MINUTES
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
July 25, 2017
Oklahoma Department of Environmental Quality
Multipurpose Room
Oklahoma City, Oklahoma

Official WQMAC
To be approved at the October 10, 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
Jon Nelson
Jim Rodriguez
Jeff Short
Steve Sowers
Debbie Wells
Duane Winegardner

DEQ STAFF PRESENT
Shellie Chard
Chris Armstrong
Mark Hildebrand
Betsey Streuli
Michelle Wynn
Travis Couch
Patty Thompson
Lloyd Kirk
Terry Lyhane
Lee Dooley
Hillary Young
Stephen Baldrige
Greg Carr
Traci Kelly
Quiana Fields

MEMBERS ABSENT
Terry Wyatt

OTHERS PRESENT
Sherry Jones, Court Reporter

Approval of Minutes from the April 25, 2017 Meeting – Mr. Winegardner called for a motion to approve the Minutes of the April 25, 2017 Regular Meeting. Mr. Matheson moved to approve and Mr. Nelson made the second.

See transcript pages 4 - 5

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DISCUSSION OF RULEMAKING FOR FY 2018:
OAC 252:626 – PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS – Mr. Greg Carr, Chief Engineer of the WQD, stated that the DEQ staff will be proposing to amend the definitions of public water supply system and validated dose.

See transcript pages 6 - 10

OAC 252:631 – PUBLIC WATER SUPPLY OPERATION – Mr. Carr stated that the DEQ staff will be proposing to amend the definition for “public water supply system”: update the rule concerning the date of the incorporation by reference of certain federal regulations from July 1, 2015 to January 1, 2017; clarify the reporting requirements of 40 CFR 141 and clarify that groundwater systems with certain advanced treatment processes must run a control test for “stability to calcium carbonate.”

See transcript pages 10 - 12

OAC 252:653 – AQUIFER STORAGE AND RECOVERY – Ms. Hillary Young, Chief Engineer of the LPD, stated that the Department is proposing to create a new Chapter, OAC 252:653 (Aquifer Storage and Recovery), to allow for a regulatory structure for an aquifer storage and recovery (ASR) program. The purpose of the Chapter is to enable DEQ to issue permits to those who wish to undertake an ASR project. The Chapter establishes a multi-phase permitting process and requirements for the construction and operations of an ASR project. The Chapter requires appropriate testing and modeling to ensure a project is feasible and that the aquifer is not harmed. In addition, the Chapter establishes the fees associated with ASR permitting and operations.

See transcript pages 12 - 41

OAC 252:004 – RULES OF PRACTICE AND PROCEDURE – Ms. Young stated that the DEQ staff will be proposing to update the Tire rules to incorporate the new Aquifer Storage and Recovery permitting process.

See transcript pages 41 - 47

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

See transcript pages 47 - 51

NEW BUSINESS – None

ANNOUNCEMENTS – There was a discussion to move the scheduled meeting Tuesday, September 26, 2017 to another date; due to some Council members being unable to attend. Ms. Chard advised the Council that Mr. Hildebrand will take a poll and inform Council members of a new meeting date.

See transcript pages 52 - 54

ADJOURNMENT – Mr. Matheson moved to adjourn and Mr. Duzan made the second. The meeting was adjourned at 3:30 p.m.

See transcript pages 54 - 55

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Transcripts and Attendance Sheet are attached as an official part of these Minutes.
DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER QUALITY MANAGEMENT ADVISORY COUNCIL
REGULAR MEETING
July 25, 2017  2:00 p.m.
at the Multi-Purpose Room, 1st Floor DEQ Building
707 N. Robinson
Oklahoma City, Oklahoma

WORD FOR WORD REPORTING, L.L.C.
111 HARRISON AVE, SUITE 101
OKLAHOMA CITY, OKLAHOMA 73104
(405) 232-9673

REPORTED BY: Sherry A. Jones, CSR

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Regular Meeting WQMAC  
July 25, 2017  

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1 Board Members present:  
2 ROBERT CARR  
3 BRIAN DUZAN  
4 MARK MATHESON  
5 JON NELSON  
6 JIM RODRIGUEZ  
7 JEFF SHORT, Vice Chairman  
8 STEVE SOWERS  
9 DEBBIE WELLS  
10 DUANE WINEGARDNER, Chairman  
11  
12 Board member absent:  
13 TERRY WYATT  
14  
15 Also appearing:  
16 STEPHEN BALDRIDGE, Land Protection Division, Attorney  
17 GREG CARR, Water Quality Division, Chief Engineer  
18 SHELLIE CHARD, Water Quality Division, Director  
19 BUD GROUND, EFO  
20 MARK HILDEBRAND, Water Quality Division Environmental Program Manager  
21 BETSY STREULI, DEQ Attorney  
22 HILLARY YOUNG, Land Protection Division, Chief Engineer  
23 QUIANA FIELDS, Board & Council Secretary  
24  
25

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1 Call to order: 2:00 P.M.  
2 CHAIRMAN DUANE WINEGARDNER: Thank you very much. Welcome to our meeting this afternoon.  
3 We've got a lot of interesting things to have discussion on. First of all, the protocol statement.  
4 This regular meeting of the Water Quality Management Advisory Council was called in accordance with the Open Meetings Act.  
5 Notice for this July 25th, 2017 meeting was filed with the Secretary of State on October 13th, 2016. The Agenda was duly posted at DEQ at least 24 hours prior to the meeting.  
6 Only matters appearing on the posted Agenda may be considered at this regular meeting.  
7 In the event that this meeting is continued or reconvened, public notice of the date, time and place of the continued meeting will be given by announcement at this meeting. Only matters appearing on the Agenda of a meeting which is continued may be discussed at the continued or reconvened meeting.  
8 MS. QUIANA FIELDS: Mr. Carr?  
9 MR. ROBERT CARR: Here.  
10 NS. QUIANA FIELDS: Mr. Duzan?  

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1 MR. BRIAN DUZAN: Here.  
2 MS. QUIANA FIELDS: Mr. Matheson?  
3 MR. MARK MATHESON: Here.  
4 MS. QUIANA FIELDS: Mr. Nelson?  
5 MR. JON NELSON: Here.  
6 MS. QUIANA FIELDS: Mr. Rodriguez?  
7 MR. JIM RODRIGUEZ: Here.  
8 MS. QUIANA FIELDS: Mr. Short?  
9 MR. JEFFREY SHORT: Here.  
10 MS. QUIANA FIELDS: Mr. Sowers?  
11 MR. STEVE SOWERS: Here.  
12 MS. QUIANA FIELDS: Ms. Wells?  
13 MS. DEBBIE WELLS: Here.  
14 MS. QUIANA FIELDS: Ms. Wyatt is absent.  
15 Mr. Winegardner?  
16 CHAIRMAN DUANE WINEGARDNER: Here.  
17 MS. QUIANA FIELDS: We have a quorum.  
18 CHAIRMAN DUANE WINEGARDNER: Thank you very much. I assume everyone has had the opportunity to read the minutes from the April 25th meeting. Are there any changes, comments or a motion?  
19 MR. MARK MATHESON: I make a motion to approve them as mailed out.  
20 CHAIRMAN DUANE WINEGARDNER: Okay. Thank you.  

