

DRAFT MINUTES
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
July 8, 2014
Oklahoma Department of Environmental Quality
Multipurpose Room
Oklahoma City, Oklahoma

Official WQMAC
Approved at October 7, 2014 Meeting

Notice of Public Meeting – The Water Quality Management Advisory Council (WQMAC) convened for a Regular Meeting at 1:00 p.m. at the Oklahoma Department of Environmental Quality (DEQ), 707 North Robinson, Oklahoma City, Oklahoma. The meeting was held in accordance with the Open Meeting Act, with notice of the meeting given to the Secretary of State on November 18, 2013. The agenda was posted at DEQ twenty-four hours prior to the meeting. Mr. Duane Winegardner, Vice-Chair, called the meeting to order.

MEMBERS PRESENT

Robert Carr
Greg McCortney
Jon Nelson
Mike Paque
Jim Rodriguez
Debbie Wells
Duane Winegardner

MEMBERS ABSENT

Jeff Short
Steve Sowers
Terry Wyatt

DEQ STAFF PRESENT

Shellie Chard-McClary
Terry Lyhane
Chris Armstrong
David Caldwell
Courtney Carter
Scott Cordell
Jennifer Boyle
Trevor Hammons
Mark Hildebrand
Carl Parrott
Betsey Streuli
Michelle Wynn
Quiana Fields

OTHERS PRESENT

Lori Roberts, Court Reporter

Introduction of New Council Member – Ms. Shellie Chard-McClary introduced new Council member Mr. Jon Nelson to the WQMAC. Ms. Quiana Fields called roll and a quorum was confirmed.

See transcript pages 3 – 5

Approval of Minutes from the January 14, 2014 Meeting – Mr. Winegardner called for a motion to approve the Minutes of the January 14, 2014 Regular Meeting. Mr. Carr moved to approve and Mr. Rodriguez made the second.

See transcript pages 5 – 6

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|----------------|---------|-------------------|-----|
| Robert Carr | Yes | Jim Rodriguez | Yes |
| Greg McCortney | Yes | Debbie Wells | Yes |
| Jon Nelson | Abstain | Duane Winegardner | Yes |
| Mike Paque | Yes | | |

Election of the Vice-Chair – Mr. Winegardner opened discussion for nominations for Vice-Chair since he recently became Chair. Mr. Paque nominated Mr. Short and Mr. Rodriguez made

the second. Hearing no other nominations and advice from Ms. Chard-McClary, Mr. Winegardner called for a roll call vote.

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| | <i>See transcript pages 6 – 8</i> | | |
| Robert Carr | Yes | Jim Rodriguez | Yes |
| Greg McCortney | Yes | Debbie Wells | Yes |
| Jon Nelson | Yes | Duane Winegardner | Yes |
| Mike Paque | Yes | | |

PERMANENT RULEMAKING – OAC 252:307 – TNI LABORATORY ACCREDITATION – Mr. David Caldwell, Environmental Programs Manager, State Environmental Laboratory Services Division (SELSD), stated this Chapter will 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. The standards are designed to foster the generation of environmental data of known and documented quality through a laboratory accreditation program administered by the Department of Environmental Quality consistent with The NELAC Institute (TNI) standards and will replace OAC 252:303. Following questions and comments by the Council and public, Mr. Winegardner called for a motion to approve. Mr. Paque moved to approve and Mr. Carr made the second.

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| | <i>See transcript pages 8 - 24</i> | | |
| Robert Carr | Yes | Jim Rodriguez | Yes |
| Greg McCortney | Yes | Debbie Wells | Yes |
| Jon Nelson | Yes | Duane Winegardner | Yes |
| Mike Paque | Yes | | |

PERMANENT RULEMAKING – OAC 252:303 – TNI LABORATORY ACCREDITATION – Mr. Caldwell stated the Department is proposing to revoke Chapter 303 and replace with Chapter 307, due to inconsistency with TNI Standards language and difficulty in enforcing the chapter as written. Hearing no discussion, Mr. Rodriguez moved to approve. Ms. Wells made the second.

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| | <i>See transcript pages 24 – 26</i> | | |
| Robert Carr | Yes | Jim Rodriguez | Yes |
| Greg McCortney | Yes | Debbie Wells | Yes |
| Jon Nelson | Yes | Duane Winegardner | Yes |
| Mike Paque | Yes | | |

DISCUSSION OF UPCOMING RULEMAKING:

OAC 252:606 – OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS – Mr. Winegardner called upon Mark Hildebrand, Environmental Programs Manager of the Water Quality Division (WQD). Mr. Hildebrand stated in October, DEQ staff will be proposing to update Chapter 606 in order to make language consistent with laboratory regulations and add language for continuation of expiring permits (Federal incorporation is only covered in Federal permits). If necessary, staff will update the incorporation by reference of federal regulations. There were no comments by the Council or public.

See transcript pages 26 – 27

OAC 252:631 – PUBLIC WATER SUPPLY OPERATION – Mr. Hildebrand stated in October, DEQ staff will be proposing to update Chapter 631 in order to make language

consistent with laboratory regulations and update language for operational changes. If necessary, staff will update the incorporation by reference of federal regulations. There were no comments by the Council or public.

See transcript page 28

OAC 252:627 – WATER REUSE – Mr. Hildebrand stated in January, DEQ staff will be proposing to update Chapter 627 to incorporate necessary rule updates based on recommendations from the Water Reuse Working Groups. There were no comments by the Council or public.

See transcript pages 29 – 30

OAC 252:656 – WATER POLLUTION CONTROL FACILITY STANDARDS – Mr. Hildebrand stated in January, DEQ staff will be proposing to update Chapter 656 to incorporate technology updates based on recommendations from the Water Reuse Technical Working Group. There were comments and discussion by the Council and DEQ staff.

See transcript pages 30 – 45

DIRECTOR'S REPORT – Ms. Shellie Chard-McClary, Water Quality Division Director provided an update on other division activities.

See transcript pages 45 – 59

NEW BUSINESS – None

ANNOUNCEMENTS – The next scheduled meeting will be on October 7, 2014 at 1:00 p.m. in the Multi-Purpose Room, 1st floor, DEQ building.

ADJOURNMENT - Mr. Winegardner entertained a motion to adjourn the meeting. Mr. Rodriguez moved to adjourn and Mr. McCortney made the second. All in favor was with “aye”. No one opposed. The meeting was adjourned at 2:37p.m.

See transcript page 63

Transcripts and Attendance Sheet are attached as an official part of these Minutes.

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TRANSCRIPT OF PROCEEDINGS
OF THE WATER QUALITY MANAGEMENT
ADVISORY COUNCIL MEETING
JULY 8, 2014, AT 1:00 P.M.
IN OKLAHOMA CITY, OKLAHOMA

