DRAFT MINUTES
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
July 31, 2018
Oklahoma Department of Environmental Quality
Multipurpose Room
Oklahoma City, Oklahoma

Official WQMAC
To be approved at the September 25, 2018 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 18, 2017. The agenda was posted at DEQ twenty-four hours prior to the meeting. Mr. Brian Duzan, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT
Robert Carr
Brian Duzan
Alexandria Kindrick
Mark Matheson
Jon Nelson
Jim Rodriguez
Jeff Short
Steve Sowers
Debbie Wells
Duane Winegardner
Terry Wyatt

DEQ STAFF PRESENT
Shellie Chard
Terry Lyhane
Chris Armstrong
Chris Wisniewski
Mark Hildebrand
Betsey Streuli
David Caldwell
Jennifer Boyle
Lee Dooley
Michelle Wynn
Jeff Franklin
Pam Dzikas
Travis Couch
Brandt Sterling
Traci Kelly
Quiana Fields

MEMBERS ABSENT
Jeff Short

OTHERS PRESENT
Steve Plumbree, Court Reporter

Approval of Minutes from the January 11, 2018 Meeting – Mr. Duzan called for a motion to approve the Minutes of the January 11, 2018 Regular Meeting. Mr. Nelson moved to approve and Mr. Matheson made the second.

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Carr</td>
<td>Yes</td>
</tr>
<tr>
<td>Alexandria Kindrick</td>
<td>Yes</td>
</tr>
<tr>
<td>Mark Matheson</td>
<td>Yes</td>
</tr>
<tr>
<td>Jon Nelson</td>
<td>Yes</td>
</tr>
<tr>
<td>Jim Rodriguez</td>
<td>Yes</td>
</tr>
<tr>
<td>Steve Sowers</td>
<td>Yes</td>
</tr>
<tr>
<td>Debbie Wells</td>
<td>Yes</td>
</tr>
<tr>
<td>Duane Winegardner</td>
<td>Yes</td>
</tr>
<tr>
<td>Terry Wyatt</td>
<td>Yes</td>
</tr>
<tr>
<td>Brian Duzan</td>
<td>Yes</td>
</tr>
</tbody>
</table>

See transcript pages 4 - 5

DISCUSSION OF RULEMAKING FOR FY 2019:

1
OAC 252:606 – OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS – Mr. Mark Hildebrand, Environmental Programs Manager of the WQD, stated that the DEQ staff will be proposing an update of the progress of the publication date of the federal rules from July 1, 2016 to July 1, 2018. The most significant change is EPA’s effort to explain the two methods that a small MS4 system may obtain permit coverage. There were no comments by the Council or public.

See transcript pages 5 - 8

OAC 252:611 – GENERAL WATER QUALITY – Mr. Hildebrand stated the DEQ staff will be proposing an update of the progress of the publication date of the federal rules from July 1, 2010 to July 1, 2018. The only significant update is EPA establishing procedures to treat federally recognized Indian tribes in a similar manner as states for Clean Water Act Section 303(d) Impaired Water Listing and TMDL Program. There were no comments by the Council or public.

See transcript page 8

OAC 252:301,302 and 307 – LABORATORY ACCREDITATION, FIELD ACCREDITATION AND TNI LABORATORY ACCREDITATION – Mr. Chris Armstrong, Division Director of the SELSD, stated that the SELSD will be proposing minor permanent rule language changes and new incorporation by reference of the Clean Water Act 2017 Method Update Rule; proposing to add a new On-Site Assessment fee; and proposing to add Medical Marijuana categories and fees to Chapter 307, TNI Laboratory Certification. There were questions and comments by the Council and the public.

See transcript pages 8 - 28

OAC 252:710 – WATERWORKS AND WASTEWATER WORKS OPERATOR CERTIFICATION – Mr. Carr mentioned that the DEQ staff will be forming a stakeholder group to discuss changes needed to modernize the Operator Certification Technology and consider updates to training requirements. There were comments by the Council and none by the public.

See transcript pages 28 - 35

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

See transcript pages 35 - 42

NEW BUSINESS – None
ANNOUNCEMENTS – The next scheduled meeting is on Tuesday, September 25, 2018, 2:00 p.m. at DEQ.
ADJOURNMENT – Mr. Duzan called for a motion to adjourn. Mr. Rodriguez moved to adjourn and Mr. Nelson made the second. The meeting was adjourned at 2:56 p.m.

See transcript pages 43 - 44

<table>
<thead>
<tr>
<th>Name</th>
<th>Yes</th>
<th>Name</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Carr</td>
<td></td>
<td>Steve Sowers</td>
<td></td>
</tr>
<tr>
<td>Alexandria Kindrick</td>
<td>Yes</td>
<td>Debbie Wells</td>
<td></td>
</tr>
<tr>
<td>Mark Matheson</td>
<td>Yes</td>
<td>Duane Winegardner</td>
<td>Yes</td>
</tr>
<tr>
<td>Jon Nelson</td>
<td></td>
<td>Terry Wyatt</td>
<td></td>
</tr>
<tr>
<td>Jim Rodriguez</td>
<td>Yes</td>
<td>Brian Duzan</td>
<td></td>
</tr>
</tbody>
</table>

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 31, 2018 - 2:00 P.M.

