a few other things on  
 13 my list. This past couple weeks we had a public  
 14 hearing for Air Quality, the Air Quality Division,  
 15 presenting their 111(d) Plan. You may be aware of  
 16 this, we talked about it about a year ago.  
 17 EPA's promulgated new Emission  
 18 Guidelines and New Source Performance Standards for  
 19 landfill emissions, and the -- since EPA changed  
 20 their guidelines, DEQ had to change our guidelines.  
 21 What the 111(d) Plan is, is a mechanism that allows  
 22 DEQ to be the primary agency in enforcement action  
 23 and regulatory affairs.  
 24 So there were -- the public hearing  
 25 was to receive comments, there were no comments

Page 15

1 received. That plan will now go to EPA for approval  
 2 and once it is approved, then DEQ will be the  
 3 primary agency overseeing those regulations.  
 4 The next thing on my list, if you're  
 5 not aware, there was a Senate Bill 515 that passed  
 6 this year, was signed by the governor, that changes  
 7 some of the deadlines for rulemaking. And I want to  
 8 just point that out here, that the -- it shortened  
 9 some of the deadlines for agencies to send adoptive  
 10 rules for legislative approval.  
 11 So in the past, April 1st was the  
 12 deadline so that rules that went to the February  
 13 board meeting could get approved in the same year;  
 14 those deadlines have changed. For this upcoming  
 15 session, March 1st is the deadline, so we'll still  
 16 have an opportunity to get rules to the board in  
 17 February, but following -- the next session  
 18 following that, the deadline changes to  
 19 February 1st.  
 20 So what that means is that if we  
 21 introduce rules in January, they won't go to the  
 22 board until February and we'll miss the deadline for  
 23 legislative approval that year, and we'll have to  
 24 wait until the next legislative session for  
 25 approval; so it essentially adds a year to our

Page 16

1 timeline for passing rules.  
 2 Now, we may think about how we can  
 3 approach rulemaking in a more strategic fashion and  
 4 change some of the things that we do, the timing of  
 5 our meetings, and I don't know -- we'll work with  
 6 our legal staff and figure out some of that, but I  
 7 just want to make you aware of some of those things.  
 8 And so at least this session probably will not  
 9 impact us, but going forward, it may.  
 10 Next, I'd like to -- I'm pleased to  
 11 present and share this information that the  
 12 Sustainable Materials Management Section in Solid  
 13 Waste, the Solid Waste Sustainability Unit applied  
 14 for and received an EPA grant for \$650,000 to -- for  
 15 the Solid Waste and Infrastructure and Recycling --  
 16 the Solid Waste Infrastructure and Recycling Grant.  
 17 And what that's going to allow us to  
 18 do is to do a statewide waste composition and  
 19 recycling survey. So we intend to look at what  
 20 types of materials are being disposed at landfills,  
 21 what's being recycled, what are our opportunities to  
 22 recover materials for higher use.  
 23 It's going to allow us to make  
 24 data-driven decisions on how we fund recycling  
 25 projects and other initiatives, and it's consistent

Page 17

1 with our legislative -- or, statutory directive to  
 2 conduct studies necessary to provide information to  
 3 facilitate design and implementation of recycling  
 4 initiatives.  
 5           And that statute's been around a long  
 6 time, but it also has a caveat that it says "when  
 7 funds are available", and at least in my tenure with  
 8 the agency, funds have not been available for that  
 9 kind of study. This is different, this really  
 10 changes things and is a -- kind of a game changer  
 11 for sustainable material management in Oklahoma. So  
 12 we're excited about that, that's a three-year grant  
 13 window. It'll take us a while to ramp up and get  
 14 the money and be organized and to make that happen.  
 15           I'll pause there, if there are -- are  
 16 there any questions on anything so far?  
 17           CHAIRMAN LINN: Patrick, did you say that  
 18 was a \$650,000 grant?  
 19           MR. RILEY: Yeah, \$650,000 and change.  
 20           CHAIRMAN LINN: All right. Good.  
 21           MR. BAIDAS: Patrick, is that geared  
 22 primarily towards municipal waste streams or does  
 23 that include, like, industrial, nonhazardous?  
 24           MR. RILEY: So we haven't written the  
 25 scope of work yet; I would envision it to include

Page 18

1 both. If it -- I want it to be as comprehensive as  
 2 possible. So depending on, you know, what we can do  
 3 with the money that we have, it would include  
 4 municipal waste, NHH, construction and demolition  
 5 waste, all those things that may have opportunity  
 6 for better management practices.  
 7           MR. BAIDAS: Thank you.  
 8           MS. REINHART: Are we going to plan to  
 9 create some type of way to share those materials?  
 10 You know, I know that in Texas that they have this  
 11 kind of planning or, you know, way of sharing  
 12 information about materials that are available for  
 13 reuse or --  
 14           MR. RILEY: Like a materials exchange type  
 15 of thing?  
 16           MS. REINHART: Yes. I think --  
 17           MS. REINHART: I know that we have  
 18 somewhat of one, and I didn't know if we were going  
 19 to look at that opportunity to improve --  
 20           MR. RILEY: I think there are going to be  
 21 a lot of opportunities to share that information and  
 22 leverage it for the benefit of the industry and the  
 23 state with planning. So, yeah, it's not set yet  
 24 what we're going to do with it all, but definitely a  
 25 lot of opportunity.

Page 19

1           Moving on, a couple of things.  
 2 want to announce some upcoming conference  
 3 opportunities that you may be interested in. The  
 4 Oklahoma Recycling Association is having a  
 5 conference September 29th; the Oklahoma Composting  
 6 and Sustainability Association has their conference,  
 7 their annual conference in October 26th, and that  
 8 will be in Oklahoma County at the Oklahoma County  
 9 Technology Center; EFO has their conference  
 10 October 10 and 11 in Tulsa, that's coming up; and  
 11 then Keep Oklahoma Beautiful has their annual  
 12 Environmental Excellence Celebration November 17th.  
 13           So if you're interested in those,  
 14 check them out, they all have information online,  
 15 but those are interesting things that are happening.  
 16 Environmental Quality Board meets September 17th --  
 17 or, excuse me, September 12th, Tulsa Community  
 18 College, so have that on your calendar.  
 19           And a bit of good news, I don't know  
 20 if we've talked about this before. You remember DEQ  
 21 participates in the Sustainability Alliance's  
 22 Scorecard program. We -- it's an online tool that  
 23 allows you to set goals and measure sustainability  
 24 efforts against benchmarks.  
 25           And, once again, DEQ has achieved the

Page 20

1 gold award for that, for last year. Some notable  
 2 metrics, DEQ experienced a 19 percent reduction in  
 3 water usage this past year, 3 percent reduction in  
 4 gas usage. We continue to support, through  
 5 volunteer efforts, recycling events at Woody Guthrie  
 6 and municipal marathon, the Oklahoma City municipal  
 7 marathon, which we collected recyclables, did  
 8 composting for the first time this year, and  
 9 diverted leftover food to food pantries for -- to be  
 10 able to use that. And Amanda Scofield, if you have  
 11 any questions about that, she is the coordinator of  
 12 that event and can share more about that.  
 13           And then the last thing on my list is  
 14 -- and Kole can talk about this, but the Tire  
 15 program was audited, and Kole, correct me if I'm  
 16 wrong, there were no findings of concern --  
 17           MR. KENNEDY: Correct, yep.  
 18           MR. RILEY: -- so that -- we're pleased  
 19 about that, no recommendations for changing anything  
 20 that we're doing.  
 21           MR. KENNEDY: They fully supported the  
 22 program and they had no audit findings.  
 23           MR. RILEY: So that's always -- puts Kole  
 24 on edge for a little while, even though he does a  
 25 good job, but --



Page 21

1 MS. REINHART: So who conducts the audit?

2 MR. KENNEDY: That is the state auditor

3 and inspector --

4 MS. REINHART: Okay.

5 MR. KENNEDY: -- and then the delegates

6 below that.

7 CHAIRMAN LINN: And I think our

8 organization got a query from the auditor and

9 inspector on something related to the program, so --

10 MR. KENNEDY: As Chairman, you'll probably

11 receive an email notifying you of the findings, if

12 there are any, and then the draft --

13 CHAIRMAN LINN: Great. Congratulations on

14 that.

15 MR. KENNEDY: Thank you.

16 MR. RILEY: And that's all I have for my

17 report. Any questions?

18 CHAIRMAN LINN: Okay. Item 5 is the

19 "Solid Waste Grant Summary for FY2023 Projects".