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| <p style="text-align: right;">Page 2</p> <p>1 MEMBERS OF THE COUNCIL: 2 ROBERT CARR 3 GREG McCORTNEY 4 JON NELSON 5 MIKE PAQUE 6 JIM RODRIGUEZ 7 JEFFREY SHORT 8 STEVE SOWERS 9 DEBBIE WELLS 10 TERRY WYATT 11 DUANE WINEGARDNER 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> | <p style="text-align: right;">Page 4</p> <p>1 numbers started growing faster than I think we wanted to 2 acknowledge, at least at one point. 3 Jon is filling the public -- or the general 4 public spot on the Council. This was a Governor's 5 appointment. He is replacing Cathy Canty whose term had 6 expired in March. Jon has previously been on the Water 7 and Wastewater Works Advisory Council. He has served 8 there for several years, and he spent a great deal of 9 time on the Professional Engineer's Board. So he has 10 had a lot of experience dealing with councils, boards, 11 rulemaking, all of those types of activities. 12 He is with Tetra Tech out of their Tulsa office, 13 and was with FHC before they became part of Tetra Tech. 14 I don't know, Jon, is there anything else you 15 want to tell everybody about yourself? 16 MR. NELSON: No, you did very well, Shellie. 17 I won't go into the number of years. 18 MS. CHARD-McCLARY: Well, you know, when we 19 started talking about facilities and I started well into 20 double digits and thinking about, okay, I have three 21 children, all of which are younger than the time that I 22 was working in those facilities. And my oldest son 23 being 21, you know, we'll just kind of leave it there at 24 how long ago we were reminiscing. 25 MR. WINEGARDNER: Thank you.</p> |
| <p style="text-align: right;">Page 3</p> <p>1 MR. WINEGARDNER: Well, I vote to call this 2 meeting to order for the Water Quality Management 3 Advisory Council. This is our regular meeting, and I 4 will read the Protocol Statement. 5 This regular meeting of the Water Quality 6 Management Advisory Council was called in accordance 7 with the Open Meeting Act. Notice for this July 8th, 8 2014, meeting was filed with the Secretary of State on 9 November 18, 2013. The Agenda was duly posted at DEQ at 10 least 24 hours prior to the meeting. 11 Only matters appearing on the posted Agenda may 12 be considered at this regular meeting. In the event 13 that this meeting is continued or reconvened, public 14 notice of the date, time, and place of the continued 15 meeting will be given by announcement at this meeting. 16 Only matters appearing on the Agenda of a meeting which 17 is continued may be discussed at the continued or 18 reconvened meeting. 19 And we have a new board member. Shellie, would 20 you like to introduce him? 21 MS. CHARD-McCLARY: Okay. We have a new person 22 appointed to join us, Jon Nelson. Many of you know he 23 has worked in the water and wastewater business, we were 24 discussing earlier and I think we settled on a really 25 long time, when we all started counting back and the</p> | <p style="text-align: right;">Page 5</p> <p>1 I'll have the role call. 2 MS. FIELDS: Mr. Carr? 3 MR. CARR: Here. 4 MS. FIELDS: Mr. McCortney? 5 MR. MCCORTNEY: Here. 6 MS. FIELDS: Mr. Nelson? 7 MR. NELSON: Here. 8 MS. FIELDS: Mr. Paque? 9 MR. PAQUE: Here. 10 MS. FIELDS: Mr. Rodriguez? 11 MR. RODRIGUEZ: Here. 12 MS. FIELDS: Mr. Short is absent. Mr. Sowers is 13 absent. 14 Ms. Wells? 15 MS. WELLS: Here. 16 MS. FIELDS: Ms. Wyatt is absent. 17 Mr. Winegardner? 18 MR. WINEGARDNER: Here. 19 MS. FIELDS: We have a quorum. 20 MR. WINEGARDNER: Thank you. 21 Have you -- I hope that all of you have had the 22 opportunity to review the minutes of the previous 23 meeting, and I'll entertain a motion. 24 MR. CARR: Move to approve. 25 MR. RODRIGUEZ: Second.</p> |

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| <p style="text-align: right;">Page 6</p> <p>1 MS. FIELDS: Mr. Carr? 2 MR. CARR: Yes. 3 MS. FIELDS: Mr. McCortney? 4 MR. McCORTNEY: Yes. 5 MS. FIELDS: Mr. Nelson? 6 MR. NELSON: I'll abstain. 7 MS. FIELDS: Mr. Paque? 8 MR. PAQUE: Yes. 9 MS. FIELDS: Mr. Rodriguez? 10 MR. RODRIGUEZ: Yes. 11 MS. FIELDS: Ms. Wells? 12 MS. WELLS: Yes. 13 MS. FIELDS: Mr. Winegardner? 14 MR. WINEGARDNER: Yes. 15 MS. FIELDS: Motion passed. 16 MR. WINEGARDNER: Thank you. 17 Now, since I have come from vice-chair to chair 18 in a very short period of time, I would feel very 19 comfortable if we were to elect a vice-chair even though 20 it's only for one meeting to come out, but I feel it's 21 important for us to have all the positions filled. So I 22 will entertain nominations for position of vice-chair. 23 MR. PAQUE: Mr. New Chairman, I would like to 24 make a nomination of Jeff Short, who is not here today 25 but who I am aware or know personally that if nominated,</p> | <p style="text-align: right;">Page 8</p> <p>1 MS. FIELDS: Mr. Carr? 2 MR. CARR: Yes. 3 MS. FIELDS: Mr. McCortney? 4 MR. McCORTNEY: Yes. 5 MS. FIELDS: Mr. Nelson? 6 MR. NELSON: Yes. 7 MS. FIELDS: Mr. Paque? 8 MR. PAQUE: Yes. 9 MS. FIELDS: Mr. Rodriguez? 10 MR. RODRIGUEZ: Yes. 11 MS. FIELDS: Ms. Wells? 12 MS. WELLS: Yes. 13 MS. FIELDS: Mr. Winegardner? 14 MR. WINEGARDNER: Yes. 15 MS. FIELDS: Motion passes. 16 MR. WINEGARDNER: Thank you. 17 Next on the agenda we have this permanent 18 rulemaking for TNI laboratory accreditation. And David 19 is going to speak to us. 20 MR. CALDWELL: Good afternoon. I'm David 21 Caldwell, the laboratory accreditation officer for the 22 state of -- State Environmental Laboratories Services 23 Division, SELSD, to present the proposed Chapter 307 24 Rules. 25 At the Council orientation meeting, Chris</p> |
| <p style="text-align: right;">Page 7</p> <p>1 will accept. It's a little joke that if you're not 2 there, we'll nominate you and you'll get elected. Well, 3 in this case, he would accept if he were. 4 Jeff, for those of you who -- I think most of 5 you know Jeff. He has been on the Council about as long 6 as I have. I think I've been on here 9 or 10 or 12 7 years or something like that. And Jeff is a consulting 8 engineer in water and wastewater and professor and 9 teaches at Southwestern Oklahoma State University, I 10 believe, but well qualified and I nominate him to be 11 vice-chair. 12 MR. WINEGARDNER: Is there a second? 13 MR. RODRIGUEZ: Second. 14 MR. WINEGARDNER: Very good. 15 Are there other nominations? Or a motion to -- 16 MR. RODRIGUEZ: Mr. Chairman, I move that the 17 nomination of Jeff Short be made unanimous. 18 Is that a proper motion? 19 MR. WINEGARDNER: Thank you. Second? 20 MS. WELLS: I second. 21 MR. WINEGARDNER: Thank you, very much. 22 MS. CHARD-McCLARY: Okay. I think you're going 23 to have to at least vote by acclamation or roll call, 24 one way or the other, but -- why don't we do a roll 25 call, that way it's very clear what happened.</p> | <p style="text-align: right;">Page 9</p> <p>1 Armstrong presented an overview of Chapter 307 with TNI 2 Laboratory accreditation and provided an explanation for 3 what has been Chapter 303 and is to become Chapter 307, 4 TNI Laboratory accreditation. 5 Since the first adoption of Chapter 303, TNI 6 Laboratory accreditation, several things occurred after 7 its adoption. But what was then the DEQ Customer 8 Service Division, became the SELSD with a new division 9 director, with the retirement of and separation of the 10 DEQ legal council for the Division and also for the LSAC 11 change. With these changes a new -- came a new 12 perspective and review on the not yet implemented 13 Chapter 303. 14 In January of 2012 the TNI accreditation Council 15 have developed concerns with the lack of regulatory 16 language within the TNI standard as written. The TNI 17 proficiency testing module was written and incorporated, 18 would be impossible to enforce or even accurately track 19 laboratory performance. 20 Performance testing is not the final word in the 21 quality laboratory data but continues to be a key 22 component for all laboratory quality systems, 23 certifications, and accreditations. It became apparent 24 that due to the inconsistencies with the TNI standard 25 language as adopted, it would be difficult to enforce</p> |

