

MINUTES
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
January 10, 2017
Oklahoma Department of Environmental Quality
Multipurpose Room
Oklahoma City, Oklahoma

Official WQMAC
 To be approved at the April 25, 2017 Meeting

Notice of Public Meeting – The Water Quality Management Advisory Council (WQMAC) convened for a Regular Meeting at 2:00 p.m. at the Oklahoma Department of Environmental Quality (DEQ), 707 North Robinson, Oklahoma City, Oklahoma. The meeting was held in accordance with the Open Meeting Act, with notice of the meeting given to the Secretary of State on October 13, 2016. The agenda was posted at DEQ twenty-four hours prior to the meeting. Mr. Duane Winegardner, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT

Robert Carr
 Brian Duzan
 Mark Matheson
 Mike Paque
 Jim Rodriguez
 Steve Sowers
 Debbie Wells
 Duane Winegardner

MEMBERS ABSENT

Jon Nelson
 Jeff Short
 Terry Wyatt

DEQ STAFF PRESENT

Shellie Chard
 Chris Armstrong
 George Russell
 Mark Hildebrand
 Richard McDaniel
 Betsey Streuli
 Jennifer Boyle
 Michelle Wynn
 Patty Thompson
 Travis Couch
 Gary Collins
 Martha Penisten
 Sarah Penn
 David Freede
 Greg Carr
 Trevor Hammons
 Misty Johnson
 Traci Kelly
 Quiana Fields

OTHERS PRESENT

Lynette Wrany, Court Reporter

Approval of Minutes from the October 4, 2016 Meeting – Mr. Winegardner called for a motion to approve the Minutes of the October 4, 2016 Regular Meeting. Mr. Mark Hildebrand, Environmental Programs Manager of the WQD, stated there was a typo on the draft minutes that says, “approval of the minutes from May 5 but should read approval minutes from the August 9, 2016 meeting.” Mr. Carr moved to approve with the typo and Mr. Duzan made the second.

See transcript pages 4 – 6

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Steve Sowers	Yes
Mark Matheson	Abstain	Debbie Wells	Yes
Mike Paque	Yes	Duane Winegardner	Yes

ELECTION OF THE VICE-CHAIR AND CHAIR – Mr. Paque moved that the Chair and Vice-Chair be re-elected for one more term by acclamation. Mr. Carr made the second.

See transcript pages 6 – 8

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Steve Sowers	Yes
Mark Matheson	Yes	Debbie Wells	Yes
Mike Paque	Yes	Duane Winegardner	Yes

PERMANENT RULEMAKING – OAC 252:624 – MINOR PUBLIC WATER SUPPLY SYSTEMS – Mr. George Russell, Environmental Programs Manager of ECLS, stated that the Department is proposing to: clarify the definition of a “Minor Public Water Supply System,” add the definitions for “Annular Space,” “Human Consumption,” “Individual Water System,” “Multi-Family Dwelling,” “PAS,” and “WSC;” add language to the minor public water supply rules that incorporates the existing Permit to Supply law as outlined in §27A-2-6-304; create a “Certification of Exemption” for facilities that use the water solely for hand washing or toilet flushing; grant authority for DEQ to approve variances; add language creating separation distances from wastewater lagoons to be consistent with Water Resources Board regulations; clarify language regarding separation distances from on-site sewage systems; remove the requirement of surface casings; add language allowing bentonite clay for grouting material; add language to allow for the use of pitless well adapters; amend the appendix to show the changes to the rule and update drawings and other minor clarifications and corrections. Following discussion by the Council and none by the public, Mr. Winegardner called for a motion. Mr. Matheson moved to approve and Ms. Wells made the second.

See transcript pages 8 – 16

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Steve Sowers	Yes
Mark Matheson	Yes	Debbie Wells	Yes
Mike Paque	Yes	Duane Winegardner	Yes

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

See transcript pages 16 – 32

NEW BUSINESS – None

ANNOUNCEMENTS – The next scheduled meeting is on Tuesday, April 25, 2017, 2:00 p. m. at DEQ.

ADJOURNMENT – Mr. Matheson moved to adjourn and Mr. Paque made the second. The meeting was adjourned at 2:45 p.m.

See transcript pages 33 – 34

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Steve Sowers	Yes
Mark Matheson	Yes	Debbie Wells	Yes
Mike Paque	Yes	Duane Winegardner	Yes

Transcripts and Attendance Sheet are attached as an official part of these Minutes.

1 OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
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 11 WATER QUALITY MANAGEMENT ADVISORY COUNCIL
 12 REGULAR MEETING
 13 JANUARY 10, 2017 - 2:00 P.M.
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 18 Multi-Purpose Room, 1st Floor
 19 DEQ Building
 20 707 N. Robinson
 21 Oklahoma City, OK
 22
 23
 24 Reported by Lynette H. Wzany, C.S.R. #1167
 25

1 COUNCIL MEMBERS PRESENT:
 2 Mr. Robert Carr
 3 Mr. Brian Duzan
 4 Mr. Mark Matheson
 5 Mr. Mike Paque
 6 Mr. Jim Rodriguez
 7 Mr. Steve Sowers
 8 Ms. Debbie Wells
 9 Mr. Duane Winegardner - Chairman
 10
 11 COUNCIL MEMBERS ABSENT:
 12 Mr. Jon Nelson
 13 Mr. Jeffrey Short - Vice Chairman
 14 Ms. Terry Wyatt
 15
 16 OTHERS APPEARING:
 17 Mr. Mark Hildebrand, Environmental Program
 18 Manager, Water Quality Division
 19 Mr. George Russell, Minor Water Program
 20 Manager, Environmental Complaints and
 21 Local Services Division
 22 Ms. Shellie Chard, Director, Water Quality
 23 Division.
 24 Mr. Greg Carr, Water Quality Division, Chief
 25 Engineer.
 Ms. Patty Thompson, Water Quality Division,
 Drinking Water State Revolving Fund.
 Ms. Quiana Fields, Board and Council
 Secretary.