DEQ BUILDING
707 NORTH ROBINSON, MULTIPURPOSE ROOM
OKLAHOMA CITY, OKLAHOMA 73102

Reported by Steve Plumbtree, CSR, CP
<table>
<thead>
<tr>
<th>Page 2</th>
<th>Page 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 COUNCIL MEMBERS PRESENT</td>
<td>1 (The meeting was called to order at 2:00 p.m.)</td>
</tr>
<tr>
<td>2 Mr. Brian Dusan, Chair</td>
<td>2 MR. DUMAN: This regular meeting of the</td>
</tr>
<tr>
<td>3 Mr. Robert Carr</td>
<td>3 Water Quality Management Advisory Council was called</td>
</tr>
<tr>
<td>4 Ms. Alexandra Kindrick</td>
<td>4 in accordance with the Open Meeting Act.</td>
</tr>
<tr>
<td>5 Mr. Mark Matheson</td>
<td>5 Notice for this July 31, 2018 meeting was filed</td>
</tr>
<tr>
<td>6 Mr. Jon Nelson</td>
<td>6 with the Secretary of State on October 18, 2017.</td>
</tr>
<tr>
<td>7 Mr. Jim Rodriguez</td>
<td>7 The agenda was duly posted at DEQ at least 24 hours</td>
</tr>
<tr>
<td>8 Mr. Steve Sowers</td>
<td>8 prior to meeting.</td>
</tr>
<tr>
<td>9 Mr. Duane Winegardner</td>
<td>9 Only matters appearing on the posted agenda may</td>
</tr>
<tr>
<td>10 Ms. Debbie Wells</td>
<td>10 be considered at this regular meeting. In the event</td>
</tr>
<tr>
<td>11 Ms. Terry Wyatt</td>
<td>11 that this meeting is continued or reconvened, public</td>
</tr>
<tr>
<td>12 OTHERS PRESENT</td>
<td>12 notice of the date, time, and place of the continued</td>
</tr>
<tr>
<td>13 Ms. Shellia Chard</td>
<td>13 meeting will be give by announcement at this</td>
</tr>
<tr>
<td>14 Mr. Chris Armstrong</td>
<td>14 meeting. Only matters appearing on the agenda of a</td>
</tr>
<tr>
<td>15 Ms. Betsey Screeul</td>
<td>15 meeting which is continued may be discussed at the</td>
</tr>
<tr>
<td>16 Mr. Mark Hildebrand</td>
<td>16 continued or reconvened meeting.</td>
</tr>
<tr>
<td>17 MS. Quiana Fields</td>
<td>17 So roll call?</td>
</tr>
<tr>
<td>18</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Page 4</th>
<th>Page 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 MS. FIELDS: Mr. Rodriguez?</td>
<td>1 MS. FIELDS: Ms. Kindrick?</td>
</tr>
<tr>
<td>2 MR. RODRIGUEZ: Here.</td>
<td>2 MS. KINDRICK: Yes.</td>
</tr>
<tr>
<td>3 MS. FIELDS: Mr. Short is absent.</td>
<td>3 MS. FIELDS: Mr. Matheson?</td>
</tr>
<tr>
<td>4 Mr. Sowers?</td>
<td>4 MR. MATHESON: Yes.</td>
</tr>
<tr>
<td>5 MR. SOWERS: Here.</td>
<td>5 MS. FIELDS: Mr. Nelson?</td>
</tr>
<tr>
<td>6 MS. FIELDS: Ms. Wells?</td>
<td>6 MR. NELSON: Yes.</td>
</tr>
<tr>
<td>7 MS. WELLS: Here.</td>
<td>7 MS. FIELDS: Mr. Rodriguez?</td>
</tr>
<tr>
<td>8 MS. FIELDS: Mr. Winegardner?</td>
<td>8 MR. RODRIGUEZ: Yes.</td>
</tr>
<tr>
<td>9 MR. WINEGARDNER: Here.</td>
<td>9 MS. FIELDS: Mr. Sowers?</td>
</tr>
<tr>
<td>10 MS. FIELDS: Ms. Wyott?</td>
<td>10 MR. SOWERS: Yes.</td>
</tr>
<tr>
<td>11 MS. WYATT: Here.</td>
<td>11 MS. FIELDS: Ms. Wells?</td>
</tr>
<tr>
<td>12 MS. FIELDS: Mr. Dusan?</td>
<td>12 MS. WELLS: Yes.</td>
</tr>
<tr>
<td>13 MR. DUZAN: Here.</td>
<td>13 MS. FIELDS: Mr. Winegardner?</td>
</tr>
<tr>
<td>14 MS. FIELDS: We have a quorum.</td>
<td>14 MR. WINEGARDNER: Yes.</td>
</tr>
<tr>
<td>15 MR. DUZAN: The next thing is the approval</td>
<td>15 MS. FIELDS: Ms. Wyatt?</td>
</tr>
<tr>
<td>16 of the minutes from the January 11th meeting. Is</td>
<td>16 MS. WYATT: Yes.</td>
</tr>
<tr>
<td>17 there any comments?</td>
<td>17 MS. FIELDS: Mr. Dusan?</td>
</tr>
<tr>
<td>18 MR. NELSON: Mr. Chairman, I move approval.</td>
<td>18 MR. DUZAN: Yes.</td>
</tr>
<tr>
<td>19 MR. MATHESON: I will second that.</td>
<td>19 MS. FIELDS: Motion passed.</td>
</tr>
<tr>
<td>20 MR. DUZAN: Okay. We have a motion and a</td>
<td>20 MR. DUZAN: Okay. Discussion for</td>
</tr>
<tr>
<td>21 second.</td>
<td>21 Rulemaking for 2019. The Oklahoma Pollutant</td>
</tr>
<tr>
<td>22 MR. WINEGARDNER: Motion vote.</td>
<td>22 Discharge Elimination System (OPDES) Standards.</td>
</tr>
<tr>
<td>23 MR. DUZAN: Vote.</td>
<td>23 We have a presentation from Mark Hildebrand.</td>
</tr>
<tr>
<td>24 MS. FIELDS: Mr. Carr?</td>
<td>24 MR. HILDEBRAND: Good afternoon. The --</td>
</tr>
<tr>
<td>25 MR. CARR: Yes.</td>
<td>25 Hang on.</td>
</tr>
</tbody>
</table>
MR. MATHESON: Give me just a second to --
MR. HILDEBRAND: That kind of got my groove
going there.
MR. CARR: Do you bark?
MR. HILDEBRAND: Chapter 606, Oklahoma
Pollutant Discharge Elimination System Standards.
We are proposing to update the incorporation by
reference from July 1, 2016 to July 1, 2018. And we
update these to insure that our regulations -- to
insure that we can still run the OPDES program from
EPA and administer the program rather than EPA do
this.
The most significant rule changes are the Method
Update Rule, which is going to modify the approved
analysis and testing requirements under the Clean
Water Act. And I think Chris is going to talk about
that on down the line two items later, so I'll --
he'll give a lot better detail on that.
And then another update was that EPA has set a
February 6, 2020 as the applicability date of the
new Waters of the United States definition. So I
guess that's the date they are going to have a
definition.
And then one of the main things is establishing
two alternative procedural approaches for us or the
situation arose where we would need to do something
like that, it would be an option.
And that's all there is for Chapter 606 unless
you've got any questions.
MR. DUZAN: Comments from the Board?
Comments from the public?
Okay. We'll move on to Section B which is
General Water Quality. Again Mark Hildebrand.
MR. HILDEBRAND: Okay. For Chapter 611,
General Water Quality, we have already decided to
withdraw our rulemaking activities for this chapter
because it's really not applicable to DEQ. It would
be a -- EPA hasn't changed their procedure and it
really wouldn't affect us. So we went ahead and
pulled that rulemaking.
MR. DUZAN: Okay. I guess any questions or
comments from the council?
The public?
Okay. I guess we're moving onto part C, which
is laboratory accreditation, field accreditation,
and TNI accreditation. And presented by Chris
Armstrong.
MR. ARMSTRONG: Good afternoon, everyone.
Most of you realize that the laboratory service
advisory council became part of this council
permitting authority to issue NPDES general permits,
for small municipally separate storm sewer systems,
or MS4s, to insure that the discharge of pollutants
is reduced to the maximum extent practical.
And one, they call it the comprehensive general
permit, which is pretty much what we do now where we
give the permit and we have public meetings and
issue a one-size-fits-all permit for all the towns
that have -- or municipalities, entities, sometimes
they are counties, to have this municipal separate
storm sewer system permit. And everybody has got to
comply with the same permit. We have a public
notice. We have meetings. And the permit is
issued like we do on general permits.
And then there is also a way where we can do
