

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

A Public Meeting: 9:30 a.m., Thursday, November 13, 2014
Northeastern State University (NSU)
Administrative Services Building, Annex Room
3100 East New Orleans Street
Broken Arrow, Oklahoma

- 1. Call to Order** – John Wendling, Chair
- 2. Roll Call** – Quiana Fields, Secretary, Board & Councils
- 3. Approval of Minutes** of the August 19, 2014, Regular Meeting
- 4. Rulemaking – OAC 252:100 Air Pollution Control**

The DEQ is proposing to update Appendix Q, Incorporation by Reference, to incorporate EPA’s latest regulatory changes. These changes include the addition of a new Subpart BBa in 40 CFR Part 60, which applies to certain facilities at Kraft pulp mills, and Table A-1 to Subpart A of Part 98 containing the Global Warming Potentials for use in determining carbon dioxide equivalent (CO₂e) emissions for use in greenhouse gas regulations. The DEQ is also proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q.

- Presentation – Sharon Myers, 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 on permanent adoption

5. Rulemaking – OAC 252:205 Hazardous Waste Management

The DEQ is proposing to incorporate by reference the federal hazardous waste regulations found in 40 CFR Parts 124 and 260-279 revised as of July 1, 2014. Changes to the federal regulations for this time period include Conditional Exclusions for Solvent-Contaminated Wipes. The purpose of the Conditional Exclusions rule is to provide a consistent regulatory framework appropriate to the level of risk posed by solvent-contaminated wipes while maintaining protection of human health and the environment and reducing overall compliance costs for industry, including small businesses.

- 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. Rulemaking – OAC 252:307 TNI Laboratory Accreditation

The DEQ is proposing to adopt a new Chapter 307, TNI Laboratory Accreditation, to replace Chapter 303 and to provide standards for the voluntary accreditation of privately and publicly owned laboratories for performance of analyses of water and wastewater, solid and hazardous waste, soil, sludge and petroleum hydrocarbons. These proposed rules will apply to laboratories accredited or applying to be accredited by the DEQ consistent with The NELAC Institute (TNI) standards. This proposed rulemaking is progressing in tandem with the proposed revocation of Chapter 303.

- Presentation – Brian Duzan, Water Quality 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

7. Rulemaking – OAC 252:303 TNI Laboratory Accreditation

The DEQ is proposing to revoke Chapter 303 in its entirety, which was scheduled to be implemented on January 1, 2016. Chapter 303 rules were to provide standards for accreditation of privately and publicly owned laboratories to perform analyses of water and wastewater, solid and hazardous waste, soil, sludge and petroleum hydrocarbons consistent with The NELAC Institute (TNI) standards. However, DEQ determined after adoption of Chapter 303 that there were inconsistencies with the TNI Standards language and that there could be difficulty in enforcing the rules as written. This proposed rulemaking is progressing in tandem with the proposed adoption of the new Chapter 307, TNI Laboratory Accreditation.

- Presentation – Brian Duzan, Water Quality 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 revocation

8. 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 1st 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

9. Executive Director’s Report – Scott Thompson, Executive Director, DEQ

10. 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 DEQ in conducting periodic reviews and planning activities related to the goals, objectives, priorities, and policies of the DEQ. In connection with these responsibilities, the Board has determined that it should conduct a review of the Executive Director's performance.

- In open session, discussion by the Board
- In open session, consideration of possible executive session pursuant to Title 25 Oklahoma Statutes Section 307(B)(1) (discussion of employment actions related to any individual salaried public officer or employee), if authorized by recorded majority vote of a quorum of the Board members present
- In open session, if executive session approved, designation of person to keep minutes in executive session
- In executive session, discussion of Executive Director's performance
- In open session, Chairman reconvenes regular Board meeting
- In open session, possible roll call vote on specific actions or recommendations as a result of the Executive Director's performance review

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. **Next meeting:** February 20, 2015, DEQ Multipurpose Room

13. 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. If necessary to accommodate the public, the Board Chair may make a determination to conduct the Forum prior to the Call to Order.

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.