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1 you. Second?  
2 MR. JON NELSON: Second.  
3 CHAIRMAN DUANE WINEGARDNER: We have a motion and second. All in favor — we will call the roll.  
4 MS. QUIANA FIELDS: Mr. Carr?  
5 MR. ROBERT CARR: Yes.  
6 MS. QUIANA FIELDS: Mr. Duzan?  
7 MR. BRIAN DUZAN: Yes.  
8 MS. QUIANA FIELDS: Mr. Matheson?  
9 MR. MARK MATHESON: Yes.  
10 MS. QUIANA FIELDS: Mr. Nelson?  
11 MR. JON NELSON: Yes.  
12 MS. QUIANA FIELDS: Mr. Rodriguez?  
13 MR. JIM RODRIGUEZ: Yes.  
14 MS. QUIANA FIELDS: Mr. Short?  
15 MR. JEFFREY SHORT: Yes.  
16 MS. QUIANA FIELDS: Mr. Sowers?  
17 MR. STEVE SOWERS: Yes.  
18 MS. QUIANA FIELDS: Ms. Wells?  
19 MS. DEBBIE WELLS: Yes.  
20 MS. QUIANA FIELDS: Mr. Winegardner?  
21 CHAIRMAN DUANE WINEGARDNER: Yes.  
22 MS. QUIANA FIELDS: Motion passed.  
23 CHAIRMAN DUANE WINEGARDNER: Thank you.
Now, our first item on the agenda for the day is discussion for rule makings in the fiscal year 2018. And the first one is getting ready there.

N.R. GREG CARR: Yes, sir.

CHAIRMAN DUANE WINEGARDNER: We have the Public Water Supply Construction Standards. And Greg Carr will make the presentation.

N.R. GREG CARR: Thank you, sir. I appreciate the opportunity to speak with the Council today. My name is Greg Carr. I am the Water Quality Division Chief Engineer.

CHAIRMAN DUANE WINEGARDNER: Push the button.

N.R. GREG CARR: Okay. My name is Greg Carr. In the Chief Engineer for the Water Quality Division. Today's agenda, we have four items to discuss. Please note we are not requesting a vote today, this is discussion only. Also we have scheduled public meetings to further discuss these proposed rules, and on August the 2nd, 3rd and 4th, in Lawton, Tulsa and Oklahoma City, respectively.

The first item we will discuss today regards many definitions in Chapter 626 of the Water Supply and Construction Standards. And the second item will address verifications and updates for Chapter 631 of the public water supply operations. The third will be a proposed brand new Chapter 653 for Aquifer Storage and Recovery. And the fourth is update on tiers and timelines. And Chapter 4 is Rules of Practice and Procedure. Please note that Hillary Young the Land Protection Division Chief Engineer will present the last two items. She's much more entertaining than I am.

Regarding Chapter 626, Public Water Supply Construction Standards – I believe everyone has their notes in front of them – DEQ proposes to, Number 1, at the top of Page 3, amend the definition for Public Water Supply system to exclude certain water systems that meet explicit requirements. And Number 2, at the bottom of Page 5, amend the definition for validated dose to correct a typographical error. And basically it's just removing the word mean, M-E-A-N. At this point, we welcome Council and public discussion. The main points, I believe, to the Public Water Supply System definition were basically specifically excluding correctional centers, apartment buildings, and trailer parks, mobile home parks. And actually Patty at last week's agency EPA meeting, she did discuss this with EPA, and they're fine with it. We have done this mostly just to be consistent in our rules.

Are there any questions, or should I move to next topic?

MR. MARK MATHESON: On the mobile homes, is that those that serve less than 15 connections or 25 people, or just all of them that purchase water?

N.R. GREG CARR: All of those that purchase water. Yes, sir.

MR. MARK MATHESON: As long as they're not reselling, correct?

N.R. GREG CARR: As long as they're not reselling, absolutely. Yes, sir. So there could be some large ones that fall in there, I think there are a few large ones up near Tulsa, that is less oversight for those, but I also like that fact that this – I mean, this will essentially encourage reorganization. So we have some that have had problem with their sources. This has always been an option to become a purcise system, that will make it that much more enticing.

MS. SHELLIE CHARD: This is Shellie Chard, Water Quality Division Director. I would also add, it's not only – does it recall water, but also is not treating water, so if the mobile home park that has it's own source or is adding treatment of any kind, that doesn't meet the exemption that is laid out in the federal rules.

MR. GREG CARR: And the copies Mark provided has the new text underlined.

MR. JON NELSON: Greg, the definition of minor public water supply was apparently eliminated from this for some reason.

N.R. GREG CARR: Well, it's its own – that is actually written by ECLS. We don't consider those to be a public water supply. That's – ECLS, it has its own set of regulations. Yes, sir.

MR. MARK HILDEBRAND: Chapter 624. MR. JON NELSON: Greg, kind of off the subject of what you actually changed. Under the rural water system, again, it says a system like that may be organized as a trust, et cetera, et cetera. And that's the first time I ever noticed that word. Why isn't that "shall"? I mean, is there a – this is off the wall, I know.

N.R. GREG CARR: Sure. And I honestly don't have a good answer for that. Betsy, would you like to tackle that one as my legal counsel? Not to
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1. put you on the spot or anything. No pressure.
2. MS. BETSY STREULI: Shall, in the legal
3. sense, is you have permissive language and mandatory
4. language. And shall usually contains a mandatory
5. language.
6. MR. JON NELSON: Right. And I would think
7. those systems should be somehow formally organized
8. and not possibly formally organized. But it's just
9. a thought. I was kind of curious about it.
10. MS. SHELLIE CHARD: And I think -- this is
11. Shellie again. I think it may be any one of those
12. things. But it does have to be one of those things.
13. We don't mandate that it has to be one over another.
14. I suspect that is why the "may." Perhaps that is
15. something we should take a look at and make sure the
16. next time definitions are reopened to make sure that
17. it says what we intended to say.
18. MR. JON NELSON: Maybe "either." Yeah.
19. Okay. That's all I had.
20. CHAIRMAN DUANE WINEGARDNER: Any other
21. comments or questions? Okay. Any comments from the
22. public on this? Okay
23. MR. GREG CARR: Thank you, sir. Moving on
24. to regarding Chapter 631, this one is a little more
25. complicated, a few more changes. Public Water

