

ENVIRONMENTAL QUALITY REPORT



APPENDICES



AIR QUALITY

Ambient Monitoring - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Ambient Monitoring					
Continuous Monitoring Systems	26	26	26	26	
Non-continuous Stations	29	25	24	24	
Number of Air Samples Collected					
Ozone (in thousands)	29.9	28.4	28.1	30	116.4
Sulfur Oxides (in thousands)	10.9	10.7	14.8	12.1	48.5
Total Oxides of Nitrogen					0
Nitrogen Dioxide-NO2 (in thousands)	12.9	12.9	11.8	11.1	48.7
Nitrogen Oxides-NO (in thousands)	12.9	12.9	11.8	11.1	48.7
PM-10	141	129	132	133	535
PM-2.5	755	756	678	672	2861
Lead	0	0	0	0	0
Carbon Monoxide (in thousands)	13	13.2	12.9	11.5	50.6
Special Purpose (in thousands)	27	24.2	15.7	22.4	89.3
Precision Tests	374	469	405	389	1637

Excess Emissions Monitoring - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Excess Emissions Report	562	463	540	514	2079

Emissions Inventory - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Emissions Inventory					
Billings					
Major Sources	61	75	93	163	392
Minor Sources	13	8	0	262	283
Inventories Processed	115	104	227	1370	1816

Enforcement Administration - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Air Enforcement					
Notices of Violation	18	26	36	36	116
Formal Actions	6	5	10	6	27
Level III Violation Letters	8	15	12	12	47
Asbestos Actions	6	0	9	6	21
Fines Paid (in thousands of dollars)	174	20	81.566	75.382	350.948
SEP Dollars (in thousands)	10.56	27.5	30.00	80.122	148.182

Permit Administration - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Air Quality Permitting					
Construction Applications/Permits Issued					
Minor Received	39	17	30	28	114
Minor Issued	33	25	17	35	110
Major Received	9	17	7	10	43
Major Issued	5	3	8	11	27
PSD Received	3	7	2	1	13
PSD Issued	2	1	3	3	9
Operating Applications/Permits Issued					
Minor Received	92	77	46	60	275
Minor Issued	54	63	45	63	225
Major Received	2	6	4	12	24
Major Issued	1	2	0	2	5
PSD Received	0	0	1	0	1
PSD Issued	0	0	0	0	0
Title V Received	26	24	37	42	129
Title V Issued	11	7	11	24	53
Acid Rain Received	0	1	0	1	2
Acid Rain Issued	1	0	0	3	4
Relocation Received	12	5	8	4	29
Relocation Issued	9	7	5	6	27
Applications Withdrawn	15	10	16	17	58
Applicability Determination Received	14	26	24	25	89
Applicability Determination Issued	18	14	13	29	74
Permits Denied	0	0	0	0	0
Total Applications Received	197	180	159	183	719
Total Permits Issued	134	122	102	176	534
Permits Issuance > Timelines	14	26	21	21	82
Tests Observed	2	5	2	3	12
Performance Inspections	43	57	61	70	231
Permit Protest Hearings	0	0	0	0	0
Number of PSD Modeling Analysis Conducted	4	0	1	0	5

Inspection - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Air Inspections					
Monitoring Inspections (from ECLS)					0
Compliance Evaluation Inspections	148	134	147	167	596
Follow-up Enforcement Inspections	17	5	12	6	40
Asbestos Inspections	92	47	76	91	306
Complaint Inspection	44	39	29	45	157

Public Information and Education - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Clean Air Alerts					
Oklahoma City	4	0	0	0	4
Tulsa	6	0	0	0	6
Lawton	4	0	0	0	4
Environmental Education					
Events					
Conference Presentations	0	1	0	0	1
Conference Displays	0	1	1	1	3
Community Wide Events	0	0	0	0	0
Education Presentations					
K-12	2	0	2	0	4
University	1	0	0	0	1
Community/Adult	4	0	5	0	9
Teacher Packets Distributed	17	4	2	0	23
Contacts	1003	335	5398	100	6836

Lead Based Paint - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Lead Based Paint Certification					
Inspector	1	0	0	6	7
Risk Assessor	14	3	0	90	107
Abatement Worker	15	21	7	76	119
Supervisor	9	1	0	58	68
Project Designer	0	0	0	1	1
Firm	4	3	0	75	82

Environmental Impact Assessments - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Environmental Impact Assessments	61	38	33	62	194

Quality Assurance - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Quality Assurance					
Audits					
Continuous	36	31	20	24	111
Non-Continuous	27	26	24	23	100
Interlab	0	0	0	0	0
Data Validation	1087	1107	1114	958	4266
Standards Certified	48	55	48	65	216
Filter Checks	238	222	222	287	969

LAND PROTECTION

Enforcement Administration - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Solid Waste					
Notice of Violation	5	1	9	21	36
Formal Actions	3	4	3	0	10
Facilities in significant noncompliance	N/A	N/A	N/A	N/A	0
Fines Paid (in thousands)	0	0	0	160	160
Supplemental Environmental Projects(in thousands)	0	0	0	0	0
Hazardous Waste					
Notice of Violation	26	26	30	28	110
Formal Actions	3	1	4	1	9
Facilities in significant noncompliance	2	2	1	2	7
Fines Paid (in thousands)	30.25	19.16	16.41	8.35	74.17
Supplemental Environmental Projects(in thousands)	0	0	7.5	15.55	23.05
Radiation					
Notice of Violation	15	11	10	7	43
Formal Actions	0	0		1	1
Facilities in significant noncompliance	N/A	N/A	N/A	N/A	0
Fines Paid (in thousands)	0	0		0	0
Supplemental Environmental Projects(in thousands)	N/A	N/A	N/A	N/A	0

Inspection - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Solid Waste Inspections					
Compliance Evaluation Inspections	102	132	145	127	506
Tire Dealer Inspections	26	11	15	62	114
Tire Dump Surveys	14	7	10	7	38
Hazardous Waste Inspections					
Compliance Evaluation Inspections	42	50	61	60	213
Screening Inspections	26	0	0	0	26
UIC Compliance Inspections	0	13	0	12	25
Radiation					
Compliance Evaluation Inspections	29	26	21	18	94

Historic Site Cleanup - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Private Party Oversight					
Ongoing	108	111	118	117	
Completed	8	3	3	6	20

Customer Assistance General Outreach - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Radiation Surveys	64	50	34	50	198

Permit Administration - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
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Waste Management Permitting

Solid Waste

Applications Received	128	131	106	102	467
Permits Issued/Plans Approved	129	130	99	99	457
Permit Protest	0	0	0	0	0