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| <p style="text-align: right;">Page 10</p> <p>1 Chapter 303 as written without additional state 2 companion language.</p> <p>3 As a result of the reorganization clarifying and 4 reinforcing the regulatory language of Chapter 303, TNI 5 Laboratory accreditation, it became simpler to rename 6 the chapter. The new Chapter 307 retains the title of 7 the TNI accreditation.</p> <p>8 Chapter 307 provides standards for a voluntary 9 accreditation of privately and publicly owned 10 laboratories to perform the analysis of water, 11 wastewater, solid and hazardous waste, soil, sludge, and 12 petroleum hydrocarbons. And will apply to laboratory 13 accreditation or applying to be accredited by the 14 Department of Environmental Quality consistent with The 15 NELAC Institute (TNI) standard.</p> <p>16 The enhancements are to provide the 17 clarification on what is expected for laboratories that 18 are to become a part of the national accreditation 19 program. Chapter 307 would benefit private and public 20 laboratories with fair, enforceable, and nationally 21 recognized accreditation standards.</p> <p>22 There's a positive affect of the data quality 23 from commercial laboratories that would now meet 24 standards consistent with TNI and will have reciprocity 25 with other TNI states. In addition, some laboratories</p> | <p style="text-align: right;">Page 12</p> <p>1 requirements -- to the TNI requirements but clarify 2 ambiguous language of the TNI standard. Laboratories 3 that are in the accreditation pro- -- excuse me, 4 accreditation program, Chapter 301, are already abiding 5 by these requirements as adopted in 2008.</p> <p>6 The DEQ has developed Chapter 302, Field of 7 Laboratory Accreditation, specifically designed for 8 small laboratories that perform certain limited tests 9 and are not subject to strenuous TNI standards. This 10 rule was developed at the request of small industrial 11 facilities.</p> <p>12 Anticipated rulemaking action. I realize that 13 this is a short period of time for the Council to become 14 familiar with the SELSD rules and especially with this 15 new proposed Chapter 307, but it should be not new to 16 the laboratories since laboratory accreditation has been 17 implementing TNI elements for many years, and the first 18 version of TNI laboratory was adopted and signed by the 19 Governor in 2011.</p> <p>20 What our hopes are for rulemaking action for 21 Chapter 307 is that it has been written -- that Chapter 22 307 has had a written comment period of June 2nd through 23 July 2nd, 2014. It has brought before this Council 24 July 8th, 2014, for public comment and potential Council 25 recommendation for adoption.</p> |
| <p style="text-align: right;">Page 11</p> <p>1 may realize a fee reduction through paying a single fee 2 for accreditation both by the state of Oklahoma and the 3 National Environmental Laboratory Accreditation Program.</p> <p>4 Accreditation fees for Chapter 307 are 5 essentially flat and are compared to current 6 accreditation fees. The Council was provided language 7 to clarify the aid -- and aid in the understanding of 8 these fees structures.</p> <p>9 Some laboratories may experience some 10 administrative costs but the expenses should be minor to 11 those who have fully implemented our current 12 accreditation requirements of Chapter 301. This rule 13 over time has incrementally implemented the TNI 14 standard, minimizing additional cost.</p> <p>15 The new Chapter 307, TNI accreditation rule, is 16 to be incorporated -- or is to incorporate The NELAC 17 Institute standards by reference for the DEQ laboratory 18 accreditation program. The revised Chapter 307 19 supplements statutory accreditation language to 20 eliminate ambiguity and uncertainty in the TNI standard 21 and enhance the enforceability of the rule.</p> <p>22 Definitions were updated and added to define the 23 language of the roles along with clarifying the 24 ambiguous language.</p> <p>25 Quality controls added are not new to the</p> | <p style="text-align: right;">Page 13</p> <p>1 If the vote fails, it would be brought back to 2 the October 7th meeting and will go before the DEQ Board 3 on November 13th for passage.</p> <p>4 This rule adoption process will be in progress 5 in tandem with the revocation of Chapter 303, TNI 6 Laboratory Accreditation. Chapter 303 is to be replaced 7 with 307 due to the inconsistencies with the TNI 8 standard language and difficulty enforcing the rules 9 previously written.</p> <p>10 This is a tight timeline. If adopted and signed 11 by the Governor, it will take approximately one more 12 year for the SELSD and the laboratory accreditation to 13 become recognized by a TNI accreditation body. As an 14 Oklahoma TNI accreditation body, all laboratories for 15 307 will be nationally recognized TNI accreditation.</p> <p>16 307 has an implementation date of January 1 of 2016.</p> <p>17 MR. WINEGARDNER: Thank you.</p> <p>18 Discussion by the Council?</p> <p>19 MR. CARR: I have a question related to the fee 20 structure. And I brought this up at the orientation, 21 but I think it's good to put this on the record.</p> <p>22 I guess I don't understand why if this is going 23 to be a new chapter, then why we're going back to the 24 2008 CPI and not start fresh from this point. And, I 25 mean, we could still refer to the CPI, but why do we</p> |

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1 have to go backwards to that CPI?
 2 MR. CALDWELL: One of the reasons why we -- why
 3 it was posted that way is Chapter 303 was written back
 4 in 2011, and these are the same fee structures as it is
 5 in the 2008, which was when the Chapter 303 was
 6 proposed.
 7 MR. CARR: It's the same fee structure but the
 8 fees have been changed because of the CPI. So why don't
 9 we start off with that fee that exists today and then
 10 move forward since this is a new rule being effective in
 11 2016?
 12 MS. CHARD-McCLARY: Shellie Chard-McClary, Water
 13 Quality Division Director.
 14 I wanted to just let you know kind of what's
 15 been going on across the Agency as it relates to fees
 16 and fee rules in -- what that language is and what the
 17 process is.
 18 We raise this issue, and I know the General
 19 Council and the Deputy Executive Director are looking at
 20 what are some things we can do related to making sure it
 21 is clear what the effective fees are in the various
 22 rules. Based on the process to go through for any
 23 change in the fee, dollar numbers that appear in the
 24 rule, even though it has already been changed and
 25 approved through the use of CPI, it has to go through a

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1 different and more lengthy process. And so they're
 2 trying to look at how do we deal with situations like
 3 this in the future.
 4 So at this point, you know, across the Agency,
 5 this is kind of the path that they have chosen for the
 6 staff to use to move forward. What we are trying to do
 7 to make it more user friendly for the public, for the
 8 fee payers, those that are trying to figure out how much
 9 do I owe for a stormwater permit, a lab, whatever those
 10 fees are, is to put that on our website in our rules.
 11 Our rules on our website are not the official
 12 version. They -- the official version is only on the
 13 Secretary of State's website. So we are looking at,
 14 well, we could modify what's on our website so that
 15 there would be maybe a hyperlink where you just click on
 16 it and the current fees show up, or perhaps some other
 17 table or something that would be used in conjunction
 18 with those rules so it would be easier to see what those
 19 are.
 20 We do recognize the challenge. We recognize the
 21 concern, but it's being kind of addressed as an
 22 Agency-wide effort, so that's why we're where we are
 23 today in this set of rules.
 24 MR. CARR: I'm glad you said something about the
 25 hyperlink, because I thought that was another thing that

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1 really needed to have some clarification to the person
 2 that would be going into this rule to see what their fee
 3 would be. Because it was a little confusing on trying
 4 to figure out -- I mean, I'm not a lab person, but it
 5 would be difficult for me to figure out what my fees
 6 would be.
 7 MR. WINEGARDNER: Okay. Further comments?
 8 MR. McCORTNEY: On the subject of fees, I wanted
 9 to ask, because you mentioned that I guess nationally
 10 certified labs, that there may be some cost savings to
 11 labs, but I also know that this program is almost
 12 totally funded by the fees. So do we expect a decrease
 13 in income and how are we going to offset that?
 14 MR. ARMSTRONG: I'm Chris Armstrong, Director of
 15 State Department Laboratory Services.
 16 We do not anticipate a reduction in fees. The
 17 fees that private laboratories pay currently, if you're
 18 in a private laboratory and you're a big lab, you are
 19 paying multiple accreditation fees. Okay? Currently
 20 the private labs in the state of Oklahoma that are NELAP
 21 accredited end up paying both a NELAP accreditation fee
 22 maybe to the state of New Jersey, as well as an
 23 accreditation fee to the Oklahoma Department of
 24 Environmental Quality.
 25 If we become a NELAP accreditation body, rather

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1 than paying two fees, the labs within the state would
 2 pay a single fee, an Oklahoma TNI accreditation volume
 3 fee.
 4 No? David seems to disagree.
 5 MR. CALDWELL: What it is, each state has their
 6 own set of fees. The reduction in the fees for the
 7 laboratories that are NELAP accredited here in the state
 8 of Oklahoma is that they have to go out and by NELAP,
 9 they have to be assessed. Right -- currently, right
 10 now, most of the state is -- TNI state Assessors are
 11 contracting that out, and that's where your cost savings
 12 is. It cost anywhere between 5 to \$10,000 to send two
 13 assessors into an Oklahoma laboratory to be able to
 14 assess them to meet the standards. That's where the
 15 cost savings would be, but each state does charge their
 16 own set of fees.
 17 MR. CARR: Let me ask the question from a
 18 reverse standpoint. What is the projection of income in
 19 regards to what you have to do to run the laboratory?
 20 Are you projecting excess fees that would be used
 21 someplace else? Or do you need to be supplemented from
 22 another source in order to be able to continue to run
 23 the laboratory and provide the services that you
 24 provide?
 25 MR. ARMSTRONG: Are you talking the principal