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1. Supply Operation, DEQ proposes to Number 1, if you
2. look at the top of Page 2, it's essentially the same
3. thing, amend the Public Water Supply definition to
4. make it consistent with Chapter 626. It was a
5. little bit different before we changed it, but now
6. we are trying to match those two up and make it
7. consistent.
8. Item No. 2 here, at the bottom of Page 2,
9. in Section 13, update the rule concerning the date
10. of incorporation by reference of certain federal
11. regulations, of July 1st, 2015, the old date, to
12. January 1st, 2017. This is specifically allowing
13. for newly improved alternative testing methods for
14. contaminants listed at 40 CFR 141, part C, of
15. part 141. But essentially it's for alternative
16. testing methods for contaminants.
17. Three, in the middle of Page 3, in Section
18. 3-1(C), to clarify the reporting requirements of 40
19. CFR 141, and really what was done there is we added
20. the record reporting, just to basically emphasize
21. that there are additional reporting requirements.
22. And four, in the middle of Page 4, in
23. Section -- hold on to this -- Section 3-10-2(B),
24. little Roman Numeral 4, large Roman Numeral 5,
25. modify language to include the process control test

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1. for stability of the calcium carbonate groundwater systems. And it was just merely omitted before. At
2. Roman Numeral 4, we put this in and not included in
3. the stability test.
4. And again, we welcome Council and public
5. discussions at this time. I think those were a
6. little less controversial.
7. CHAIRMAN DUANE WINEGARDNER any questions?
8. MR. STEVE SOWERS: No.
9. CHAIRMAN DUANE WINEGARDNER: Okay. Any
10. questions, any comments?
11. MR. JIM RODRIGUEZ: No.
12. CHAIRMAN DUANE WINEGARDNER: Any questions
13. from the public on these?
14. (None being heard.)
15. CHAIRMAN DUANE WINEGARDNER: Okay.
16. MR. GREG CARR: Thank you, sir. Hillery
17. Young will now present the Chapter 653 for Aquifer
18. Storage and Recovery.
19. MS. HILLARY YOUNG: Hello, I'll Hillery
20. Young, I'm Chief Engineer in the Land Protection
21. Division. And I'm here to talk to you today about
22. the new Chapter 653, Aquifer Storage and Recovery,
23. or ASR.
24. DEQ's ASR rule-making group worked

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1. cooperatively with other members of the larger ASR
2. work group to come up with the proposed rules before
3. you today. As you know, several years ago, Oklahoma
4. was suffering from a terrible drought that
5. threatened the ability of communities to provide
6. water for their citizens. Since that time, DEQ has
7. been proactive in finding ways to help communities
8. be better armed to defend themselves in the face of
9. drought and its devastating consequences. Some of
10. these proactive measures include such things as
11. regionalization and water reuse. Aquifer Storage
12. and Recovery is yet another proactive measure.
13. ASR is the delivery of water at the
14. subsurface for future recovery. It is the ability
15. to store water underground, as opposed to reservoirs
16. where large volumes of water can be lost to
17. evaporation. The proposed rules that I'm presenting
18. today are the path forward for ASR.
19. And not only is important to have a path
20. forward for ASR, at the same time, we must ensure
21. that ASR is done in the most protective way possible
22. so that aquifers are not compromised.
23. Now, Chapter 653 has six subchapters, they
24. are; General Provisions, Raw Water and Aquifer
25. Characterization, ASR Treatment Plant Construction,

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specific design of the ASR project. And another definition is the limited-scale ASR pilot projects. And I think Saba has talked to you about this in previous Council meetings. These are authorized by Title 27A of the Oklahoma statute. Section 2:6-110. And limited-scale pilot project is just a targeted ASR pilot, we call them lasers. And they are to determine the feasibility of a prospective ASR project or obtain aquifer flow character data for research purposes, an example of a this could be water delivery of water to the subsurface, in order to gain a better understanding of subsurface pressure distribution and the fate of the injectate. Now, these lasers will be Tier II permits, and the criteria will be in a guidance document. The guidance document is already on our website. So you will see this mentioned in the rule, and it will come again when I talk about Chapter 4, what we're doing there. I just want to make sure that you understood that.

Next is, I'm going to talk about siting criteria. So we have applicable siting criteria for the ASR project is going to be determined on a site-specific basis. And this determination is going to be made by DEQ, based on submittals of the applicant. So we will look at things like, how close are they to a river, are there any domestic water wells in the area, and things like that to determine if the site is appropriate and will work for this kind of project.

Next is the statement of interest. All persons seeking to establish an ASR project have to submit a written statement of interest, and this summarizes the project goals of the project, and it has to include such things as the proposed location of the project, a description of the purpose and scope, source of the water, intended use of the recovered water, description of the recharge, a topographic map and demonstration of the legal rights, a demonstration the applicant is actively seeking water rights through OWRB, and consideration of economic factors and alternatives conducting ASR.

And then we have the initial meeting with DEQ, which is required. And we will get with the applicant and discuss this statement of interest, what they plan on doing, explain to them the process, uh, and it also sets the stage for a working relationship. Because this will be something where we work cooperatively with the

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So I'm going to go through the rules. I'm not going to read them all, but I will touch on various things as I move through the rules. And if you have any questions, feel free to interrupt me.

So first of all, we have our General Provisions, Subchapter I. So we have the purpose, which is, you know, the Chapter establishes a framework for ASR, and standards for permitting construction, operation and maintenance of ASR projects.

Next we have our authorities, which are statutory authorities that allow us to regulate this and to write these rules. The applicability statement, which is that the rules in these Chapters apply only to people who undertake the construction, operation and maintenance of an ASR project. And these rules do not apply to any activity conducted outside the scope of an ASR project regulated by this Chapter.

Then we have our conformity with other applicable rules. This is pretty standard language. And that all rules contained in this Chapter means

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they've still got to follow the rules and regulations of other agencies, such as OWRB, Oklahoma Corporation Commission, et cetera.

Next are the definitions. And I just want to touch -- I want to specifically draw your attention to the definition of Aquifer Storage and Recovery. It means the delivery of water into an aquifer for later recovery and use. For purposes of this Chapter, ASR activities shall not include groundwater recharge for augmentation through a natural connection with a farm pond or other impoundment. And for the purposes of this Chapter, ASR activities shall not include activities specifically authorized pursuant to Title 82 of the Oklahoma Statute, Section 1020.2(G), and that has to do with mining. So, for instance, a limestone quarry pit that is full of water, where some of the water seeps into the aquifer, or storm water runoff management practices otherwise authorized by law.