20 I'll read the item. "The Oklahoma Solid Waste

21 Management Act (Act) created a system of state solid

22 waste fees to fund DEQ's environmental protection

23 programs. Local governments and nonprofit

24 organizations can apply to DEQ for funding to

25 accomplish environmental improvements. Highlights

Page 22

1 from the past fiscal year will be provided".

2 And it looks like Amanda Scofield is

3 going to start with the presentation. Hi, Amanda.

4 MS. SCOFIELD: Okay. So I'm going to

5 stand back here. Can y'all hear me?

6 CHAIRMAN LINN: Yes, ma'am.

7 MS. SCOFIELD: I could hear that, too.

8 Okay. So y'all saw this story map last year, if you

9 were here, and we started doing these story maps to

10 highlight our grant projects, just a fun way to

11 showcase them. It is on our website and it's an

12 interactive story map.

13 So the first part, just a little

14 Program Overview. Funding becomes available, we

15 open an application window, we have a Grant

16 Application Review Committee and rubrics and we

17 score everybody, and we have five categories:

18 "Environmental Officers", "Equipment", "Collection

19 Events", "Food Waste Management", and "Professional

20 Services". So we'll go into detail on each of

21 those.

22 And then, like I said, it's

23 interactive, so our -- the website's embedded here

24 so if folks want to read the details of the program,

25 they can.

Page 23

1 And then, yeah, the program's nice

2 because it allows communities to bring their own

3 unique projects to the table and it's not us telling

4 them what to do because they're the ones in the

5 community, they know what's best.

6 So we talk a little bit about where

7 the funding comes from, the dipping fees and OCERA,

8 and then we get into each year. So we can click

9 over here, jump to fiscal year 23, where we spent

10 over -- community spent over \$1.8 million on

11 projects this year. We had 49 grants in total.

12 And the maps are interactive, as

13 well, so we can click on -- we can see that

14 McCurtain County has an environmental officer, they

15 collected 117,000 pounds of trash, cleaned 84 miles

16 of road, 19 tires, 119 dumps.

17 So each one has their own

18 information. So here we can see that the town of

19 Cheyenne had a collection event for storm debris.

20 So yeah, you can just play around with that if you

21 want, but not all projects fit onto a map, so these

22 are some of the other entities we funded, and we'll

23 go into those in more detail, as well.

24 And yeah, I'll just -- I'm going to

25 kind of speed through these in the interest of time,

Page 24

1 but for our environmental officer grants, we had 14

2 total programs, and here they are across the state.

3 The program identified over 500 dumps. These are

4 some of those statistics we keep from each officer.

5 So, collected over 440 pounds of trash -- and all

6 these photos are from the officers, so that's kind

7 of interesting to see. It's not a huge poundage,

8 but you can see that it creates an eyesore, and a

9 lot of them are also in creeks. So 1,300 tires

10 collected, 2,400 miles of road cleaned, 23

11 collection events. So the environmental officers

12 sometimes host collection events, as well, and those

13 typically are general refuse, like, free dump days,

14 kind of stuff like that. So yeah, that's our

15 environmental officer program.

16 Equipment grants, we gave out 14

17 equipment grants, and they're spread out nicely

18 across the state here. Again, they're interactive,

19 so you can click on each point. Five communities

20 received a chipper, it's our most popular piece of

21 equipment in the program, and the chipper recipients

22 are encouraged to divert their chips from the

23 landfill. So, often they give them away for free to

24 their people and use them in park beds and stuff

25 like that. And these tow-behind chippers are

Page 25

1 popular, they help with the ice storm debris and  
 2 just windstorm debris, but also in keeping roads  
 3 clear and power lines clear, as well.  
 4           The City of Okmulgee and McAlester,  
 5 they upgraded their recycling programs with a  
 6 forklift and a baler. McAlester sold a total of 220  
 7 cardboard bales since January, over 120 tons, and  
 8 diverted 240,000 pounds from the landfill. Threw in  
 9 some quotes in here, this one's from the City of  
 10 McAlester. They say, "By employing the baler, we  
 11 have streamlined operations, saving time, conserving  
 12 fuel, minimizing vehicle wear and tear, and curbing  
 13 emissions".  
 14           Before their bale, they would take  
 15 all of their material in to Tulsa and it would be 12  
 16 round trips, and with the bale they've condensed it  
 17 to one round trip, and that's with the big truck; so  
 18 pretty significant there.  
 19           Delaware County, they received some  
 20 roll-offs and they set them around town and more  
 21 rural areas and popular dumping sites, and other  
 22 communities are following suit. You've seen more of  
 23 these roll-offs being requested in our program, and  
 24 communities say that they really do help and they're  
 25 getting used.

Page 26

1           Lawton also received some roll-offs  
 2 and they set theirs at their landfill, and so they  
 3 are separating recyclables from the landfill and  
 4 diverting them that way. So they received -- or,  
 5 they have a roll-off and they set tires aside and  
 6 they set paint aside, so that's a good program for  
 7 them, as well.  
 8           University of Oklahoma received some  
 9 Big Belly receptacles. They hold five times the  
 10 waste, they have a trash compactor inside, and they  
 11 run on solar panels and they send data so you know  
 12 when they're full and everything. And they got  
 13 these to manage their influx of waste on game days,  
 14 they put them all around the stadium. So, exciting  
 15 to see that.  
 16           Modoc Nation installed a glass  
 17 bunker, a much needed addition to their recycling  
 18 efforts, as Wes Davis says. OCCC, Oklahoma City  
 19 Community College, they received a glass crusher,  
 20 and they wanted us to address the lack of glass  
 21 recycling in the community, especially at the time.  
 22 And they are using the glass to -- in their Art  
 23 Department, so they're crushing glass and then  
 24 they're going to remelt the glass and make it into  
 25 art, just kind of a fun niche project. They're also

Page 27

1 going to incorporate it into concrete pavers and  
 2 planters on campus. Their goal was to create a  
 3 replicable model so the program could be copied  
 4 elsewhere, and they're -- they'll host biannual  
 5 recycling events open to the community.  
 6           All right. Next, we have collection  
 7 events. We gave 10 collection event grants out,  
 8 there they are. 11 events and 24 communities  
 9 served. Over 80,000 pounds of refuse recovered in  
 10 total. That's 53,000 pounds of household hazardous  
 11 waste, 1,700 tires, 43 pounds of pharmaceuticals,  
 12 28,000 pounds of e-waste. So these collection  
 13 events, communities really like them, especially for  
 14 these hard to manage waste streams like e-waste.  
 15           Food Waste Management grants, this  
 16 was a new grant category last year, and last year we  
 17 had one recipient, if you can recall, it was Our  
 18 Daily Bread in Stillwater, this great food pantry.  
 19 And this year, we were excited to have four  
 20 recipients; so the program's catching some speed.  
 21           UCO received a commercial composter,  
 22 you can see it's this green thing here, and they got  
 23 a refrigerator, there it is right there, and this is  
 24 for their Broncho Bites program. So they recover  
 25 wasted food from their cafeteria and they send the

Page 28

1 wasted food -- they repackage the wasted food into  
 2 individual meals and they put the meals in the  
 3 refrigerator, and then on the refrigerator is a live  
 4 stream camera so students can open the app and they  
 5 can see, 'Oh, there's only two meals left, I need to  
 6 run and grab one', or, 'Oh, there's plenty of meals,  
 7 I have time'. So I thought that was pretty neat.  
 8 And then what they can't recover for eating, they  
 9 compost, and they also provide student volunteer  
 10 opportunities. Yes, it's a really great program.  
 11 They do educational seminars, as well, for the  
 12 students.  
 13           Scissortail Park, they also -- or,  
 14 they are composting their landscaping waste and  
 15 their office waste. They host educational seminars  
 16 and they do tours on their composting program.  
 17 During the Farmers Market, they host this "Take Some  
 18 Leave Some" campaign where Farmers Market goes can  
 19 bring their food scraps and exchange them for  
 20 finished compost, and then the park composts their  
 21 food scraps. So that's a really great program, and  
 22 then, yeah, they use their finished compost on their  
 23 landscaping, as well.  
 24           Oklahoma State received a grant, and  
 25 this project is at Will Rogers Garden. They also