1 CALL TO ORDER - 2:00 P.M.
 2 CHAIRMAN DUANE WINEGARDNER: It's about time
 3 for us to get started here this afternoon, so I will
 4 call this meeting to order.
 5 This regular meeting of the Water Quality
 6 Management Advisory Council was called in accordance
 7 with the Open Meeting Act.
 8 Notice for this January 10th, 2017 meeting
 9 was filed with the Secretary of State on October 13th,
 10 2016. The Agenda was duly posted at DEQ at least
 11 twenty-four hours prior to the meeting.
 12 Only matters appearing on the posted Agenda
 13 may be considered at this regular meeting. In the
 14 event that this meeting is continued, reconvened,
 15 public notice of the date, time, and place of the
 16 continued meeting will be given by announcement at
 17 this meeting. Only matters appearing on the Agenda of
 18 a meeting which is continued may be discussed at the
 19 continued or reconvened meeting. Thank you.
 20 I welcome all of you today. Happy to have
 21 you here. And would you do roll call, please?
 22 MS. QUIANA FIELDS: Mr. Carr?
 23 MR. ROBERT CARR: Here.
 24 MS. QUIANA FIELDS: Mr. Duzan?
 25 MR. BRIAN DUZAN: Here.

1 MS. QUIANA FIELDS: Mr. Matheson?
 2 MR. MARK MATHESON: Here.
 3 MS. QUIANA FIELDS: Mr. Nelson is absent.
 4 Mr. Paque?
 5 MR. MIKE PAQUE: Here.
 6 MS. QUIANA FIELDS: Mr. Rodriguez.
 7 MR. JIM RODRIGUEZ: Here.
 8 MS. QUIANA FIELDS: Mr. Short is absent. Mr.
 9 Sowers?
 10 MR. STEVE SOWERS: Here.
 11 MS. QUIANA FIELDS: Ms. Wells?
 12 MS. DEBBIE WELLS: Here.
 13 MS. QUIANA FIELDS: Ms. Wyatt is absent. Mr.
 14 Winegardner?
 15 CHAIRMAN DUANE WINEGARDNER: Here.
 16 MS. QUIANA FIELDS: We have a quorum.
 17 CHAIRMAN DUANE WINEGARDNER: Thank you very
 18 much.
 19 Let's consider the Minutes of the October
 20 4th, 2016 meeting. Has everyone had an opportunity to
 21 review them and are there any comments?
 22 MR. ROBERT CARR: Move approval.
 23 MR. BRIAN DUZAN: Second.
 24 CHAIRMAN DUANE WINEGARDNER: Motion approved.
 25 Excuse me.

1 MR. MARK HILDEBRAND: Duane? Duane? Can I
2 make one comment? On page 1 of the Draft Minutes,
3 under the heading "Approval of Minutes," it says from
4 the May 5th, 2015 meeting. That was a typo.

5 CHAIRMAN DUANE WINEGARDNER: Okay.

6 MR. MARK HILDEBRAND: And then later it says
7 the August 9th. So that should -- should read
8 approval of the Minutes from the August 9th, 2016
9 meeting.

10 CHAIRMAN DUANE WINEGARDNER: Is that
11 acceptable on your motion?

12 MR. ROBERT CARR: Yes.

13 MR. BRIAN DUZAN: Yes.

14 CHAIRMAN DUANE WINEGARDNER: Okay. Thank
15 you. Any other comments? Okay. Then let's have the
16 roll call.

17 MS. QUIANA FIELDS: Mr. Carr?

18 MR. ROBERT CARR: Yes.

19 MS. QUIANA FIELDS: Mr. Duzan?

20 MR. BRIAN DUZAN: Yes.

21 MS. QUIANA FIELDS: Mr. Matheson?

22 MR. MARK MATHESON: Abstain.

23 MS. QUIANA FIELDS: Mr. Paque?

24 MR. MIKE PAQUE: Yes.

25 MS. QUIANA FIELDS: Mr. Rodriguez?

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1 MR. JIM RODRIGUEZ: Yes.

2 MS. QUIANA FIELDS: Mr. Sowers?

3 MR. STEVE SOWERS: Yes.

4 MS. QUIANA FIELDS: Ms. Wells?

5 MS. DEBBIE WELLS: Yes.

6 MS. QUIANA FIELDS: Mr. Winegardner.

7 CHAIRMAN DUANE WINEGARDNER: Yes.

8 MS. QUIANA FIELDS: Motion passed.

9 CHAIRMAN DUANE WINEGARDNER: Thank you very
10 much.

11 And now we approach the annual event where we
12 elect officers. And, first of all, we have the
13 election of the Vice-Chair.