The next definition is the area of hydrologic effect. You will see that sprinkled throughout the rules. And it is the area that is determined by the projected extent of the underground stored water, as calculated using site specific information and as implemented by the

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specific design of the ASR project. And another definition is the limited-scale ASR pilot projects. And I think Saba has talked to you about this in previous Council meetings. These are authorized by Title 27A of the Oklahoma statute. Section 2:6-110. And limited-scale pilot project is just a targeted ASR pilot, we call them lasers. And they are to determine the feasibility of a prospective ASR project or obtain aquifer flow character data for research purposes, an example of a this could be water delivery of water to the subsurface, in order to gain a better understanding of subsurface pressure distribution and the fate of the injectate. Now, these lasers will be Tier II permits, and the criteria will be in a guidance document. The guidance document is already on our website. So you will see this mentioned in the rule, and it will come again when I talk about Chapter 4, what we're doing there. I just want to make sure that you understood that.

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And then we have the initial meeting with DEQ, which is required. And we will get with the applicant and discuss this statement of interest, what they plan on doing, explain to them the process, uh, and it also sets the stage for a working relationship. Because this will be something where we work cooperatively with the
applicant to help them through the process, an
exchange of information, because it’s a big project
and we want to assist them all we can, all the way
through the project, through all the permits, into
operations. And this really sets the stage for
that.

Next are the permits that are required in
this Chapter. So we have ASR treatment plant
construction permit. So if they’re going to
construct a treatment plant, then they have to have
a construction permit. If you’ll notice, it states
that an ASR treatment plant construction permit is
not required for any existing DEQ permitted water or
wastewater treatment plant used in the ASR project,
provided that it meets the requirements of
Subchapter 5. So if they want to use an existing
plant, they don’t need to go through the process of
having a construction permit.

And then we have ASR water delivery
construction permit and the ASR operating permit.

The next is water sampling and analysis.
And this is just stating that any water sampling
analysis methods have to be in accordance with EPA
approved procedures, and they need to use a DEQ
accredited laboratory.

Next we have fees. The current
application fee for each ASR permit is as follows:
For an ASR treatment plant, construction permit is
$3,000. This was based on what we anticipated would
be the type of flow that this project would use or
the kind of volume. And it was taken from our water
rules. For water delivery, construction permit and
an ASR operation permit, those are each $10,000.

This is based on the cost for DEQ to review the
applications and writing the permit. An annual
operating fee in amount of $5,000, and this is to
cover costs for staff time for review of monitoring
reports, operating reports, and inspections.

Next we have Subchapter 3, raw water and
aquifer characterization. So first of all, we have
an applicability statement. You will see this at
the front on the rest -- top of the rest of the
subchapters, so this, of course, applies to anybody
who wants to do an ASR project. And then, of
course, you know, the results of the raw water and
aquifer characterization, need to be part of the
permanent application for the construction of an ASR
treatment plant and the construction of the water
delivery mechanism.

And with the raw water and aquifer
characterization, they need to get a raw water and
aquifer characterization plan, and they need to
submit this plan to DEQ for approval. The content
would include a proposal for characterization of the
raw water, a proposal for hydrologic investigation
and characterization of the aquifer, a proposed
method to calculate the amount of recoverable water
and the method of water recovery, a discussion of
the hydrogeological information, a proposed schedule
for completion, and any additional information DEQ
determines to be necessary for the specific ASR
project. So if there is something in here that
wasn’t covered, it’s not specifically stated in here
and we met and we look at their site specific
information or their site specific project or where
they’re locating it and we decide, well, we don’t
have it specifically in here, but I think we need
this additional information. So that is the purpose
of that statement there.

MR. JON NELSON: Hillary, I noticed under
part two, I didn’t find where there was a
requirement to characterize the other uses of water
from proposed aquifer. Is that covered somewhere
else or should it be covered?

MS. HILLARY YOUNG: Well, yeah, that would

be when characterize the aquifer, they should be
looking at that as well.

MR. JON NELSON: So it’s not really
specifically -- it would be just be understood?

MS. HILLARY YOUNG: Yeah.

Next we have attenuation of constituents
in the aquifer media. On a case-by-case basis, the
attenuation of constituents in the aquifer media
will be considered in meeting groundwater standards.
And we have groundwater standards, and this is that
the water has to meet the groundwater standards in
OWRB, which is 783:45. And no allowance for
attenuation will be considered unless outlined in
783:45 or on a case-by-case basis, at DEQ’s
discretion, if human health will not be impacted.

And next is the groundwater monitoring
well construction and/or plugging. And this is our
general statement for monitoring wells that need to
be constructed and plugged in accordance with OWRB
requirements.

And then we have the raw water aquifer
classification plan implementation, they need to
implement it within one year of approval. And once
it’s approved, the results are good for five years,
absent an episodic event that changes the
characterization of the raw water or aquifer. So that would something like say, somebody had a chemical spill and it might affect the aquifer or if getting your raw water from the river, and there is a new discharge that is put in upstream of where your get your water, and they would need to reevaluate that.

Next we have Subchapter 5, which is ASR treatment plant construction. First of all, of course, a permit and pilot study is required. And I want to notice on A, it says, “Subject to the results of the raw water and aquifer characterization of Subchapter 3 of this Chapter, an ASR water treatment and pilot study may be required.” And what that means is that, for instance if somebody wanted to do ASR into an aquifer that is a brackish aquifer, maybe they want to use it for irrigation purposes, and there the rural water is higher quality, then it may not be necessary to build a water treatment plant. So we didn’t want to that provision in there where it was absolutely required, because there could be instances where it may not be. And you also notice, too, that in B it says that, “No person shall construct or modify an ASR water treatment plant without first obtaining a permit to construct in accordance with applicable requirements of OAC 252:626 and 656.” So -- and it has to be to meet Groundwater Standards. So what we're doing is we're referring back to existing water quality rules for water treatment plants and waste water treatment plants, and this is going to give the applicant the ability to use different types of technologies or to mix technologies between two types. And we didn’t include -- we didn’t put all these rules into this Chapter, because this Subchapter would have been a couple hundred pages long, so we refer back to that.

Next is they need to construct according to plans and specifications. And then we also have the variances from the construction standards, and this is, of course, to encourage the use of new technology as it comes up.

So next is Subchapter 7, which is ASR Water Delivery Construction. Again, we have applicability. So, you know, they have to submit a permit application. And then we have permit application requirements. And these are general requirements that are required for no matter what the water delivery mechanism is. So it's a site description, a map, geologic cross-sections, operations, contingency plans, groundwater monitoring plan, run-on/run off, raw water and aquifer characterization, of course they have to have results for that, and any additional information that DEQ deems necessary.

And then we have additional application requirements for infiltration basins.