Page 29

1 compost their landscaping waste and use their  
 2 finished compost on their landscaping. They  
 3 received a commercial vermicompost sifter and a  
 4 cardboard shredder, and this is to enhance their  
 5 compost output and to enhance their educational  
 6 programs like Master Gardner and Master Composter.  
 7           The City of Comanche, they received a  
 8 commercial composter, and it lives at their  
 9 community center. And I believe this was the final  
 10 piece making the community center a zero-waste  
 11 facility, which is pretty cool. The center does  
 12 meal services, they will deliver meals to elderly or  
 13 to those who can't drive around, and they have a  
 14 community garden where they do some farm-to-table  
 15 food, and they also have an outside composting  
 16 setup, as well. So if you're ever out there, it's a  
 17 great place to go check out.  
 18           OCASA, Oklahoma Compost and  
 19 Sustainability Association, received a grant. They  
 20 educate Oklahomans on composting and kind of  
 21 encourage community-wide efforts. They do community  
 22 events, workshops, and they host an annual  
 23 conference.  
 24           Okay. Professional services, last  
 25 grant category. OCCEDB, they are really helpful in

Page 30

1 spreading grant funds across the state. They work  
 2 closely with the counties. They funded 53 counties  
 3 with chainsaws, chippers, roll-offs, and  
 4 environmental officer expenses. So there's an  
 5 overview of their spending.  
 6           Product Stewardship Institute, they  
 7 continued their work on the Oklahoma Meds and Sharps  
 8 Disposal Committee, OMSDC. They provided stipends  
 9 for communities to start collecting sharps and did  
 10 an educational outreach campaign. Here's some  
 11 examples: "Fish don't want your meds", don't flush  
 12 meds, "Don't get stuck".  
 13           The Sustainability Alliance, they  
 14 engage their community in the three pillars of  
 15 sustainability, People, Profit, and Planet, and  
 16 their Scorecard program provides a roadmap towards  
 17 sustainability in businesses. They also provide  
 18 additional networking events for businesses and  
 19 stuff like that.  
 20           And then, of course, ROB, the M.E.T.,  
 21 and Oklahoma City Beautiful, they are all kind of  
 22 geared towards environmental education,  
 23 beautification, recycling, litter abatement, do  
 24 really great work across the state.  
 25           And last but not least, Oklahoma

Page 31

1 Recycling Association, OKRA, they provide local and  
 2 regional education and community connections,  
 3 including their annual conference.  
 4           And that's it, that's all I got. Any  
 5 questions?  
 6           CHAIRMAN LINN: Thank you, Amanda, that's  
 7 impressive. Sounds like a busy year. I really  
 8 enjoyed seeing the number of tires and e-waste that  
 9 was done. I mean, it's all fabulous, but  
 10 224,000 pounds of e-waste is great to have not in a  
 11 landfill or dumped on the side of the road that  
 12 we'll have to collect later. So you guys were busy,  
 13 well done, and --  
 14           MS. SCOFIELD: Thank you.  
 15           CHAIRMAN LINN: -- and congratulations to  
 16 all of the entities that were involved, that's  
 17 fabulous.  
 18           Questions or comments by the Council?  
 19           MS. SCOFIELD: Thank you.  
 20           CHAIRMAN LINN: Thanks, Amanda.  
 21           Any questions or comments by the  
 22 public on this issue?  
 23           All right. We'll move to Item 6,  
 24 "Discussion of Solid Waste Program Fees and  
 25 Expenditures and Resolution by the Council". "The

Page 32

1 Oklahoma Solid Waste Management Act (27A O.S.  
 2 2-10-802E) requires DEQ to annually report to the  
 3 Solid Waste Management Advisory Council its income  
 4 from solid waste fees and its expenditures of those  
 5 monies during the previous fiscal year. The  
 6 Council's comments concerning program fees and  
 7 program expenditures are to be submitted to the  
 8 Executive Director, Governor, and Legislature by  
 9 November 1 of each year, in the form of a  
 10 resolution." Item 1 calls for a presentation from  
 11 Patrick.  
 12           MR. RILEY: Okay. So now you saw the  
 13 wonderful things that we accomplished this year, but  
 14 now we have to look at the bill and how we pay for  
 15 it. So the -- Jeff's going to pull up the Solid  
 16 Waste revenue report.  
 17           As you all know, the Solid Waste  
 18 Section gets no appropriated dollars from the  
 19 Legislature to do our work, and we operate entirely  
 20 on fees that are generated on disposal at landfills,  
 21 waste-to-energy facilities, and commercial  
 22 composting facilities, and we use that  
 23 dollar-and-a-quarter fee per ton to fund all our  
 24 programs, pay salaries, fund projects. So the \$1.8  
 25 million that -- in projects that Amanda just

Page 33

1 presented came out of this fund.

2           And if you look at the spreadsheet,

3 you can see where it's all accounted for. At the

4 top of the table, FY23 income is presented, and we

5 brought in \$6.6 million and change. That was a lot

6 more than we anticipated, we projected it somewhere

7 in the neighborhood of \$6.2 million. If we go back

8 and look at the last year, last fiscal year we

9 brought in \$6.3 million, year before that, we had

10 \$5.8 million. So there is a little bit of

11 uncertainty when we do our planning and we do our

12 budgeting as to how much money we're going to have

13 to spend. But this year we were fortunate, brought

14 in that money.

15           -- If you -- I think the most

16 interesting things to look at are the professional

17 services and local government section that talks

18 about how we've -- the different projects that

19 Amanda presented are broken down into those

20 sections.

21           We are obligated to spend at least

22 10 percent of the money that we receive from Solid

23 Waste fees on projects that support county

24 initiatives, county Solid Waste Management,

25 prioritize illegal dumping and prioritize

Page 34

1 hard-to-manage waste streams.

2           So that's where we rely on the

3 Oklahoma Cooperative Circuit Engineering Districts

4 Board with a major grant of that 10 percent, and

5 they -- since they understand the county needs more

6 closely than we do, we rely on them to distribute

7 some of that funding.

8           It's also why we invest heavily in

9 the environmental enforcement officer grants, so

10 that we can fund deputies in counties that are

11 experiencing a lot of trouble with illegal dumping.

12 You saw some of the pictures that it doesn't take a

13 lot of trash on the side of the road to make it an

14 eyesore and attract other trash. And Jim knows this

15 from Oklahoma City areas that receive -- you know,

16 once an illegal dump gets started, it's hard to

17 eradicate.

18           CHAIRMAN LINN: It's like graffiti, it

19 begets more of what's there, always. Never fails.

20           MR. RILEY: Yeah. So that's why we invest

21 in some of those. We also rely heavily on our

22 partners, the nonprofits that do so much good work

23 in the environmental space in Oklahoma, the M.E.T.,

24 Keep Oklahoma Beautiful, Oklahoma City Beautiful,

25 all those organizations that are -- you know,

Page 35

1 perform -- are a huge network of environmental

2 services, and we couldn't do -- couldn't accomplish

3 the work that we want to without their help.

4           So as far as expenditures go, we

5 expended \$6 million out of our projected \$6.2

6 million, or we actually budgeted to \$6.1 million.

7 We have some outstanding, remaining encumbrances

8 that haven't been spent. There are some bills that

9 are coming in, still, for projects that happened

10 last fiscal year, there is also some money that

11 doesn't get spent.

12           When we contract for services, we

13 usually leave a little bit of cushion so that our

14 contractors don't go over. We don't want to have to

15 go back and try and do a change order late,

16 especially for projects like our Hazardous Waste --

17 Household Hazardous Waste collection events where

18 there's some uncertainty as to how much is going to

19 be collected and how much it's going to cost, so we

20 leave a little bit of cushion there so there's

21 sometimes some money left over.

22           But that is the -- that's the Solid

23 Waste budget and revenue. And as Jim read in the

24 Agenda Item, it's the Council's responsibility to

25 comment on the appropriateness of revenue and -- to

Page 36

1 meet spending needs and use that to craft a

2 resolution that goes then to the Legislature and

3 Governor. So I'll pause there and see if there are

4 any questions.

5           MR. ADCOCK: Did -- so you operated on a

6 surplus this past year. Did the Legislature pull

7 any of that from you?

8           MR. RILEY: No. Not yet.

9           MR. ADCOCK: Good. Okay.

10           MR. RILEY: And that's the -- that's a

11 concern. I mean, we're always walking a delicate

12 line in that we want to bring in as much money as we

13 can to do as much work as we can; we don't want to

14 project the appearance that we have more money than

15 we need that might be attractive to use for other

16 purposes, that the Legislature might, and that's

17 happened in the past.

18           MR. ADCOCK: Yeah. What do you think is

19 the reason for the increase in tonnage? Statewide,

20 I mean --

21           MR. RILEY: Trashy people, I don't know,

22 Todd, I --

23           MR. ADCOCK: I always said trash never

24 sleeps, so I mean, it's coming every day, but that's

25 a pretty big increase.