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1 laboratory or are you speaking as though you are a
 2 private laboratory?
 3 MR. CARR: I'm talking about the state
 4 laboratory. These fees that are being collected would
 5 go to run your operation. Correct?
 6 MR. ARMSTRONG: They run the accreditation
 7 program. And --
 8 MR. CARR: And -- but nothing else.
 9 MR. ARMSTRONG: In part, okay, laboratory
 10 accreditation also receives some fees from public water
 11 supply. The accreditation program is a core principal
 12 laboratory program that came with the acceptance of
 13 primacy. So in part, some of the drinking water
 14 accreditations are actually supplemented with public
 15 water supply fees as well.
 16 MR. CARR: So if we look at the entire operation
 17 that you have for the laboratory operation, these fees
 18 do not provide all the funds that you need to -- for
 19 your personnel cost and your operating costs, all the
 20 costs of the laboratory, these fees do not make up the
 21 total amount that you're budgeted for?
 22 MR. ARMSTRONG: The accreditation fees do not
 23 fully cover -- just the laboratory accreditation fees do
 24 not fully cover all the expenses of a laboratory
 25 accreditation program. Part of that program is public

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1 water supply funded because it's a primacy requirement.
 2 Our program currently is actually accredited by EPA.
 3 MR. CARR: Okay. If I -- I don't know how to --
 4 MR. ARMSTRONG: It's twisted.
 5 MR. CARR: I'm not sure how to ask this question
 6 necessarily, so I will just go right to it.
 7 Based upon what I'm seeing here with the fee
 8 base of 2008 adjusted by the CPI, if you had the ability
 9 to go back and redo the fee basis of 2008, would you
 10 want to do that and increase these fees, if you had the
 11 ability to do that? I'm not saying that that's what
 12 you're going to do. I'm just asking you if --
 13 MR. ARMSTRONG: If it were politically feasible,
 14 yeah, we would take another look at the fees.
 15 MR. CARR: Because they're too high or too low?
 16 MR. ARMSTRONG: Because they're too low in some
 17 instances.
 18 MR. CARR: Okay. All right.
 19 MR. WINEGARDNER: Okay. Other discussion?
 20 We'll open it up to the public discussion, then.
 21 Go ahead. Please come up by the microphone.
 22 MR. DUZAN: Brian Duzan, Green Country Testing.
 23 And I was a longstanding member of the
 24 Laboratory Services Advisory Council that originally
 25 approved the fee structure that you just talked about,

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1 and it was at -- part of the reason why we did the
 2 update was -- is that, you know, basically David
 3 Caldwell was a one-person show at that point and it
 4 allowed him to have additional staff. Because his
 5 budget is only created by the fees, so that enabled us
 6 to be able to get another auditor, which would then
 7 allow us to move more towards the TNI and the NELAP. So
 8 I don't think any of the labs necessarily have an issue
 9 with the fee structure unless they want it to go up.
 10 But my -- I guess my question with this is, is
 11 that -- is David and the -- are they only going to audit
 12 in-state laboratories?
 13 MR. CALDWELL: Okay. Underneath the TNI
 14 requirements, TNI requirements have a secondary
 15 accreditation process whereby the accreditation through
 16 another state that wants to make application here in
 17 Oklahoma, I would rely on all -- I would rely on that
 18 state's accreditation program to give me the proper
 19 information, that they are going to be accredited.
 20 In other words, they would collect the
 21 information, they would do the auditing, they would do
 22 the primary accreditation, and I would be basing my
 23 decision based upon the certificate of that state's
 24 accreditation. So I would not be going out of state to
 25 do any inspections at that particular time.

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1 MR. ARMSTRONG: That would be a secondary
 2 accreditation. The laboratories that Dave would
 3 accredit in state would be a primary accreditation, and
 4 we would inspect those, yes.
 5 MR. DUZAN: I guess my only other question is,
 6 is they're talking about the fee structure. I literally
 7 got a bill yesterday. Our primary is through the state
 8 of Louisiana. And that's primarily because not a lot of
 9 states will go out of state and certify labs. They
 10 require -- basically if you're in a NELAP, in that pool,
 11 that whatever state you are in will do it.
 12 Well, Oklahoma wasn't in that pool, so we have
 13 to pay the state of Louisiana, and my bill from them is
 14 \$7,000 that I literally got yesterday. And that doesn't
 15 include the -- my yearly fees. And that is all because
 16 Kansas is a NELAP, so if we do any work in Kansas, we
 17 have to be NELAP. But NELAP won't -- Kansas won't go to
 18 out of state laboratories, so we have to kind of go to
 19 Louisiana to get Kansas just to do any work to supply
 20 some of our clients from Tulsa to go up into Kansas.
 21 So it will be a tax -- it will be a big savings
 22 on the in-state laboratories that seek work outside of
 23 the state.
 24 MR. WINEGARDNER: Okay. Are there other public
 25 comments?

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| <p style="text-align: right;">Page 22</p> <p>1 (No response.)</p> <p>2 Okay. Do we have some other discussion by the</p> <p>3 Council members?</p> <p>4 MR. McCORTNEY: I guess with that information my</p> <p>5 question would be, if we're going to provide that for</p> <p>6 another state, Louisiana is charging \$7,000, is there a</p> <p>7 fee schedule for -- for -- if you're doing work for a</p> <p>8 lab out of state that you just mentioned, if I</p> <p>9 understood correctly, you're going to be at least doing</p> <p>10 paperwork to help out-of-state labs get certified. Is</p> <p>11 that correct? Secondary, yeah.</p> <p>12 MR. CALDWELL: Yeah, it would be under</p> <p>13 secondary. And what we would be doing, the mechanism</p> <p>14 for that is basically we would get an application from</p> <p>15 the laboratory, we would their certificate, a NELAP</p> <p>16 certificate from whatever state they want, state of</p> <p>17 Louisiana. We would review the application packet, we</p> <p>18 would review the certificate. We will -- are going to</p> <p>19 rely on the state of Louisiana to maintain the</p> <p>20 proficiency testing and all the requirements including</p> <p>21 the on-site inspection.</p> <p>22 MR. McCORTNEY: Okay. That makes more sense.</p> <p>23 Thanks.</p> <p>24 MR. WINEGARDNER: Any other discussion from the</p> <p>25 panel?</p> | <p style="text-align: right;">Page 24</p> <p>1 MR. WINEGARDNER: There's a second. All right.</p> <p>2 Let's do a roll call, please.</p> <p>3 MS. FIELDS: Mr. Carr?</p> <p>4 MR. CARR: Yes.</p> <p>5 MS. FIELDS: Mr. McCortney?</p> <p>6 MR. McCORTNEY: Yes.</p> <p>7 MS. FIELDS: Mr. Nelson?</p> <p>8 MR. NELSON: Yes.</p> <p>9 MS. FIELDS: Mr. Paque?</p> <p>10 MR. PAQUE: Yes.</p> <p>11 MS. FIELDS: Mr. Rodriguez?</p> <p>12 MR. RODRIGUEZ: Yes.</p> <p>13 MS. FIELDS: Ms. Wells?</p> <p>14 MS. WELLS: Yes.</p> <p>15 MS. FIELDS: Mr. Winegardner?</p> <p>16 MR. WINEGARDNER: Yes.</p> <p>17 MS. FIELDS: Motion passed.</p> <p>18 MR. WINEGARDNER: Thank you.</p> <p>19 Next on the Agenda we have a discussion of Rule</p> <p>20 303, and I believe that David Caldwell is going to</p> <p>21 address us again.</p> <p>22 MR. CALDWELL: Okay. The revocation of 303 is</p> <p>23 being proposed to be replaced by Chapter 307. We wanted</p> <p>24 to make certain that we did not have duplication in</p> <p>25 rules. And as we developed the revision of 303, we</p> |
| <p style="text-align: right;">Page 23</p> <p>1 From our committee?</p> <p>2 MALE SPEAKER: We've got one more from public.</p> <p>3 MR. MOSLEY: I've got one question.</p> <p>4 MR. WINEGARDNER: Come on up by the microphone</p> <p>5 please, sir.</p> <p>6 MR. MOSLEY: I'm Brandon Mosley with</p> <p>7 Environmental Testing here in Oklahoma City. I just</p> <p>8 wanted to bring up maybe for clarification for -- to</p> <p>9 clarify it for myself. Once the TNI rules are adopted,</p> <p>10 is it my understanding that Oklahoma will not primarily</p> <p>11 accredit any out of state labs? Is that correct?</p> <p>12 MR. ARMSTRONG: That's correct.</p> <p>13 MR. MOSLEY: Okay.</p> <p>14 MR. WINEGARDNER: Any other discussion?</p> <p>15 (No response.)</p> <p>16 Okay. How about a motion?</p> <p>17 MR. PAQUE: Do we need a motion to accept or a</p> <p>18 motion to approve?</p> <p>19 MR. WINEGARDNER: Motion to approve.</p> <p>20 MS. CHARD-McCLARY: It's a motion to recommend</p> <p>21 to the Environmental Quality Board.</p> <p>22 MR. PAQUE: Make a motion that we pass this in a</p> <p>23 positive and recommend approval by the Environmental</p> <p>24 Board.</p> <p>25 MR. CARR: Second.</p> | <p style="text-align: right;">Page 25</p> <p>1 wanted to -- we ended up renaming it just for simplicity</p> <p>2 reasons because of all the additional language. So we</p> <p>3 would like to withdraw -- or to -- I can't even think</p> <p>4 the term, yeah, withdraw Chapter 303 -- revoke Chapter</p> <p>5 303 and replace it with Chapter 307.</p> <p>6 MR. WINEGARDNER: Okay. That was easy.</p> <p>7 Discussion from the Council?</p> <p>8 (No response.)</p> <p>9 Okay. Discussions from the public?</p> <p>10 (No response.)</p> <p>11 No one wants to hang on to the old one?</p> <p>12 Especially since we are advising that we recommend the</p> <p>13 new one.</p> <p>14 Okay. If we have no discussion by the public</p> <p>15 and no additional discussion by the panel here, then we</p> <p>16 can have a motion.</p> <p>17 MR. RODRIGUEZ: I move that we approve.</p> <p>18 MR. WINEGARDNER: Okay. Thank you.</p> <p>19 MS. WELLS: I second.</p> <p>20 MR. WINEGARDNER: Second, Ms. Wells. All right.</p> <p>21 MS. FIELDS: Mr. Carr?</p> <p>22 MR. CARR: Yes.</p> <p>23 MS. FIELDS: Mr. McCortney?</p> <p>24 MR. McCORTNEY: Yes.</p> <p>25 MS. FIELDS: Mr. Nelson?</p> |