And then additional application requirements for other water delivery mechanism. So that -- those would be any kind of a water delivery mechanism that we didn't contemplate. We don't want to put somebody in a position of not being able to use something else, if it's something they could do.

And then they would need to do a water delivery pilot test. So in addition to the other requirements, a water delivery pilot test has to be included as part of the permanent application. These are field tests. So basically what happens is an applicant will do the raw water and aquifer characterization and take that information and come up with a design. And they come up with certain assumptions of how they think it's going to operate, and then they construct, and then they build and test, and then they validate whether or not their information that -- any assumptions that they made were correct.

And then they also use that information for the next part, which is the aquifer testing.

And this is most important part. So in addition to all the other requirements, they need a plan for evaluating through appropriate testing and modeling, the compatibility of the delivered water with the receiving aquifer for possible subsequent changes in aquifer characteristics due to hydrogeologic or hydro-geochemical changes. And the plan has to include provisions for testing, to determine if the full scale long term project is hydrologically feasible and to evaluate all of the data.

Okay. So next is Subchapter 9, aquifer storage and recovery operations. So we have, again, our applicability statement.

And then we have duration and continuation of expiring permits. The ASR operating permit will be good for a period of ten years, with DEQ being able to -- reviewing it every five years for possible permit modification. And upon expiration
of the operating permit, the permittee can seek
renewal by submitting a renewal application 180 days
prior to expiration. And then, of course, if the --
they will be able to continue working on -- under
the expired permit if the new permit wasn't issued
before the existing permit expired. And then we
have a statement that in the event that water
quality standards change within the duration of the
ASR operating permit, then they need to come up with
a plan to ensure continued operation of the ASR
meets the new water quality standards.
And then we have our no endangerment
statement. And this is just that, you know, ASR
projects will be operated in a manner so that it
will not endanger drinking water sources.
And we have permit application
requirements. So we have these general
requirements, and some of the things that follow
just expand on some of this. So we have site
description, map, operations, contingency plan,
groundwater monitoring plan, water delivery pilot
test results, operation and maintenance, closure
plan, cost estimates, financial assurance, and any
additional information that DEQ deems necessary.
So next is operation and maintenance of

ASR water treatment plant. And this is just the
operation and maintenance manual. This is right out
of water rules.
Next is operation and maintenance of
recharge wells. So that include such things as --
well, we will talk about the injection pressure, and
it can exceed -- it has to be calculated so that it
doesn't -- so that it ensures the pressure injection
zone does not cause movement of the fluid out of the
injection zone. And then, of course, they have
maintain mechanical integrity and they will need to
do continuous monitoring. And then have a method
and schedule for maintenance.
And same thing for operation and
maintenance of infiltration basins. You know, we
have flow rate monitoring, maintenance and
inspections.
Operation and maintenance of other water
delivery systems.
And next we have source control. So that
if the applicant -- they need to provide a mechanism
for monitoring any changes to the source of raw
water and updating the raw water characterization in
order to determine if the requirements of the ASR
treatment plant need to be modified.

Next is groundwater monitoring
requirements. They will be required to monitor the
groundwater through a network of groundwater
monitoring wells for site-specific constituents.
They will need to identify alert triggers for each
constituent monitored for which a contingency plan
will be activated. The frequency of groundwater
monitoring, how often they need monitored will be
determined on case-by-case basis. And then, of
course, they have to submit any other monitoring
data to DEQ.

Next is a contingency plan. A contingency
plan needs to be developed in case any potential
problem does occur, they will have the alert
triggers. Then they need the course of action that
is designed to verify and correct the condition that
caused alert trigger to be exceeded. Water
management would be procedures for appropriate
management of raw and/or treated water. They need
to designate a emergency coordinator who will be
responsible for implementing the contingency plan.
In the event that an alert trigger is exceeded,
they'll need to cease operations and notify DEQ
within 24 hours. And then they can't resume
operations without DEQ approval.

And next we have corrective action. If it
is determined that the groundwater has been
compromised, corrective action will be required.
And the following will required for implementation,
and that would be a corrective action monitoring
program would have to be established. A remedy
would need to be selected and implemented. Interim
measures to ensure the protection of human health
and the environment, and then financial assurance
for corrective action will need to be established.

Next we have reporting requirements, and
these are just like operating reporting
requirements, so like the volume of water injected
for storage, the volume of water recovered for
beneficial reuse, the monthly injection pressures
and other information that DEQ determines to be
necessary.
And then finally we have the closure plan.
So they need a plan for closure at the ASR facility
to include, P & A of the ASR recharge wells, closure
of the infiltration basins and for other water
delivery mechanisms, and then closure of the water
treatment plant.
And then next we have Subchapter 11,
which is cost estimates and financial assurance.
All projects need to have financial assurance. And so they have the duty to maintain financial assurance for closure and/or corrective action. So that means this is financial assurance for closure of the entire facility. So it would be for the cost of closing the facility.

For permit transfers, so if the permit is transferred from one owner to another, then the current owner's financial assurance stays in place until the new owner's financial assurance is established.

And then we have substitute financial assurance. And it may be provided as specified in the Subchapter.

And then next is cost estimates for closure. So it describes how to come up with cost estimates for closure. And the estimate needs to be detailed written estimate in current dollars, that is the cost of hiring a third-party to close the ASR facility. So when we would use financial assurance would be if the operator or the owner walk away, and the DEQ needed to close the facility.

And then you know, they need DEQ approval and et cetera. And then we have cost estimates for corrective action. If corrective action is required,