Page 37

1 MR. RILEY: It is. And if you --

2 MR. ADCOCK: I mean, particularly post

3 COVID.

4 MR. RILEY: If you look at the past five

5 years or so, the -- and eventually, we have an

6 increasing trend the last three years, it's up and

7 down. There's -- if you apply a trend line to it,

8 it's not a very good fit. It is slightly positive,

9 but it is not a good fit, so it's hard to predict.

10 I think the economy has a huge

11 impact. Like you mentioned, COVID we had a down

12 year in that and then people started cleaning out

13 their garages and putting everything at the curb,

14 and then businesses started to remodel and take

15 advantage of that downtime, so then that created a

16 big bump; so it gets so unpredictable as to what

17 happens with the waste stream.

18 I'll also take this opportunity to

19 point out that this fee that's set by statute has

20 not increased since the mid-'90s. It does not

21 increase for inflation or with inflation, it's been

22 set, it's what we have, you know, so it is something

23 that we watch closely, but it makes us a little

24 nervous to project a higher anticipated revenue each

25 year.

Page 38

1 MR. ADCOCK: I can't remember, what

2 vehicle is required to make that fee change?

3 MR. RILEY: So it would be a statutory

4 change.

5 MR. ADCOCK: Okay.

6 MR. RILEY: So the Solid Waste Management

7 -- it's set in the Solid Waste Management Act; so

8 you would have to open up that statute and make

9 changes to that fee.

10 CHAIRMAN LINN: 27A; right?

11 MR. RILEY: 27A, 2-10-802, something like

12 that.

13 MS. JAYNE: Yeah, something like that.

14 MR. RILEY: Something like that. I'm not

15 an engineer nor a lawyer, so I can be a little bit

16 vague in some of my responses and I enjoy that

17 freedom, much to the chagrin of some of the

18 attorneys and engineers.

19 CHAIRMAN LINN: Yeah, so the crystal ball,

20 do you anticipate \$6.6 million next year, as well?

21 MR. RILEY: I don't. If you look at our

22 projected, our budget for next year, we did bump it

23 up to about \$6.4 million.

24 CHAIRMAN LINN: Excuse me. Yeah, I see it

25 at the bottom, thank you.

Page 39

1 MR. RILEY: I think that's -- I feel

2 pretty good about that, but we'll see how it turns

3 out. And if we have to make adjustments midyear, we

4 can. What would happen is that we would -- we also

5 prioritize salaries and the benefits, our staff is

6 protected as much as possible, and we would -- what

7 would happen is if we have the decline, we would --

8 it would impact projects first.

9 So, you know, our ability to fund

10 projects is something that we really think is

11 beneficial to the state and we want to do that as

12 much as possible, but obviously the staff, to

13 provide the services that we have to, is critical

14 and prioritized.

15 The other thing to remember is that

16 we have to start our contracting early to be -- to

17 get contracts in place when the fiscal year starts.

18 Each contract is only good for a year.

19 So we start the process, we start

20 accepting applications usually in December and then

21 review those the first couple months of the calendar

22 year. And then to get contracts in place is a bit

23 of a cumbersome process, and in bureaucracy, as you

24 might imagine, giving away money is not a simple

25 thing to do. But -- you know, so we start that

Page 40

1 process, it takes a while; so we have to kind of get

2 out ahead of the game. So there's some uncertainty

3 involved, but, you know, we do -- we seem to

4 accomplish a lot.

5 CHAIRMAN LINN: Well, I think Amanda

6 pretty much answered all my questions with her

7 presentation under -- you know, looking for some

8 more detail under the professional services local

9 government section, and that was a fabulous

10 presentation. I don't have any questions about the

11 overall budget. Does anyone?

12 MR. JOYCE: Have you had to be making cuts

13 in any programs over the last couple of years

14 because of COVID or --

15 MR. RILEY: I'm sorry, can you repeat it?

16 MR. JOYCE: Anything get eliminated or

17 dropped along the way?

18 MR. RILEY: Not that I can think of. I

19 think we were -- you know, the big thing with COVID

20 was pivoting to remote work, which I think everybody

21 experienced, so that was a challenge.

22 The -- there were expenses for a

23 transition from primarily desktop computers to

24 laptop systems that have -- were more mobile, so

25 there was some expense associated with that, but we

Page 41

1 -- and Kelly can correct me if I'm wrong, but I  
 2 don't know that we had to eliminate any programs as  
 3 a result.

4 MS. DIXON: Not that I remember.

5 MR. RILEY: Do we want to pull up the --  
 6 let's pull up e-waste and look at that really quick,  
 7 if there aren't any more questions on the Solid  
 8 Waste side of the table.

9 MS. HANIGAN: I am just curious, it looks  
 10 like you're showing salaries for your budget of 2024  
 11 a little bit backwards of what your '23 expenditures  
 12 are, but at the same time it looks like you're fully  
 13 staffed and hoping to give a pay increase to the  
 14 staff. So is there a reason that's, I don't know,  
 15 \$65K backwards from what you saw in FY23? I'm just  
 16 curious.

17 MR. RILEY: I'm sure there's a reason for  
 18 it, but -- so that budget number, we set our  
 19 salaries based on personnel allotment and what  
 20 projects they're going to work on. We set that  
 21 months ago, long before we knew there would be a  
 22 5 percent increase in -- for overall, average 5  
 23 percent increase.

24 So I don't know that that pay  
 25 increase is accounted for in this budget, we may

Page 42

1 have to do some adjustments. That's a -- and at the  
 2 time we set that, we did have vacancies and now  
 3 we're fully staffed; so that's a budget number that  
 4 may or may not reflect the actual spending that we  
 5 see across next year. So when you come back a year  
 6 from now, we may see that that was not as accurate  
 7 as we hoped.

8 MR. BAIDAS: Not being very familiar with  
 9 administrative budgeting, what is -- can you break  
 10 down Indirect Costs a little bit more?

11 MR. RILEY: So indirect costs are based on  
 12 -- primarily on salaries, and it is a -- it's set on  
 13 a percentage, accounting percentage. The -- so  
 14 that's off of the salaries.

15 The Administrative Expense has to do  
 16 with everything that supports our function that is  
 17 not a technical service. So the accountants, the --  
 18 anything that -- what else?

19 MS. DIXON: Executive office.

20 MR. RILEY: Oh, yeah, those guys. Human  
 21 Resources.

22 CHAIRMAN LINN: We call them the food  
 23 chain, Patrick.

24 MR. RILEY: So those folks that aren't  
 25 bringing in the revenue, but are -- and another new

Page 43

1 person that I have to introduce is Dan Melton, I  
 2 think he's in here. He is our accounting guy; so he  
 3 could -- if there are questions that you wanted --  
 4 pointed questions that you want to ask, Dan can  
 5 answer those.

6 So he puts together our numbers for  
 7 us and does a lot of -- all our accounting; so he  
 8 can correct all of the wrong things that I've said  
 9 here.

10 MR. MELTON: Do you need more information  
 11 about Indirect Costs than what you've been provided  
 12 to this point?

13 MR. BAIDAS: I'm just not familiar with  
 14 what it entails. Sorry, I'm just not familiar with  
 15 what it entails.

16 MR. RILEY: Dan, how is that percentage  
 17 established? I think that might be helpful to  
 18 share.

19 MR. MELTON: So much for sitting in the  
 20 back of the room.

21 CHAIRMAN LINN: Good morning.

22 MR. BAIDAS: Forgive my ignorance on the  
 23 topic.

24 MR. MELTON: That's fine. The Indirect  
 25 Costs, it encumbers a lot of items, like we talked

Page 44

1 about the food chain, okay? But also if we were  
 2 paying rent on this building, a portion of that  
 3 would be applicable, but we do have building  
 4 maintenance that we have to take care of for the  
 5 building, that's included in there. The garage, we  
 6 talked about the remodel we're going to do to that,  
 7 that portion of that's going to be included in  
 8 Indirect Costs.

9 Basically Indirect Costs, what gets  
 10 put in there is any cost that can't be easily  
 11 ascertained as to who needs to pay for it. So like  
 12 in the case of HR, we can count belly buttons or  
 13 something, but that doesn't really do you anything  
 14 on new hires and the amount of work. So there's a  
 15 lot of things that are -- that seem like it would be  
 16 easy to account, but in reality is very difficult to  
 17 account.

18 Doing a purchase order, if we're  
 19 doing a purchase order that has one line, that's  
 20 very simplistic, but if it's a very involved  
 21 purchase order and it winds up with five or six  
 22 pages and the work that went behind that, that still  
 23 counts as one purchase order.

24 So again, when you're accounting  
 25 things, they don't always relate to the actual cost

Page 45

1 that goes into it; so that's why we have an indirect  
 2 cost ratio. So we accumulate all those unknown  
 3 costs, and every year we have to negotiate with the  
 4 federal government on our grants. They're the ones  
 5 that initiate us with an indirect cost ratio for all  
 6 of our federal partners.