what they call the two-step general permit where you
have separate requirements for certain
municipalities or -- which is basically it turns out
to be like an individual permit because you would
have to do a separate public notice and possibly
separate hearings and things like that.
I don't really foresee much of a chance that
we're going to lean that way to use the two-step
permit because it would be a whole lot more work and
labor intensive for us. But I guess if the
probably four to five years ago. And as a result of
that, you're going to get tortured with some
laboratory chapter information today.
The SELSD Laboratory Accreditation Program will
propose being permanent rule changes for all lab
chapters. And that is Chapter 301, Chapter 302, and
Chapter 307, laboratory accreditation, field
laboratory accreditation, and TNI laboratory
accreditation.
These proposals will include minor permanent
rule language changes, an update to federal rule
references from July 2014 to July 2018 and fees.
You should have received a memo of a proposal for
fees for laboratory accreditation as well. I just
kind of like the silence when anybody talks about
fees.
A general language change would be made to QAOA
with a new requirement, which is really an old good
laboratory practice for support equipment. All
support equipment, balances, thermometers,
pipettors, et cetera, shall be calibrated or
verified at least annually using a recognized
national metrology institute such as NIST. This is
just a common sense practice and something we need
to get into the rules.
<table>
<thead>
<tr>
<th>Page 10</th>
<th>Page 11</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. As well as a significant change to Chapter 307, 2. TN Laboratory Accreditation at 252:307-9-8, Failure 3. to Perform. &quot;Laboratory suspension will occur when 4. a laboratory fails to maintain a history of at least 5. two acceptable PT studies for each field proficiency 6. testing out of the most recent three. The 7. suspension will be temporary lasting no more than 8. six months or when the accreditation expires, 9. whichever is less. The laboratory must notify the 10. laboratory accreditation program of its intent to 11. regain accreditation through submission of a 12. corrective action response. Failure to meet the 13. requirements of this chapter or submit a corrective 14. action for suspension will result in non-renewal for 15. the failed field of accreditation for a category.&quot; 16. This is new language. It's required TN 17. language, and that's why you are seeing this 18. proposal for permanent rulemaking change. 19. Mark mentioned the Method Update Rule. Last 20. January 2018 I made a pretty detailed presentation 21. to the council on the Method Update Rule. And that 22. is the federal incorporation of the 2017 Method 23. Update Rule, the revised 40 CFR, Part 136, Clean 24. Water Act for the analysis of effluent that became 25. effective September 27, 2017.</td>
<td></td>
</tr>
</tbody>
</table>
| 1. 2. That rule talks about the addition and approval 3. of additional methodology for the testing of 4. effluent. It talks about alternative test 5. procedures. And it talks in great detail about the 6. method detection limit procedure. This 7. incorporation for new method detection procedure 8. would be for all environmental laboratories, 9. including certified lab operator labs. And that's 10. really the biggest change out of the Method Update 11. Rule. 12. We will propose the addition of the new 2017 MUR 13. to our laboratory accreditation rules and some of 14. the water quality discharge rules that Mark spoke to 15. in general a little bit ago. 16. Now I want to speak to you briefly about 17. laboratory accreditation and specifically on-site 18. assessment for laboratory accreditation. For a lab 19. to be accredited, it must complete an application 20. and satisfactorily complete an on-site assessment 21. and inspection. An on-site assessment is when 22. accreditation assessors visit a facility or a 23. laboratory and inspect that facility per Laboratory 24. accreditation requirements. An assessment includes 25. preparation, preliminary application, and document 26. review, travel, staff interviews, assessment 27. inspections, findings of nonconformity, review and 28. reporting, corrective action, review and closeout. 29. This mic sounds like it's a little fuzzy to me 30. I'm already feeling a little fuzzy. 31. As the requirement for laboratory accreditations 32. have increased in complexity, so has the expense for 33. the on-site assessment. The broader scope of 34. accreditation, the greater the expense of the 35. on-site assessment. Depending on the size and 36. scopes of accreditation for a laboratory, it may be 37. a one assessor, one day event. It may be a three 38. day, three assessor event. Or it may be even 39. greater for both of those, depending on the size of 40. the laboratory. 41. The DEQ laboratory accreditation program has 42. never had fee for on-site assessment and is the only 43. accreditation or certification authority in the 44. region that does not have a fee. And I think you'll 45. find in your memos some comparisons of that. 46. So today I want to introduce to you a need for 47. such a fee and how it might appear in our rules. 48. The fees would vary somewhat by chapter, but would 49. be based on at cost, assessor hourly time and labor 50. expense. Everything we just discussed above for an 51. assessment, but it would also include for some 52. assessments per diem and hotel expense. 53. And if this isn't enough, along came State 54. Question 788, followed by Title 316, Oklahoma State 55. Department of Health's Chapter 681, Medical 56. Marijuana Control Program, and a subchapter within 57. that, Subject Chapter 8 for laboratory testing. 58. From the OSDH draft rules, a laboratory that 59. will perform testing of medical marijuana and 60. marijuana-derived products, must be accredited by 61. The HELAC Institute (TNI), ANSI/ASQ National 62. Accreditation Board or other accrediting 63. organizations that has developed and maintained an 64. independent system based upon international 65. organizations for standardization and International 66. Electrotechnical Commission (ISO/IEC) 17025 67. standards or other appropriate ISO/IEC standards as 68. determined by the Department. 69. ISO 17025 is TNI. 70. The Oklahoma Medical Marijuana Authority will 71. not consider a laboratory for approval as an 72. approved laboratory until its accreditation is 73. accepted and all other requested materials are 74. approved and have been submitted, reviewed, 75. accepted. The laboratory is then eligible for 76. licensure.
1. So to become licensed, you must first become accredited. The catch for us is, the DEQ became the recognized NELAC accreditation body, or THI for the State of Oklahoma, April 2, 2018.