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| <p style="text-align: right;">Page 26</p> <p>1 MR. NELSON: Yes.</p> <p>2 MS. FIELDS: Mr. Paque?</p> <p>3 MR. PAQUE: Yes.</p> <p>4 MS. FIELDS: Mr. Rodriguez?</p> <p>5 MR. RODRIGUEZ: Yes.</p> <p>6 MS. FIELDS: Ms. Wells?</p> <p>7 MS. WELLS: Yes.</p> <p>8 MS. FIELDS: Mr. Winegardner?</p> <p>9 MR. WINEGARDNER: Yes.</p> <p>10 MS. FIELDS: Motion passed.</p> <p>11 MR. WINEGARDNER: Thank you.</p> <p>12 Now we will have some discussion of rulemaking</p> <p>13 on the Rule 606 on the OPDES Standards. Mark Hildebrand</p> <p>14 I believe is going to speak to us here.</p> <p>15 MR. HILDEBRAND: Good afternoon. I'm Mark</p> <p>16 Hildebrand, an environmental programs manager for the</p> <p>17 Water Quality Division. And as we normally do, we are</p> <p>18 just going to try and keep you all informed in the</p> <p>19 public and everybody here of what we plan on doing in</p> <p>20 upcoming rulemaking.</p> <p>21 And I believe the first chapter -- we've got two</p> <p>22 chapters we plan on bringing forward in October. And</p> <p>23 first is Chapter 606. I guess I better follow this</p> <p>24 Agenda here, but Chapter 606 -- and we are mainly</p> <p>25 planning on updating your language in Chapter 606 to</p> | <p style="text-align: right;">Page 28</p> <p>1 Now the next one. Go ahead, you've got the next</p> <p>2 one, 631.</p> <p>3 MR. HILDEBRAND: Okay. Right. On Chapter 631</p> <p>4 we plan on doing a similar process for Chapter 631, to</p> <p>5 make the language consistent with our laboratory</p> <p>6 language. And we may do -- we'll probably do a little</p> <p>7 more rulemaking there where we're going to try and</p> <p>8 define point of entry and some things like that for our</p> <p>9 public water supply rural testing.</p> <p>10 And we don't have a whole lot -- we aren't as</p> <p>11 far along on Chapter 631 but we are planning on making</p> <p>12 it -- clarifying some definitions in there so it will be</p> <p>13 easier for our regulated community to know where they</p> <p>14 fall for testing on the federal regulations. And that's</p> <p>15 pretty much it on that.</p> <p>16 MR. WINEGARDNER: Okay. That's easy.</p> <p>17 MR. HILDEBRAND: Yes.</p> <p>18 MR. WINEGARDNER: Okay.</p> <p>19 Do we have any discussion by the Council?</p> <p>20 (No response.)</p> <p>21 Any comments from the public?</p> <p>22 (No response.)</p> <p>23 Okay. How about the next one.</p> <p>24 MR. HILDEBRAND: Okay. In January --</p> <p>25 MALE VOICE: On --</p> |
| <p style="text-align: right;">Page 27</p> <p>1 make it the same as the water at our lab -- excuse me,</p> <p>2 make it consistent with the language in our laboratory</p> <p>3 rules on, say, we used to call things "certified labs"</p> <p>4 and all sorts of things, and we're going to get the</p> <p>5 proper wording which is "accredited lab". And we're</p> <p>6 going to define some testing, like control tests and</p> <p>7 things like that. Just clarify that everything so it's</p> <p>8 reached from all of our rules that are now under our</p> <p>9 Water Quality Management Advisory Council.</p> <p>10 And previously we really didn't work with our</p> <p>11 laboratory much on our wastewater regs because -- we</p> <p>12 just didn't. But so getting this together, we realized</p> <p>13 that we needed to do some of that. So we don't</p> <p>14 anticipate any huge changes on these, just</p> <p>15 clarifications on this -- on this regulation.</p> <p>16 MR. WINEGARDNER: Okay. Council have any</p> <p>17 comments on that?</p> <p>18 (No response.)</p> <p>19 We look forward to seeing the whole package, of</p> <p>20 course.</p> <p>21 MR. HILDEBRAND: Right.</p> <p>22 MR. WINEGARDNER: Right.</p> <p>23 How about the public, any public comments?</p> <p>24 (No response.)</p> <p>25 All right. Thank you for the advice.</p> | <p style="text-align: right;">Page 29</p> <p>1 MR. HILDEBRAND: Did you have something? Did</p> <p>2 somebody?</p> <p>3 In January we're planning on -- we've got three</p> <p>4 work groups working right now on water reuse</p> <p>5 regulations. One, we've got a technical work group, and</p> <p>6 then we've got a Water Quality Standards work group, and</p> <p>7 a oil and gas subcommittee. And on Chapter 627, one of</p> <p>8 the things we plan on dealing with is -- these will all</p> <p>9 take place at the January Council and we'll have more</p> <p>10 information at the October meeting, we should be fairly</p> <p>11 far along on those.</p> <p>12 But on Chapter 627, we have met with the oil and</p> <p>13 gas subcommittee and -- which included folks from all of</p> <p>14 the oil and gas industry, Water Resources Board,</p> <p>15 Corporation Commission. I'm sure I'm leaving some folks</p> <p>16 out, some municipalities. And we've got a presentation</p> <p>17 on kind of what they do with this water, and what our</p> <p>18 concern is with the human contact that might come out</p> <p>19 when they're using all this water out there for</p> <p>20 fracking. Primarily they're interested in fracking.</p> <p>21 And basically at that meeting it looks like that</p> <p>22 will fall under Category 3, treatment, in our Chapter</p> <p>23 627 regs. So at this point, we kind of anticipate</p> <p>24 adding that as a "use" category for Category 3.</p> <p>25 Part of that subcommittee on oil and gas, we've</p> |