14 MR. MIKE PAQUE: Mr. Chair, I'd like us to
15 consider this year, unless there's objection -- I'm
16 more than willing to entertain an objection of a
17 person of interest -- I think that you and Jeff Short
18 have done a tremendous job. And I know that Jeff, if
19 nominated, would serve another year as Vice-Chair.
20 And I'm happy to open this up for nominations. But
21 unless any member of the Council objects, I'd suggest
22 we propose the continuance of Duane Winegardner as
23 Chair and Jeff Short as Vice-Chair for one more year.
24 And I would propose that and make that motion by
25 acclamation.

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1 MR. ROBERT CARR: Second.

2 CHAIRMAN DUANE WINEGARDNER: Okay. It has
3 been moved and seconded that the existing officers be
4 continued.

5 Is there any discussion? Any further
6 discussion in that?

7 MR. MIKE PAQUE: That's unless you're
8 unwilling to accept.

9 CHAIRMAN DUANE WINEGARDNER: They are willing
10 to accept.

11 MR. MIKE PAQUE: Oh, you are. Okay.

12 CHAIRMAN DUANE WINEGARDNER: All right.

13 Thank you. Okay. We'll take the roll call then.

14 MS. QUIANA FIELDS: Mr. Carr?

15 MR. ROBERT CARR: Yes.

16 MS. QUIANA FIELDS: Mr. Duzan?

17 MR. BRIAN DUZAN: Yes.

18 MS. QUIANA FIELDS: Mr. Matheson?

19 MR. MARK MATHESON: Yes.

20 MS. QUIANA FIELDS: Mr. Paque?

21 MR. MIKE PAQUE: Yes.

22 MS. QUIANA FIELDS: Mr. Rodriguez?

23 MR. JIM RODRIGUEZ: Yes.

24 MS. QUIANA FIELDS: Mr. Sowers?

25 MR. STEVE SOWERS: Yes.

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1 MS. QUIANA FIELDS: Ms. Wells?

2 MS. DEBBIE WELLS: Yes.

3 MS. QUIANA FIELDS: Mr. Winegardner?

4 CHAIRMAN DUANE WINEGARDNER: Yes.

5 MS. QUIANA FIELDS: Motion passed.

6 CHAIRMAN DUANE WINEGARDNER: Thank you very
7 much.

8 I appreciate the expression of support that
9 the committee has given me. Thank you very much.

10 Next on the Agenda, we have a permanent
11 rulemaking, Minor Water Supply Systems. And George
12 Russell is going to address us.

13 MR. GEORGE RUSSELL: Good afternoon. Again,
14 my name is George Russell and I'm the Minor Water
15 Program Manager here for DEQ and I'll be talking about
16 our Minor Public Water Supply System Proposed Rules,
17 Chapter 624.

18 To start, I kind of wanted to talk about the
19 process we used to get where we're at now with these
20 proposed rules. So I took over the program a little
21 over a year ago. And my first big task I wanted to
22 tackle was to address some of the rules that we had,
23 specifically the definition of what a Minor Public
24 Water Supply System actually is.

25 We've known for a little while now that the

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1 current definition was inadequate, ambiguous, and that
2 we had some work to do on it. And while we were
3 addressing that issue, we went ahead and looked at the
4 other issues within the rules and tried to change
5 those also.

6 So during this process, I tried to be as
7 inclusive as possible and listen to feedback and
8 comment from anybody. I met with the Oklahoma Water
9 Resources Board, and the Well Drillers Advisory
10 Committee multiple times. I asked for and received
11 comments from our field inspectors who work throughout
12 the state and experience all the different types of
13 situations that you can run into with these types of
14 systems. And then there were many discussions with
15 our Water Quality Division as well regarding some of
16 the more technical aspects of the rules.

17 I held two informal meetings; one here in
18 Oklahoma City and one in Tulsa with the well drillers
19 and Minor Public Water Supply System owner and
20 operators. And these meetings went very well. We
21 gained a lot of information and made some changes to
22 what we thought was right with the rules to become
23 more of a compromise of what they thought was needed.

24 I tried to lay the groundwork as much as we
25 could and write the rules in such a way that we're

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1 you'd like, or we can address them at the end.

2 If you'll look in your text portion of the
3 yellow tab, I believe, at the bottom of page 1, the
4 top of page 2, our main goal in rewriting the rules
5 was to clarify the definition of a Minor Public Water
6 Supply System and make it easy enough for the
7 regulated community and ourselves to understand.

8 We didn't want to significantly change what a
9 Minor Public Water Supply is, we just wanted to make
10 it so it's more easily interpreted and there would be
11 no misunderstanding about what constitutes a Minor
12 Public Water Supply System.

13 Also in the definitions, we added annular
14 space, human consumption, individual water system,
15 multi-family dwelling and then the acronyms PAS and
16 WSC.

17 If you turn to the middle of page 3, we also
18 add a language that incorporates the existing permit
19 to supply language that is currently in the statutes.
20 This just updates the rules to reflect the statute and
21 allows DEQ to permit facilities that have previously
22 not been permitted.

23 Moving on to page 4. We created a
24 Certification of Exemption Form that allows
25 facilities, such as small field offices that use the

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1 doing our duty to protect public health, but also
2 allowing the regulated community a voice to show what
3 their concerns were.

4 That being said, we did receive a formal
5 comment on the proposed rules in the form of a letter
6 from Mr. Matt Cobalt. It should be in your packet
7 there in the back. And then also our response to
8 those comments.