2. The DEQ Oklahoma AB is the primary environmental accreditor for compliance testing labs within Oklahoma and could become and accreditor for Oklahoma labs seeking medical marijuana licensure.

3. Chapter 307. THI laboratory accreditation rule changes would be required to accredit medical marijuana laboratories. The rule would require an addition of a class, medical marijuana. The rule would require accreditation categories, as well as new fees, because there won’t be anything cheap in doing these accreditations. The proposed new categories would be cannabinoids, metals, mycotoxins, microbiology, foreign materials, residual pesticides, residual solvents, water activity, and moisture content.

4. These matrices and the test methods are new to the DEQ Laboratory Accreditation Program and therefore would require both new categories and fees for us to accredit.

5. If Chapter 307 -- excuse me. If Chapter 307 rules are amended to include a medical marijuana beyond those of the council, you can please contact David Caldwell or myself. Dave is the laboratory accreditation program manager here with us today.

6. And with that, thank you. And I'll attempt to entertain questions if you have any.

7. MR. DZUZAN: I have a couple.

8. MR. ARMSTRONG: There’s a surprise.

9. MR. DZUZAN: Going back to the -- start kind of at the beginning. The first part of that, you said annual certification for metrological, you had balances. What else was in that list? I don’t remember --

10. MR. ARMSTRONG: Well, I mean, if you are thinking about thermometers and pipettors and things like that.

11. MR. DZUZAN: So --

12. MR. ARMSTRONG: You could have something you can stand -- you’ve got to have some kind of certification you can stand behind.

13. MR. DZUZAN: Okay.

14. MR. ARMSTRONG: The calibration of a pipettor.

15. MR. DZUZAN: Because currently the NELAC requires quarterly check for mechanical pipettors, support equipment. So you are saying that rule is going to change where we would have to send all of our pipettes out once a year?

16. MR. ARMSTRONG: I don’t think that’s what I’m saying. But Mr. Caldwell may want to correct me on that. I think it’s more along the lines that usually if you are calibrating the pipette, you are doing the gravimetrically.

17. MR. DZUZAN: Correct.

18. MR. ARMSTRONG: And therefore you are going to want to have some kind of certified ways to actually account for that.

19. MR. DZUZAN: Okay. Because currently the way the NELAC guide is for mechanical pipetting, you verify them quarterly. The balances are annual.

20. The weights are annual. So there’s not much a change then.

21. MR. ARMSTRONG: Other than you need to have a certification behind what’s going on with it.

22. MR. DZUZAN: Okay.

23. MR. ARMSTRONG: Like NIST.

24. MR. DZUZAN: I guess the next thing, going to the field certification, you said they didn’t keep up with their PTs. It’s still going to be you have to pass two of three?

25. MR. ARMSTRONG: Yes.
MR. DUMAN: To be -- okay. That's what I thought, but I was just --

MR. ARMSTRONG: I mean the big change with that, Brian, is that -- I mean, it's always been two of the last three. The change is the time periods and the fact that you have got to file corrective action with it. And you've got six months to complete the corrective action. If not, then you're going to lose your accreditation for that category.

MR. DUMAN: Okay. I guess the next thing is -- for me is the fees that -- I think most of the current, you know, I think anticipated fees, I was paying -- primarily it was Louisiana and I was paying five, six grand a year -- every two years. So the fees are pretty much in line with what I was expecting or, you know, wasn't out in left field.

Does any of the other members of the council have questions about -- I think probably just stick to the fees and the first stuff, and then we'll get to medical marijuana and the other --

MR. ARMSTRONG: And can I add to that?

MR. DUMAN: Yeah.

MR. ARMSTRONG: What Brian is neglecting out of that is that he would no longer pay the old DEQ lab accreditation fee at the same time.

Historically he was having to pay both the TNI accreditation fee, as well as a DEQ accreditation fee.

MR. DUMAN: So any questions from the council on the first --

MR. NEILSON: So now I'm confused, Chris.

MR. ARMSTRONG: Huh-oh.

MR. NEILSON: So there was --

MR. ARMSTRONG: I said too much.