1. they will need to get financial assurance to cover the cost of corrective action, and that is what this discusses.
2. Annual adjustments to cost estimates.
3. Every year they need to recalculate the maximum cost or use an inflation factor to deal with inflation.
4. And then we have financial assurance.
5. That's general requirements, just general requirements for financial assurance.
6. The ability to use multiple mechanisms.
7. So they can combine mechanisms to come up with their total costs.
8. And then we go into the different types of mechanisms. So we have cash, certificate of deposit, trust fund, escrow account, surety bond, letter of credit, insurance, corporate financial tests, local government financial tests, corporate guarantee, local government guarantee or other state approved mechanism that meets the requirements of this Chapter.
9. MR. JON NELSON: Hillary, did all that pretty much mirror the requirements that are in place for the Solid Waste Landfill?
10. MS. HILLARY YOUNG: That is exactly where we got those requirements, was from Solid Waste. We pulled them from Solid Waste.
11. MR. JON NELSON: Good to be consistent.
12. MS. HILLARY YOUNG: Yeah.
13. CHAIRMAN DUANE WINEGARDNER: I have a comment. Anybody else have comments, as the members go?
14. MR. JIM RODRIGUEZ: I have a question.
15. CHAIRMAN DUANE WINEGARDNER: You have a question? Go ahead.
16. MR. JIM RODRIGUEZ: Jim Rodriguez. There is a single permit that covers construction and operation or -- go ahead.
17. MS. HILLARY YOUNG: I'm sorry. There's two permits.
18. MR. JIM RODRIGUEZ: Two permits.
19. MS. HILLARY YOUNG: There's one permit for construction and then there is another permit for operation.
20. MR. JIM RODRIGUEZ: And when you apply the first time, do you -- would a candidate process both of those permits, or only one of them? What would happen initially?
21. MS. HILLARY YOUNG: When they submit the permit applications?
22. MR. JIM RODRIGUEZ: Yes.
MR. JIM RODRIGUEZ: So they have $23,000 in permit fees up front?
MR. HILLARY YOUNG: That’s right.
MR. JIM RODRIGUEZ: Has any candidate for this activity been involved in the process?
MS. HILLARY YOUNG: Well, in our ASR work group, we had like the City of Ada. The City of Ada is actually going to be doing a laser project, and they are very excited about it. So we have had input from the municipalities on this.
MR. JIM RODRIGUEZ: So there are candidates that have reviewed the permit amounts and have they commented on them?
MS. HILLARY YOUNG: There hasn’t been a comment on the fees up to this point. So -- but there have been some that viewed the amounts, but we haven’t received any comment yet.
MR. JIM RODRIGUEZ: Okay. Thank you.
MS. HILLARY YOUNG: Uh-huh.
CHAIRMAN DUANE WINEGARDNER: Any other questions?
MR. STEVE SOWERS: Just one question. Hillary, follow up on notifications, things like that. Is there any notification filed on record or, like at the courthouse, like with City of Ada?

Is there any other notification that you know that is filed to make others aware of an ASR?
MS. HILLARY YOUNG: Are you talking about a deed notice or something?
MR. STEVE SOWERS: Uh-huh. Like a record like that.
MS. HILLARY YOUNG: No.
MR. STEVE SOWERS: Is that something that needs to be thought about?
MS. HILLARY YOUNG: Uh, well, I mean, it’s not something that we really considered.
MR. STEPHEN BALDRIDGE: Hi, I’m Stephen Baldridge. I’m a land protection attorney at DEQ. In the instance, I think, you know, if we had to have corrective action at one of these things, DEQ requires a deed notice to be placed on any site that has a Notice of Remediation taken on the deed of the property where there has been a clean up that occurs under DEQ authority. So arguably, we would be required to, if there isn’t some sort of corrective action that is necessary. But it is not contemplated in the rules, per se.
MR. STEVE SOWERS: Do you see that necessary for what you’re doing here for a third-party coming into play, just to put them on notice there is ASR out there?
MR. STEPHEN BALDRIDGE: Uh, it is not something that we included in the rules. I think it is something we can consider. But if something did go wrong and we were required to do some type of clean up, then there certainly would be a notice at that point.
MR. STEVE SOWERS: Thank you.
CHAIRMAN DUANE WINEGARDNER: Any other questions?
MR. MARK MATHESON: I have a couple of questions. One is, will there be any kind of public hearings for any proposed ASR’s or a period for public comment for proposed ASR in a particular area?
MS. HILLARY YOUNG: It would take place as part of the permitting process.
MR. MARK MATHESON: And also on treating water to be injected into an aquifer, will there be operator certification requirements for those individuals operating these types of plants?
MS. HILLARY YOUNG: Maybe Greg can answer that.
MR. GREG CARR: I don’t think we’ve addressed that in the rules at this time. It’s a good idea. Since this is a drinking water aquifer, I mean, it will have to be drinking water quality water, because nobody owns their own aquifer.
MR. MARK MATHESON: Right.
MR. GREG CARR: I mean, that would essentially be DPR, direct public awareness. So we would have to -- I mean, at this time, I’m looking at a water treatment plant.
MR. MARK MATHESON: Right.
MR. GREG CARR: A real water treatment plant associated with a required operator certification, yes, sir. Does that answer your question?
MR. MARK MATHESON: Yeah. Pretty much.
MR. GREG CARR: Thank you. Other questions?
CHAIRMAN DUANE WINEGARDNER: I have one comment. In looking at your limited scale pilot projects, it seems to me, as a geologist, if you would have to have a very large data set of information when you come to talk to DEQ, because we all know that geology is what geology is, and it takes a lot of investigation work right up front. So I think before you even started your limited scale thing your DEQ people would want to have a
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<td>1. really strong input into what the investigation consisted of a head of time.</td>
<td>1. evaluation of that aquifer. So if you're considering it groundwater, you may not be able to take out as much as what you put in.</td>
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<td>MS. HILLARY YOUNG: Right. And you know, uh, anybody that undertakes – before they undertake the larger ASR project, could do some sort of limited scale aquifer storage and recovery project. And really that is the whole purpose is for us to gain information, and that is the purpose of the laser, is to gain targeted information from the aquifer, or how they think it's going to be behave when they inject or use maybe an infiltration basin to determine whether or not it's feasible at all to do a larger scale project. And it's up to someone who wants to undertake something like this, on whether or not they would want a laser, or whether they want to go right into ASR, into the larger one.</td>
<td>MS. SHELLIE CHARD: This is Shellie again. Bud, I know the Water Resources Board is working on a process on how they will handle aquifer storage and how they will deal with that. I don't know where they are in the development of that, but they are looking at, you know, the water withdrawals and is it a groundwater right, is it something else, but there's something the Water Board, I know, is looking into and working through. And they have been a part of the work groups with DEQ and stakeholders and legislators throughout this process.</td>
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<td>CHAIRMAN DUANE WINEGARDNER: Okay. Other questions? Any comments from the public? We have one.</td>
<td>MR. JIM RODRIGUEZ: Shellie, if that's the case, is rule making going to be required by the OWRB to be able to administer whatever they decide about that groundwater?</td>
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<td>MR. BUD GROUND: I'm Bud Ground with the Environmental Federation of Oklahoma. I just have a question. I just want to make sure I understand part of this, or how it's going to operate. And I guess the water that comes out of this for the</td>
<td>MS. SHELLIE CHARD: I know that there were -- I'm not an expert in this area, I will put that out there upfront -- but I am pretty sure they have done some statutory changes in this past legislative session, and we are working on rule making and internal policy issues. It's Owen Mills has been kind of their point person that's been heavily involved. He</td>
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<td>recovery part, is that going to be considered water reuse, and following under the reuse rules?</td>
<td>might be able to answer some questions or certainly contacting the Water Resources Board with that question, they would get you to the right person to get that information. But yes, the Water Board is undertaking steps.</td>
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<td>MS. HILLARY YOUNG: Well, I think it's considered like beneficial use under like OWRB, under the water standards.</td>
<td>CHAIRMAN DUANE WINEGARDNER: Are there other discussions that need to be brought up right now? I think we're making good progress. This is something we all looked forward to for a long, long time. We are finally getting there. It's a very complex issue. Kind of like the federal tax code, there is so many implications for a whole bunch a group of people. We have to be careful with this.</td>
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<td>MR. BUD GROUND: So that leads to another question.</td>
<td>Okay. Well, if we have nothing else, thank you.</td>
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<td>MS. HILLARY YOUNG: Okay.</td>
<td>MS. HILLARY YOUNG: One more. Next we have Chapter 4. So I will talk to you about our proposed changes to Chapter 4. This again, has to do with ASR. Our Chapter 4 is rules of practice and procedure. And this is our uniform permitting process that all of DEQ follows for the permits.</td>
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<td>MR. BUD GROUND: So you're considering this groundwater, once it's put in the ground?</td>
<td>So aquifer storage and recovery, we have Tier 1, Tier II and Tier III. For those that aren't familiar with the tier rules, Tier I has no public participation, and as you go up, you have more and more public participation.</td>
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<td>MS. HILLARY YOUNG: Yes.</td>
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<td>MR. BUD GROUND: Because I would not consider it groundwater, I would consider it service water that is stored in the ground, and that is why I asked the question.</td>
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<td>MS. HILLARY YOUNG: That is a good question. Uh, yeah, we would consider it part of the aquifer, because it's recharging the aquifer to store the water and for later use, for whatever use that aquifer is used for.</td>
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<td>MR. MARK HILDEBRAND: Just stay up there.</td>
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<td>MR. BUD GROUND: So that leads to another question. If it's groundwater, you're limited to 1.2-acre feet per acre, whatever the standard is for groundwater, unless the Water Board does an</td>
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So for Tier I, which has no public participation, the following ASR authorizations for Tier I applications, so that would be minor modification of any ASR permit for minor changes, so that would be something like a change in the emergency coordinator or something like that. A modification of an approved closure plan for an ASR operating permit, or modification of an approved corrective action plan.