9 We did make a fairly substantial change to
10 the definition based on Mr. Cobalt's letter. We
11 reworked it so that it exempted Minor Water Systems in
12 which there's a well for each single family residence
13 or each unit of a multi-family dwelling.

14 We also removed the phrase, "on the same or
15 contiguous properties with common ownership."

16 We feel that these changes are more equitable
17 in regards to rental properties and should address
18 some of Mr. Cobalt's concerns that he raised in the
19 letter.

20 With that being said, I'd like to go over
21 some of the proposed changes now and look at them a
22 little more closely. We talked about these at the
23 last meeting, but I wanted to look -- to outline the
24 changes that we made again.

25 Feel free to interrupt me at any time, if

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1 water solely for handwashing and toilet flushing, to
2 opt out of being classified as a Minor Public Water
3 Supply System. So if this takes effect, our
4 environmental specialists would do a site visit to
5 verify the certification and the facility would be
6 required to post signs that say the water is not safe
7 to drink.

8 On the top of page 6, we added a new
9 subsection that grants DEQ the authority to approve
10 variances. This is not in the current rules, but a
11 part of our permitting process, so we added it.

12 And then further down on page 6, we added
13 language to create separation distances from the well
14 to waste water lagoons to be consistent with the Water
15 Resources Board Well Drillers' Regulations. And also
16 clarified the distance from well to onsite sewage
17 systems. Both of these changes were made in an effort
18 to eliminate some inconsistencies between our rules
19 and the Oklahoma Water Resources Board rules.

20 On page 7, we removed the requirement of a
21 surface casing and also proposed to allow bentonite
22 clay as an acceptable grouting material, based on
23 conversations and data provided by the Well Drillers
24 Advisory Committee and also conversations with our
25 Water Quality Division.

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1 On page 8, we allowed the use of pitless
2 adapters, in addition to pitless well units, that are
3 allowed in the current rules.

4 And then the Appendix at the end, the
5 Appendix was amended to reflect all the changes that
6 we have previously mentioned and to update those as
7 well.

8 We also made some minor clarifications
9 throughout, rearranged some wording to make it sound
10 correct, and then some other minor clarifications.

11 I think that covers the majority of the
12 changes that we made. And it's a fairly brief
13 overview of the work that we've done over the last
14 several months. So if you have any questions or need
15 some further clarification, I'd be happy to try and
16 answer some of your questions.

17 MR. MIKE PAQUE: I have one question.

18 MR. GEORGE RUSSELL: Yes, sir.

19 MR. MIKE PAQUE: Could you go into the
20 technical reason why they -- I do understand, and I'm
21 not objecting to them. But just so you all understand
22 the technical reason for eliminating surface casing
23 and substituting the language or allowing that from a
24 safety standpoint.

25 MR. GEORGE RUSSELL: So our original -- the

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1 reason we had it in there was for safety reasons. We
2 thought it added an extra layer of protection.

3 Discussing with engineers, the well drillers,
4 the Water Quality Division, what we determined is it
5 can actually add a level of problems where, if
6 there -- if the seal doesn't -- the cement grout
7 doesn't seal it correctly, that surface casing can
8 actually be a conduit for other contamination of the
9 groundwater based on that.

10 So we feel that change, along with the
11 bentonite clay as a grouting material, which binds
12 better to PVC piping and shrink/swell it repairs
13 itself, that those changes combined actually are
14 better for safety of the groundwater protecting.

15 MR. MIKE PAQUE: Okay.

16 CHAIRMAN DUANE WINEGARDNER: Personally, I'm
17 very happy to see that you're allowing both kinds of
18 pitless well units and pitless adapters. Pitless
19 adapters are very common and I'm happy to see that.

20 MR. GEORGE RUSSELL: Uh-huh. Yeah. Our
21 discussions with the well drillers really helped us.
22 You know, we don't drill wells ourselves, so they
23 helped us understand a lot of the different technical
24 aspects that go into it. And the how far along
25 technology has come in regards to adapters where

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1 there's not the same risk factor that maybe we thought
2 there was 10, 15 years ago.

3 CHAIRMAN DUANE WINEGARDNER: Very good.

4 Other comments from the Board?

5 Comments from the public? Any public
6 comments?

7 I should say this is a fortuitous day, in a
8 way, because all the well drillers are down in Norman
9 for the Annual Well Drillers Conference. I think
10 you're going to be down there later?

11 MR. GEORGE RUSSELL: Yeah. I'll be there
12 tomorrow. You'll see me also.

13 CHAIRMAN DUANE WINEGARDNER: So all the well
14 drillers are here, so they can't object.

15 MR. GEORGE RUSSELL: I think the well
16 drillers that I did meet with, as far as on the
17 advisory committee, they all seemed very supportive.
18 We weren't able, of course, to meet everything that
19 they wanted, but they were happy with the things that
20 we were able to change.

21 CHAIRMAN DUANE WINEGARDNER: Yep. Okay.

22 Well, then any other? If there is no further
23 comment from the Board, well, we will call for a
24 motion.

25 MR. MARK MATHESON: I'll make a motion to

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1 approve the change.