MR. NEILSON: There -- I'm sorry. There was a DEQ fee for accreditation before --

MR. ARMSTRONG: But we just became -- we just became TNI -- a TNI accreditation body back in April.

MR. NEILSON: Okay. And before that?

MR. ARMSTRONG: And before that, even though a private commercial lab chose to become a TNI, they did that with an out-of-state accredits --

MR. NEILSON: Okay.

MR. ARMSTRONG: -- prior to that. So they were actually hooked with actually paying two accreditations.

MR. NEILSON: Okay. So this really isn't affecting a municipal lab?

MR. ARMSTRONG: Well, not at -- no, not at this time. But I'm not certain that we may not have some municipal labs that may not go TNI.

MR. NEILSON: Yeah. Okay.

MR. DUMAN: But it could affect any basically any laboratory that's in the certification program.

MR. ARMSTRONG: Yes.

MR. DUMAN: Will have to pay for their audit.

MR. ARMSTRONG: Yeah, on-site assessment fee would be for anybody that's actually in the program.

MR. NEILSON: Okay.

MR. ARMSTRONG: It's just a fee we've never had, you know. Four to five years ago, I did some fee proposals to this counsel and pretty much got no place with that. So --

MR. NEILSON: What's the marijuana aspect of this? As far as staffing goes, is it -- you don't have anybody up to speed on marijuana at this point, right?

MR. ARMSTRONG: Oh, we're all professionals.

No, you would -- we would need an FTE.
MR. DUZAN: Is there any question from the public about fees or the Method Update Rule, which is kind of a --

But the Method Update Rule won't take effect until September-ish of next year?

MR. ARMSTRONG: If we go ahead and do proposed rulemaking, and if we run the same course that we have in the past where the legislatures don't truly take action on the rules, then it's up to the Governor to do -- to take referendum resolution. With that, it would most likely be September, October of 2019.

MR. DUZAN: So the next council meeting we'll be voting on at least the Method Update Rule and fees. And then that will be presented to the DEQ board in January. Then it will all go to the legislature.

MR. ARMSTRONG: Yes.

MS. CHARD: It's a --

This is Shelli Chard. All fee rules must go to the Environmental Quality Board during legislative session. And so typically the Environment Quality Board will meet either the second or third week in February. So we would be looking at possibly in this late September council meeting or most likely this, we do not believe we should be rushed into it and we want to do it according to the best possible science available to us. So --

And that means it's going to take a certain amount of time. It's going to take a certain amount of money. And by the way, is there a more appropriate path for the state to take for this testing and not burden DEQ with it?

So has that kind of a response been made?

MR. ARMSTRONG: We've talked about, okay, the problems with time. We've talked about the problems with implementation with this.

But by becoming the accreditation body for the state, that throws us in a different category with this.

There are other NELAC accreditation bodies within the country that are actually accrediting medical marijuana. You know, our best approach would be for if there's a lab out there that wants immediate accreditation, they are going to have to go to one of these nongovernmental, third-body accreditation bodies. Or OSDH is going to have to totally change their rules and the requirements for testing.

I personally don't think that should happen.

Because I think you want some pretty rigorous standards behind whoever is doing this type of testing. But I have no idea what they are going to do next.

I mean, we've got committee representatives, David and I have both been meeting with the OSDH officials on a routine basis. It is what it is right now.

MR. RODRIGUEZ: I know that the industries that I represent certainly want the most rigorous examination that is available on this particular -- or really on anything that is supposed to be medical, that should be to the highest scientific standards and the -- it shouldn't be something that's rushed.

MR. ARMSTRONG: I agree, sir.

MR. DUZAN: Okay.

MR. ARMSTRONG: If nothing else, this becomes a place marker for us as they go ahead and continue to determine what the rules really will be.

Go ahead.

MR. DUZAN: No. I think we have a -- somebody from the public.

MR. ARMSTRONG: Thank you.

MR. GROUND: I'm Bud Ground with the
Environmental Federation of Oklahoma. I just had a question on the fees, the proposed fees. And that is if they have been published and where the public can see them so we can know what these new fees are going to be? Laboratory fees.

MR. ARMSTRONG: No, these have not been published as of yet. This is just informational to the council at this point in time.

The council did receive a memorandum from me that talked about these fees as at-cost fees. And if there's anybody in the audience that is interested in receiving a copy of that memo, I'd be happy to get that to you now.

MR. DUZAN: Okay. I would like to say, too, that you know, you had mentioned in your deal that Oklahoma became a primary for NELAC. That is something that -- you talked about the Laboratory Services Advisory Council. This process has been going on 10, 12 years?

MR. CALDWELL: 20 years.

MR. DUZAN: 20 years?

MR. ARMSTRONG: 20 years.

MR. DUZAN: It's been going on a long time and it's a big accomplishment for the state. And for Chris Armstrong and David Caldwell who is here.

1 legislature changes the rules.

MR. ARMSTRONG: I can't say no way. As it is now, you've got to be accredited before you can get a license.

MR. DUZAN: And the DEQ is not going to be able to accredit until -- legally until July-ish next year?

MR. ARMSTRONG: At the earliest.

MR. DUZAN: At the earliest. Okay.

Okay. Any other questions for Chris?

MR. ARMSTRONG: Thank you all.

MR. DUZAN: Okay. Next on the list is water works and wastewater works operator certification. Robert Carr, Mark Matheson. Mark.

MR. HILDEBRAND: I'm just going to stay down here.

MR. DUZAN: Okay.

MR. CARR: I'm going to kick this off here.

As this item states that -- well, let me give you a little more background than that.

Back when the Water Works and Wastewater Works Advisory Council was in existence, there was some discussion at that point in time about the potential of increasing operator certification hours for renewals. And for various reasons, that pretty well died on the vine. But the biggest reason was that the certification council was combined into this council. And I think you were on the council, Mark, and as I was.

