

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

A Public Meeting: 9:30 a.m. Friday, February 29, 2008  
DEQ Multipurpose Room  
Oklahoma City, Oklahoma

1. **Call to Order** – Jennifer Galvin, Chair
2. **Roll Call** – Myrna Bruce, Secretary, Board & Councils
3. **Approval of Minutes** of the November 15, 2007 Regular Meeting
4. **Election of Officers** – Election of Chair and election of Vice-Chair for Calendar Year 2008
5. **Rulemaking – OAC 252:100 Air Pollution Control**
  - A. The proposed Subchapter 5 changes increase fees for minor facilities and for Part 70 sources.
  - B. The proposed Subchapter 24 amendments correct references and clarify language.
    - (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 vote(s) on permanent adoption
6. **Rulemaking – OAC 252:300 and 252:301 Laboratory Accreditation**

The DEQ proposes to revoke Chapter 300 and replace it with a new Chapter 301. Besides the reformatting, changes include update of proficiency testing (PT) rules for supplemental studies, a fee increase, and provisions for automatic fee adjustments for inflation.

  - (i) Presentation – Kenneth Crawford, Chair, Laboratory Services 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 vote(s) on permanent adoption of Chapter 301 and revocation of Chapter 300
7. **Rulemaking – OAC 252:305 Laboratory Services**

The DEQ proposes fee increases for services provided by the DEQ State Environmental Laboratory, and provisions for automatic fee adjustments for inflation.

  - (i) Presentation – Kenneth Crawford, Chair, Laboratory Services 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 vote on permanent adoption
8. **Rulemaking – OAC 252:410 Radiation Management**

The proposed rulemaking is designed to clarify the appropriate fee category for various radiation machines. It changes the description of radiation machines in some fee categories so that the terminology of Appendix A corresponds to rule text, and adds one fee category to correct an ambiguity. No changes to fees will result from this rulemaking.

- (i) Presentation – Steve Woods, Chair, Radiation 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 vote on permanent adoption

**9. Rulemaking – OAC 252:515 Management of Solid Waste**

The proposed rules implement statutory changes to the waste tire recycling program that became effective in July of 2007. DEQ assumes some duties that had been the responsibility of the Oklahoma Tax Commission. Other changes establish or modify requirements for waste tire pick-ups from illegal dumps or landfills and from community-wide cleanup events; clarify DEQ's authority with respect to manifests and inspections; and clarify how the DEQ will apportion the Waste Tire Recycling Indemnity Fund to qualified applicants for reimbursement.

- (i) Presentation – Jay Stout, 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 emergency and permanent adoption

**10. Rulemaking – OAC 252:606 Oklahoma Pollutant Discharge Elimination System (OPDES) Standards**

The DEQ proposes to update its incorporation by reference of certain federal regulations from July 1, 2006, to July 1, 2007. The DEQ also proposes to increase OPDES permit and annual fees by the rate of inflation since the effective date of the last fee modification and to provide for automatic fee adjustments for inflation.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**11. Rulemaking – OAC 252:611 General Water Quality**

The DEQ proposes to update its incorporation by reference of certain federal regulations from July 1, 2006, to July 1, 2007.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**12. Rulemaking – OAC 252:616 Industrial Wastewater Systems**

The DEQ proposes to increase industrial wastewater annual fees by the rate of inflation since the effective date of the last fee modification and to provide for automatic fee adjustments for inflation.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**13. Rulemaking – OAC 252:621 Non-Industrial Flow-Through And Public Water Supply Impoundments Including Land Application**

The DEQ proposes to increase its non-industrial flow-through and public water supply impoundment annual fees by the rate of inflation since the effective date of the last fee modification and to provide for automatic fee adjustments for inflation.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**14. Rulemaking – OAC 252:623 Pre-Treatment for Central Treatment Trusts**

The DEQ proposes to amend its rules concerning Central Treatment Trusts [Oklahoma Ordnance Works Authority] to update the incorporation by reference of federal rules from July 1, 2006, to July 1, 2007.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**15. Rulemaking – OAC 252:624 Minor Public Water Supply Systems**

The proposed rulemaking clarifies and consolidates all construction, operation and maintenance rules applying to minor public water supply systems into one set of rules separate from the more complex rules that apply to other public water supply systems. Currently, the rules dealing with minor public water supply systems are in two separate Chapters. The proposed rules also require an individual permit for slow sand filters; modify pre-testing requirements; add property ownership criteria; reduce the frequency of certain VOC testing; allow DEQ to require additional testing; and impose closure requirements.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**16. Rulemaking – OAC 252:626 Public Water Supply Construction Standards**

The proposed rulemaking represents a major Chapter rewrite. Changes include removing outdated language; adding design and construction standards for new treatment techniques; integrating a supplemental information section into the rules; revoking requirements that are to be moved to Chapter 624; updating construction requirements to meet new EPA standards; and correcting errors and omissions.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**17. Rulemaking – OAC 252:631 Public Water Supply Operation**

The DEQ proposes to update its incorporation by reference of certain federal regulations from July 1, 2006, to July 1, 2007. The DEQ also proposes to increase public water supply annual fees by the rate of inflation since the effective date of the last fee modification and to provide for automatic fee adjustments for inflation. Other changes revoke requirements that are to be moved to Chapter 624; update language to meet EPA requirements and rule reference changes; set a minimum water pressure requirement throughout the distribution system; adopt new requirements for source water development; and recognize the type of testing required for new disinfection treatment techniques. The remaining changes correct errors and omissions.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

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

The proposed rulemaking implements changes to the Priority Project System and the Funding Priority Formula necessary to meet federal and state requirements.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**19. Rulemaking – OAC 252:641 Individual And Small Public On-Site Sewage Treatment Systems**

The proposed rules increase fees to compensate for increased program costs and provide for automatic fee adjustments for inflation. They also add options for the treatment and dispersal of wastewater; modify certain separation distances; require an installer maintenance period for aerobic systems; require use of soil profile descriptions for systems in Scenic River Corridors; establish property ownership criteria; and bring under the Chapter those systems that were previously categorized as standardized alternative systems.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**20. Rulemaking – OAC 252:656 Water Pollution Control Facility Construction**

The DEQ proposes to increase its non-industrial wastewater construction permitting fees by the rate of inflation since the effective date of the last fee modification and to provide for automatic fee adjustments for inflation.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**21. Rulemaking – OAC 252:690 Water Quality Standards Implementation**

The DEQ proposes to update its incorporation by reference of certain federal regulations from July 1, 2006, to July 1, 2007.

- (i) Presentation – Lowell Hobbs, 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 roll call vote on permanent adoption

**22. Rulemaking – OAC 252:710 Waterworks and Wastewater Works Operator Certification**

The proposed changes would increase application and annual fees by the rate of inflation since the effective date of the last fee modification and the projected inflation rate over the next five years. One-half of the fee increase would go into effect on July 1, 2008, with the remaining fee increase effective July 1, 2009. Also included is a provision for automatic fee adjustments for inflation.

- (i) Presentation – Arnold Miller, Chair, Waterworks & 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 roll call vote on permanent adoption

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

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

**25. Adjournment**

2008 Meetings: August 19 in Duncan; November 18 in 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 Oklahoma City the evening of February 28. 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.