2 MS. DEBBIE WELLS: And I will second.

3 CHAIRMAN DUANE WINEGARDNER: Thank you very
4 much.

5 MS. QUIANA FIELDS: Mr. Carr?

6 MR. ROBERT CARR: Yes.

7 MS. QUIANA FIELDS: Mr. Duzan?

8 MR. BRIAN DUZAN: Yes.

9 MS. QUIANA FIELDS: Mr. Matheson?

10 MR. MARK MATHESON: Yes.

11 MS. QUIANA FIELDS: Mr. Paque?

12 MR. MIKE PAQUE: Yes.

13 MS. QUIANA FIELDS: Mr. Rodriguez?

14 MR. JIM RODRIGUEZ: Yes.

15 MS. QUIANA FIELDS: Mr. Sowers?

16 MR. STEVE SOWERS: Yes.

17 MS. QUIANA FIELDS: Ms. Wells?

18 MS. DEBBIE WELLS: Yes.

19 MS. QUIANA FIELDS: Mr. Winegardner?

20 CHAIRMAN DUANE WINEGARDNER: Yes.

21 MS. QUIANA FIELDS: Motion passed.

22 MR. GEORGE RUSSELL: Thank you.

23 CHAIRMAN DUANE WINEGARDNER: Thank you very
24 much.

25 And, Shellie, would you like to address us?

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1 MS. SHELLIE CHARD: Good afternoon. I would
2 like to take this opportunity. I know most of you
3 worked with Carl Parrott for many years and know that
4 he retired after 42 years of service back at the end
5 of June.

6 Water Quality does have a new Chief Engineer,
7 Greg Carr. He's here somewhere. Greg has worked with
8 the agency for several years. He has a Drinking Water
9 and State Revolving Fund Loan and Grant Program
10 background prior to coming to DEQ. And he was in the
11 U.S. Navy and was on a nuclear sub for awhile. So
12 we're really happy that Greg has agreed to step into
13 this role.

14 Greg, I don't know if everybody can see you.
15 Come this way, because I know Debbie can't.

16 MS. DEBBIE WELLS: I see him.

17 MS. SHELLIE CHARD: So Greg will be working
18 on a lot of the projects that Carl worked on over
19 water reuse and things like that. He'll be chairing
20 our variance committee. He's very technically sound.
21 Drinking Water has been where he spent most of his
22 time with the agency. And as all of you know,
23 Drinking Water has had a lot of focus over the last
24 few years and the last few months with the Flint,
25 Michigan incident and some other things.

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1 abrupt departure sometimes of some of the staff. And
2 the appointees were told shortly after the election
3 that their time at EPA would end at noon on January
4 20th. So they have kind of a plan in place that who's
5 going to be addressing what issues.

6 For Region 6, Administrator Ron Curry will be
7 stepping down and the Deputy Regional Administrator
8 Sam Coleman will be in that acting role until an
9 appointee is named. Sam is somebody that's been at
10 EPA for a long time.

11 Those of us that have been around forever
12 worked with Sam when he was an enforcement person. He
13 was an inspector, compliance enforcement officer for
14 Region 6 and has held several different titles and
15 roles. But we work very closely with him. So I don't
16 think we're going to see a whole lot of change at the
17 regional level with Sam in that acting role.

18 He was Acting for eight, ten months before
19 when there was a resignation of the RA and before Ron
20 Curry was named. So we kind of expect that to
21 continue on.

22 The EPA Region 6 Office of Water Director is
23 preparing to retire. I don't know exactly when that
24 formal announcement will be made or when his last day
25 is, but that will be something that we will likely see

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1 So we're really excited to have Greg on board
2 in this role and working with our engineers. And
3 he'll be taking on a lot of different projects and
4 we're going to kind of get him involved in some of the
5 Waste Water issues as well.

6 So don't be surprised when you start seeing
7 and hearing his name a little more. And certainly, if
8 you can't reach me or Mark or Betsey, Greg is
9 definitely your contact person. And certainly, for
10 technical issues, he'll be able to help you with any
11 needs you might have.

12 You want to say anything, Greg?

13 MR. GREG CARR: I think you've covered
14 everything. I appreciate it. I really can't add to
15 that.

16 MR. MARK HILDEBRAND: He's getting baptized
17 right now.

18 MR. GREG CARR: Learning through trauma is
19 very quick.

20 MS. SHELLIE CHARD: We kind of threw Greg in
21 the fire a little bit, you know, but it happens.

22 A couple of things that I did want to just
23 mention to you, we do have a list of who's going to be
24 acting in various roles at EPA. And with the
25 transition, it's not unusual for there to be a rather

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1 more of an impact.

2 Bill Honker has been at Region 6 for a long
3 time. We worked very closely with him. And he has
4 indicated that sometime this year will be when he
5 leaves. So I think we may feel more from his
6 departure than the change in Administrator just by the
7 nature of what we do and who we work with on a regular
8 basis. But most of the Staff in Region 6 appears to
9 be kind of staying in place, at least for some period
10 of time.

11 When we look out on the national level, the
12 rumors have been incredibly interesting. I have to
13 admit my favorite one was today. I got a phone call
14 from the Director of the Office of Waste Water
15 Management who asked if it was true that I was
16 becoming the Political Deputy and moving to
17 Washington, D.C. and assuming that role on January
18 20th.

19 After I kind of stopped laughing and said,
20 oh, that's not the politically correct answer. How
21 about I have not been approached about such a
22 position.

23 So it's gotten very interesting. The Career
24 Deputy that will be the Acting Assistant Administrator
25 at the Water is Mike Shapiro. He has been around EPA

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1 for a long time. That will definitely give us some
2 continuity in some of the programs. Mike has worked
3 on the Waste Water side for many years, spent some
4 time in enforcement. So he will continue, at least,
5 for some period of time. And then, once the Assistant
6 Administrator is named, will go back to being the
7 Career Deputy in that position.