And a few months ago, there was some conversation that was held by a couple of the professional organizations, one of which was the southwest section of the American Water Works Association. I think there may have been a little conversation about it also with the Oklahoma Water Environment Association about approaching DEQ again to, you know, consider going from four hours of renewal credit every year to increasing the amount of hours for operators.

There was a survey of different states that was conducted to see what the requirements were in the surrounding states which I did not bring with me today. I don't know if you have got it, Mark, or not. But the consensus was that in order to increase the professionalism of operators, that there should be more some more conversation about this topic.

So one of our members had approached Mark Hildebrand to talk about the potential of doing that, and they -- and it was suggested at that time...
that some of us get together and talk about it in advance of this meeting. And Mark Matheson, myself, and Mark Hildebrand met to talk about the topic. I think there's still some consensus that something should be considered. But at the time of our meeting, we felt that it was probably more advantageous to form a stakeholder group to talk about this. And the Oklahoma Municipal League, as well as the Oklahoma Rural Water Association, was approached to see about adding potential members to this stakeholder's group, which at this point in time is the three of us, myself, Mark Matheson, and Mark Hildebrand.

I know that talking with Mark Hildebrand earlier today, that there was some names that were brought into consideration. And I don't have those names, but if you want to address that, Mark.

MR. HILDEBRAND: Sure. After we met, the three of us met a couple of three weeks ago, we decided we'd ask rural water for two stakeholders and the municipal league for two stakeholders. And so far we've got three people. We've got Sheldon Tatum from Hughes County Rural Water District Number 6. We've got Hong Fu, who is the environmental services director in Ponca City, has the potential of skewing what the conversations would all be about. It may be possible that later someone or somebody from a larger municipality may be invited to attend this also in the future, but we're just not in a position to be able to do that right at this time or consider any of that.

Mark, have you got anything else you might want to add?

MR. MATHESON: No, I think you pretty much covered it. I know a couple of things we talked about is here at DEQ operator certification, there's going need to be some technology upgrades and things to be able to handle that extra workload and stuff like that. So those are things we'll also be discussing.

MR. CARR: That's basically the report that we had at this point in time.

MR. NELSON: Robert, what do you all think about or have you considered whether the training infrastructure will need to be susseed up for this? Is there enough opportunity out there to get the training if we would say double that? Or --

MR. MATHESON: That doesn't -- those were some of the things that we talked about that we probably need to discuss in our stakeholder group.

Oklahoma. And also Paul Streets, who is the public works administration assistant director in Midwest City. And rural water has got a couple of name feelers out for two people and they haven't quite responded that they were going to commit to help with the stakeholders group or not at this point.

MR. MATHESON: We've got one committed, which is Sheldon Tatum, and then waiting on a couple of responses back for the other persons.

MR. HILDEBRAND: All right.

MR. CARR: It was pretty well -- amongst the three of us, we recognize that there are some challenges here at DEQ. Challenges with the operators also. Some operators may be only working with a very small system. They may be the only operator and it might be difficult for them to be able to get additional training. So we were not really in a position to get into any details without getting this stakeholders group together so that we can vet this a little bit more and see what the options might be.

None of us are in a position to make any recommendations at this point in time. The one thing that we did talk about was not to include the large municipalities, in that that could actually --

Because we all know more training is going to require more resources, whether it's trainers, funding, and even more resources on the part of the operators because may have to travel to more than one class.

Looked at the opportunity maybe of some online training.

MR. NELSON: Yeah.

MR. MATHESON: That they could do at their own convenience, along with some classroom training.

So we've talked about several different options. We've just got to figure out how we're going to do it, what it's going to cost, and how it's going to get paid for.

MS. CHARD: And this is Shellie Chard. I was just going to add, kind of as that group starts working, we may also ask them to look into some things such as what kind of training operators are attending. Is it applicable for their type of treatment. Looking at are we offering enough training on advanced treatment.

We've kind of done a lot of the basic training for a long time. While that's still needed for new operators, we know we have a lot of technology and it's changing every day, so we want to include some...
of that just so we make sure we keep everybody up to
date a little bit better maybe than we have in the
past.

And something that’s going to come back around
at some point, this is that off-in-the-future topic,
it but I keep hearing more about it, and that is how do
we deal with water reuse, indirect or direct potable
reuse treatment facilities.

Right now the way the rules, you know, read,
they require drinking water and wastewater
certification. Now the State of Texas, the Texas
AWWA Chapter, is looking at a new certification that
would be for water reuse. I don’t think that’s our
tomorrow issue for operator certification, but it’s
definitely something that’s on the horizon. So
depending on how the group works, then how long they
could commit, we may tap into that group or create a
new group to go start looking at some of those
issues as well.

MR. DUZAN: Okay. So another volunteer
advisory council that went away that --

MR. CARR: Uh-huh.

MR. DUZAN: -- was doing some good work.

Okay. Any discussion from the council?
Any discussion from the public?

And we’ve seen some other staffing changes just
kind of through the normal turnover. So it’s kind
of slowing down some of the things that we’ve been
working on with Region 6. Any time you have a lot
of change, we see the wheels slow down a little bit
before they can pick up speed and gain momentum.

One of the big issues that we are working with
Region 6 is produced water from oil and gas
exploration production. Legislation occurred that
allowed Oklahoma to seek authority to issue
discharges from well sites, produced water. DEQ has
had the authority to issue those permits for
centralized treatment facilities, but statutes
strictly prohibited any state agency from seeking
authority to issue discharge permits for direct
discharge of produced water.

That statutory language was changed last session
to allow us and the Corporation Commission to work
together to seek that authority. And then we have a
jurisdictional memorandum with the Corporation
Commission where we would actually be the state
agency with that authority.

We’re slogging along through that process. For
those of you who were around when we went through
the initial round of delegation, which there aren’t

Okay. We’ll move on to the director’s report.

Shellie Chard.

MS. CHARD: Okay. I have several things
that I just wanted to touch on briefly and kind of
let you all know what’s going on on a national level
that are affecting us.

