

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

*Please silence all cell phones*

A Public Meeting: September 26, 2023, at 2:00 pm  
Department of Environmental Quality

Location: Multi-Purpose Room, 1<sup>st</sup> 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 JANUARY 5, 2023, MEETING**
- 4. COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2024**

Discuss and vote on dates, times, and locations of the Water Quality Management Advisory Council (“WQMAC”) meetings for the 2024 calendar year. Staff recommends meetings be held in DEQ’s 1<sup>st</sup> Floor Multi-Purpose Room at DEQ’s Oklahoma City office which is located at 707 N. Robinson, Oklahoma City, OK 73102. Based on the Environmental Quality Board (“EQB”) schedule and expected rulemaking efforts, staff recommends the following meeting dates and times:

- Tuesday, January 9, 2024, at 2:00 p.m.
- Tuesday, April 30, 2024, at 2:00 p.m.
- Tuesday, July 30, 2024, at 2:00 p.m.
- Tuesday, September 24, 2024, at 2:00 p.m.

- 5. DISCUSSION OF RULEMAKING FOR THE JANUARY 2024 WQMAC MEETING**
  - A. OAC 252:606 “OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS”**

During the previous rulemaking cycle, it was discussed that DEQ staff intended to merge OAC 252:690 and OAC 252:740, “Implementation of Oklahoma’s Water Quality Standards” in future rulemaking. DEQ staff have since determined that a better approach entails incorporating the contents of Chapter 690 into two of our existing rules, Chapters 606 and 611, and subsequently revoking Chapter 690.

For OAC 252:606, DEQ will be proposing to incorporate from OAC 252:690 applicable portions of Subchapter 1, titled “Introduction”, Subchapter 3, titled “Point Source Discharges”, and Appendices: B, C, D, E, F, G, H, I and J. This will consolidate the technical permitting rules for point source discharges into one rule. The remaining contents of Chapter 690, consisting of the remainder of Subchapter 1, “Introduction”, Subchapter 5, titled “Groundwater Protection”, and Subchapter 7, titled “Water Quality Standards Implementation Plan, Oklahoma Department of Environmental Quality” will be incorporated into Chapter 611 as discussed below.

DEQ will also be proposing an update of the federal rules incorporated by reference from July 1, 2022, to July 12, 2023. One final regulatory change consisted of the U.S. Environmental Protection Agency (EPA) finalizing clarifications to its National Pollutant Discharge Elimination System (NPDES) Stormwater Phase II regulations due to recent changes made by the Census Bureau. The changes to EPA’s regulations are limited to clarifying that the designation criteria for small municipal separate storm sewer systems (MS4’s), which have been used since the promulgation of the regulations in 1999, will remain the same. These clarifications are necessary due to the Census Bureau’s recent decision to discontinue its practice of publishing the location of “urbanized areas” along with the 2020 Census and future censuses. The clarifications in this final rule replaced the term “urbanized area” in the Phase II regulations with the phrase “urban areas with a population of at least 50,000”, which is the Census Bureau’s longstanding definition of the term urbanized areas. This change allows NPDES permitting authorities to use 2020 Census and future Census data in a manner that is consistent with existing longstanding regulatory practice. Another rule change was made to 40 CFR Part 423, the Steam Electric Power Generating Point Source Category, to extend the date for existing coal-fired power plants to submit a notice of planned participation (NOPP) for the permanent cessation of coal combustion subcategory in the 2020 Steam Electric Reconsideration Rule from October 13, 2021, to June 27, 2023. This rule was effective May 30, 2023.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

## **B. OAC 252:611 “GENERAL WATER QUALITY”**

As noted in the discussion above for Chapter 606, DEQ staff will be proposing to incorporate remaining parts of OAC 252:690 Subchapter 1, titled “Introduction”, Subchapter 5, titled “Groundwater Protection”, and Subchapter 7, titled “Water Quality Standards Implementation Plan, Oklahoma Department of Environmental Quality”, into Chapter 611.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

**C. OAC 252:628 “INDIRECT POTABLE REUSE FOR SURFACE WATER AUGMENTATION”**

DEQ will be proposing updates to this chapter to remove references to OAC 252:690 and, where applicable, replace these references with appropriate chapters.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

**D. OAC 252:690 “WATER QUALITY STANDARDS IMPLEMENTATION”**

Upon incorporation of Chapter 690 into existing rule Chapters 606 and 611, DEQ staff will be proposing to revoke Chapter 690.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

**E. OAC 252:730 “OKLAHOMA’S WATER QUALITY STANDARDS”**

DEQ will be proposing updates to this chapter to remove references to OAC 252:690 and, where applicable, replace these references with appropriate chapters. DEQ staff will also be proposing updates to this chapter to correct typographical errors

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

**F. OAC 252:740 – “IMPLEMENTATION OF OKLAHOMA’S WATER QUALITY STANDARDS”**

DEQ staff will be proposing updates to this chapter to correct typographical errors.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

## **G. OAC 252:641 – “INDIVIDUAL AND SMALL PUBLIC ON-SITE SEWAGE TREATMENT SYSTEMS”**

DEQ staff will be proposing revisions to Chapter 641 that will incorporate several changes that came about from discussions with the Oklahoma On-site Wastewater Association. These changes include language addressing the use of safety systems in manhole risers, septic tank sizing options, and a proposed increase to the current surety bond amount. DEQ staff will also be resolving a potential conflict with Statute as it applies to DEQ staff conducting soil profile descriptions.

- A. Presentation – Nicholas Huber
- B. Discussion by the Council
- C. Discussion by the Public

## **H. OAC 252:645 - “SEPTAGE PUMPERS AND TRANSPORTERS”**

DEQ staff will be proposing revisions to Chapter 645 that will incorporate several changes that came about from discussions with the Oklahoma On-site Wastewater Association. These changes will include language for the certification of drivers being employed by the License holder, amendments to the renewal training requirements, and the inclusion of a surety bond to address potential remediation actions. DEQ staff will also be proposing additional fees to this Chapter for driver certification and the exam required for all new Licensees and drivers.

- A. Presentation – Nicholas Huber
- B. Discussion by the Council
- C. Discussion by the Public

## **6. DIRECTOR’S REPORT – Shellie R. Chard**

### **7. 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.

### **8. ANNOUNCEMENTS**

Next Scheduled Meeting

### **9. 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.**