

**REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY MANAGEMENT ADVISORY COUNCIL**

Please silence all cell phones

A Public Meeting: January 7, 2025, at 2:00 pm
 Department of Environmental Quality

Location: Multi-Purpose Room, 1st Floor
 DEQ Building
 707 N. Robinson
 Oklahoma City, Oklahoma

- 1. CALL TO ORDER – Brian Duzan**
- 2. ROLL CALL – Quiana Fields**
- 3. APPROVAL OF MINUTES FROM THE SEPTEMBER 24, 2024, MEETING**
- 4. ELECTION OF THE VICE-CHAIR – Brian Duzan**
 - A. Nominations**
 - B. Discussion**
 - C. Vote**
- 5. ELECTION OF THE CHAIR – Newly Elected Vice-Chair**
 - A. Nominations**
 - B. Discussion**
 - C. Vote**
- 6. PERMANENT RULEMAKING OAC 252:306 – “STATE ENVIRONMENTAL LABORATORY SERVICES”**

DEQ staff is proposing this new rule that if recommended by the Council will replace OAC 252:305 which will be revoked. This Chapter contains rules regarding fees and services offered by the State Environmental Laboratory Services Division (SELSD). Chapter 306 provides updated fees and services offered by SELSD, in compliance with Oklahoma Statutes. Chapter 306 includes updated references to statutory language. The types of services provided are detailed for both the agency's needs as well as those outside of DEQ including citizens, municipalities, industry, and other agencies. The number and types of laboratory analysis services offered are detailed, including all applicable base fees, in Appendix A, and an annual, optional, fee adjustment using the Consumer Price Index (CPI) is included. Chapter 306 also details other analysis, special

services, possible discounts for large volume requests with Director approval, and EPA's grant of primacy naming SELSD as the Principal State Laboratory with laboratory accreditation responsibilities for analytical measuring of contaminants specified in OAC 252:631 (state primary drinking water requirements).

- A. Presentation – Susan Mensik
- B. Discussion by the Council
- C. Discussion by the Public
- D. Additional Discussion by the Council
- E. Vote

7. PERMANENT RULEMAKING OAC 252:305 – “LABORATORY SERVICES”

DEQ staff is proposing to revoke this rule since it will be replaced by OAC 252:306.

- A. Presentation – Susan Mensik
- B. Discussion by the Council
- C. Discussion by the Public
- D. Additional Discussion by the Council
- E. Vote

8. PERMANENT RULEMAKING OAC 252:606 – “OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS”

DEQ staff is proposing to update its rules related to the date of incorporation by reference for the Code of Federal Regulations from July 12, 2023, to July 8, 2024. The first regulatory change was the Clean Water Act Section 401 Water Quality Certification Improvement Rule that became effective November 27, 2023. The purpose of the final rule was to provide stakeholders with a clear and consistent certification process while ensuring protection of vital state, territory, and Tribal water resources. The second regulatory change, effective on June 17, 2024, consisted of EPA finalizing changes to its test procedures required to be used by industries and municipalities when analyzing the chemical, physical, and biological properties of wastewater and other samples for reporting under the EPA's National Pollutant Discharge Elimination System permit program. This provides timelier access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining the protection of public health and the environment. A third regulatory change was the Steam Electric Power Generating Effluent Guidelines final rule which became effective July 8, 2024. This rule revises the technology-based effluent limitation guidelines and standards for the steam electric power generating point source category applicable to flue gas desulfurization (FGD) wastewater, bottom ash transport water, legacy wastewater at existing sources, and combustion residual leachate at new and existing

sources. Lastly, EPA designated two per- and polyfluoroalkyl substances —perfluorooctanoic acid (“PFOA”) and perfluorooctanesulfonic acid (“PFOS”), including their salts and structural isomers, as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”). As a result of designation, CERCLA and EPCRA reporting requirements apply to releases of PFOA or PFOS or their salts and structural isomers.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public
- D. Additional Discussion by the Council
- E. Vote

9. PERMANENT RULEMAKING OAC 252:631 – “PUBLIC WATER SUPPLY OPERATION”

DEQ staff is proposing to: update the rule concerning the date of incorporation by reference of certain federal regulations from August 17, 2022, to October 30, 2024; correct a grammatical error; remove references to Fecal Coliform and replace, where appropriate, with *E. coli*; update laboratory emergency notification requirements to match Tier 1 public notice (PN) requirements in the C.F.R.; update validation of data requirements for sampling procedures to match the intent of the C.F.R.; update Consumer Confidence Reports (CCR) delivery requirements to match the CCR requirements in the C.F.R.; remove total chlorine residual testing requirements for systems that use free chlorine; and, update public water supply (PWS) immediate notification requirements to match Tier 1 PN requirements in the C.F.R. and to account for physical and cybersecurity concerns.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public
- D. Additional Discussion by the Council
- E. Vote

10. PERMANENT RULEMAKING OAC 252:710 – “WATERWORKS AND WASTEWATER WORKS OPERATOR CERTIFICATION”

DEQ staff is proposing to update the rule to correct grammatical errors; clarify that operator experience means licensed experience; allow approval of virtual classes that are less than 4 hours; require attendance records to be submitted in a DEQ-approved format; cite military exception statute for renewals; rename registered helper to non-certified helper; change CPI from every five years to annually; allow DEQ to determine if a non-community and minor systems need an operator; clarify approved equivalents; and, fix footnotes in Appendices A & B.

- A. Presentation – Brian Clagg

- B. Discussion by the Council
- C. Discussion by the Public
- D. Additional Discussion by the Council
- E. Vote

11. DIRECTOR'S REPORT – Shellie R. Chard

12. NEW BUSINESS

Only those matters not known about and which could not have been reasonably foreseen at the time of the posting of this agenda shall be discussed at this time.

13. ANNOUNCEMENTS

Next Scheduled Meeting

14. ADJOURNMENT

Should you have a disability and need an accommodation, please notify Brian Clagg of the DEQ three days in advance at (405) 702-8118.