I’m sure you’ve heard we have a change in EPA
administrators. That was not done quietly. Andy
Wheeler is the acting administrator. So far he has
committed to working with the state, collaborating,
sending his staff to meet with the various states on
issues. We don’t know if he will be the long-term
administrator. But for now that’s who it is and we
are continuing to work closely with EPA.

We’ve had another change in water directors at
EPA Region 6. Charlie Maguire, who previously had
worked some for the Texas Commission on the
Environment and also the Texas Water Board dealing
with water quantity issues, he spent quite a bit of
time working in the UIC programs. So he has taken
over earlier this month.

He’s somebody we have worked with some, at least
know who he is. He definitely brings the state
perspective into Region 6, which we think that’s
going to be helpful.

very many of us left I don’t think, it was about a
two to five year process. We’re trying to make
this through just an addition to our program and not
have to do a major wholesale revision.

We are having to provide EPA a lot of
documentation, but we are working with them, so
hopefully there’s more news to come on that front.

Other activities on produced water. It’s got a
lot of attention in the last few months. Especially
EPA headquarters, EPA Region 8 are both doing some
research studies on produced water. And EPA
recently entered into a memorandum with New Mexico
to do a produced water study. And the Groundwater
Protection Council, headed up by your former
colleague, Mike Pague, who has joined the
Environmental Quality Board, that organization is
about a year into a two-year study on produced water
and the thought of having a report out sometime next
summer. So that is definitely an area we’re talking
a lot about that came up.

In the Comprehensive Water Plan, the water for
2060, DEQ has been participating in various produced
water workgroups with the water board and other
state agencies and then on a national level. So
that’s something we’re definitely going to continue
1 to talk about.
2 It's been identified as a significant volume of
3 water that perhaps we could offset some of the fresh
4 water use in the oil and gas fields in production or
5 possibly in industrial uses. We are seeing some
6 agriculture food crop irrigation, road salts during
7 ice and snow weather conditions.
8 Originally the thought was, "Well, maybe this
9 someday is a source of drinking water." I think
10 that's the way down the road looking into the future
11 just because of the level of treatment necessary, the
12 byproducts. How do you dispose of that? We
13 don't want to create bigger problems than the ones
14 we are trying to solve. So I think that's going to
15 be an area that you're going to be hearing about
16 quite a bit either through news media outlets as
17 these studies start being completed and released.
18 And you'll definitely be hearing about it from
19 us. We're hoping we're not going to have to do a
20 lot of rulemaking to be able to manage produced
21 water the way we think we can. But then we will
22 also be participating in overseeing some research
23 studies and being involved in those as we move
24 forward.
25 We have been working pretty closely with the EPA

1 maintain steady funding. So that was kind of a
2 welcome outcome of the legislative session. So we
3 were able to in the Water Quality Division basically
4 maintain the same level of staffing that we had last
5 year, rather than have another round of cuts. So
6 that was good news.
7 Two things that are potential other rulemaking
8 items that you might see between now and January,
9 but I don't know a hundred percent if you will see
10 them. We're still kind of waiting on some of the
11 legal determination. But there is a possibility
12 that you could see Chapter 626, the Public Water
13 Supply Construction Standards definition of a public
14 water supply again. There was an administrative
15 error that occurred. The term "mobile home park"
16 was still in the rule and the Manufactured Housing
17 Association had asked us to make that change.
18 It was made in Chapter 631 in what was signed by
19 the Governor, but in Chapter 626 you all did pass it
20 with the correct language. But what was ultimately
21 signed by the Governor did not have the right
22 language.
23 It's possible that it may only have to go back
24 through the Environmental Quality Board. But you
25 all could have to see it again and send it to the

1 and other states as EPA is currently developing what
2 they call their core performance measures.
3 Currently they have 147 for water. That seems like
4 a lot of performance measures if they are all core
5 performance measures. EPA has started a process
6 with Henry Darwin, who came from the State of
7 Arizona, kind of going through a process of engaging
8 stakeholders, the co-regulators to really identify
9 which of the 147 items really are critical, which
10 are maybe really good, and why are we tracking some
11 of these things or why are we asking the regulated
12 community or our states for this information.
13 So that's an interesting process. going through
14 it as a very detailed look at how we track the
15 success of the Clean Water Act, the State Drinking
16 Water Act programs.
17 So for you all, that may mean changes in rules
18 that we have to make as we adapt to new measures,
19 how they fit in with our existing programs, grant
20 commitments for our federal dollars, which ties into
21 our budget of course. So it all gets interconnected
22 in a hurry.
23 Budget. For the first time in more years than I
24 would want to try to count back, we do not have a
25 state general revenue budget cut so we were able to

1 Board, go through the whole process. So we will let
2 you know how that plays out.
3 And then Chapter 653, which is the Aquifer for
4 Storage and Recovery Rules, a procedural error on
5 the part of the agency sent the fees too early, so
6 those definitely have to come back through the Board
7 in February. They may have to come back through you
8 all in January and then to the Board in February.
9 We would not propose any changes to what had
10 been previously recommended by this council to the
11 Board or what the Board approved. It's just one of
12 those things between the agency, the Secretary of
13 the State, the legislature, the Governor. It
14 doesn't happen very often, but we had two of them in
15 a six-month period and they both affect the work of
16 this council. So I apologize for that.
17 And we'll -- if we can work through it and not
18 have to bring it back through everybody, we will.
19 But after talking to the general counsel, Rob is
20 going to look into it further, but we expect that
21 you will see both of those probably in January.
22 With that, I will just make a couple of staffing
23 announcements that we've had some changes through --
24 we had one of our wastewater managers leave, and
25 Karen Steele is now the municipal permits and storm
water permitting manager. She took on that role
about a week ago, two weeks ago.
And then we also have a new drinking water
manager. Travis Archer is taking over managing the
field inspection and engineering drinking water
section.
Kay Coffey, who has been with the agency way
before the agency existed, she is still within the
water quality division and she is taking on some of
the higher profile and research-related drinking
water issues we are dealing with right now. All of
the PFAS compounds, some reservoir dredging
projects, some things along those lines. And then
she's also going to continue with some of the
training that she provides for the water quality
staff, as well as our environmental complaints and
local services staff. And she will be involved in
the outreach and training for the regulated
community.
So I just wanted to share that with you for
those of you who interact pretty frequently with
that group. We did have those changes.
So with that, I will stop there and entertain
any questions you might have.
All right. Thank you.