Hazardous Waste

Applications Received	78	51	82	52	263
Permits Issued/Plans Approved	75	59	73	55	262
Permit Protest Hearing	0	0	0	0	0

Underground Injection Control

Applications Received	2	2	5	3	12
Permits Issued/Plans Approved	2	1	3	2	8

Radiation

Applications Received	76	53	82	52	263
Permits Issued	84	63	35	63	245

Total Permits Issuance > Timelines

0

Waste to Resources Programs - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
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Superfund

Preliminary Assessments	3	0	0	0	3
Site Inspections	1	0	0	0	1
Management Assistance*	11	11	11	0	11
Remedial Design*	0	0	0	0	0
Federal Facilities*	8	8	0	0	8
Remedial Action*	4	4	4	0	3
Removal Actions**	3	5	0	0	12
CERCLA Universe Investigations	0	0	0	0	0
New Listing on NPL	0	0	0	0	0
Sites Delisted	0	0	0	0	0
Remedial Investigation/Feasibility Study**	2	2	4	0	2
Brownfield Targeted Site Assessments**	0	0	0	0	0
Operation and Maintenance*	1	1	1	0	1

*Ongoing

**new or in-progress and ongoing

Public Information and Education - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Public Relations					
Press Releases	0	1	4	4	9
Audio/Visual Materials Produced	0	1	1	0	2
Conferences/Displays	1	3	5	4	13
Presentations at Conferences	3	5	6	0	14
Public Contacts	2906	3177	3288	3357	12728
Information Packets Distributed	1609	1316	2066	431	5422
Speeches	12	5	3	2	22
Environmental Education					
Adult/Community Education	9	15	13	16	53
K-12 Outreach	17	16	22	14	69
Recycling Information					
Presentations/Technical Assistance	44	52	116	48	260
Recycle Training	5	4	6	3	18
Recycle Program Assistance (Agencies/Schools)	60	25	41	40	166
Speeches	11	7	6	4	28
Recycle Market Development	7	3	5	5	20
Waste Audits	2	2	2	2	8
Campaigns	2	1	2	1	6
Rulemaking Meetings					
Council meetings/rulemaking hearings held	2	2	2	1	7

Non-Hazardous Waste Management - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Solid Waste					
NHIW Disposal by Rule Applications	36	17	18	15	86
NHIW Individual Disposal Plan Applications	48	48	45	46	187
NHIW General Disposal Plan Applications	138	167	126	188	619

Operator Certification - FY2003

Land Protection	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Radiography Certification Exams	25	15	17	55	112

WATER QUALITY

Operator Certification - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Operator Training and Certification					
Approved Training Hours Provided	556	440	476	2820	4292
New Certified Examinations					
Water Operator	310	212	231	203	956
Wastewater Operator	275	152	156	98	681
Water Laboratory Operator	37	55	30	57	179
Wastewater Laboratory Operator	31	24	23	24	102

Permit Administration - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Water Quality Permitting					
Construction Applications/Permits Issued					
Public Water Supply Received	367	242	172	196	977
Public Water Supply Issued	290	203	140	175	808
Municipal Wastewater Received	198	107	144	161	610
Municipal Wastewater Issued	163	107	101	120	491
Municipal Wastewater Applications/Permits Issued					
Discharge Applications Received	12	21	20	71	124
Discharge Permits Issued	18	27	14	80	139
Industrial Wastewater Applications/ Individual Permits Issued					
Applications Received	9	19	13	51	92
Permits Issued	10	9	10	40	69
Stormwater					
Construction Authorization Processed	96	532	254	216	1098
Multi-Sector Industrial Authorization Processed	45	62	69	63	239
Other Industrial General Permits					
Applications Received	20	24	108	190	342
Authorization Issued	14	5	55	99	173
Other Municipal General Permits					
Applications Received	3	2	4	14	23
Authorization Issued	5	1	4	12	22
Sludge Management Applications/Plans Approved					
Applications Received	2	0	4	2	8
Plans Approved	3	0	7	4	14
Total Permits Issuance > Timelines	0	0	1	2	3
Total Permit Protest Hearings	0	0	0	0	0

Data Management - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Groundwater					
Sites With GPS Correction	139	32	84	36	291

Source Water Protection - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Wellhead Delineations	0	0	0	0	0
Source Water Delineation at Lakes	0	0	0	0	0

Enforcement Administration - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Public Water Supply					
Boil Advisories	7	2	0	0	9
Notices of Violation	65	79	75	62	281
Consent / Final Orders	6	10	18	11	45
Fines Paid (in thousands)	0	0	0	0	0
Supplemental Environmental Projects(in thousands)	7.2	61.4	51	1.5	121.1
Municipal Wastewater					
Notices of Violation	28	17	28	21	94
Consent / Final Orders	25	27	13	19	84
Fines Paid (in thousands)	24	11.4	3.1	2.4	40.9
Supplemental Environmental Projects(in thousands)	136.6	0	8.7	0	145.3
Industrial Wastewater					
Notices of Violation	7	5	4	20	36
Consent / Final Orders	3	2	2	2	9
Fines Paid (in thousands)	11	40.9	0	35.2	87.1
Supplemental Environmental Projects(in thousands)	0	0	0	198.4	198.4
Storm Water					
Notices of Violation	12	1	5	11	29
Consent / Final Orders	2	1	1	0	4
Fines Paid (in thousands)	0	0	0	0	0
Supplemental Environmental Projects(in thousands)	0	0	0	0	0

TMDL DEVELOPMENT - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
TMDLS					
TMDLs Started	1	3	4	5	13
TMDLs Completed	4	0	2	4	10

Inspection - FY2003

Water Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Public Water Supply					
Monitoring Inspections (from ECLS)	619	601	580	975	2775
Municipal Wastewater					
Monitoring Inspections (from ECLS)	333	365	207	448	1353
Pretreatment Compliance	3	5	4	9	21
Pretreatment Audits	0	1	3	2	6
Compliance Sampling Inspections	0	0	0	1	1
Compliance Evaluation Inspections	7	20	23	11	61
Industrial Wastewater					
Monitoring Inspections (from ECLS)	55	52	50	162	319
Compliance Evaluation Inspections	3	8	11	4	26
Compliance Sampling Inspections	0	0	0	2	11
Storm Water					
Compliance/TA Inspections	39	39	37	109	224

CUSTOMER SERVICES

Ambient Monitoring - FY2003

Customer Service	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Biotrend Monitoring (from CSD)	34	4	92	5	135

Sara Title III - FY2003

Customer Services	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Community Right to Know (EPCRA)					
Tier 2 Reports Filed	118	14	28,542	1844	30,518
Tier 2 Forms Filed Electronically	0	0	2,044	741	2,785
Toxic Release Reports Filed	39	0	0	1165	1204
Industry Request for Guidance	46	126	320	156	648
Guidance Provided through Webpage	4	5	526	124	659
CAMEO/Submit Instruction/Presentations	3	10	14	19	46
LEPC Meetings Attended	3	8	3	3	17