7           So every year that goes through an  
 8 audit, they agree with what that indirect rate is  
 9 going to be, and then we apply it based on salaries  
 10 across the board for all the agency. Does that  
 11 help?

12           MR. BAIDAS: That's interesting, thank  
 13 you.

14           MR. RILEY: Thanks, Dan.

15           CHAIRMAN LINN: Any other questions on the  
 16 -- just the overall fees? I think Patrick wanted to  
 17 bring up e-waste. Any questions on the main page  
 18 there?

19           Ready to move if you are.

20           MR. RILEY: Okay.

21           CHAIRMAN LINN: I noticed the budget is  
 22 significantly higher for FY24 than was approved for  
 23 '23, is that in anticipation of being able to expend  
 24 some additional funds that -- from revenues that  
 25 were higher or do you have a specific thing in mind

Page 46

1 there, Patrick?

2           MR. RILEY: It's primarily related to the  
 3 salary of the personnel involved.

4           CHAIRMAN LINN: Okay.

5           MR. RILEY: And we have one person that  
 6 works specifically in e-waste, who bills their time  
 7 to that project code, and that person it moved to a  
 8 higher salary band and so that affects the salary.

9           CHAIRMAN LINN: Okay.

10           MR. RILEY: I -- again, with -- there's  
 11 some uncertainty with that budget number and the  
 12 actual reflection of what will be expended, but that  
 13 is accounted for there. I don't think that the  
 14 revenue received from this program will increase,  
 15 it's been declining over the years.

16           Just as a reminder, the Oklahoma  
 17 Computer Equipment Recovery Act is what provides  
 18 funding for this. If you're a computer manufacturer  
 19 and you sell computers in Oklahoma, based on the  
 20 number of computers that you sell you're either  
 21 considered major or minor, and you pay an annual fee  
 22 to the state, to us, to manage the end of life -- to  
 23 basically review their program for the requirement  
 24 that they must provide end of life management of  
 25 their equipment.

Page 47

1           We've seen a lot of consolidation in  
 2 the industry and so there are less manufacturers  
 3 selling computers, so that's generally -- so that's  
 4 led to a decline overall. We -- so I don't think  
 5 that that is going to increase.

6           If there are overages in spending, we  
 7 have the ability to use Solid Waste money to make up  
 8 for any shortfall in e-waste. The -- what we try to  
 9 do is use some of this funding to fund collection  
 10 events for e-waste, and it makes a nice symmetry.  
 11 We're not bound to use that money for that purpose,  
 12 but if that's what we're receiving from the computer  
 13 manufacturers, it makes sense to use it for that  
 14 purpose.

15           And it's something that the public  
 16 really enjoys, looking for opportunities to get rid  
 17 of all those old desktops, CRT monitors that have  
 18 been sitting in the garage collecting dust forever,  
 19 that we don't want to end up in the -- on the side  
 20 of the road.

21           Questions about that, about e-waste?

22           MR. BAIDAS: Is it strictly computers or  
 23 does it encompass cell phones, as well?

24           MR. RILEY: It does not include cell  
 25 phones, the -- it's computers and tablets, and just

Page 48

1 residential, not commercial. There is a -- an  
 2 annual report for e-waste that we submit to the  
 3 Governor and Legislature every year, that's also on  
 4 our website if you want to look at that and see all  
 5 the details associated with what we know about what  
 6 manufacturers have collected.

7           Most manufacturers rely on a  
 8 mail-back program so that if you ask for a shipping  
 9 label to send your computer back to the manufacturer  
 10 somewhere, then they'll provide that, and there's  
 11 information on our website about that.

12           But we provide a report on, again,  
 13 our revenue and the -- what they -- what computer  
 14 manufacturers have reported to us for the collection  
 15 that they have done, and send that to the  
 16 Legislature each year.

17           CHAIRMAN LINN: Any questions from the  
 18 Council on anything we've heard so far? I think  
 19 we've got one other category, the used tires.

20           MR. RILEY: Used tires.

21           CHAIRMAN LINN: I had a couple of spelling  
 22 corrections to recommend. On the next-to-last item,  
 23 on "Used Tire Fees", "payments" and "governments".  
 24 Well, I mean, you know, we want to get like we kind  
 25 of know what we're doing, right, Council?

Page 49

1 MR. RILEY: Absolutely.

2 CHAIRMAN LINN: I thought I better point  
3 that out. Sorry, nobody likes a tattletale, right?  
4 I mean, come on.

5 MR. RILEY: I want to make sure you're  
6 paying attention, so I appreciate that you looked at  
7 it in enough detail to recognize that.

8 CHAIRMAN LINN: I actually read it, so  
9 yeah.

10 MR. RILEY: That's great.

11 So one interesting thing to note  
12 about this report is almost at the bottom of the  
13 line, the "payments to governments", there's a  
14 \$250,000 line item there that was budgeted in '23  
15 but was not spent and is budgeted again -- or,  
16 should be budgeted again for the next year.

17 What that is, is funding that's set  
18 aside for Market Development to use used tire  
19 material. So there is -- that money's set aside to  
20 promote use of recycled tires. The -- in '23, we  
21 did not have any applicants to use that money; so it  
22 went unspent.

23 We have an applicant this year, it's  
24 the Oklahoma City Zoo that wants to use used tire  
25 material to make rubber modified asphalt to use it

Page 50

1 around their facility, a new exhibit that they're  
2 creating at their facility; so they will receive a  
3 grant from the Used Tire program to do that.

4 So that's why that \$250,000 is there.  
5 The program is capped at \$600,000, we -- if we bring  
6 in more revenue -- if more revenue is received by  
7 the Tax Commission than that, that doesn't come to  
8 the Tire program; so we can't get more than  
9 \$600,000. The \$250,000 is an exception to that; so  
10 that's what's added in, and that's why that budget  
11 number looks higher than it might in previous years.

12 But the Tire Market Development grant  
13 functions much like the Solid Waste grant in that  
14 interested parties can fill out an application, it's  
15 going to be reviewed by program staff that form the  
16 committee to assess it versus different criteria and  
17 recommend projects that should be implemented.

18 It's relatively new, and that's why  
19 we have not seen a lot of applicants yet. I  
20 anticipate that, with the award to the Oklahoma City  
21 Zoo and the publicity that's received from that, the  
22 word will get out and there will be more interest.

23 CHAIRMAN LINN: Any questions or comments  
24 from the Council on that item?  
25 Anything else, Patrick?

Page 51

1 MR. RILEY: Nothing from me.

2 CHAIRMAN LINN: All right. Any questions  
3 or discussion from the public on the item?  
4 All right. Do we have a motion to  
5 approve?

6 MS. REINHART: Make a motion to approve  
7 the budgets as presented.

8 MR. BAIDAS: Second.

9 MS. REINHART: How do I need to word that,  
10 Patrick?

11 MR. RILEY: Yeah, I was going to say, a  
12 point of clarity. So the roll call vote should be  
13 for the resolution. Jim, do you have that?

14 CHAIRMAN LINN: I do.

15 MR. RILEY: I might suggest you could read  
16 that and then entertain a motion.

17 CHAIRMAN LINN: Bear with me one second.  
18 It's all the way at the back, I suspect. Thank you.

19 All right. So this is the resolution  
20 that we'll accept a motion on. It is a "Resolution  
21 of the Solid Waste Management Advisory Council", and  
22 it reads, "Whereas, the Oklahoma Solid Waste  
23 Management Act (27A O.S. 2-10-802E) requires the DEQ  
24 to annually report to the Solid Waste Management  
25 Advisory Council (Council) its income from solid

Page 52

1 waste fees and its expenditures of those monies  
2 during the previous fiscal year."  
3 "Whereas, the Council is also  
4 required to develop comments comparing income with  
5 program expenditures."  
6 "The Council hereby resolves as  
7 follows: Item 1, The solid waste fee income is  
8 adequate to support the solid waste management  
9 programs for which it was originally intended; and,  
10 2, Approves the report of the income and  
11 expenditures for fiscal year 2023", and it will be  
12 "Adopted by majority vote in open meeting this 7th  
13 day of September 2023", has a section for my  
14 signature as Chair and for Ms. Fields as Secretary.