8 It's kind of interesting, a couple of people
9 have popped up. You know, all things old are new
10 again. The former Career Deputy for Enforcement is
11 going to be the Acting Region 2 Administrator. So we
12 are seeing some moving around that's kind of
13 interesting.

14 A former Region 6 Deputy Administrator will
15 be the Acting Administrator until that gets sorted
16 out. And confirmation hearings are under way, I
17 believe, as we speak on some of the EPA appointees.

18 So anybody have any -- I don't know that
19 there is much more information that I have, but
20 certainly I'd be happy to share other rumors. Or, you
21 know, if any of you have any, you know, see if you can
22 top mine.

23 As of yesterday, I heard three very
24 interesting names for potential Office of Water
25 Director. One has connections both to Vice

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1 great pictures of the ice stuck to the side of the
2 tower and talking about, well, hopefully, in a couple
3 of weeks they're going to start working on fixing it.
4 And I was just thinking, oh, that thing's coming down.
5 I don't know how it can withstand all of that ice on
6 the one side of the tower.

7 But I did hear they had a novel approach of
8 removing some of that ice. They blocked off the area
9 and were shooting it with shotguns, with big shells,
10 trying to knock some of the ice off. It didn't create
11 any new holes. And some of the ice did come down.
12 And that was on the news. That wasn't information
13 that we received, that's what Channel 9 was reporting.

14 But the ice did melt. The tower is still
15 standing. But a town of less than a thousand people
16 has a 90 year-old water tower that's leaking 30,000
17 gallons a day of water.

18 So Infrastructure Financing is going to be a
19 huge issue we're going to continue to talk about for a
20 long time. Part of what was the WRRDA Bill, but
21 became the WIIN Act -- you know, that WIIN, that's so
22 much better than WRRDA. It's not Water Resources
23 Development, it is Water Infrastructure Improvement
24 Act for the Nation. Water Infrastructure Improvement
25 for the Nation Act. WIIN. This is all in the Corps

23

1 President-Elect Pence, in that she worked in the law
2 firm, a national firm, that was headquartered in
3 Indianapolis. She worked some with EPA years ago and
4 is very well-connected on Capitol Hill and works for
5 the Senate Public Works and Environment Committee
6 right now. I don't know. If I was a betting person,
7 that's probably where I'd bet.

8 A former Political Deputy in the Office of
9 Water, who was a big D.C. lawyer for awhile and
10 started his own environmental group that is very
11 connected to the Republican Party, his name has come
12 out. And the Executive Director of the Environmental
13 Council of States, her name has been thrown out.

14 I have no idea if they're even close to
15 reality. But the upside is, on any of those three, we
16 would at least have the ability to make a phone call
17 and say, Hello, we need to chat. You know, that we
18 have a DEQ relationship with all three of those
19 people. So that would be very helpful. So we'll see.

20 Okay. Infrastructure Financing, that's no
21 shock to this group. We need more. I don't know how
22 many of you have watched the news recently and the
23 water tower in Maud. That was one that, growing up in
24 rural Pott County, yeah, I know where that water tower
25 is. And as I was watching it, they were showing these

22

1 of Engineers projects. This also had the Oklahoma
2 City, State of Oklahoma, Choctaw Nation, Chickasaw
3 Nation water rights settlement, were all in that same
4 bill.

5 The piece, other than that water rights
6 settlement that impacts us the most probably is it did
7 contain the WIFIA language that fully funds. WIFIA
8 sets that in motion beyond just a pilot project.
9 That's an additional funding mechanism for water and
10 waste water utilities, which is the good news. The
11 bad news is it's for very large projects.

12 Only 49 percent of the project can come from
13 the Treasury. This is a direct loan from the Treasury
14 the EPA will be administering. It was pushed by very
15 large utilities who had difficulty borrowing from
16 their State SRF. In some cases it's because the state
17 had caps on how much you could have borrowed or caps
18 in population of who was eligible, but were kind of
19 state-specific determinations, which we don't do in
20 Oklahoma. We loan to Oklahoma City and Tulsa and the
21 very small communities as well.

22 They pushed to get this program in place. It
23 is being run by EPA. The Application Fee is a little
24 over \$100,000. The loan closing fees are -- the
25 highest estimate I saw was about \$550,000.

24

1 When you look at that, compared to SRF, the
2 loan application fee is around \$1,000 and the fees are
3 half a percent.

4 So there are definitely some differences in
5 the two programs. If they stay independent and if you
6 have the money and you want to go through the Treasury
7 and the WIFIA Program, that's great.

8 Where it gets troublesome to me in our
9 programs, if they start taking money from the SRF in
10 order to make the loans and Congress makes the
11 decision they will put it in WIFIA versus SRF, that
12 could be really problematic for smaller communities.
13 And keeping in mind on the national level, you know,
14 Oklahoma City, I think, meets large system definition.
15 I'm not sure if Tulsa does or not.

16 A lot of our systems that we think are large
17 are actually in the small category when it comes to
18 the national level and funding. I know national rural
19 water was really concerned about what would happen
20 with the financing for rural water districts or
21 smaller systems if Congress decided to fund WIFIA over
22 the SRFs. At the moment anyway, the SRF funding has
23 been, I'm going to call it, left intact.