Customer Assistance General Outreach - FY2003

Customer Services	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Customer Assistance					
Services Provided to:					
Corporations	39	43	33	39	154
Cities/Towns	19	21	17	20	77
Other Government	6	7	5	6	24
Citizen Groups	0	0	0	0	0
Individuals	176	189	148	175	688
Permit Assistance to New Business & Industry	4	3	8	17	32

Permit Administration - FY2003

Customer Services	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Public Meetings for Permitting	2	11	0	3	16

Laboratory Operations - FY2003

Customer Service	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Laboratory Services					
Local DEQ	95	59	67	60	281
Private Citizens	126	110	151	116	50
Contractual	49	73	69	99	290
QA Check Samples	248	279	195	256	978
Public Water Supplies	2,859	2,055	2353	2780	10,047
Bacteriological	7,843	6,209	5,554	6,977	26,583
Super Fund	25	86	27	146	284
Hazardous Waste	67	29	72	41	209
Water Quality	37	17	57	125	236
Oklahoma Water Resources Board	1159	1047	1068	1478	4,752
Conservation Commission	0	0	0	0	0
Laboratory Methodology/Instrumentation					
# New Instruments to Support New Methods	0	0	0	1	1
# Replacement Instruments	1	1	0	1	3
# New Methods Implemented	2	1	2	2	7
Laboratory Certification					
Applications Received	3	5	7	5	20
Certificates Issued	2	2	7	5	16
Certificates Renewals	174	0	0	0	174
Performance Evaluations					0
Issuance > Timelines	22	35	21	17	95

Compliance Monitoring - FY2003

Customer Service	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Compliance Monitoring					
Industrial/Municipal Wastewater	0	2	2	2	6

Public Information - FY2003

Customer Services	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Public Information & Publications					
Designs/Illustrations/Graphics Produced	132	117	83	137	469
Brochures/Flyers Produced	4	7	35	38	84
Fact Sheets Produced	41	10	14	23	88
Publications/Reports Produced	1	1	4	2	8
Newsletters Produced	3	4	2	2	11
Information Dissemination	49	46	69	37	201

Media Handling - FY2003

Administration	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Public Relations					
Press Releases	8	5	19	10	42
Responses to Media Inquiries	75	38	79	95	287
Interviews Initiated	4	3	2	3	12
Presentations Given	37	76	40	94	247
Persons Attending Presentations	1871	4385	2390	6790	15436

Customer Assistance Pollution Prevention - FY2003

Customer Services	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Pollution Prevention Activities					
Technical Assistance					
Telephone contacts	80	60	75	50	265
Site assistance visits	3	3	2	4	12
Published P2 Literature	2	1	1	2	5
Disseminated P2 Information	300	200	200	250	950
Seminars, Workshops, & Presentations	2	1	1	2	6

LOCAL SERVICES

Emergency Response - FY2003

ECLS	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Number of Emergency Response Incidents	0	0	0	0	0

Complaint Statistics - FY2003

	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Total Spills/Complaints Received	1,282	844	1056	1339	4,521
Spills/Complaints Referred to Other Agencies	107	68	104	132	411
Total DEQ Spills/Complaints Received	1,389	912	1160	1471	4,932
Spills Received	80	76	78	74	308
Complaints Received	1,202	768	978	1265	4213
Publicly-Owned Wastewater Treatment	111	63	57	72	303
POTW - Service Line	148	105	146	191	590
Public Water Supply	106	57	42	61	266
Fish Kills	18	3	6	10	37
WQD - Unknown Source Discharge	17	5	7	10	39
Industrial Stormwater	8	3	6	12	29
Industrial Wastewater Facility	31	12	8	14	65
Fugitive Dust	44	50	34	62	190
Air Facilities Emissions	41	28	22	30	121
Odors	7	21	19	17	64
NESHAPS	5	1	5	4	15
Lead Based Paint	3	4	0	2	9
Landfill Operation & Maintenance	27	15	14	25	81
Improper Tire Disposal	23	9	11	18	61
Operation & Disposal of Hazardous Waste	22	21	10	19	72
Radiation	59	2	1	0	62
Underground Injection	0	0	0	0	0
On-site Sewage Disposal	230	142	297	359	1,028
Private Water	7	7	10	7	31
Open Burning	68	69	62	87	286
Unpermitted Disposal of Solid Waste	117	86	133	136	472
ECLS - Open Dumping (Liquid Waste)	74	49	65	82	270
Septage Haulers	6	2	2	5	15
Stormwater Construction	30	14	21	42	107
Chronic Complaints					0
High Profile Complaints					0
Target Complaints					0
Complaint Resolution					0
Emergency Response (WQD, AQD, LPD, HWD)					0
Complaint Responsiveness					
Complaints Requiring Response					0
Met 2 Working Day Response					0
Mediation Referrals					
Successful Mediations					0

Enforcement Administration - FY2003

ECLS	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Enforcement Actions - Unpermitted Activities					
Notices of Violation					
Open Burning	2	0	0	0	2
Open Dumping	0	0	1	3	4
Surfacing Sewage	12	4	6	9	31
Certified Installers	0	1	2	4	7
Non-Certified Installers	2	1	0	2	5
Septage Pumpers/Haulers	0	0	0	0	0
Certified Soil Profilers	0	0	0	0	0
Formal Actions					
Open Burning	0	0	1	0	1
Open Dumping	14	9	6	11	40
Surfacing Sewage	47	17	32	42	138
Certified Installers	2	2	1	1	6
Non-Certified Installers	3	4	1	0	8
Septage Pumpers/Haulers	0	0	0	0	0
Certified Soil Profilers	0	0	0	0	0
Fines Paid					
Open Burning	\$0	\$0	\$0.00	\$0.00	\$0
Open Dumping	\$0	\$0	\$0.00	\$0.00	\$0
Surfacing Sewage	\$1,325	\$0	\$525.00	\$1,875.00	\$3,725
Certified Installers	\$200	\$0	\$500.00	\$275.00	\$975
Non-Certified Installers	\$0	\$0	\$400.00	\$800.00	\$1,200
Septage Pumpers/Haulers	\$0	\$0	\$0.00	\$0.00	\$0
Certified Soil Profilers	\$0	\$0	\$0.00	\$0.00	\$0