15 So do I have -- do I hear a motion to  
16 approve this resolution?

17 MS. REINHART: I make the motion to  
18 approve that resolution as read.

19 MR. ADCOCK: Second.

20 CHAIRMAN LINN: Do I have a second?  
21 MR. ADCOCK: Second.

22 CHAIRMAN LINN: Thank you.

23 SECRETARY FIELDS: Mr. Adcock?  
24 MR. ADCOCK: Yes.  
25 SECRETARY FIELDS: Mr. Baidas?



Page 53

1 MR. BAIDAS: Yes.

2 SECRETARY FIELDS: Ms. Hanigan?

3 MS. HANIGAN: Yes.

4 SECRETARY FIELDS: Mr. Joyce?

5 MR. JOYCE: Yes.

6 SECRETARY FIELDS: Ms. Reinhart?

7 MS. REINHART: Yes.

8 SECRETARY FIELDS: Ms. Sacha?

9 MS. SACHA: Yes.

10 SECRETARY FIELDS: Mr. Linn?

11 CHAIRMAN LINN: Yes.

12 SECRETARY FIELDS: Motion passed.

13 CHAIRMAN LINN: Okay. If you'll pass that

14 to Ms. Fields, thank you.

15 I think we're ready for Item 7,

16 "Discussion of Proposed Changes to Chapter 515

17 Management of Solid Waste". "The Department of

18 Environmental Quality is proposing, for discussion

19 purposes only, to: 1, revise OAC 252:515-11-3. To

20 clarify the process for measuring the minimum

21 separation from highest groundwater and waste at

22 Construction and Demolition landfills. 2, revise

23 OAC 252:515-43-31 relating to small-scale composting

24 permit exemptions".

25 And we have a presentation from

Page 54

1 Patrick?

2 MR. RILEY: Yeah, I'll talk about it

3 briefly. The -- and then we can discuss. And,

4 Jeff, if you can pull up the "Separation from

5 groundwater" first, thank you.

6 So I want to first point out this is

7 not a new regulation and we are not changing a

8 requirement, what we are attempting to do is provide

9 clarity to the rule that already exists.

10 Landfills are required to maintain a

11 5-foot separation between the highest groundwater

12 measured, according to the groundwater study process

13 that are in the rules, and the lowest placement of

14 waste.

15 For municipal solid waste facilities,

16 that presumption is the lowest placement of waste is

17 in the leachate sump because the leachate is

18 considered waste along with solid waste.

19 In the construction and demolition

20 waste landfills, there's no requirement to have a

21 leachate collection system, although there certainly

22 is accumulation of leachate in a C&D landfill as it

23 collects rainwater and there's a wet component of

24 the waste that accumulates.

25 Construction and demolition waste

Page 55

1 landfills are constructed of a clay liner only, with

2 no plastic and no leachate collection system, and

3 they're required to place a soil protection cover up

4 on top of the clay once it's constructed. There is

5 no requirement to compact that soil component, it's

6 not a -- considered to be a barrier layer.

7 So what happens then is that if there

8 is leachate in the C&D landfill, that it would

9 penetrate through that protective layer and

10 accumulate on top of the clay, which is the true

11 barrier layer. So the measurement, then, for

12 separation of groundwater should be from the top of

13 the clay down to the highest groundwater

14 measurement.

15 There are some -- it's occurred, had

16 -- let me start over. We've had some conversations

17 with facilities that expressed confusion with the

18 way the current rule reads in that the measurement

19 should occur from the top of protective cover. To

20 clarify that we want that measurement to be from the

21 top of the clay to the highest groundwater, we are

22 proposing this amendment, and the underlying text is

23 the revision.

24 And again, this is for discussion

25 purposes only, it is not -- we're not taking a vote.

Page 56

1 If this is something that the Council wishes to

2 entertain, then we will come back through a formal

3 rulemaking process in -- at the next meeting in

4 January.

5 MS. REINHART: So Patrick, can you define

6 for me what an "in-situ liner" means? Because I

7 want to make certain I understand the difference of

8 what you're trying to say in regards to C&D.

9 MR. RILEY: Yeah, so an in-situ liner is

10 where a facility has sufficient clay naturally in

11 place to serve as a liner, and in that case then

12 they don't have to construct anything, they can just

13 rely on the clay that's been measured and determined

14 to be a sufficient thickness. What we're talking

15 about is a reconstructed clay liner --

16 MS. REINHART: Okay.

17 MR. RILEY: -- where a facility goes in

18 and actually builds something out of clay to build a

19 3-foot liner; so that's the difference between those

20 two.

21 MS. REINHART: Okay. That was confusing

22 to me since I've --

23 MR. RILEY: Sure.

24 MS. REINHART: -- got that other

25 background, so...

Page 57

1 MR. ADCOCK: What are you seeing -- what's  
 2 the difference you're seeing from the top of the  
 3 soil that they might be measuring to the top of the  
 4 highest groundwater if you're --  
 5 MR. RILEY: Right.  
 6 MR. ADCOCK: If you would take that number  
 7 and actually use the top of the clay liner, what's  
 8 that difference you're seeing?  
 9 MR. RILEY: So the minimum requirement for  
 10 the protective cover placed over the clay liner is 1  
 11 foot.  
 12 MR. ADCOCK: 1 foot?  
 13 MR. RILEY: Yeah.  
 14 MR. ADCOCK: Okay.  
 15 MS. HANIGAN: So with regard -- the  
 16 facilities' confusion, does it lie in their reading  
 17 of "a", where if you have a Subtitle D facility,  
 18 right, our assumption is that we've got waste and  
 19 leachate penetrating that 1-foot -- not waste, but  
 20 leachate penetrating that 1-foot protective cover  
 21 layer, and the confusion with the C&D facilities is  
 22 they don't generate leachate?  
 23 MR. RILEY: Right.  
 24 MS. HANIGAN: Okay.  
 25 MS. SACHA: Do you think this will affect

Page 58

1 any existing facilities?  
 2 MR. RILEY: It wouldn't be retroactive; so  
 3 it would be for new applications that are coming in.  
 4 I mean, and I don't think that it would -- it  
 5 doesn't affect the decision-making process that we  
 6 have, it just makes the rule clearer.  
 7 MR. JOYCE: There's no confusion about  
 8 measuring the top of the clay line, you know, or any  
 9 issues there or is that well understood?  
 10 MR. RILEY: That's -- so they would have  
 11 to survey the top clay and the top of a protective  
 12 cover; so that should be well-established.  
 13 CHAIRMAN LINN: Any other questions from  
 14 the Council? Are there questions or discussion from  
 15 the public on the issue?  
 16 All right. Time for Item 8. I think  
 17 Jody called it the -- or, excuse me. Do we need to  
 18 --  
 19 MR. RILEY: We have another rule, Item 2.  
 20 CHAIRMAN LINN: Oh, excuse me. Number 2.  
 21 MR. RILEY: No, this is an agenda item,  
 22 yeah, I tried to trip you up there, Jim.  
 23 CHAIRMAN LINN: Sorry, Patrick.  
 24 MR. RILEY: Tried to get a two-for-one in  
 25 here.

Page 59

1 CHAIRMAN LINN: You succeeded.  
 2 MR. RILEY: The next proposed rule change  
 3 that we have for consideration -- and again, it's  
 4 just for discussion purposes only at this point --  
 5 relates to small-scale composting operations. We  
 6 talked about this at our last council meeting in  
 7 that there was a need for considering how our rules  
 8 treat small-scale composting.  
 9 And we've heard a lot of discussion  
 10 from the composting community about the difficulty  
 11 it is to operate neighborhood composting or  
 12 composting at parks in which material is received  
 13 from off-site. We've always exempted on-site  
 14 composters that are a small scale, but if facility  
 15 -- if these composters wanted to take feedstock  
 16 from, say, a nearby coffee shop, coffee grounds, or  
 17 from a nearby brewery that has spent grain, which  
 18 are all good things to compost, and they want --  
 19 even if they wanted to receive small quantities of  
 20 this material, receiving material from off-site and  
 21 sending it to a facility that doesn't have a permit  
 22 becomes problematic, it trips up some of our rules.  
 23 So we were looking to address that by  
 24 making some exemptions for small-scale composting,  
 25 including those that receive materials from

Page 60

1 off-site.  
 2 We held a listening session in June,  
 3 I believe, to hear what some of the concerns were  
 4 from the composting community and to talk about some  
 5 of the rules that are in place. Mr. Linn was able  
 6 to attend that session and heard some of the  
 7 concerns. It mostly related to, again, small-scale  
 8 composting and some other things that were beyond  
 9 the control of DEQ, relating to zoning and other  
 10 things.  
 11 CHAIRMAN LINN: Yeah, city planning and  
 12 zoning was an issue for some of the composters that  
 13 spoke. Out of the scope from DEQ, they have nothing  
 14 to do with that, so...  
 15 MR. RILEY: So to address the things that  
 16 we can, we are proposing a couple changes to the  
 17 rules. The existing exemption provided in  
 18 Subchapter 43, we want to tweak that a little bit  
 19 and create, as you see here, "a" and "b", conditions  
 20 to continue the exemption for on-site composters,  
 21 and then add the "b" section that you see here, for  
 22 feedstock generated off-site for facilities, with  
 23 conditions that they provide us some information so  
 24 it's not completely uncontrolled.  
 25 So two things that maintain

Page 61

1 protection, one is the limit on the amount of  
 2 material that can be received, which is 100 tons in  
 3 a year, or 200 cubic yards, and the other things is  
 4 the operational plan and information that they have  
 5 to provide to us.