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| <p style="text-align: right;">Page 30</p> <p>1 got Rick McCurdy with Chesapeake as a co-chair, and 2 Stewart Fairburn who is the City Manager there at 3 Chickasha, because they've had a lot -- they've got some 4 interest in selling some of their effluent to some of 5 the oil companies in that area, and we've met. 6 Now, kind of what we're doing, is we're having 7 to work out jurisdictional issues was the Corporation 8 Commission. Because -- and I'm kind of getting both 9 Chapters 627 and 656 because they overlap. But our 10 regulations in Chapter 656 have permanent 11 infrastructure, where you have to have purple pipe to 12 run to a certain spot, say it's a golf course or an 13 industrial plant where you are using cooling tower 14 water. Whereas this oil field for fracking is pretty 15 one-time type deal, where you're going to run it, maybe 16 drill three wells out in a certain area. So we're 17 working with the Corp Com to try, and they have at least 18 agreed in principle, we have to work out all the 19 details, that to -- they would take jurisdiction from 20 the piping of that water from the user of the reclaimed 21 water on out to the oil field site, is the plan. And 22 that's what we are working on there. 23 And we also have another committee that's 24 working on our -- our technical committee, and that's 25 got co-chairs, Gary Hunter who is with Black & Veatch</p> | <p style="text-align: right;">Page 32</p> <p>1 we'll get all this in there. 2 And then the third group is our Water Quality 3 Standards group, which Michael Graves from Garver 4 Engineering is the chair of this. And this is basically 5 the -- some communities have come to us and to the 6 Governor and everybody wanting to allow to send their 7 discharge to what might be a sensitive water supply. So 8 we're trying to work to find a way to treat that 9 appropriately and to see if that's even possible. 10 I mean, right now we're doing indirect potable 11 reuse from somebody discharging to a stream and then 12 somebody downstream later pulling that -- pulling that 13 water up through a drinking water intake. But this 14 would be going to a known public water supply lake with 15 this same water that is designated "sensitive water 16 supply". So we've got that group working on that. 17 We're currently doing that. Like we said, not 18 knowing about it -- or not calling it that, but. 19 And, Carl, do you know when we're meeting next 20 on that? 21 MR. PARROTT: I don't remember. 22 MR. HILDEBRAND: All right. And we're trying to 23 let these chairs kind of set up these meetings and 24 things so we're not directing them on things. Because 25 we want them to get this show going instead of the</p> |
| <p style="text-align: right;">Page 31</p> <p>1 and Tom Crowley with Carollo, and we have met several 2 times on technology updates for Chapter 656. And the 3 plan this year is -- and what am I leaving out here, 4 Carl? We've got a whole bunch of different consultants 5 besides them. Is there any other state agencies on the 6 technical committee that I'm leaving off? It's mainly 7 our staff and several consulting engineers. 8 But this year -- we're trying to add some things 9 each year, and this year we are planning on adding some 10 disinfection requirements. Which would -- like UV 11 peroxide, ozone peroxide, ozonization, on-site 12 hypochlorite generation, and peracetic acid. And then 13 we are also planning on adding some filtration for, say, 14 membrane bioreactors and micro, nano, ultra filtration 15 there, RO. 16 And we've got another meeting I think just got 17 scheduled the other day for July 24th, where there has 18 been some white papers sent out and everybody is 19 reviewing them from different -- our chairs are both 20 from Kansas City. And we've got consultants from Texas 21 area that are looking at things, and so we send out mass 22 e-mails with suggestions, and everybody is looking it 23 over, and then we're going to get together on the 24th 24 of this month and try and come up with some language in 25 it. We are biting off quite a bit, so I don't know if</p> | <p style="text-align: right;">Page 33</p> <p>1 regulators saying what we're going to do. We have been 2 -- that's our goal anyway. So we're waiting on -- I 3 don't know when our next meeting is on that. 4 And then we'll have the whole groups, probably 5 at least the chairs of the whole groups to get back 6 together once we get all the regulations sketched out on 7 paper and go over it with the whole group. 8 MR. WINEGARDNER: That sounds like a very 9 ambitious program to have ready for October. I mean, 10 that's just my personal observations. 11 MR. HILDEBRAND: Well, our rule, we hope to have 12 you all vote on it in January. 13 MR. WINEGARDNER: January, okay. 14 MR. HILDEBRAND: But it's still pretty 15 ambitious, Duane. I mean, that's biting off a lot, 16 three different committees going. But it is very 17 important. 18 MR. WINEGARDNER: Very important. But I've 19 talked to a lot of folks and there's a lot of opinions. 20 MR. HILDEBRAND: You bet. 21 MR. WINEGARDNER: Still got a long way to a 22 consensus, but good luck. We're all looking forward to 23 that. 24 Discussion from the Council? 25 MR. PAQUE: I would like to make one comment.</p> |

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1 I've been to one each of those meetings, and I have made
 2 it known that the devil is in the details in how we do
 3 it, but the responsibility of this Council is I think
 4 significant as we discuss all those findings.
 5 I personally am very much in favor in finding
 6 unique and creative but publicly held safe ways to reuse
 7 water in this state, and I think it's going to have to
 8 happen. I'm proud of the Council for making movements
 9 in that direction.
 10 I would remind us, though, that we put all this
 11 off once before. It is sensitive, we all know that.
 12 And there is a lot of misinformation out there. But if
 13 you have ever attended any of those meetings, you'll
 14 find some really skilled people, consulting engineers
 15 and the other departments, and it isn't for lack of
 16 deliberation that we'll be hearing it in January.
 17 I would support biting off all we can bite in
 18 January rather than setting it aside so that there is
 19 some progress made in the state of Oklahoma on reusing
 20 what water we can all agree on, can safely be reused.
 21 So that's kind of an editorial. And I will make up my
 22 mind when I see what's in writing, of course, but in
 23 principle I think it's essential as we go on.
 24 Mark, when those meetings are -- when notice is
 25 out -- you always send us notice, I know that, but can

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1 you all out of there.
 2 MR. PAQUE: It would be of some interest to hear
 3 -- to be present, those of us that could be, at a
 4 meeting of the chairs and some overseeing, or is that a
 5 meeting that will just be with staff?
 6 MR. HILDEBRAND: No, that would be fine. And
 7 anybody that wants to be on there, just let me or Carl
 8 know. If you -- and we'll give you all the schedules as
 9 soon as we -- if we have got anything.
 10 MR. PAQUE: Okay. Thanks.
 11 MR. WINEGARDNER: For twelve and a half years I
 12 served on the Lake Thunderbird Board. And I was always
 13 amazed at the foresight that the people had back in 1965
 14 to decide to build a dam. They actually started in '54.
 15 They built the dam and the water supply system and now
 16 it's been operating for 50 years.
 17 And I hope that this panel, and I really believe
 18 that this panel is going to have the same foresight that
 19 those people did before that served the people of
 20 Oklahoma so well, and I really appreciate their efforts.
 21 **A lot of hard work, but I think we can do it.**
 22 MR. CARR: Can I ask some clarification for this
 23 Council? Will we have the proposed rules presented to
 24 us in January and then have to make a vote at that time
 25 or will we have a presentation of what is going to be in

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1 you be sure, since we are coming down the home stretch
 2 to let us know as soon as you know, let us know? I
 3 think the Water Quality Standards one is essential.
 4 MR. HILDEBRAND: Right.
 5 MR. PAQUE: They all are, but -- and then you
 6 mentioned a meeting of the chairs. Is that a meeting
 7 that Council members can attend?
 8 MR. HILDEBRAND: You bet.
 9 MR. PAQUE: And there's no meeting we can't
 10 attend. Right?
 11 MR. HILDEBRAND: Right.
 12 MR. PAQUE: So could you --
 13 MS. CHARD-McCLARY: We can't have a quorum.
 14 MR. HILDEBRAND: We just cannot have a quorum
 15 present at one of the -- at one of our meetings.
 16 MR. PAQUE: Understood.
 17 MR. HILDEBRAND: But --
 18 MR. PAQUE: You might get an expression of who
 19 on the Council might want to be there, and then we can
 20 dissuade others from attending if we really want to
 21 attend.
 22 MR. HILDEBRAND: Right. Or maybe some Council
 23 members go to a oil and gas, and vice versa, pick out
 24 what you want to do. But I don't think we are going to
 25 have over seven at one, but I hate to have to run one of