Certification - FY2003

On-site Sewage System Installers	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Operator Training and Certification					
Renewal Training Attendees	53	27	34	62	176
New Certification Examinations					
Class C Examinations	33	10	13	0	56
Class B Examinations	14	0	6	9	29
Class A Examinations	15	0	6	8	29
Soil Profilers					
New Certification Examinations	0	7	11	6	24

Inspection - FY2003

Air Quality	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Air Inspections					
Monitoring Inspections	5	8	20	66	99
Waste Management					
Solid Waste Inspections					
Monitoring Inspections	39	54	52	52	197
Water Quality					
Public Water Supply					
Monitoring Inspections	619	601	580	976	2776
Municipal Wastewater					
Monitoring Inspections	333	365	207	450	1355
Industrial Wastewater					
Monitoring Inspections	55	52	50	164	321
Stormwater					
NOT Inspections	192	216	118	58	584
Active Permit Inspections	0	0	0	0	0
No Exposure Inspections	1	7	7	24	39

Permit Administration - FY2003

Local Services	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
ECLS Requested Services					
Private Sewage					
Soil Tests	547	396	464	547	1954
Existing System Inspections	117	99	90	117	423
Authorizations Issued	3111	2222	2148	2626	10107
Alternative System Permits Issued	69	48	50	56	223
Septage Pumpers and Haulers					
Septage Pumper Licenses Issued	12	3	108	34	157
Water Quality					
Storm Water-Construction					
Authorizations Issued	102	532	275	216	1125
Authorizations Terminated	167	240	113	35	555
Storm Water-Industrial					
Authorizations Issued	45	62	67	63	237
Authorizations Terminated	25	12	5	13	55

Technical Assistance - FY2003

	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
On-Site Sewage	36	14	46	26	122
Public Water Supply	26	1	8	23	58
Public Sewage	19	9	5	13	46
Solid Waste	11	5	10	6	32
Private Water	11	1	6	4	22
Air Quality	4	1	9	0	14
Industrial Wastewater	5	2	2	4	13
Storm Water			2	4	6
Other	5	1	8	2	16
TOTAL	117	34	96	82	329

Customer Assistance Private Water Supply - FY2003

ECLS	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Requested Services					
Private Water					
Water Well Inspections	27	26	30	41	124

ENVIRONMENTAL QUALITY REPORT

ENVIRONMENTAL QUALITY REPORT JANUARY 1, 2003

FOREWORD

The Department of Environmental Quality is required by statute to report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives the Department's annual needs for providing the environmental services within its jurisdictional area, any new federal mandates, and the state statutory or constitutional changes recommended by the Department within its jurisdictional area.

ANNUAL NEEDS

I. WATER QUALITY

TOTAL MAXIMUM DAILY LOAD

A Total Maximum Daily Load (TMDL) is a calculation of the quantity of a particular contaminant that a specific water body can receive and the Oklahoma Water Quality Standards (WQS) for that water body still be met. The water bodies listed on the 303(d) list of impaired water bodies often identify multiple contaminants as the cause for failure to meet the WQS. Accordingly, more than one TMDL may be required for a single water body. Under the proposed work schedule based on the water bodies on the most recent 303(d) list, DEQ projects that approximately 900 TMDLs must be conducted during the next 5 years. The preparation of this schedule was required by EPA in defense of the lawsuit brought against them claiming that Oklahoma had failed to perform TMDLs. This was the first national case that EPA won due to the performance of Oklahoma and the commitment expressed by the schedule. Based on the most recent EPA approved 303(d) list, current federal regulations and the Oklahoma schedule for completion of all TMDLs in 15 years, TMDL work from FY 2004 through 2008 would cost \$16.5 million.

Historically, the states and EPA used the 303(d) list as a mechanism for securing funding. This historic practice has led to many water bodies being placed on the list without supportive documentation and without following any standard protocol. DEQ, by working aggressively with other states and national organizations, has persuaded EPA to establish a scientifically based evaluation process that has led to a more accurate 303(d) list. This year, using EPA's evaluation process, the Oklahoma 303(d) list has been refined to about two-thirds of its previous size. DEQ projects additional budget needs of \$8.25 million for FY 2004 through FY 2008. Over the next 5 years DEQ

expects to utilize approximately \$450,000 per year or \$2.25 million from the EPA 106 grant, specifically for TMDL work. The remaining EPA 106 grant money appropriated to Oklahoma is dedicated to NPDES permitting, inspections, compliance and other activities required by the federal program delegation agreement. Therefore, we estimate an additional \$6 million will be required to complete the upcoming 5 years of TMDL workload. We propose that an additional \$0.5 million of state funds be granted for FY 2004 with the remainder of the increase being spread out over the subsequent 4 years.

DEQ will use the requested additional state funds to access all available resources to accomplish the TMDL work. This increased state allocation will fund an additional 2 FTEs to be dedicated to the TMDL process. In tackling this major effort, the DEQ will use the 2 new FTEs, existing staff and contracts with other state agencies, state universities, private consultants and federal agencies to complete the required TMDL development.

DEQ will prioritize these funds toward TMDLs on water bodies that receive discharges from industries and municipalities. Doing so will help address the EPA policy that no new discharges or increased discharge loadings can be made to water bodies on the 303(d) list unless a TMDL has been completed. Without this funding, municipalities and industries that experience growth may be required to fund the TMDL work for the streams into which they intend to discharge.

If Oklahoma fails to complete the TMDLs in a timely fashion, EPA will be forced, because of the fear of another lawsuit, to assume control and complete the TMDLs. In order to complete the TMDLs as quickly as possible, EPA will use conservative computer models without the benefit of field verification to perform the TMDLs. This approach could cost Oklahoma communities and industries unnecessary expense in treatment improvements.

STORM WATER PROGRAM

The Storm Water Program is relatively new. Even so, EPA regulations are changing and bringing new activities into the regulatory framework (e.g., the reduction of the construction activities covered by the program from 5 acres of disturbed area down to 1 acre). EPA does not specifically fund the program nor is additional federal funding anticipated. Storm water complaint investigation, technical assistance and enforcement activities continue to increase as the program matures and regulations change. During the past two years, approximately 20 % of the wastewater complaint investigations managed by Water Quality Division have involved storm water issues. We estimate 4 FTEs will be needed to adequately manage the program workload over the next 5 years. Two of the 4 FTEs will be acquired by reassignment of existing personnel. However, 2 additional FTEs are requested to properly address the total workload. Fee revenue, because of increased activity, is expected to be sufficient to fund the 2 reassigned positions. While DEQs five-year needs for storm water are estimated at \$610,000, our need for the coming year is \$110,000. An approximate 40% increase in the existing fee system will be required to fund 2 new FTEs if general revenue is not provided.

EPA has identified storm water as one of its targeted enforcement initiatives. EPA will use its authority to take enforcement action in Oklahoma, if the state fails to meet the requirements of the program.