Next would be ASR applications, which would be Tier II applications. Now, for Tier II applications, when an application is filed with DEQ, the applicant has to publish a notice of that filing in a paper local to the site, they need to place a copy of the application in the local -- typically a library, and then the application is reviewed and a draft permit is issued. And once the draft permit is issued, then the applicant has to publish notice in the newspaper again, that the draft permit has been issued, and give the public an opportunity to comment or request a public meeting. And if there are comments received, then DEQ would provide a written response to comment, and then if there's nothing to stop it from moving forward, if there is no comment that causes any kind of issues.

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then the permit would be issued from there. So the -- Tier II applications would include a modification of an ASR permit not covered under Tier I, the limited-scale ASR pilot project as authorized by 27A of Oklahoma Statute, 2-6-110, an ASR treatment plant permit, modification of an existing water treatment plant for ASR operations, or renewal of an ASR operations permit.

Next is the Tier III applications. And so the Tier III applications build on the Tier II requirements, in that when an application is filed, the Notice -- they have to publish a Notice of Filing, but this time there is the opportunity for the public to request a process meeting. And if a process meeting is requested, then DEQ goes out and explains the permitting process, DEQ's process to the public, so that they understand where it is they can insert themselves into the permitting process. Next again, would be the issuance of a draft permit in which that would need to be public noticed as well. And with the opportunity for the public to comment or request a public meeting. And if we receive comments, and again, we would do a written response to comments, and this time we would prepare a proposed permit. And the proposed permit was statutory limitation on how long the permit could exist before it has to be processed.

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and the written response to comments would all be public noticed. And during all these steps, of course, these applications and the draft permits will be put in the library for the public to be able to review them and the website. So when the public -- when the proposed permit is public noticed, then the public has an opportunity to request an administrative hearing. And if an administrative hearing is granted, then it would take place in front of an administrative law judge who would make a decision on whether or not the permit should be issued. After the law judge makes his decision, it would go to our executive director, and he would make the final decision on whether or not the permit would be issued. So for Tier III applications, we have the ASR water delivery construction and the ASR operations permit. And if those are Tier III.

CHAIRMAN DIANE WINEGARDNER: Questions or comments from the Board?

MR. JEFFREY SHORT: What are the requirements for the Tier I, Tier II and Tier III again?

MS. HILLARY YOUNG: Like DEQ time requirements?

MR. JEFFREY SHORT: Yeah, I believe there...
MS. SHELLIE CHARD: For NPDES, it's 180 days of actual DEQ time on the clock, but that time can be extended or is stopped whenever there are hearings, meetings, or comment periods. We have the authority to extend comment periods beyond the minimum when we do that, those days don't count. If there is another agency review that kicks in, that can extend, but in general, for the NPDES permit, it's 180 days. Hillary, I don't know, you may be able to speak to the RCRA —

MS. HILLARY YOUNG: Well, I know RCRA has like 300 days total. I'm not sure what it is for UIC.

MR. JEFFREY SHORT: I remember something about Air had — Air had something like 540 that we worked. I didn't know if we worked into that type of category.

MS. SHELLIE CHARD: As far as the water permits, in general, you will see the Tier I's are 3045 days-type timelines, and 180 days, for the Tier II and Tier III. But then you have those stop points.

MS. HILLARY YOUNG: And the length of the process of the review process is always dependent on the quality of application, because if there is missing information or anything like that, then we have to request more information and wait for the information to come in. And it has to be reviewed again. So that contributes as well.

CHAIRMAN DUANE WINEGARDNER: Comments? Any more comments or questions? Public comments or questions? Thank you. I think Shelle was going to address us next.

MS. SHELLIE CHARD: Thank you. I just have a couple of things that I wanted to highlight for you all. Generally, you hear a lot about what we're hearing from EPA and what we think may or may not be happening in the next few months regarding rules. And I was having a conversation before the meeting started, and the answer to kind of what do we expect, I don't know. It's been very interesting and it's fascinating kind of watching everything unfold in Washington DC. There are several rules that have been talked about, that seem to be talked about and not really moving forward at this point. There was a lot of talk about the NPDES update rules. We were asked by EPA if the states — if we really wanted it to come out, you know, we should really get behind it and encourage the administrator to send that out. And EPA didn't get the overwhelming response of "got that out right now," that I think they were expecting. We haven't seen it in a while to know what all of the changes are.

We know that EPA has taken into consideration a lot of the comments that the state had and have made some revisions. To be honest, at this point, my biggest fear is some of the reporting requirements that could get into it, and some of that is whether it's electronic, or whether it's on paper, and it's the mechanism that it gets to the EPA database, which are more things that we have to deal with, rather than the regulated community.