24 We all know there have been decreases, but
25 it's not a diversion to a different Infrastructure

25

1 Financing mechanism.

2 EPA has set up a Environmental Finance Center
3 in Washington, D.C. and that's how they're making
4 these loans on behalf of the Treasury.

5 We can talk about it one-on-one, if you guys
6 want to get into some of the details. But that's just
7 another mechanism out there. But it's going to be
8 hard for us to access.

9 MR. MIKE PAQUE: Shellie, what's the total,
10 the two -- what's the total in the current fiscal
11 year, the two SRFs? Just guess. I don't care.
12 What's the --

13 MS. SHELLIE CHARD: Patty or Greg, what's
14 the --

15 MR. MIKE PAQUE: What's Drinking Water this
16 year nationally?

17 MR. GREG CARR: For -- you mean, how much
18 they'll loan out, essentially?

19 MS. SHELLIE CHARD: What is the --

20 MR. MIKE PAQUE: Nationally.

21 MS. SHELLIE CHARD: Nationally what's the
22 appropriation for SRF?

23 MR. MIKE PAQUE: Offhand --

24 MS. PATTY THOMPSON: It's about nine hundred
25 thousand last year.

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1 MS. SHELLIE CHARD: Nine hundred million.

2 MS. PATTY THOMPSON: Nine hundred million.

3 And then also CWSRF, Clean Water, is also a billion.

4 MS. SHELLIE CHARD: So basically two billion
5 between the two SRFs.

6 MR. MIKE PAQUE: I think I just read this
7 morning that WRRDA or whatever were calling it -- they
8 were talking like ten billion. Ten billion. Does
9 that make sense? I mean, it doesn't make sense,
10 depending on where you are on it.

11 MS. SHELLIE CHARD: Well, part of --

12 MR. MIKE PAQUE: It's not funded right now.
13 Not fully funded.

14 MS. SHELLIE CHARD: So there is the Corps of
15 Engineer Projects, the SRF Project money, the WIFIA
16 Project money, and then the lead-specific response to
17 Flint kind of emergency funding that's available
18 that's in the bill. And that -- it's separate from
19 the SRFs, but will be loaned out through the SRFs.

20 So I think it will be, in my -- I'm going to
21 call it -- simplistic view of the world, knowing none
22 of the stuff we do is really simplistic, but it's
23 (inaudible) era. It was separate but it was part of
24 the SRF. I think that's the way some of the lead
25 money is going to be. It will go through the SRF

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1 process. The states will loan it out. But it is
2 specific to the situation in Flint.

3 And the language reads "disadvantaged
4 communities" for whatever reason have been unable to
5 financially do some of the lead pipe replacement that
6 we've seen in other areas.

7 There is one interesting tidbit in that, that
8 it looks like cities may be able to access money
9 through that's specific for lead and use that on
10 private property, which that's never been allowable.
11 It creates a lot of questions and heartburn from the
12 public entities on how is that going to work and the
13 additional accounting and the potential liability
14 issues. But it does look like there may be some
15 mechanism to do at least service line. I've heard
16 differing opinions on whether actual indoor
17 plumbing fixtures would be part of that.

18 But EPA did release the pre-publication
19 version end of last week on the implementation of the
20 Lead Free Act. So these kind of go hand-in-hand, with
21 that going in. The Act itself was self-implementing,
22 but there was enough confusion that EPA went ahead and
23 promulgated rules to implement that. And that's the
24 2014 Act that reduced lead content to 0.25 percent,
25 rather than the 6 percent that was allowed prior to

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1 that.

2 Okay. Other infrastructure issues. The
3 Water Infrastructure Financial Leadership for
4 Communities in Need is a new, twelve-person panel that
5 will be convening in Washington, D.C. later this week
6 to discuss innovative approaches to financing, ways to
7 streamline, particularly for smaller systems.

8 The State of Mississippi and State of
9 Oklahoma were the two states that got to have
10 representation in that group. There are consultants
11 and there are some water -- waste water utilities, and
12 an EPA person, and I think a professor, an economist,
13 that will be talking about some of the different
14 activities we have and ways that we can assist
15 communities.

16 I will be talking about our FACT process, how
17 we have streamlined the engineering report process.
18 So if you meet the engineering report criteria for
19 USDA rural development, it will also meet for the
20 Water Board Financial Assistance Program, the SRF,
21 CDBG.

22 So we'll be talking about some of those
23 success stories, talking about some of our
24 partnerships with Indian Health Service and the
25 various Tribal Nations where we have been able to put

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1 municipal waste water treatment plant effluent to
2 cooling towers for the 35 years we've been doing that.
3 So there's going to be a lot of talk at how we can
4 reuse waste water in industrial processes.

5 They are also looking some at produced water
6 and potentially other water reuse activities,
7 including direct and indirect potable reuse. So it's
8 something that's an effort through the WEF. I don't
9 know if it's government affairs or their policy arm.
10 At any rate, it's going to be working on that.

11 So that should be something we'll be hearing
12 about in the next few months, which kind of goes
13 hand-in-hand with a lot of the activities that we have
14 going on in the state with the Governor's Produced
15 Water Group and a lot of water reuse activities here
16 at DEQ, the Water Board, Conservation Commission,
17 Corporation Commission and also, obviously, the
18 Groundwater Protection Council.