Program: Water Quality	FY 04 Request
Total Maximum Daily Load (TMDL)	\$500,000
Storm water	\$110,000
PROGRAM SUB-TOTAL	\$610,000

II. PUBLIC WATER SUPPLY

MONITORING TO SUPPORT NEW DRINKING WATER REQUIREMENTS.

The federal Safe Drinking Water Act Disinfection By-Product rule for public water supply systems requires that Trihalomethane (THM) monitoring, which currently applies only to systems serving 10,000 residents, be expanded to cover all systems beginning in 2004. In addition, Haloacetic Acid (HAA) and Total Organic Carbon (TOC) monitoring will be expanded to all systems at that same time. Sample loads for both THM and HAA will increase from 724 in FY03 to 988 in FY04 and 1,535 in FY05 and subsequent years. Funding for analysis costs will support 2.0 new FTE and fund supplies and equipment maintenance. Sample loads for TOC will increase from 1,000 in FY03 to 3,144 in FY04 and 5,280 in FY05 and subsequent years. Analysis costs will support 1.0 new FTE and fund supplies and equipment maintenance. Equipment needs include three (3) gas chromatographs for THM analysis, three (3) gas chromatographs for HAA analysis and two (2) TOC analyzers. In real terms, during FY 2004, these increased requirements for sampling will result in an approximate \$450,000 one-time increase for additional analytical equipment and in, at least, a 30 % increase in ongoing analysis time/costs.

Another new federal Safe Drinking Water Act rule, the Radionuclide Rule, contains changes in monitoring requirements for Gross Alpha, Radium (combined 226 and 228) and Uranium that go into effect in January 2004. Past monitoring for these contaminants called for collection of a single sample from the drinking water system and provided that Radium and Uranium monitoring could be waived if Gross Alpha levels were low enough. The new rule requires sampling at each point-of-entry to the water system. Furthermore, Gross Alpha, Radium-226, Radium-228 and Uranium must be sampled in each system. Funding for analysis costs will support 1.0 new FTE. A multiplace proportional counter and a fume hood will be needed for Gross Alpha and Radium testing and an inductively coupled plasma-mass spectrometer (ICP-MS) will be needed for Uranium analysis.

Additional revisions of the Radionuclide Rule to include monitoring for Radon are expected to go into effect in 2005. The rule is not final but it is expected that Radon testing will be required annually at 1,100 points-of-entry

to public water supply systems. Funding for analysis costs will support 0.5 FTE, supplies and equipment maintenance. A liquid scintillation counter will also be needed to test for Radon.

SHIPPING COSTS FOR TRANSPORTATION OF TIME SENSITIVE PUBLIC WATER SUPPLY SAMPLES

Sample preservation requirements for Volatile Organic Chemicals (VOC), Total Organic Carbon, Nitrate, Trihalomethane, Haloacetic Acid, Chlorite and Bromate analysis of public water supply samples require that the samples be iced immediately and held at 4 degrees C until they reach the laboratory. Current practices of shipping these samples using freezable ice packs in Styrofoam shippers and transmitting through the mail are not sufficient to meet this requirement. EPA noted this deficiency in our most recent laboratory inspection. The laboratory has performed studies that indicate that the best practice would be to ice the samples in ice chests and provide for next day delivery to the laboratory. In addition, some parts of the state experience repeated problems with shipping bacteria samples and having them reach the laboratory within 30 hours of collection. Similar problems are experienced with nitrite samples that must reach the laboratory within 48 hours of collection. This project would provide for negotiation of a statewide contract for next day sample delivery and allow public water supply systems to experience the benefit of more convenient and cost-effective sample shipment.

An alternative to state appropriation funding for this project would be to authorize DEQ to increase fees to public water supplies that use this service. The approximate cost for a public water supply system that used this service would be \$10 to \$20 for each sample shipment. The overall increase in the amount of public water supply fees for the state as a whole would be 10%.

ENHANCED GROUNDWATER MONITORING FOR PROTECTION OF PUBLIC WATER SUPPLIES

Current monitoring of public water supplies that use groundwater as a source is oriented towards detection of violations of Safe Drinking Water Act standards. Little is done to detect trends towards future contamination of these important resources. This proposed project would enhance existing monitoring to provide for annual monitoring of basic water chemistry, fill data gaps that may exist with regard to pesticides and other chemicals and provide monitoring tools to better characterize sources of developing problems and to identify waters most vulnerable to contamination. DEQ will provide training to PWS system operators who will integrate sample collection into existing sampling. DEQ will provide sample analysis, coordinate the sampling schedule and review data to detect developing problems and trends.

In FY04 routine monitoring of public water supplies will be expanded to include testing for secondary drinking water standards including pH, Alkalinity, Hardness, Sulfate, Chloride, Total Dissolved Solids, Iron and Manganese. In addition, more frequent pesticide monitoring and/or other toxic monitoring will be added in vulnerable areas. This monitoring will be used to track trends in water quality that may be early signs of groundwater pollution.

Funding during FY04 will support 2.0 new FTE to coordinate sampling with public water supply operators, analyze samples and review data to identify trends.

Program: Public Water Supplies	FY04 Request
Monitoring to support new Drinking Water Requirements	\$903,000
Shipping costs for time-sensitive PWS samples	\$120,000
Enhanced groundwater monitoring for protection of PWS	\$170,000
PROGRAM SUB-TOTAL	\$1,193,000

III. AIR QUALITY

OZONE NONATTAINMENT

Several areas of Oklahoma have already exceeded or are in jeopardy of exceeding the federally mandated 8-hour standard for ozone. In addition, the Tulsa area has experienced ozone concentrations that exceed the 1-hour standard. Designations of nonattainment by EPA, based on exceedance data for the 8-hour standard, could occur in the Tulsa area as early as mid-year 2004. Until the 8-hour standard is fully implemented and the 1-hour standard is revoked, all areas of the State must comply with both standards. Should any area of the state be declared nonattainment for either standard, the Clean Air Act requires the DEQ to implement plans that include enforceable measures to bring such areas back into attainment. Last year, the EPA released guidance which allows states that voluntarily submit early emission reduction plans for their areas to escape some of the onerous consequences of nonattainment of the 1-hour standard, possibly avoiding a nonattainment designation entirely. This program is known as Ozone Flex. Both Tulsa and Oklahoma City opted into this program in 2001. To continue participation and benefit from deferrals of designations in the event of a 1-hour violation of the ozone standard, updated emission inventories, air dispersion modeling and design and implementation measures must be developed.

