

**REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD**

A Public Meeting: 9:30 a.m., Tuesday, August 22, 2006
Kruse Auditorium
2510 Sam Noble Parkway
Ardmore, OK 73401

1. **Call to Order** – Steve Mason, Chair
2. **Roll Call** – Myrna Bruce, Secretary, Board & Councils
3. **Approval of Minutes** of the February 24, 2006 Regular Meeting
4. **Rulemaking – OAC 252:4 Rules of Practice and Procedure**
The proposed amendment reduces to three the number of meetings the Environmental Quality Board is required to hold each year. Current rules require the Board to hold quarterly meetings.
 - A. Presentation – Jimmy Givens, DEQ General Counsel
 - B. Questions and discussion by the Board
 - C. Questions, comments and discussion by the public
 - D. Discussion and action by the Board, which may include a roll call vote on permanent adoption
5. **Rulemaking – OAC 252:100 Air Pollution Control**
 - The DEQ proposes emergency as well as permanent adoption of a new Part 11 to Subchapter 8, incorporating the federal Best Available Retrofit Technology (BART) requirements. The BART requirements are part of the Regional Haze State Implementation Plan (SIP).
 - The DEQ proposes to amend Section 61 of Subchapter 17 to update the incorporation by reference of federal definitional rules relating to commercial and industrial solid waste incineration (CISWI) units.
 - A. Presentation – David Branecky, Vice-Chair, Air Quality Advisory Council
 - B. Questions and discussion by the Board
 - C. Questions, comments and discussion by the public
 - D. Discussion and action by the Board, which may include roll call votes on emergency and permanent adoption of the Subchapter 8 amendment and permanent adoption of the Subchapter 17 amendment
6. **Executive Director’s Report** – Steve Thompson. The report will include the disclosure of certain employee financial interests as required by statute, a summary of key actions in the recent legislative session and implementation strategies, and a review of especially notable projects, activities and accomplishments by DEQ programs and personnel within the last year. These updates and summaries are for informational purposes and do not require action by the Board. They are presented at this point in the meeting because they may help provide context for agenda items 7 and 8.
7. **DEQ Operational Budget Request**
DEQ budget requests to the Governor through the Office of State Finance require approval of the Board. The operational budget request for State Fiscal Year 2008 (beginning July 1, 2007) must be submitted to the OSF by October 1st of this year. The law requires that all state agencies submit a 5-year budget. The request for the coming year, SFY 2008, is the most critical. It

involves funding for the addition and maintenance of laboratory equipment, the “Blue Skyways” program to reduce air pollution, and enhanced monitoring of mercury in fish.

- A. Presentation – Craig Kennamer, Deputy Executive Director
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and action by the Board, which may include a roll call vote on approval of the budget request

8. Annual Performance Review of Executive Director

Among the statutory duties of the Board are responsibilities to appoint and set the compensation of the Executive Director and to assist the Department in conducting periodic reviews and planning activities related to the goals, objectives, priorities, and policies of the Department. In connection with these responsibilities, the Board has determined that it should perform an annual performance review of the Executive Director.

- A. Discussion by the Board in open session
- B. Possible executive session pursuant to Title 25 Oklahoma Statutes § 307(A) (discussion of employment actions related to any individual salaried public officer or employee), if authorized by recorded majority vote of the Board members present
 - (1) Vote in open session on whether to enter executive session
 - (2) If executive session approved, designation in open session of person to keep minutes in executive session
 - (3) Discussion in executive session of Executive Director’s performance and of employment actions by the Board relating to the Executive Director
- C. Further discussion by the Board in open session
- D. Possible roll call vote on specific actions or recommendations as a result of performance review

(Executive Session held in Noble Foundation Board Room)

9. Calendar Year 2007 Board meeting dates and locations:

Discussion and vote by the Board

10. New Business (any matter not known about and which could not have been reasonably foreseen prior to the time of posting of agenda)

11. Adjournment

Remaining 2006 Meeting: November 14 at OSU/Tulsa Campus, 700 North Greenwood, Tulsa, Oklahoma

Public Forum (after adjournment): The Board meets several times a year at different locations across the State to hear the views and concerns of all Oklahomans about environmental issues. This opportunity is informal, and we invite you to sign the register to speak.

Should you desire to attend but have a disability and need an accommodation, please notify the DEQ three days in advance at 405-702-7100. For hearing impaired, the TDD Relay Number is 1-800-722-0353 for TDD machine use only.

Some members of the Board, as well as senior staff members from the DEQ, will meet for dinner in Ardmore the evening of August 21. This is a social occasion. It is uncertain whether a majority of the Board will be present. No Board or DEQ business will be conducted.