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1 the rule and then be able to have that rule at a
 2 following meeting? What's the process?
 3 MS. CHARD-McCLARY: The goal is to have pretty
 4 close to final rule language in October. We may run
 5 into issues as far as meeting publication dates, which
 6 is why this will be a vote in January. I'm not going to
 7 swear to you it will be the absolute final draft that
 8 will be presented in October but it will be as close as
 9 we can have a final draft.
 10 So you will be seeing rule language, not just
 11 another discussion of. Well, it's going to be water
 12 reuse and this is kind of what it's going to look like.
 13 It will be in rule form and rule language. It just will
 14 not be available for the public comment period long
 15 enough for it to be a vote for you all. So it will be
 16 pretty close to final.
 17 MR. CARR: And that will be given in a
 18 presentation form or --
 19 MS. CHARD-McCLARY: You will have --
 20 MR. CARR: -- or just the document.
 21 MS. CHARD-McCLARY: You will have a rule in
 22 front of you. And it will be presented, it just will
 23 not have a vote. So it will be, Here is the rule, just
 24 like you have Chapter 307 today. You would have
 25 something like that, you just will not be voting on it.

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1 You will have that.
 2 Mark or Carl or one of the consultants that are
 3 chair of one of those groups will be making a
 4 presentation of that rule document, and the Council and
 5 public will be able to ask questions, have whatever
 6 discussion, and then it will be through the formal
 7 public notice period that's required by law in order to
 8 have the January vote.
 9 There will also be at least two public meetings
 10 where the rule language will be discussed. Typically we
 11 try to do those one in Oklahoma City and one this Tulsa.
 12 So that will also occur during the official period, but
 13 we will have rule language that you will see in October.
 14 MR. CARR: Okay. Thank you.
 15 MR. HILDEBRAND: Shellie, I think on those
 16 public meetings what we've tried to do in the past --
 17 MS. CHARD-McCLARY: Your mic is not on.
 18 MR. HILDEBRAND: Well, it keeps blinking. There
 19 it is.
 20 What we typically try and do on our public
 21 meetings is have those before our comment period, so
 22 we'll get some comments at the hearing and get them at
 23 our public meeting and get them addressed prior to the
 24 comment period. Because we generally don't have a lot
 25 of time to respond to a bunch of comments at the end,

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1 and we would just as soon get it taken care of ahead of
 2 time. So we try and get them our draft rule, and we
 3 know that it will probably need some editing. And
 4 everybody that comes to those meetings has been very
 5 helpful with giving us some language, and we have
 6 changed some language here by our Council, some better
 7 wording.
 8 So, I mean, we are only so many people and we
 9 want to get it right, so we are trying to get it out as
 10 early as we can with our rules and get comments from
 11 everybody involved.
 12 MR. NELSON: Mark, are there some companion
 13 actions that will be happening at OWRB associated with
 14 this? And if so, are they on track?
 15 MR. HILDEBRAND: Well, OWRB has come to our
 16 primary meeting. I think they wanted to come -- there's
 17 a little bit of concern about maybe some water rights,
 18 issues with the Water Board, so they have asked to at
 19 least attend our meetings. And they haven't given any
 20 specifics or said anything.
 21 Do you know anything else, Carl, on that?
 22 MR. PARROTT: Just that, you know, they're
 23 active on our Water Quality Standards group. They're
 24 here and are working with us on that.
 25 MS. CHARD-McCLARY: Yeah, the Water Resources

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1 Board has the water rights issue. And then also some of
 2 the communities and the consultants that are on that
 3 Water Quality Standards Committee originally thought
 4 they were going down a path. There's language in the
 5 Water Quality Standards that talks about a demonstration
 6 study, so we kind of had started down that path.
 7 There is now discussion with some of the
 8 consultants in a couple of the cities of, well, maybe we
 9 should make a change to the Water Quality Standards so
 10 that it clarifies or it changes some designated
 11 beneficial uses such as the sensitive water supply
 12 designation. Those conversations are happening. I
 13 don't know there's a schedule to say anything is or is
 14 not on track, but I do know there are discussions about
 15 that.
 16 The Water Quality Standards changed. If it is
 17 just one of the changes related to sensitive water
 18 supply, that is something that can be done through state
 19 rulemaking and does not require federal approval because
 20 it's only a state rule as opposed to a federal
 21 requirement, so that would shorten the time for what we
 22 typically think of are Water Quality Standards change.
 23 That's one of those that there are those that
 24 are for it and those that are against it, but it will be
 25 something that will be kind of worked out on a

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1 water-body-by-water-body basis. But the Water Board is
 2 heavily engaged in the dialog, not only the Water
 3 Quality Standards staff and the water rights and the
 4 water quantity staff, but their executive director, J.D.
 5 Strong, is heavily involved and paying attention.
 6 Secretary Teague, Secretary of Energy and
 7 Environment, is heavily invested in this. The Governor
 8 has a huge interest in it. So I think we're going to
 9 see it continue to move.
 10 And, you know, something that Steve Thompson,
 11 our former executive director would say is, let's hurry
 12 every chance we get, so I think that's kind of where we
 13 are in this. We are trying to move through as quickly
 14 as possible things that we can control, some things that
 15 we can do, and we are working with the other state
 16 agencies. And with the Governor's office interested,
 17 that's really encouraging.
 18 Some of the other agencies that perhaps at
 19 times, you know, were not as engaged because they
 20 weren't looking at it from a lack of drinking water
 21 perspective, which was kind of our driving force for
 22 awhile, that they're really engaging in the topic. And
 23 the oil and gas industry is really engaging in the
 24 topic, so I think we're going to see progress. I'm not
 25 worried about things like that slowing us down yet.

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1 MR. NELSON: But the critical path, the
 2 implementation, may fall outside the Agency actually,
 3 may?
 4 MS. CHARD-McCLARY: The Water Board is going to
 5 play a key role. There's no doubt.
 6 The issues with water rights is really their
 7 deal. We don't have any ability to do anything but
 8 offer an opinion. The Water Quality Standards issue, if
 9 a change has to happen there, it will be a Water Board
 10 change, but they are willing to do whatever they need to
 11 do on that front.
 12 Just from, you know, personal opinion, I think
 13 we at least know what the challenges are and I think we
 14 know where we stand from a legal perspective on a Water
 15 Quality Standards piece of it. The Water Rights piece,
 16 at least for me, is a little bit harder to clearly
 17 define. And are we counting the water that's in the
 18 stream? And is that part of the base allocation? Is
 19 that above and beyond?
 20 Different states have taken different
 21 approaches, and that's going to be one that is strictly
 22 up to the Water Board and what their statutory authority
 23 allows and how those allocation formulas were developed
 24 and when the allocations were made and kind of where it
 25 stands today.

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1 MR. NELSON: But to the largest extent possible,
 2 we're not waiting on OWRB. We're going to promulgate
 3 our rules and get on with it?
 4 MS. CHARD-McCLARY: Yeah. Where we stand right
 5 now, nobody is really waiting on anybody other than the
 6 three subcommittees of our legislatively created Water
 7 Reuse Committee. And they're working through all of
 8 these issues. You know, everybody has a day job, but
 9 there has been a lot of time and energy and effort
 10 spent, and I don't feel like anybody is really sitting
 11 around and waiting on anything. And we certainly, the
 12 other state agencies are working at pretty much the same
 13 pace, as quickly as possible.
 14 MR. WINEGARDNER: Very good.
 15 MR. RODRIGUEZ: Mark, during your statement, you
 16 made reference to adding a "use" category. And it was
 17 when you were, I believe, talking about fracking. And
 18 could you elaborate a little more about that comment
 19 please?
 20 MR. HILDEBRAND: In our current rules we have
 21 categories for water reuse, and then we have a table
 22 that has what's allowed for each of these categories.
 23 Which is, say Category 5 is the least treated water, and
 24 it might go on to a fenced pasture, live -- pastured
 25 field to irrigate.

