

Telling the DEQ Story Statewide

Each year, reporters from across the state place hundreds of calls to DEQ searching for information related to agency programs. Since the creation of DEQ nine years ago, an ever-increasing number of Oklahomans have become aware that they can express their concerns about environmental problems to DEQ.

The DEQ responds to these calls by providing information, interviews and documentation as rapidly as possible. Many reporters have expressed their appreciation for DEQ's accessibility.

The DEQ regularly targets news releases to specific areas within the state, using mailing and fax lists created for that specific purpose. This allows the DEQ to reach specific audiences with information tailored for their needs. All DEQ news releases are also posted on the agency website.

Through these efforts, the DEQ is able to reach Oklahomans through the state's newspapers, television stations, and radio stations to inform them of agency issues and solutions which garners a high level of respect and confidence. ♻️



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For Immediate Release
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Former Waste Site Now Soccer Field

Children from the Boy's and Girls Club of Bartlesville, Oklahoma will be playing soccer this summer on a new 2-acre field that was formerly a hazardous waste site. This small parcel of land was the last portion of the National Zinc Site to be remediated and cleanup plans had been delayed indefinitely due to environmental liability issues. The site was strategically located within a block of the Boys & Girls Club's main office and it was contiguous to the City of Bartlesville's Frontier Park and public swimming pool.

A small railroad company owned the property. Contamination had found it's way to the site via air deposition from former nearby zinc smelting operations and through ore spillage from passing railcars. Smelting operations had been ongoing in the area since 1907 and had ceased in 1976. The result was an abandoned vacant lot with soils containing elevated levels of lead, cadmium and arsenic. Although U. S. Environmental Protection Agency (EPA) had the site listed as a potential Superfund site, the City, with the assistance of the Department of Environmental Quality (DEQ), elected representatives, community leaders and Potentially Responsible Party's (PRP's), was successful in removing the site from the Superfund list and placing it in the State's Voluntary Clean Up Program in 1993. In return, the EPA postponed action regarding the placement of the site on the National Priorities List.

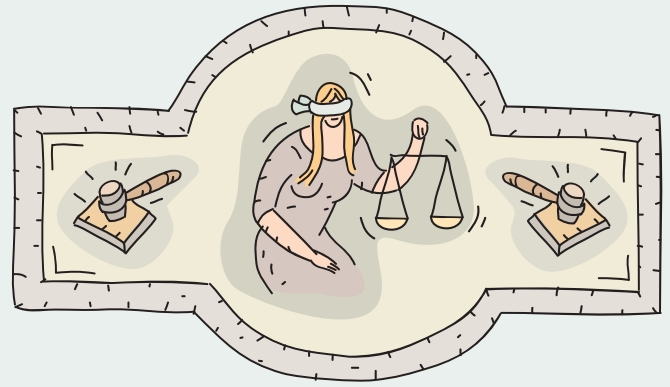
With the support and approval of the DEQ, the City of Bartlesville, the Bartlesville Coalition (a local public interest group) and the PRP from the early smelting days, the railroad company agreed to participate in a win-win opportunity. In order for the transaction to be completed, all parties had to contribute. The City of Bartlesville agreed to supply 10,000 cubic yards of capping soils and water as needed, the PRP had to provide the equipment, labor and sod for the protective cap, the railroad donated the land, the Boys & Girls Club will provide the future maintenance requirements. In order to ensure that the property will not be misused in the future, DEQ and the City of Bartlesville agreed to structure and enforce strict institutional controls.

The benefits and beneficiaries of this urban brownfield redevelopment project are numerous:

- residents of the immediate neighborhood no longer worry about long-term health or safety hazards emanating from the site and their property values will increase;
- citizens of Bartlesville will now enjoy seeing a green, lush, park rather than a vacant eyesore;
- children playing at the neighboring City park who wander over to the adjoining property will now be able to play on a grassy field rather than on contaminated soils, concrete and broken glass;
- members of the Boys & Girls Club will now enjoy an additional 2-acres of space for soccer and touch football games.

For more information about this program, contact the Land Protection Division of the DEQ at (405) 702-5100.

Conclusion of Law: Legal Staff is Crucial to DEQ Success



The DEQ legal staff consists of 14 attorneys and three support staff. The combined experience of the attorneys represents well over 150 years in the practice of law. Most of the attorneys work principally with a specific division and develop a high degree of expertise in the programs within that division.