6           So this is a middle ground, if you  
 7 will, between a full solid waste permit that you  
 8 might see for a big operation and a complete  
 9 exemption from any of the requirements that I think  
 10 will address some of the concerns of the composting  
 11 community while still being protective of, even  
 12 help, the environment.

13       CHAIRMAN LINN: Have the stakeholders seen  
 14 these yet?

15       MR. RILEY: This is the first time we're  
 16 presenting them publicly.

17       CHAIRMAN LINN: Okay.

18       MR. RILEY: So probably -- they probably  
 19 have not.

20       MS. REINHART: So is there a plan to do  
 21 outreach back to those that participated in that  
 22 meeting back in June to get their feedback?

23       MR. RILEY: Yeah, I would have liked to  
 24 have seen some folks here. I don't know if there  
 25 are interested parties here at this -- at the

Page 62

1 council meeting now, but certainly the minutes can  
 2 be shared. We have -- we participate in the  
 3 Oklahoma Composting and Sustainability Association;  
 4 so we have some connections there to share  
 5 information. So I think we could get the -- do some  
 6 outreach that way.

7       MS. REINHART: Yeah.

8       MR. RILEY: At this time, we don't plan  
 9 another -- a meeting or a stakeholder's meeting, but  
 10 we could always entertain that, as well.

11       MS. REINHART: Yeah, I just think it would  
 12 be good to -- I don't know that another meeting  
 13 would be as needed, but -- because you've heard  
 14 their concerns and you're trying to address their  
 15 concerns, and communication could be something  
 16 saying, 'These are the draft rules, and if you would  
 17 like to have further input on them, come to the  
 18 Solid Waste Council meeting'.

19       MR. RILEY: I think that's a good  
 20 suggestion.

21       MR. JOYCE: Do we know what the size of  
 22 the universe is of folks right now that would be  
 23 subject to this?

24       MR. RILEY: Just anecdotally?

25       MR. JOYCE: Yeah.

Page 63

1       MR. RILEY: You know, looking down the  
 2 road, if our comprehensive waste and recycling  
 3 survey statewide provides information on an amount  
 4 of yard waste and food waste occurring or being sent  
 5 to different facilities, it might provide some more  
 6 information.

7           We get a lot of inquiries from folks  
 8 that are interested in composting. Again, on a  
 9 small scale. We received some Solid Waste grant  
 10 applications looking for assistance to do things,  
 11 and one of our caveats is that, 'We're happy to  
 12 support your composting plan, but you need to get a  
 13 permit or you need to comply with these  
 14 regulations', and that's discouraging to a lot of  
 15 the small-scale folks.

16       MR. JOYCE: Yeah.

17       MR. RILEY: So that's where we've heard  
 18 from them.

19       CHAIRMAN LINN: It was only a heated  
 20 meeting because the AC didn't work in here that day.  
 21 It was not heated with the composters, I thought  
 22 they are -- I thought they had a fabulous forum, and  
 23 I commend DEQ for giving them a forum to be able to  
 24 air their feelings and needs and grievances, if you  
 25 want to call it that, I thought it was a good thing.

Page 64

1 And it wasn't too bad after a while, you know, if  
 2 you did that long enough (gestured fanning himself  
 3 with his hand) you would cool off, so -- God's air  
 4 conditioning.

5           So on that one, any questions or  
 6 comments, discussion by Council relative to the  
 7 compost that we haven't heard?

8           Any from the public that we haven't  
 9 heard?

10          All right. Now we get to the fun  
 11 stuff, right, Jody?

12       MS. REINHART: Yes.

13       CHAIRMAN LINN: This is where we go  
 14 "Election of Officers for 2024". "Each year at the  
 15 September council meeting, the Council elects  
 16 officers for the next calendar year". Item 1 says,  
 17 "Nominations by the council".

18       MR. ADCOCK: Jim, I'll nominate you again.  
 19 Sorry.

20       MR. JOYCE: I'll second.

21       CHAIRMAN LINN: Oh, boy. Okay. Thank  
 22 you, I suppose. Do we -- Ms. Fields, do we vote on  
 23 that first before we go to the Vice or -- the Vice  
 24 Chair or do we get them both done?

25       SECRETARY FIELDS: Either way. Y'all can

Page 65

1 do either, together or separate. You want to just  
 2 do --  
 3 CHAIRMAN LINN: I wish to nominate Todd  
 4 for the Vice Chair.  
 5 MS. REINHART: Second.  
 6 CHAIRMAN LINN: It's funny how that --  
 7 MR. ADCOCK: Funny how that works.  
 8 Roll call vote.  
 9 SECRETARY FIELDS: Well, since you --  
 10 CHAIRMAN LINN: Do I need a motion?  
 11 SECRETARY FIELDS: Yes.  
 12 CHAIRMAN LINN: Oh, yeah.  
 13 SECRETARY FIELDS: Well, we did a motion  
 14 --  
 15 CHAIRMAN LINN: We did motions.  
 16 SECRETARY FIELDS: -- for yours, but since  
 17 it's not the same Vice Chair, we'll do you all first  
 18 and then the Vice Chair second.  
 19 CHAIRMAN LINN: Okay. Thank you.  
 20 SECRETARY FIELDS: Mr. Adcock?  
 21 MR. ADCOCK: Yes.  
 22 SECRETARY FIELDS: Mr. Baidas?  
 23 MR. BAIDAS: Yes.  
 24 SECRETARY FIELDS: Ms. Hanigan?  
 25 MS. HANIGAN: Yes.

Page 66

1 SECRETARY FIELDS: Mr. Joyce?  
 2 MR. JOYCE: Yes.  
 3 SECRETARY FIELDS: Ms. Reinhart?  
 4 MS. REINHART: Yes.  
 5 SECRETARY FIELDS: Ms. Sacha?  
 6 MS. SACHA: Yes.  
 7 SECRETARY FIELDS: Mr. Linn?  
 8 CHAIRMAN LINN: Yes.  
 9 SECRETARY FIELDS: Motion passed for the  
 10 Chair, then we'll do Vice Chair.  
 11 Mr. Adcock?  
 12 MR. ADCOCK: Yes.  
 13 SECRETARY FIELDS: Mr. Baidas?  
 14 MR. BAIDAS: Yes.  
 15 SECRETARY FIELDS: Ms. Hanigan?  
 16 MS. HANIGAN: Yes.  
 17 SECRETARY FIELDS: Mr. Joyce?  
 18 MR. JOYCE: Yes.  
 19 SECRETARY FIELDS: Ms. Reinhart?  
 20 MS. REINHART: Yes.  
 21 SECRETARY FIELDS: Ms. Sacha?  
 22 MS. SACHA: Yes.  
 23 SECRETARY FIELDS: Mr. Linn?  
 24 CHAIRMAN LINN: Yes.  
 25 SECRETARY FIELDS: Motion passed.

