

REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
Virtual Meeting

A Public Meeting:

Virtual WQMAC meeting (All participating Council members will appear remotely via videoconference)

Tuesday, September 29, 2020, at 2:00 pm

Videoconference and Teleconference Information:

Meeting link (will open at 1:45 pm)

Join Zoom Meeting

<https://zoom.us/j/93597576346?pwd=WIUrNWhqeno3M2pMOGxoR25YTmlTdz09>

Meeting ID: 935 9757 6346

Passcode: 426782

Dial-in Number

+1 312 626 6799 US (Chicago)

*If the meeting host becomes disconnected during the meeting, DEQ will attempt for 15 minutes to re-start the meeting. Such an event would require all participants (Council members and members of the public) to log back into the meeting. If successful, the meeting would be restarted once a quorum is re-established. If unsuccessful, the meeting will be continued and reconvened on Wednesday, September 30, 2020, at 2:00 pm. If such a reconvened meeting becomes necessary, only matters appearing on this agenda will be discussed, and the videoconference and teleconference information for such meeting will be posted at: <https://www.deq.ok.gov/council-meetings/water-quality-management-advisory-council>.

Conference materials are available on the DEQ website at <https://www.deq.ok.gov/council-meeting-single/?meetingid=MTA5MzI>

If you have any questions, please contact Brian Clagg at 405-702-8118.

- 1. CALL TO ORDER – Brian Duzan**
- 2. ROLL CALL – Quiana Fields**
- 3. APPROVAL OF MINUTES FROM THE JULY 21, 2020, MEETING**
- 4. COUNCIL MEETING SCHEDULE FOR 2021**

Discuss and vote on dates, times and locations of the Water Quality Management Advisory Council (“WQMAC”) meetings for the 2021 calendar year. Staff recommends

meetings be held at 2:00 p.m. in DEQ's 1st Floor Multi-Purpose Room at DEQ's Oklahoma City office which is located at 707 N. Robinson, Oklahoma City, OK 73102, unless it is deemed necessary that a virtual council meeting be held. Based on the Environmental Quality Board ("EQB") schedule and expected rulemaking efforts, staff recommends the following meeting dates and times:

- Tuesday, January 12, 2021, at 2:00 p.m.
- Tuesday, May 11, 2021, at 2:00 p.m.
- Tuesday, July 27, 2021, at 2:00 p.m.
- Tuesday, September 28, 2021, at 2:00 p.m.

5. EMERGENCY RULEMAKING OAC 252:641 – “INDIVIDUAL AND SMALL PUBLIC ONSITE SEWAGE TREATMENT SYSTEMS.”

DEQ staff will be proposing emergency changes to Chapter 641 to: amend and establish certain definitions, under certain situations allow a reduction of the minimum size of subsurface absorption fields for individual on-site sewage treatment systems, establish sizing criteria for manufactured media systems, and revise and combine the minimum spray area size for aerobic systems, most of which will result in a reduction of overall application areas. DEQ plans to introduce the same rules as permanent rules at the January 2021 WQMAC meeting.

- i. Presentation – Nicholas Huber
- ii. Discussion by the Council
- iii. Discussion by the Public
- iv. Additional Discussion by the Council
- v. Vote

6. DISCUSSION OF RULEMAKING FOR JANUARY 2021 WQMAC MEETING

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

DEQ staff will be proposing an update of the progress of the publication date of the federal rules incorporated by reference from July 1, 2018, to July 1, 2020. The final regulatory changes are minor and clarify the regulations in the following categories: Regulatory definitions (“new discharger” and two definitions related to the discharge of pesticides from pesticide application); permit applications (adding elements such as email addresses, indicators for cooling water use and variance requests; and clarifying effluent data requirements); and public notice (allowing for public website posting in lieu of newspaper publication). The final rule also updated EPA contact information, web addresses for electronic databases, and outdated references, and deleted a provision relating to best practicable waste treatment technology for POTWs that is no longer applicable. The final rule modernizes the NPDES regulations, promotes submission of complete permit applications, and clarifies regulatory requirements to allow more timely development of NPDES permits that protect human health and the environment.

- i. Presentation – Brian Clagg
- ii. Discussion by the Council
- iii. Discussion by the Public

B. OAC 252:631 – “PUBLIC WATER SUPPLY OPERATION”

DEQ staff will be proposing an update of the progress of the publication date of the federal rules incorporate by reference from January 1, 2017, to July 1, 2020. Changes included EPA’s approval of alternative testing methods for measuring the levels of contaminants in drinking water and determining compliance with national primary drinking water regulations. This provides more timely access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protection.

- i. Presentation – Brian Clagg
- ii. Discussion by the Council
- iii. Discussion by the Public

C. OAC 252:690 – “WATER QUALITY STANDARDS IMPLEMENTATION”

DEQ staff will be proposing an update of the progress of the publication date of the federal rules incorporated by reference from July 1, 2016, to July 1, 2020. Changes include EPA’s and the Department of the Army’s redefining and clarifying the scope of “waters of the United States” federally regulated under the Clean Water Act, consistent with the Executive Order signed on February 28, 2017. This final rule implements the overall objective of the Clean Water Act and increases the predictability and consistency of Clean Water Act programs.

- i. Presentation – Brian Clagg
- ii. Discussion by the Council
- iii. Discussion by the Public

7. DIRECTOR’S REPORT – Shellie R. Chard

8. 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.

9. 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.