DEQ enforcement actions may include documents such as Notices of Violation or Warning Letters, Consent Orders, and Administrative Compliance Orders. “Informal” actions, such as NOVs and Warning Letters, advise the recipient of apparent violations of statutes or rules and propose a time frame for correction. “Formal” actions, such as Consent (Agreed) Orders and Administrative Compliance Orders, mandate compliance and stipulate penalties for failure to comply (subject to a right to an administrative hearing). The legal staff assists with several thousand NOVs or Warning Letters and several hundred

Orders every year. This includes not only review and assistance in drafting, but also communicating and negotiating with the responding party. If the responding party requests an administrative hearing on an Order, the attorneys handle the presentation of the agency’s case at the hearing. Administrative Hearings are held before an Administrative Law Judge and are conducted very much like a court hearing.

Assistance with legislation and rule development comprises a substantial segment of the work of the legal staff. Attorneys are often called upon to draft language for legislative bills. The legal staff is also responsible for the

tracking of all bills that may impact the agency in some fashion as those bills make their way through the legislative process, and the review of each iteration of those bills to evaluate the effect they may have. Rule development is critical to maintaining environmental quality in Oklahoma and complying with evolving federal standards. The attorneys assist especially in the drafting of rules and in ensuring that the demanding procedural requirements for the adoption of rules are met.

The need for research, drafting or analysis is concentrated in the areas of environmental and administrative law. But because the de-

mands of operating a large agency involve a wide range of “business” activities, the attorneys also provide counsel in such diverse areas as personnel and labor law, bankruptcy law, and contracts. The fact that several attorneys have prior experience in private or corporate practice is particularly helpful in addressing these needs.

All of the legal staff enjoy the opportunity they have to be part of a process that contributes to the quality of life of Oklahomans, and take pride in the wide-ranging experience and the significant level of expertise that they can lend to the process of achieving environmental excellence in Oklahoma. 🌍



DEQ Continues to Enhance Financial Accountability

Among the many challenges that came with its creation, DEQ had to develop systematic ways of ensuring financial accountability for the collection and use of the funds necessary to accomplish its mission. The agency depends on three revenue streams, namely, general appropriations (25 percent), user fees (50 percent) and federal funds (25 percent). Each of these revenue sources has its own unique set of stakeholders and all have a vested interest in how their particular contributions are spent.

DEQ manages its fees and grants through the assignment of sub-accounts, each of which is specific to a single fee or federal grant. The sub-accounts provide the funding codes for

all planned expenditures and the Time and Effort codes through which the agency validates employee time against grant and fee budgets. As funds are expended from each sub-account, balances are tracked in order to ensure that expenditures and income meet budgeted expectations. From the perspective of DEQ's customers, perhaps the biggest benefit of tracking individual fees through their respective sub accounts is that the agency is able to document that monies collected for a specific program or program area are spent in support of that program or program area.

DEQ believes that, to the maximum extent possible, resources should be dedicated to program efforts. To that end,



the sole source of revenue for the administrative support of the agency is through the assessment of indirect cost rates against grant and fee monies.

For fee accounts, the indirect cost rate is 15 percent. For grants, onsite and offsite indirect cost rates are 19 percent and 15 percent respectively.

Operating under the con-

straint of a low indirect cost rate has allowed the agency to keep its overall administrative costs at less than 12 percent of its annual budget. DEQ does not use any general revenue for administration and is understandably proud of its low indirect cost rates and its low overall administrative cost. 🌱

Information Systems Are Improved

This past year, the DEQ's Information Management Team faced a formidable challenge. The central issue of concern involved an outdated network that began as detached, divisionally based systems and evolved into an amalgam of servers that individually performed a multitude of functions, replicated for each division of the agency. As a result, each server apportioned its limited resources to authentication, security, file, application, print, and backup services. Additionally, these services were carried out on a Novell platform, but due to incompatibility with Novell many other critical functions were running on Windows NT. This dual platform approach cost

the agency in many ways: client access licenses, back-up software, administration, and training for each platform.

Faced with this problem, the Information Management Team devised a plan to create a single, logically-designed, active directory domain for the agency, powered by a new bank of robust servers that only carry out one function each. In addition, every computer in the agency was replaced or rebuilt with a single standard for the agency as a whole based on the Windows XP operating system. Windows XP was chosen because of its improved features, enhanced capacity for remote administration, and it addressed the goal to maintain pace with techno-

logical developments in the industry.

The Information Management Team carried out the steps necessary to exponentially enhance the capabilities of the network infrastructure while simultaneously reducing the resources required for administration of the systems by tens of thousands of hours annually. This undertaking included the deployment of a new server farm running Windows 2000 Active Directory, the migration of hun-



dreds of gigabytes of data, and the deployment of nearly 600 personal computers (some new, some rebuilt).

Thanks to the efforts of the Information Management Team the integrity of the data systems is secure and each employee can proceed with confidence while collecting, processing, reporting, and using data essential to completing the DEQ mission. 🌱

Environmental Quality in Oklahoma Appendices