Page 67

1 CHAIRMAN LINN: Okay. "Suggested Meeting  
 2 Dates", Item 9, "for the 2024 Council Meetings"  
 3 says, "Each year at this time, the Council sets  
 4 meeting dates and locations for the next calendar  
 5 year". "Discussion by the Council".  
 6 MR. BAIDAS: So Patrick, you said that  
 7 legislative changes will not affect our ability to  
 8 present proposals in a timely manner next year, but  
 9 the year after will be different?  
 10 MR. RILEY: That's my understanding for  
 11 this year, this upcoming session.  
 12 MS. REINHART: For next year's -- I --  
 13 well, next year's meetings we have to plan in  
 14 advance, right, to meet the following date, is that  
 15 right?  
 16 MS. JAYNE: Yes. I'm sorry.  
 17 MS. REINHART: Yeah, so this kind of  
 18 meeting, would need to be held maybe earlier? Or, I  
 19 don't know. I mean, any significant rulemaking  
 20 would need to be held earlier in the year to make  
 21 certain that they get before the -- through the EQB  
 22 and the Legislature on February 1.  
 23 MS. JAYNE: That's correct.  
 24 MR. RILEY: So what it may mean is that do  
 25 we schedule four meetings a year? Typically, April

Page 68

1 and July are fairly quiet; so we don't -- we cancel  
 2 the meetings. I think that with this change, the  
 3 July meeting becomes more important to have.  
 4 It's been our practice to share any  
 5 rules, any proposed rule changes conceptually first  
 6 so that you're not pressured to make a formal vote  
 7 without having seen the draft rules ahead of time,  
 8 which is why we would present them in September and  
 9 then come back in January for a formal rulemaking.  
 10 So I think what that does, then, is  
 11 pushes back the -- to the July meeting discussion of  
 12 potential rule changes so that they can be discussed  
 13 and the details worked out so that we could come in  
 14 September for formal rulemaking and then have those  
 15 positioned to go to the board sooner.  
 16 CHAIRMAN LINN: Yeah, so you still have,  
 17 what, three or -- three months or so to get it to  
 18 the board after we deal with it in September-ish?  
 19 MR. RILEY: Yeah.  
 20 MS. JAYNE: I think it would be the  
 21 November board, would it not?  
 22 MR. RILEY: It would go to the -- yeah.  
 23 MS. JAYNE: It would go to the November  
 24 board, so it would be --  
 25 CHAIRMAN LINN: Yeah, so -- because the

Page 69

1 deadline's going to back up to February 1st, you  
 2 said, by '25; right?  
 3 MS. JAYNE: Yeah.  
 4 CHAIRMAN LINN: Okay.  
 5 MR. RILEY: And there's another wrinkle  
 6 that you have to understand that makes it even more  
 7 complicated, and that is any rule changes that would  
 8 involve fees --  
 9 MS. JAYNE: Right.  
 10 MR. RILEY: -- which have to be introduced  
 11 and discussed while the legislature is in session.  
 12 MS. JAYNE: Right.  
 13 MR. RILEY: So typically, most of our  
 14 rules do not involve fees; so I don't see that as a  
 15 -- that that will bump up against that obstacle very  
 16 often.  
 17 But that being said, I think -- and  
 18 that's a good question, Piotr, I appreciate that,  
 19 that, you know, as we're scheduling these dates,  
 20 keep those things in mind. If we schedule these  
 21 four council meetings throughout the calendar year,  
 22 just keep in mind that that July council meeting may  
 23 be more important than it has in previous years.  
 24 MS. REINHART: So we typically hold them  
 25 in January, April, July, and September?

Page 70

1 MR. RILEY: Correct.  
 2 MS. REINHART: Yeah. Are there dates that  
 3 -- Quiana, that you guys kind of have tentatively  
 4 picked out?  
 5 SECRETARY FIELDS: For the Board or for  
 6 the Solid Waste?  
 7 MS. REINHART: Solid Waste.  
 8 SECRETARY FIELDS: They -- yes, I think he  
 9 has a set date.  
 10 MS. REINHART: Okay. Who --  
 11 MR. ADCOCK: That was a firm, 'That's  
 12 Patrick's job'.  
 13 SECRETARY FIELDS: He had them.  
 14 MR. RILEY: We did. We did propose some  
 15 dates and looked at those, and if I can find those.  
 16 SECRETARY FIELDS: I do have them,  
 17 Patrick.  
 18 MR. RILEY: Oh, you have them?  
 19 SECRETARY FIELDS: If you want me to --  
 20 yeah.  
 21 MR. RILEY: Please do.  
 22 SECRETARY FIELDS: So the proposed dates  
 23 were January 11, April 11, July 11, and  
 24 September 12th of 2024.  
 25 CHAIRMAN LINN: Okay. I heard 1/11, 4/11,


Page 71

1 7/11, 9/12?  
 2 SECRETARY FIELDS: Yes.  
 3 CHAIRMAN LINN: Okay. Do I have a motion  
 4 to approve those dates?  
 5 MS. REINHART: Make a motion to approve  
 6 the dates as read.  
 7 MR. BAIDAS: Second.  
 8 MS. REINHART: We were just waiting.  
 9 SECRETARY FIELDS: Mr. Adcock?  
 10 MR. ADCOCK: Yes.  
 11 SECRETARY FIELDS: Mr. Baidas?  
 12 MR. BAIDAS: Yes.  
 13 SECRETARY FIELDS: Ms. Hanigan?  
 14 MS. HANIGAN: Yes.  
 15 SECRETARY FIELDS: Mr. Joyce?  
 16 MR. JOYCE: Yes.  
 17 SECRETARY FIELDS: Ms. Reinhart?  
 18 MS. REINHART: Yes.  
 19 SECRETARY FIELDS: Ms. Sacha?  
 20 MS. SACHA: Yes.  
 21 SECRETARY FIELDS: Mr. Linn?  
 22 CHAIRMAN LINN: Yes.  
 23 SECRETARY FIELDS: Motion passed.  
 24 CHAIRMAN LINN: Okay. So Item 10, "Public  
 25 Forum - Open Discussion". Any members of the public

Page 72

1 I wish to speak?  
 2 All right. Item 11, "New Business",  
 3 "Limited to any matter not known or which could not  
 4 have been reasonably foreseen prior to the time of  
 5 posting the Agenda", which was 24 hours before,  
 6 prior to the meeting. Is there any new business?  
 7 Okay. Item 12, "Adjournment". Do I  
 8 have a motion to adjourn?  
 9 MR. JOYCE: So moved.  
 10 CHAIRMAN LINN: Do I hear a second?  
 11 MR. ADCOCK: Second.  
 12 SECRETARY FIELDS: Mr. Adcock?  
 13 MR. ADCOCK: Yes.  
 14 SECRETARY FIELDS: Mr. Baidas?  
 15 MR. BAIDAS: Yes.  
 16 SECRETARY FIELDS: Ms. Hanigan?  
 17 MS. HANIGAN: Yes.  
 18 SECRETARY FIELDS: Mr. Joyce?  
 19 MR. JOYCE: Yes.  
 20 SECRETARY FIELDS: Ms. Reinhart?  
 21 MS. REINHART: Yes.  
 22 SECRETARY FIELDS: Ms. Sacha?  
 23 MS. SACHA: Yes.  
 24 SECRETARY FIELDS: Mr. Linn?  
 25 CHAIRMAN LINN: Yes.

1 SECRETARY FIELDS: Motion passed. Page 73  
 2 CHAIRMAN LINN: We're adjourned. Thank  
 3 you all.  
 4 (MEETING ADJOURNED AT 11:32 AM)  
 5  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

1 CERTIFICATE Page 74  
 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 18th day of  
 11 September, 2023.  
 12   
 13 \_\_\_\_\_  
 14 Jenny Longley, CSR  
 15 CSR # 1903  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25



**SOLID WASTE MANAGEMENT  
ADVISORY COUNCIL  
Attendance Record  
September 7, 2023  
Oklahoma City, Oklahoma**

CHECK BOX TO COMMENT

<u>NAME and/or</u>	<u>AFFILIATION</u>	<u>Address and/or Phone and/or E-Mail</u>
Jody Kuitert	ICFO	580-334-1288
Bad Ground	EFO	
Jim Linn	SWMAC	
Kelly Dixon	PCO	
AMANDA Stohild	DEQ	
APRIL SACHA	PLB	580-262-0718
Quiana Fields	ODEQ	
MIKE STICKNEY	DEQ	
Jeray Schutze Sr	COBA	485 N. Poplar BA OK 74012 918-259-7020
Lindsay Murray	DEQ	
Troy Leitschuh	GFZ Envir	Spencer, OK
Cal Ecker	DEQ	
Rachel Hangan	SWMAC	405 435 7788
Amber Edwards	DEQ	
ROBERT JOYCE	SWMAC	RJOYCE@APL.COM 918-574-3040
Kasha Cornelius	DEQ	
PATRICIA RICE	DEQ	
Kole Kennedy	DEQ	
Michelle Woods	DEQ	
ANN MARIE SMITH	DEQ	
Jeff Everett	OG&E	everetjd@oge.com
Kayla Duesthmann	DEQ	
Jan Malton	PCO	
Linzi Bhatta	DEQ	linzi.bhatta@deq.ok.gov



**SOLID WASTE MANAGEMENT  
ADVISORY COUNCIL  
Attendance Record  
September 7, 2023  
Oklahoma City, Oklahoma**

CHECK BOX TO COMMENT

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Clifton Hoyle DEQ  
Michelle Wynn DEQ  
Lauren Frederi DEQ  
~~Todd [unclear]~~ SWAC  
Earl [unclear] Republic  
Sue Sparks DEQ