The Tulsa area is much closer to a violation of the 1-hour standard than Oklahoma City since it only needs one more exceedance at the Skiatook monitor to be in violation. The EPA Ozone Flex guidance requires submittal of a plan to be implemented in the event of an ozone violation in order to be eligible for nonattainment deferral. In response to this requirement, the Indian Nations Council of Governments (INCOG) did the only thing it could, given that we had no modeling data with which to make an informed decision. Hence, INCOG decided to write a plan that included several “voluntary” measures to be implemented in the event of a violation. While these measures are voluntary in the sense that they are not currently federally required, they would become mandatory at the time they are implemented as a State Implementation Plan (SIP) revision. Because there has been no air dispersion modeling done that is of sufficient quality, this plan contained measures that can not be supported scientifically. The consequences of not having the proper data to make a decision is that sources may be required to reduce emissions in areas that may not actually help the ozone situation and those that would help the most could escape

regulation. This forces us and our local partners to make a decision between submitting a plan that contains unsupported assumptions leading to reductions that are expensive and may be unnecessary or doing nothing, subjecting the area to the federal bureaucracy. Nevertheless, lack of state funding leaves us with a choice between these two options. In addition, EPA has issued guidance, approved in 2002, for what are known as early action compacts. This guidance is specifically designed for the 8-hour standard and allows states to submit a SIP designed to obtain early reductions in exchange for a deferral of nonattainment. Currently, the Lawton, Oklahoma City and Tulsa areas are considering opting into this program.

In order for Oklahoma to either submit adequate implementation plans or participate in early action compacts, extensive planning and modeling activities must be performed on a statewide basis. By accurately modeling all precursor emissions of ozone, more effective and efficient control strategies can be developed. Such modeling requires extensive information gathering with respect to emissions sources and meteorological parameters. Modeling will also help us evaluate the impact emission sources outside of our state have on Oklahoma's air quality as well as evaluate claims from other states with regard to the impact our emissions sources have on their air quality. Additional efforts in the area of stakeholder participation, interpretation of monitored data and rulemaking activities will also be required.

This funding requirement is both a one-time project implementation request and an ongoing request to continue inventory and modeling work. Approximately \$750,000 of one time money is needed to complete the early action compact inventory and modeling work. An additional amount of one time money totaling \$225,000 is requested to conduct enhanced emissions inventory studies to refine our data. Continuing money of \$1,500,000, to be obtained from either general appropriations or a mobile source fee, will allow us to lessen the burden on the Title V fee payers, as explained in the mobile/areas source section, and to address continuing needs for ozone nonattainment.

MOBILE/AREA SOURCE AND NON-TITLE V FUNDING

Annual funding is necessary to support other SIP and non-Title V aspects of the Air program. Mobile and some area sources emit criteria pollutants but do not contribute to the funding of the work of the Division, unlike the case with point sources who contribute annual emission fees. The non-Title V (minor or small sources) point sources contribute fees at the same rate per ton as Title V (major or large sources) fee payers but the cost of performing the work is much greater than the amount collected from these sources. This has been a historical problem.

In 2001, the Air Quality Council approved a same rate fee increase for the Title V and non-Title V sources that has partially funded the positions needed to continue this (our existing) work. This funding has allowed us to fill 8 of the 18 FTE's originally authorized to be funded in 1999 and reaffirmed in 2001. While the Title V funding appears to be adequate for FY03, the non-Title V portion is seriously under funded and the mobile source contribution is nonexistent. The Council passed a resolution in 2001 that called on the Agency to seek other funding sources to

supplement the Title V fees from either general appropriations or other mechanisms such as an additional fee from car tags in polluted nonattainment areas. These new funds could be used to partially offset the Title V fee increase that was approved in 2001 or at least postpone future increases in the Title V fee, in addition to funding their contribution to the program. Failure to obtain these additional funding sources will necessitate another look at our current Title V fee levels. The required work will be done and the necessary funding must come from either new funding mechanisms or additional increases in fees or both.

TOXICS MONITORING FUNDING

EPA continues to pursue a strategy for reducing health risks of air toxic emissions in urban areas. EPA is developing regulatory actions and related projects as a part of implementing the strategy. Identifying air toxics through monitoring is a critical part of implementing a toxics reduction strategy. Toxics monitoring programs have been in place for several years in several states around the country including Louisiana and Minnesota of the CenSARA region. The need to develop state expertise in this area and begin to identify the pollutants is critical as EPA moves forward toward implementing the strategy.

This funding request of \$225,000 is for development and implementation of an air toxics monitoring pilot project. The funds are needed for a design study; site(s) location and development; the purchase of air samplers and canisters; sample analysis; and the funding for 1 existing and unfunded FTE, training, travel and overhead. The AQD received a grant from EPA in 2002 designed to begin the process of developing the capacity to assess toxics. The grant was to conduct a community-wide assessment of air emissions in the Ponca City area specifically looking at toxics. The project is designed to assess the accuracy of the National Air Toxics Assessment (NATA) by conducting enhanced emissions inventory gathering, data review, computer modeling, assessing the risk and possibly conducting limited ambient sampling to verify the model results. The funding requested will allow us to take the experience and knowledge we gain from the Ponca City project and conduct the same type of assessments in the Tulsa and Oklahoma City areas where results from the NATA indicated a higher risk.

Program: Air Quality	FY 04 Request
Ozone Nonattainment	\$975,000
Mobile, Area and Non-Title V Funding	\$1,500,000
Toxics Monitoring	\$225,000
PROGRAM SUB-TOTAL	\$2,700,000

IV. LAND PROTECTION

SUPERFUND

Tar Creek Site, Ottawa County, OK. Ongoing Tar Creek project costs are projected for FY04-FY08. This funding includes pass through funding to Grand Gateway (\$120,000) for ongoing lead-paint remediation projects and yard remediation coordination. The remaining \$200,000 is being requested for DEQ coordination costs including both the Tar Creek Project Coordinator and the Tar Creek Water Quality Coordinator.