1  MR. DUZAN: Okay. Thank you. I guess now
2  we're on to new business.
3  Okay. So if there's no new business. Our next
4  scheduled meeting is September 25, 2018, 2018, two
5  o'clock. Multipurpose Room, first floor DEQ
6  building, 707 North Robinson in Oklahoma City.
7  Oklahoma, which is this room. So September 25th at
8  two o'clock.
9  And do we have any -- a motion for adjournment?
10  MR. RODRIGUEZ: So moved.
11  MR. NELSON: Second.
12  MR. DUZAN: Vote?
13  MS. FIELDS: Mr. Carr?
14  MR. CARR: Yes.
15  MS. FIELDS: Mr. Kindrick?
16  MS. KINDRICK: Yes.
17  MS. FIELDS: Mr. Matheson?
18  MR. MATHESON: Yes.
19  MS. FIELDS: Mr. Nelson?
20  MR. NELSON: Aye.
21  MS. FIELDS: Mr. Rodriguez?
22  MR. RODRIGUEZ: Yes.
23  MS. FIELDS: Mr. Sowers?
24  MR. SOWERS: Yes.
25  MS. FIELDS: Ms. Wells?

1  MS. WELLS: Yes.
2  MS. FIELDS: Mr. Winegardner?
3  MR. WINEGARDNER: Yes.
4  MS. FIELDS: Ms. Wyatt?
5  MS. WYATT: Yes.
6  MS. FIELDS: Mr. Duzan?
7  MR. DUZAN: Yes.
8  MS. FIELDS: Motion passed.
9  MR. DUZAN: So we are adjourned.
(The meeting was adjourned at 2:56 p.m.)

1  STATE OF OKLAHOMA
2  SS:
3  OKLAHOMA COUNTY
4  I, Steve Plumbtree, Certified Shorthand Reporter
5  within and for the State of Oklahoma, do hereby
6  certify that the above and foregoing meeting was by
7  me taken in shorthand and thereafter transcribed;
8  that the same is true and correct; and that it was
9  taken on the 31st day of July, 2018 at the time of
10  2:00 p.m. in the City of Oklahoma City, County of
11  Oklahoma, State of Oklahoma, and that I am not
12  attorney for or relative of any of said parties or
13  otherwise interested in the event of said action.
14  IN WITNESS WHEREOF, I have hereunto set my hand
15  and official seal this 3rd day of August, 2018.

16  STEVE PLUMBTREE, CSR, CP
17  Oklahoma Certified Shorthand Reporter
18  Certificate No. 00332
19  Expires: December 31, 2018
<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
<th>Email/Phone/Other Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traci Kelly</td>
<td>DEQ-WAD</td>
<td><a href="mailto:traci.kelly@deq.ok.gov">traci.kelly@deq.ok.gov</a></td>
</tr>
<tr>
<td>Jerry Wright</td>
<td>WMAC Member</td>
<td></td>
</tr>
<tr>
<td>Mark Hildebrand</td>
<td>DEQ-WAD</td>
<td><a href="mailto:mark.hildebrand@deq.ok.gov">mark.hildebrand@deq.ok.gov</a></td>
</tr>
<tr>
<td>John McCrory</td>
<td>WFEC</td>
<td><a href="mailto:john.mccrory@wfec.com">john.mccrory@wfec.com</a></td>
</tr>
<tr>
<td>Terry Lynam</td>
<td>DEQ</td>
<td><a href="mailto:terry.lynam@deq.ok.gov">terry.lynam@deq.ok.gov</a></td>
</tr>
<tr>
<td>Duane Winegarder</td>
<td>WMAC</td>
<td><a href="mailto:duanewinegarder@cox.net">duanewinegarder@cox.net</a></td>
</tr>
<tr>
<td>David Callaway</td>
<td>DEQ</td>
<td><a href="mailto:david.callaway@deq.ok.gov">david.callaway@deq.ok.gov</a></td>
</tr>
<tr>
<td>Jon Nelson</td>
<td>WMAC</td>
<td><a href="mailto:jon.nelson@telco.net">jon.nelson@telco.net</a></td>
</tr>
<tr>
<td>Jack Miller</td>
<td>Stull Utilities</td>
<td><a href="mailto:je@stullutilities.com">je@stullutilities.com</a></td>
</tr>
<tr>
<td>Shellee Child</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Brian Dunnan</td>
<td>GT</td>
<td></td>
</tr>
<tr>
<td>Jann Dizikes</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Jennifer Boyle</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Betsy Streuli</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Lee Darby</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Travis Couch</td>
<td>WFQ</td>
<td></td>
</tr>
<tr>
<td>Brandt Everling</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Charity</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Chris Wisniewski</td>
<td>DEQ</td>
<td></td>
</tr>
<tr>
<td>Jeromy Blejst</td>
<td>DOEQ</td>
<td><a href="mailto:blodzej@dqe.com">blodzej@dqe.com</a></td>
</tr>
<tr>
<td>Jeff Franklin</td>
<td>DOEQ</td>
<td></td>
</tr>
<tr>
<td>Mark Barton</td>
<td>PBA</td>
<td><a href="mailto:pmbar@usa.net">pmbar@usa.net</a></td>
</tr>
<tr>
<td>NAME</td>
<td>AFFILIATION</td>
<td>Address and/or Phone and/or E-Mail</td>
</tr>
<tr>
<td>------------</td>
<td>-------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Bud Ground</td>
<td>EPQ</td>
<td></td>
</tr>
<tr>
<td>Michelle Wynn</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEQ</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>