

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

A Public Meeting: 9:30 a.m. Tuesday, November 16, 2010  
Oklahoma State University Alumni Center  
Click Family Alumni Hall  
Stillwater, Oklahoma

*Please turn off cell phones.*

- 1. Call to Order** – Brita Cantrell, Chair
- 2. Roll Call** – Myrna Bruce, Secretary, Board & Councils
- 3. Approval of Minutes** of the August 24, 2010, Regular Meeting
- 4. Rulemaking - OAC 252:100 Air Pollution Control**

- A. The DEQ proposes emergency (only) revisions to Subchapters 1 and 8 to assure that state Prevention of Significant Deterioration (“PSD”) rules and Part 70 permitting rules affected by recent changes to the U.S. Environmental Protection Agency’s (EPA’s) policies and programs for greenhouse gas (“GHG”) emissions are not more stringent than the corresponding federal requirements. The proposed Subchapter 1 modification adds the definition of “greenhouse gas” to Chapter 100.
- B. The DEQ proposes emergency (only) revisions to Subchapter 7 to assure that state minor facility permitting rules affected by recent changes to the EPA’s policies and programs for GHG emissions are not more stringent than the corresponding federal requirements.

All three proposed revisions (Subchapters 1, 7 and 8) are necessary as emergency measures in order to avoid serious prejudice to the public interest. Without the proposed emergency adoptions, there is likely to be confusion within the regulated community as to which permitting thresholds apply to Title V sources, minor sources and PSD sources as a result of EPA’s new light duty vehicle GHG emission standard. The goal of the proposed emergency adoptions is to clarify that those permitting thresholds will not be triggered by small sources and to make it clear that it is unnecessary for these small sources to submit permit applications or take other costly steps to comply with EPA’s new GHG requirements.

- Presentation – Laura Lodes, Chair, Air Quality Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on emergency adoption

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

The DEQ proposes permanent amendments to its Hazardous Waste Management rules to update the incorporation by reference of federal hazardous waste regulations found in 40 CFR Parts 124 and 260-279 revised as of July 1, 2010. The updates include revisions pertaining to the import and export of hazardous waste. Although states do not receive authorization to administer the import/export

rules, state programs are still required to adopt these provisions in order to maintain their equivalency with the federal program. Otherwise, the revisions to the federal regulations include technical corrections and clarifications and are not expected to have a substantive impact on the DEQ's hazardous waste program.

- Presentation – Lee Grater, Chair, Hazardous Waste Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote on permanent adoption

## **6. Consideration of and Action on the Annual 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. The statutorily prescribed purpose of this report is to outline the DEQ's annual funding 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.

- Presentation – Jimmy Givens, Deputy Executive Director, DEQ
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include a roll call vote on approval

## **7. Executive Director's Report** – Steve Thompson, DEQ Executive Director

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

## **9. Next meeting:** February 25, 2011, DEQ Multipurpose Room

## **10. Adjournment**

**Public Forum – Following 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 Stillwater the evening of November 15, 2010. 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.