LOCAL SOLID WASTE PROJECTS

City and county governments almost uniformly need to improve their solid waste infrastructure. Local needs vary from cleaning up illegal dumps and developing convenience centers for bulky waste to equipment for managing disaster debris and increasing recycling. Past diversions of Solid Waste fee revenue to fund personnel absorbed by DEQ from the Tulsa and Oklahoma City-County Health Departments have precluded the funding of local solid waste projects. This \$300,000 request, \$50,000 of which would be allocated to local governments for clean up of old dumps on private property, is intended to replace the diverted funds and to allow the DEQ to move forward with assisting local City and County governments to manage the solid waste in their jurisdictions. **All funds would be contracted to local governments.**

Program: Land Protection	FY04 Request
Superfund	\$320,000
Local Solid Waste Projects	\$300,000
PROGRAM SUB-TOTAL	\$620,000

Summary Table

Program	FY 04 Request		Total
	Program	Subtotal	
Water Quality			
Total Maximum Daily Load (TMDL)	\$500,000		
Storm water	\$110,000		
Sub-total		\$610,000	
Public Water Supplies			
Monitoring to support new Drinking Water Requirements	\$903,000		
Shipping costs for time-sensitive PWS samples	\$120,000		
Enhanced groundwater monitoring for protection of Public Water Supplies	\$170,000		
Sub-total		\$1,193,000	
Air Quality			
Ozone Nonattainment	\$975,000		
Mobile, Area Sources and Non-Title V Funding	\$1,500,000		
Toxics Monitoring	\$225,000		
Sub-total		\$2,700,000	
Land Protection			
Superfund	\$320,000		
Local Solid Waste Projects	\$300,000		
Sub-total		\$620,000	
TOTAL			\$5,123,000

FEDERAL MANDATES

AIR QUALITY

National Ambient Air Quality Standards

While implementation of the 8-hour ozone standard is not a new federal mandate, the urgency with which we need to move forward is even greater than last year due to EPA's finalizing their Ozone Flex policy now known as Early Action Compacts. The schedule for this, based on guidelines that are somewhat fluid, is as follows:

12/2002	Commitment letter from city/state with comprehensive schedule
12/31/04	State adoption of plan in State Implementation Plan
12/31/05	Latest date to implement adopted control strategies
12/31/07	8-hour attainment date

This means that the enhanced emissions inventories, modeling, council meetings to adopt control strategies and all of the other work needed to develop changes to our State Implementation Plan to demonstrate attainment must be done during calendar year 2003. Any rules that are adopted by the Air Quality Council and approved by the DEQ Board can go to the legislature in the 2004 session so that the state plan can be submitted to EPA by the end of 2004 as indicated by the above schedule. The incentive for submitting an early plan is that EPA will agree to defer the nonattainment designations which are due to occur in late 2003 or 2004 indefinitely as long as we show monitored attainment by the end of 2007. This will allow the Tulsa area to avoid New Source Review for sources and Transportation Conformity for road building projects. However, should we miss any of the milestones we will list in the commitment letter due at the end of the year, the Tulsa area would immediately be designated and revert to the traditional nonattainment schedule.

The funding for this work is necessary regardless of whether or not we participate in an Early Action Compact. However, completing the work in line with EPA's schedule will result in being able to develop an acceptable Early Action Compact which will result in a delay and possible deferment of a nonattainment designation. Avoiding nonattainment designations has clear and obvious benefits for the economic growth of the state, its cities and towns and its citizens.

Regional Haze Rule

The Air Quality Division continues to work through CenRAP, our multistate planning organization, to develop the data to address this requirement. The Regional Haze Rule that originated from the 1990 Clean Air Act amendments is based primarily on aesthetics and designed to improve visibility in our national parks. Enhanced emissions

inventory and modeling work will have to be done in response to this rule with a State Implementation Plan due by the end of 2004. We hope that since there is an overlap in the pollutants that cause ozone and regional haze that some of the work for the nonattainment issue will aid us in addressing this as well. However, the bulk of our efforts will likely be in proving or disproving the claims from other states that emissions generated in Oklahoma are adversely impacting national parks, also known as Class I areas, within their borders.

Maximum Achievable Control Technology (MACT) and the Sierra Club Settlement

In August of 2002, EPA proposed to settle a lawsuit filed by the Sierra Club for EPA's failure to establish Maximum Achievable Control Technology (MACT) standards. These standards are designed to control emissions of hazardous air pollutants from a number of source categories as mandated in the Clean Air Act. If EPA fails to complete this work there is a hammer provision that would require states to establish regulations individually for those affected source categories on a case-by-case basis. The proposed settlement would shorten EPA's timeline for establishing the remaining MACT's virtually assuring that the hammer will drop requiring us to do this work. This is tremendously inefficient, time consuming and unnecessarily burdensome to us. However, we will have little choice but to do this work; otherwise, facilities in Oklahoma affected by this decision could be limited in their ability to get permits necessary for them to operate. An additional consequence of this decision was that the start-up, shutdown and malfunction plans required of MACT applicable facilities will now be sent to the states rather than kept at the facility or filed with EPA. This will create a perception that we are evaluating these plans, which are primarily safety in nature, for applicability to the facility as well as creating a filing nightmare. We have submitted comments to EPA registering our concerns but the likelihood is that the decision will stand as negotiated.

Consolidated Emissions Reporting Rule

EPA's Consolidated Emissions Reporting Rule (CERR) will require four significant changes to our emission inventory program in the area of pollutants regulated, geographic area reported, reporting threshold and reporting frequency. The rule will require that we track and report two additional pollutants, Ammonia (NH₃) and fine particulate matter (PM_{2.5}). The new rule also requires that we now need to report area, biogenic and mobile sources on a statewide basis instead of just concentrating on localized hotspots. Additionally we will also be required to report large point source data to EPA every year instead of on a three-year cycle. These new requirements should add a significant workload to our existing emission inventory reporting activities.

WATER QUALITY

Total Maximum Daily Load (TMDL)

Assuming successful modification of the 303 (d) list to about ½ of the currently listed 1,010 TMDLs to be completed in 15 years, the DEQ must aggressively continue the process of scheduling and completing the appropriate pollutant calculations. Oklahoma's completion schedule, which cannot be finalized until modification of the 303(d) list is completed, includes TMDLs for those water bodies most likely to be impacted by municipal, industrial and/or residential growth and places a lesser priority on those water bodies less likely to be impacted. Regardless, all work must be done. Failure to accomplish the necessary number of TMDLs could result in EPA being forced to take over the program and, most likely, will result in industries or municipalities having to fund the TMDL work before they can receive any new discharge permits or any increased limits on existing discharge permits.

Storm Water

EPA has identified storm water as one of its targeted enforcement initiatives and will use its authority if the State fails to meet the requirements of the program. EPA has changed its regulations to include a reduction of the construction activities covered by the program from 5 acres of disturbed area down to 1 acre.

Public Water Supplies

In 2004, the federal Drinking Water Act Disinfection By-Product rule will become applicable to cover all public water systems, regardless of number of customers. Additional testing for Haloacetic Acid and Total Organic Carbon will be mandated at the same time. Finally, the Radionuclide Rule will become effective in January of 2004. In order to be prepared for the increased sample volume, the DEQ must begin preparations for additional equipment and human resources in 2003.