We did get our electronic reporting system operational over the last year, and we were -- it was about 95 plus percent of DMR submitters, submitting electronically, so that is definitely a big relief that we got that operational. It took a lot of hard work and a lot of training by our staff and a lot of patience on part of the regulated community. That will address some of the changes that we think EPA is proposing in the program update rule. We'll see if it comes out and what it looks like.

On the drinking water side, there have been a lot of environmental activist-type groups asking questions across the county, what is compliance rate, who has lead in their water, who has various chemical components. I believe we have been given notice that the tomorrow the Environmental Working Group plans to release a new report to highlight the problems with drinking water across the country. What we know from the preliminary information is that they're using data that is a minimum of six months old, and they're comparing the data, not only to the maximum contaminant levels of the Safe Drinking Water Act, but also to the California public health goals, which are goals established for the State of California, by the State of California. So we don't really know what that is going to look like, but we will be watching that and seeing if any of the Oklahoma community show up in that report.

The last big report they did was when we had all of the hexavalent chromium discussions, it's that same group. So we will see what happens with that. So that may lead to a few exciting days or some new stories, we will see.

Uh, a couple of things I do want to share with you on a positive note, we have had a lot of things going on behind scenes that don't always
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1. make it when it's a good news or things get resolved quickly, it's not on the 6:00 o'clock news. We had our staff working very closely with several drinking water systems over the last few weeks and resolved some pretty potentially big issues with what turned out not to be chemical contamination of a large drinking water system, but had everyone not taken action, it could have been a much bigger deal. So I'm pretty proud of our staff. Our engineers in Oklahoma City, our local services staff, and the municipality involved pulled together and did a lot of hard work and put a lot of minds at ease before a big weekend. We also had several of our employees nominated in the last two quarters, for the agency employee of the quarter, for their efforts. And we actually have one who was selected as the employee of the quarter. But that won't be announced and who it is for another week or so, so I can't -- I know, I'm not going to name any names. But it's, you know, nice to see that the hard work and positive attitude even at a time when we're dealing with budget concerns, and we're dealing with the heat, and drought in some areas, flooding in some areas, it's good to know that there are people that are going above and beyond. So I'm pretty proud of those efforts. I don't really have much else for you today, unless you want to play -- I always tell my staff, we can play stump the chump -- and I will see what I can answer for you. We've got a lot of things coming that we will be continuing to work on the ASR, we will be continuing to work on water reuse rules and projects and we're heavily involved in produced water issues in Oklahoma, and across the country. So lots of things coming that -- but nothing that is a regulatory issue so far that we know of, other than what the staff has presented today that you will be seeing. I guess it's late September of this year, instead of early October. Wow, you guys are going to let me off the hook?

Chairman Duane Winedgardner: You deserve a little rest sometimes.

Ms. Shellie Chard: Thank you.

Chairman Duane Winedgardner: There are times we won't let you off the hook.

Are there any questions for Shelli? Any comments from the public?

Mr. Jim Rodriguez: I would like to let you know that we have invited the administrator to our annual meeting in January, and we will let everybody know if he says yes. The first indication we got back was that it was a possibility. We figured he might want to come back to Oklahoma for a day or two.

Ms. Shellie Chard: Always good to give him an excuse to come home.

Chairman Duane Winedgardner: That would be a good opportunity to hear what is going on, that we don't hear or you don't hear anyways. Okay. New business. I don't have any. And only those matters not known about, which could not have been reasonably foreseen at the time of posting shall be discussed, and I don't have of anything. I don't know of anything.

Special announcements, next scheduled meeting is September 26th, at 2:00 p.m. here. I will not be here then. I will be on vacation.

Mr. Jim Rodriguez: I will be in Washington DC.

Chairman Duane Winedgardner: Are there other conflicts?

Mr. Mark Hildebrand: Maybe we need to see how many others are missing.

Mr. Jim Rodriguez: We have two so far.

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Mr. Mark Hildebrand: You're out Jim?

Mr. Jim Rodriguez: Yeah, I'm in Washington.

Chairman Duane Winedgardner: And I will be in Europe.

Ms. Shellie Chard: We will have Mark maybe poll all of the council members. We do have the restraint on us that we meet at least so many days prior to the board meetings, so we will have to see what we can work around their schedule as well. That is how we got bumped up into September, was when the board set their meeting that pushed us to an earlier meeting than our normal time. So maybe Mark will send out some possible dates and we will see what we need to do. And what would happen is we would -- the Chair would need to cancel this meeting, and then we would call a special meeting, in order to make a move. That is a paperwork exercise on our part, but things will look a little different when we do that.

Chairman Duane Winedgardner: Good. Good.

Mr. Mark Mathieson: Shelli, isn't it true that a regular meeting, if it's canceled more than ten days in advance can be rescheduled without having to call a special meeting, under the Open...
Meeting Act?

MS SHELLIE CHARD: I don’t know if that works for us or not. Betty – the lawyers will figure out. And it will happen the way it’s supposed to happen and notices will be posted. The right number of days a head of time, and the protocol statement might look different. But as far as business goes, we will get it done.

MR MARK HILDEBRAND: We may be able to get Jeff to round everybody up here.

MR JIM RODRIGUEZ: Okay. No other second?

CHAIRMAN DUANE WINEGARDNER: Are there any other items of business that we need to discuss? And if not, I will entertain a motion to adjourn.

MR JON NELSON: So moved.

MR JIM RODRIGUEZ: Second.

CHAIRMAN DUANE WINEGARDNER: Moved and seconded.

MS QUIANA FIELD: Mr. Carr?

MR ROBERT CARR: Yes.

MS QUIANA FIELD: Mr. Duran?

MR BRIAN DUAN: Yes.

MS QUIANA FIELD: Mr. Matheson?

MR MARK MATHIEN: Yes.

MS QUIANA FIELD: Mr. Nelson?

MR JON NELSON: Yes.

MS QUIANA FIELD: Mr. Rodriguez?

MR JIM RODRIGUEZ: Yes.

MS QUIANA FIELD: Mr. Short?

MR JEFFREY SHORT: Yes.

MS QUIANA FIELD: Mr. Sowers?

MR STEVE Sowers: Yes.

MS QUIANA FIELD: Ms. Wells?

MS DEBBIE WELLS: Yes.

MS QUIANA FIELD: Mr. Winegardner?

CHAIRMAN DUANE WINEGARDNER: Yes. Thank you very much. The meeting is adjourned.

(Meeting adjourned at 3:08 PM.)
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CHECK BOX TO COMMENT

NAME and/or AFFILIATION

ADDRESS and/or PHONE and/or E-MAIL

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Mark Hildebrand
Greg Carr
Michelle Wynn DEQ