

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

A Public Meeting: 9:30 a.m. Thursday, November 15, 2007  
Southwestern Oklahoma State University  
Ballroom, Student Union Building  
North Custer Street  
Weatherford, Oklahoma 73096

1. **Call to Order** – Brita Cantrell, Vice-Chair
2. **Roll Call** – Myrna Bruce, Secretary, Board & Councils
3. **Approval of Minutes** of the August 21, 2007 Regular Meeting

4. **Rulemaking – OAC 252:100 Air Quality Control**

Five items are proposed for consideration:

- A. Section 37-38, relating to pumps and compressors, is proposed for revocation because the requirements are outdated and addressed in operating permits where required.
- B. The proposed updates to Appendices E and F, which relate to primary and secondary ambient air quality standards, are for consistency with federal standards. The update to Appendix E makes it correspond to the federal particulate matter primary standards and the update to Appendix F makes it correspond to the federal carbon monoxide and particulate matter secondary standards.
- C. The proposed amendments to Subchapters 1, 8, 37 and 39 clarify certain definitions, including "particulate matter" and "volatile organic compounds."
- D. The proposed revisions to Subchapter 7 provide consistency with state statutes and other Air Pollution Control rules; remove references to Subchapter 41, which has been revoked; correct the emissions calculation methods for determining whether a permit is required; clarify when construction permits are required; and provide for administrative amendments to operating permits for minor facilities.
- E. The proposed Appendix Q amendments incorporate by reference the latest changes to federal regulations, including New Source Performance Standards in 40 C.F.R. Part 60 and National Emission Standards for Hazardous Air Pollutants in 40 C.F.R. Part 63. Standards being unincorporated because they were vacated by the D.C. Circuit Court include 40 C.F.R Part 63 Subparts JJJJ (Brick MACT), KKKKK (Clay MACT) and DDDDD (Boilers and Process Heaters MACT).
  - (i) Presentation – David Branecky, Chair, Air Quality Advisory Council
  - (ii) Questions and discussion by the Board
  - (iii) Questions, comments and discussion by the public
  - (iv) Discussion and possible action by the Board, which may include roll call votes on permanent adoption

**5. Rulemaking – OAC 252:205 Hazardous Waste Management**

The proposed rulemaking updates to July 1, 2007, the incorporation by reference of federal hazardous waste regulations found in 40 CFR Parts 124 and 260-279. The update does not involve any major changes to existing requirements.

- (i) Presentation – Bob Kennedy, Chair, Hazardous Waste Management Advisory Council
- (ii) Questions and discussion by the Board
- (iii) Questions, comments and discussion by the public
- (iv) Discussion and possible action by the Board, which may include a roll call vote on permanent adoption

**6. Rulemaking – OAC 252:515 Solid Waste Management**

Two items are proposed for consideration:

A. The proposed amendments to Subchapter 19 arise from legislation enacted in 2007, effective July 1, 2007. Senate Bill 509 changed the wheel wash law by eliminating the provision for “recoupment” and providing instead for “reimbursement”. The rule changes are to correspond to the changes in statute.

B. The proposed revision to Appendix C deletes the “Suggested Methods” and “PQL” (Practical Quantitation Limits) columns to correspond to the current Appendix II to 40 CFR 258. Deleting the two columns generally will allow regulated entities to use any appropriate analytical test methods, rather than just SW-846 methods, in demonstrating compliance with the RCRA regulations.

- (i) Presentation – Jeff Shepherd, Vice-Chair, Solid Waste Management Advisory Council
- (ii) Questions and discussion by the Board
- (iii) Questions, comments and discussion by the public
- (iv) Discussion and possible action by the Board, which may include roll call votes on permanent and emergency adoption of the Subchapter 19 amendments and on permanent adoption of the revised Appendix C

**7. Rulemaking – OAC 252:004 Rules of Practice and Procedure**

The proposed changes to the Water Quality Application Tier rules make the classifications of Tier I permits consistent, clarify that modifications to or the addition of impoundments to an existing permitted industrial wastewater system is a Tier I application, and clarify that a new industrial wastewater treatment system application is a Tier II application.

- (i) Presentation – Jeffrey Short, Vice-Chair, Water Quality Management Advisory Council
- (ii) Questions and discussion by the Board
- (iii) Questions, comments and discussion by the public
- (iv) Discussion and possible action by the Board, which may include a roll call vote on permanent adoption

**8. Rulemaking – OAC 252:633 Drinking Water State Revolving Fund**

Proposed revisions to the Priority Project System and the Finding Priority Formula are necessary to meet federal and state requirements. Additionally, some of the proposed changes reconcile the requirements of this chapter with the DWSRF requirements of the Oklahoma Water Resources Board. The remaining changes are for clarification and to correct typographical errors.

- (i) Presentation – Jeffrey Short, Vice-Chair, Water Quality Management Advisory Council
- (ii) Questions and discussion by the Board
- (iii) Questions, comments and discussion by the public
- (iv) Discussion and possible action by the Board, which may include a roll call vote on permanent adoption

**9. Rulemaking – OAC 252:710 Waterworks & Wastewater Works Operator Certification**

The proposed amendment adds the words “and/or collection system” to the “Wastewater Works” column of Appendix A to make clear that a certified operator is required to operate a wastewater collection system.

- (i) Presentation – Arnold Miller, Chair, Waterworks and Wastewater Works Advisory Council
- (ii) Questions and discussion by the Board
- (iii) Questions, comments and discussion by the public
- (iv) Discussion and possible action by the Board, which may include a roll call vote on permanent adoption

**10. Consideration of and Action on the Environmental Quality Report:**

The Oklahoma Environmental Quality Code requires the DEQ to prepare an “Oklahoma Environmental Quality Report” and to submit it to the Governor, Speaker of the House and Senate President Pro Tem by January 1<sup>st</sup> of each year. Despite the statutory title, the statutorily prescribed purpose of this report is to outline the DEQ’s annual needs for providing environmental services within its jurisdiction, reflect any new federal mandates, and summarize DEQ-recommended statutory changes. The Environmental Quality Board is to review, amend (as necessary) and approve the report.

- (i) Presentation – Wendy Caperton, DEQ Director of Policy and Planning
- (ii) Questions and discussion by the Board
- (iii) Questions, comments and discussion by the public
- (iv) Discussion and possible action by the Board, which may include a roll call vote on approval

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

**12. Executive Director’s Report** – Steve Thompson

**13. Adjournment**

2008 Meetings: February 29, DEQ; August 19, Duncan; November 18, Tahlequah

**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.**

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Some members of the Board and senior staff members from DEQ will meet for dinner in Weatherford the evening of November 14. This is a social occasion. It is uncertain whether a majority of the Board will be present, but no Board or DEQ business will be conducted.