LEGISLATIVE RECOMMENDATIONS

Laboratory Certification

The statutes currently require that application for certification of laboratories be made “in the form and manner established by the Board.” The Environmental Quality Board has not made a practice of approving application forms. This statute needs to be changed to reflect that this is the Department’s responsibility. Additionally, the current statute says that the Department may not require the use of certified laboratories unless “specifically required by the Code, federal law or federal regulation.” This could prohibit the Department from requiring that a lab we contract with for Superfund or RCRA testing be certified. The agency will recommend legislation that helps assure that contaminated sites are properly remediated by allowing DEQ to require laboratories with which DEQ contracts to be certified.

Oklahoma Landfill Closure Authority

The Oklahoma Landfill Closure Authority was originally conceived as an alternative financial assurance mechanism for privately owned solid waste landfills. There has never been any interest in the private sector to pursue this mechanism, nor has the anticipated trust ever been created. This statutory provision is, therefore, no longer needed.

Waterworks and Wastewater Works Advisory Council

The Waterworks and Wastewater Works Advisory Council (“WWWAC”) is the only one of the environmental quality advisory councils that is subject to the “Sunset Law”, requiring evaluation every six years of the need for its continued existence. There is no reason for the WWWAC to be treated differently than the other advisory councils. It, like the other advisory councils, has been active, and provides both a valuable opportunity for public participation and valuable input to the DEQ and to the Board. The DEQ proposes to seek legislation removing the WWWAC from the Sunset Law.

Mobile Source Air Pollution Control Fee

Mobile source (vehicle) exhaust emissions are a major contributor to the formation of ozone. Several areas in Oklahoma are currently at risk of losing air quality “attainment” status because of recurring ozone problems. Attainment status not only signifies a better quality of life for Oklahoma citizens, but is critical to the state’s economic development as well.

Currently, the state’s air quality program is funded through fees on stationary pollution sources. This funding is inadequate to meet costs associated with mobile source pollution. Legislation is proposed for a fee of one dollar per vehicle, assessed through the annual vehicle license and registration, in those areas of the state that are most at risk for ozone non-attainment: Canadian, Cleveland, Comanche, Creek, Logan, McClain, Oklahoma, Osage, Pottawatomie, Rogers, Tulsa and Wagoner counties. This would, appropriately, apportion the total cost of air pollution control between stationary and mobile sources. Activities to be funded from the fee are Clean Air Act

requirements for modeling, testing and research to estimate and quantify emissions from mobile sources, and for transportation plans and air quality planning to maintain/achieve air quality standards.

Authority for Air Quality Enforcement Hearings

For somewhat obscure historical reasons, the Air Quality Council has responsibilities beyond those of the other environmental advisory councils and the Environmental Quality Board. An example is that any person issued a field citation for an air quality violation may request that a hearing related to the air quality enforcement matter be held before the Council. Such enforcement hearing activity could be interpreted as violating the principle of separation of duties between the agency and the Board and councils, which allows members of the regulated community to serve on these bodies. Legislation is proposed to eliminate the conflict by removing the responsibility of the Council to conduct enforcement hearings on field citations. This is consistent with amendments made to the general air quality enforcement statute two years ago.

ADMINISTRATIVE HEARINGS 2003

Facility or Individual	Nature of Hearing	Outcome
1. Danny's Trailer Washout	Permit Revocation	Final Order revoking wastewater permit
2. Roy Grazier	Administrative Compliance and Penalty	Final Order requiring compliance and assessing administrative penalty

SOLID WASTE FEES BUDGETED AND EXPENDEED: FISCAL YEAR 2003

2003 Income (through 6/30/2003)				5,054,929
	FY 2003 Budgeted Solid Waste Program	Budgeted OCCHD/ TCCHD	Expenditures/ Total FY 2003 Budget	Encumbrances 09/02/03
Personnel (Salaries, Insurance, FICA, Retirement, Workers Compensation)	1,603,600	294,821	1,898,421	2,066,011
Equipment (Data Processing Equipment & Software, Property, and Furniture)	47,511	0	47,511	34,293
Travel (In-state and out-of-state Mileage, Meals, & Incidentals, Lodging)	184,913	3,361	188,274	157,614
Miscellaneous Administrative Expenses (Freight, Telecommunications, Informational, Exhibitions, Licenses, Membership, Utility, Copy Charges, Copier Lease)	47,375	0	47,375	53,259
Rent Expense (Building Space, Telecommunication Equipment)	15,391	0	15,391	41,886
Maintenance and Repair (Equipment)	29,775	0	29,775	23,546
Specialized Supplies & Materials Expense (Medical, Architectural, and Printing Supplies, Fuels)	50	0	50	193
Production & Safety (Uniforms & Wearing Apparel, Safety Supplies)	1,000	0	1,000	349
Office and Shop (Office Supplies, Data Processing Supplies, Lab Supplies and Services)	68,559	0	68,559	44,412
Resource Materials (Library Resources)	0	0	0	2,351
Lease Purchases (Lease Purchases of Furniture, Equipment, Software, Buildings, and Land)	0	0	0	0
Payments to Other State Agencies - Administrative Expenses DMHSAS/COCMHC (Payments to Other State Agencies for Administrative, Data Processing, Communications, Risk Management, and Printing Expenses)	15,471	0	15,471	11,530
Contracts				
SWRINO/Solid Waste Research Institute	155,000	0	155,000	
Keep Oklahoma Beautiful	25,000	0	25,000	
Association of County Commissioners	100,000	0	100,000	
Computer Training/System Design	2,500	0	2,500	
OSU Cooperative Extension Service	62,000	0	62,000	
Caldwell Environmental Associates	25,000	0	25,000	
Family Medicine Center	2,000	0	2,000	
Legal/Court Reporting Services	2,785	0	2,785	
Legal/Administrative Hearing Judge	2,500	0	2,500	
Legal Research - West Group	1,926	0	1,926	
Recycling Equipment - Local Governments	200,000	0	200,000	
Community Based Environmental Protection	250,000	0	250,000	
Land Restoration Projects	659,462	0	659,462	
Projects to Implement County Plans	400,000	0	400,000	
Landfill Gas Incentive Payments	200,000	0	200,000	
Total Budget for Contracts	2,088,173	0	2,088,173	1,258,147
TOTALS	4,101,818	298,182	4,400,000	3,693,591



The Oklahoma Department of Environmental Quality
P.O. Box 1677
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Administration: _____ 405-702-7100

Air Quality: _____ 405-702-4100

Customer Services 1: _____ 405-702-1000

Customer Services 2: _____ 405-702-9100

Customer Services Toll-Free _____ 1-800-869-1400

Environmental Complaints and Local Services: _____ 405-702-6100

Environmental Complaints 24 Hour Hotline _____ 1-800-522-0206

Land Protection: _____ 405-702-5100

Water Quality: _____ 405-702-8100

Web Site: www.deq.state.ok.us