19 MR. MIKE PAQUE: So you're saying this is
20 just a study that they are doing?

21 MS. SHELLIE CHARD: I'm not 100 percent sure.
22 I know the goal is to come out with some position
23 statements and technical resource guides or manuals.
24 And I probably need to tell you who I've talked to and
25 referred to you.

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1 together some really good projects and be pretty
2 creative where, you know, we thought a project wasn't,
3 you know, really going to happen over that last
4 \$75,000 and we were able to bring in another partner.
5 So we'll be talking about that sort of information.

6 So then there's supposed to be a big report
7 that's going to come out that kind of details all of
8 our big success stories and the innovative approaches
9 distributed through EPA's website, I assume. And then
10 we'll be able to, hopefully, take some lessons learned
11 from other places and apply them to our financing
12 processes.

13 Anybody want to talk about that? Okay.

14 Now, I have one last issue that mostly just
15 -- I think it says a lot about everybody looks at
16 Oklahoma as kind of small, not really cutting edge,
17 not knowing all the things that are going on, you
18 know, kind of lagging behind, rather than leading the
19 way.

20 The Water Environment Federation is now
21 putting together what they're calling a Blue Ribbon
22 Panel. I don't know exactly what that means, I don't
23 know who is a part of it yet, but they are looking at
24 water reuse, industrial water reuse.

25 Apparently, not everybody has been sending

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1 So in some of my conversations I have
2 recommended that they not reinvent the wheel and look
3 at some things that Groundwater Protection Council
4 already has in place.

5 And about 20 of the states have some form of
6 policy statement guidance or rule on some piece of
7 water reuse. So I think it's kind of interesting to
8 hear now the big national groups are kind of getting
9 on board with things that we've been doing for awhile.

10 So with that, I will stop and say now we
11 don't know any more about our budget. No, we don't
12 know any more about EPA transition and what that's
13 going to mean for us. We're kind of waiting to see,
14 like everybody else.

15 CHAIRMAN DUANE WINEGARDNER: Well, thank you,
16 Shellie. Thank you.

17 I have always -- this is going to be an
18 interesting year with the major transitions in just
19 about everything that we have to do with. But,
20 nevertheless, it will be fun to watch.

21 Okay. I have no business. No new business.

22 And our next scheduled meeting is April the
23 25th at 2 P.M. in this room.

24 And does anyone else have any announcements
25 that may be made?

32

1 MR. JIM RODRIGUEZ: I don't have an
2 announcement, Mr. Chairman, but I do have a comment
3 that I would like to follow Shellie's presentation.
4 This has been a very interesting past four or
5 five months. And immediately after the election I
6 started getting phone calls from Washington from all
7 the trade associations that I deal with asking for
8 background on Scott Pruitt.

9 And I assured all of them that he was a true
10 Oklahoman and would represent the country very well.
11 So we were the center of environmental discussion
12 there for awhile.

13 CHAIRMAN DUANE WINEGARDNER: Very good. Any
14 other comments from the committee or the public?

15 Okay. Then I will declare this to be --
16 Shellie? Just a minute.

17 MS. SHELLIE CHARD: You need a motion. You
18 need a motion.

19 MR. MARK MATHESON: I make a motion to
20 adjourn.

21 MR. MIKE PAQUE: I will second.

22 CHAIRMAN DUANE WINEGARDNER: Oh, make a
23 motion to adjourn. Okay. And there's a second.
24 Okay.

25 MS. QUIANA FIELDS: Mr. Carr?

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1 MR. ROBERT CARR: Yes.
2 MS. QUIANA FIELDS: Mr. Duzan?
3 MR. BRIAN DOZAN: Yes.
4 MS. QUIANA FIELDS: Mr. Matheson?
5 MR. MARK MATHESON: Yes.
6 MS. QUIANA FIELDS: Mr. Paque?
7 MR. MIKE PAQUE: Yes.
8 MS. QUIANA FIELDS: Mr. Rodriguez?
9 MR. JIM RODRIGUEZ: Yes.
10 MS. QUIANA FIELDS: Mr. Sowers?
11 MR. STEVE SOWERS: Yes.
12 MS. QUIANA FIELDS: Ms. Wells?
13 MS. DEBBIE WELLS: Yes.
14 MS. QUIANA FIELDS: Mr. Winegardner?
15 CHAIRMAN DUANE WINEGARDNER: Yes.
16 MS. QUIANA FIELDS: Motion passed.
17 CHAIRMAN DUANE WINEGARDNER: Thank you. I
18 tend to forget. I'm the President of the Norman Lions
19 Club. And when I decide the meeting is done, it's
20 done.

21 ADJOURNMENT - 2:45 P.M.
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1 * * C E R T I F I C A T E * *

2 STATE OF OKLAHOMA }
3 COUNTY OF OKLAHOMA } SS:

4
5 I, Lynette Wrany, a Certified Shorthand Reporter
6 within and for the State of Oklahoma, do hereby
7 certify that I reported all of the foregoing meeting,
8 and that I later reduced it to typewritten form, as
9 the same appears herein.

10 I further certify that I am not a relative of,
11 nor attorney for, nor clerk or stenographer for any
12 party to this meeting, and that I am not otherwise
13 interested in the event of the same.

14 I further certify that the above and foregoing
15 typewritten pages contain a full, true and correct
16 transcript of my stenographic notes so taken, during
17 said meeting.

18 WITNESS my hand and seal this the 11th day of
19 January, 2017.
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**Department of Environmental Quality
Oklahoma City, Oklahoma**

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