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1 And then you've got Category 4, which is treated
 2 better and it's disinfected, and it goes on to a golf
 3 course or something.
 4 And Category 3 is basically secondary treated
 5 water or it's mechanically plant treated water and
 6 chlorinated to a certain -- or disinfected to a certain
 7 percent for bacterial and log virus removal. And
 8 Category 3 is what we believe oil and gas, it wouldn't
 9 need to be required for this water for fracking.
 10 So I may have said it -- we aren't creating a
 11 new category for it, we would just add fracking to one
 12 of the uses for Category 3 wastewater or reclaimed
 13 water. Which -- and I don't have that in front of me,
 14 but say Category 3 may have use for cooling towers and
 15 golf courses when nobody is present and sod farms and
 16 things like that, and we would simply add the oil field
 17 fracking as another use.
 18 MR. WINEGARDNER: Very good.
 19 Any other comments?
 20 (No response.)
 21 Thank you, Mark. Appreciate it.
 22 I assume that we have covered the Water
 23 Pollution Control Facility Standards as part of the
 24 discussion. You indicated that you were combining the
 25 two of them.

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1 MR. HILDEBRAND: Right, yes.
 2 MR. WINEGARDNER: Very good. Thank you.
 3 Shellie, the Director's Report.
 4 MS. CHARD-McCLARY: Okay. I've got several
 5 things that I just wanted to update you a little bit on
 6 where some things stood and some changes that do affect
 7 some of your work.
 8 First of all, on rulemaking we did have a change
 9 that went into effect in November that basically changed
 10 the process that we have to go through for rulemaking.
 11 And this kind of speaks a little bit to the question
 12 that was asked about when are we going to see these
 13 rules and how -- you know, what's that process going to
 14 look like.
 15 Previously we would submit rules to the
 16 Governor's office and the legislature at the same time,
 17 and that would be after it had been through the
 18 Environmental Quality Board. There was a change through
 19 legislation and then also followed up with an executive
 20 order, so now we must submit a final draft of the rules
 21 prior to their submittal to Secretary of State's Office,
 22 so basically we will have all of the rules done well in
 23 advance.
 24 It's not only advance of publication date, but
 25 prior to submittal. So that kind of adds more time to

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1 the front end of our rules. So we will be real close to
 2 having them done almost a Council meeting in advance in
 3 order to meet those advance submission to the Governor
 4 and going through that process. So I did want to let
 5 you know about that.
 6 Also a change that this was the first year we
 7 had been through this rulemaking process where the
 8 legislature must affirmatively approve all rules or
 9 they're either deemed unapproved or the Governor can
 10 take action and issue an order that approves all of
 11 those rules. And this year we had -- I can't remember
 12 which house it was, we did have a bill that would
 13 approve our rules and then the other house did not take
 14 up that bill.
 15 So what happened then was the Governor did issue
 16 the order approving them, authorizing them for
 17 publication, but that delay and that change in process,
 18 our rules were no longer effective on July 1st or the
 19 first week of July. Our rules are going to be effective
 20 in September because -- about September 12th or
 21 something like that.
 22 So that's kind of a new twist and something that
 23 we could have effective dates, but that will be
 24 different every year depending on when the legislature
 25 and/or Governor act. So that will be something that

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1 we'll be talking about and monitoring and letting you
 2 know the outcome of our rules when they go through that
 3 process.
 4 After a lot of talk about water reuse, one thing
 5 I did want to share with you is our efforts are getting
 6 quite a bit of national attention. I received an
 7 invitation a couple of weeks ago to go to the EPA Office
 8 of Research and Development in Cincinnati in September.
 9 And Michael Graves with Garver, who is chairing the
 10 Water Quality Standard Subcommittee of our Water Reuse
 11 Committee, we were asked to go and speak to a group of
 12 states and EPA Regional and Headquarter staff about the
 13 process we've been using to implement water reuse,
 14 looking at the public participation element, the
 15 committee side of it, and how that process is moving
 16 forward.
 17 So there will be several other states kind of
 18 sharing where they are in that process, but I thought
 19 that was -- you know, speaks volumes for the process we
 20 are using and the fact that we have not only local
 21 consultants and local utilities and local industries,
 22 but we also have national leaders working with us in
 23 water reuse. So we'll be doing that in September and
 24 kind of telling the story of the committees and the
 25 partnership and the other agencies.

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1 And we've reviewed a guidance document that EPA
 2 has developed. We were part of the small group of
 3 states they asked for input. We provided comments.
 4 We are also participating with the Office of
 5 Groundwater Drinking Water at EPA headquarters through
 6 some conference calls and kind of working through
 7 issues, and they're asking us, you know, what are some
 8 things that we can do to make things easier? How can we
 9 help? How can we move toward more water reuse? We have
 10 so much drought, do we really need all of this water
 11 treated to drinking water standards?
 12 So those are some of the discussions we are
 13 having. And we are getting to tell our story and it's
 14 being very well received, and so I will let you know
 15 what comes of that. But hopefully we'll get some good,
 16 useful products from some of the EPA contacts, see how
 17 much help they can be.
 18 We keep talking about the public education
 19 materials are an area that a lot of the utilities that
 20 are wanting to move toward some sort of either indirect
 21 or direct potable reuse are asking. It's, you know,
 22 Would you please stop calling it "toilet to tap", you
 23 know, those basic things. People hear "toilet to tap"
 24 and what they say is "eww". So we are trying to get
 25 away from that.

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1 And, you know, my standard line is unless you
 2 are at the north pole, downstream from somebody, you are
 3 already drinking it, so get over it. So hopefully we'll
 4 be able to get some educational materials that we can
 5 use and help provide to our utilities and industries
 6 that are wanting to move to more water reuse.
 7 We do have kind of a coo, I guess, that we were
 8 able to get the Association of Clean Water
 9 Administrators will be meeting in Oklahoma for the first
 10 time in its 54-year history. That's coming up in a
 11 couple of years -- geez, a couple weeks. It's the first
 12 week of August.
 13 We have some of EPA Headquarters, not only
 14 wastewater staff but also drinking water for the first
 15 time, they're kind of engaging with us in a discussion
 16 of all water is connected. Drinking water and
 17 wastewater are not two independent things, so that's
 18 going to be very good for the state of Oklahoma.
 19 And to kind of highlight some of the things that
 20 we have going on, the Office of Groundwater Drinking
 21 Water Management's director is going to be meeting with
 22 Oklahoma and National Rural Water Associations and also
 23 with Groundwater Protection Council doing some tours,
 24 looking at what real small systems look like.
 25 When you talk to somebody in Washington, D.C., a

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| <p style="text-align: right;">Page 50</p> <p>1 small system is, oh, you know, serves less than 10, 2 20,000. Maybe it's less than 100,000, because east 3 coast cities, there are so many big ones, they forget 4 about how things impact small systems, the truly small 5 systems. So we're going to take advantage and do a lot 6 of tours and a lot of looking around at what it really 7 means to be a small system. So we're going to take 8 advantage and do a lot of that here in a couple of 9 weeks.</p> <p>10 I think I've mentioned to you before the 11 Oklahoma Arkansas Scenic River Joint Study Commission 12 Phosphorous Stressor Study, I think I got all of that in 13 the right order. This is one of the long line of the 14 Oklahoma, Arkansas, Illinois river phosphorous, is it 15 coming from cities, is it coming from chickens, whose 16 fault is it, and what are we going to do about it.</p> <p>17 That group, both the Governors of the two states 18 appointed three representatives. We have been meeting 19 it feels like constantly, but about once a month getting 20 the study lined out. The contract was finally signed 21 and the study has begun and the early sampling has 22 begun.</p> <p>23 That study will continue through 2016, and the 24 goal is by the end of that study, that we will have 25 either confirmed that the Water Board's standard for</p> | <p style="text-align: right;">Page 52</p> <p>1 is more information.</p> <p>2 And one last topic I wanted to cover was the 3 budget. I'm sure you heard lots about the budget. 4 Budget, of course, some agencies or most agencies was 5 cut by about five and a half percent general revenue. 6 DEQ's general revenue was cut 21 percent. As it was 7 described, it was the 1.5 million that was given for the 8 drinking water program last year and another five and a 9 half percent on top of that.</p> <p>10 In addition to that 21 percent cut, also 12 11 million was taken from the DEQ revolving fund. That 12 revolving fund is fee dollars paid in to the Agency. It 13 is settlement money that has come in from clean up and 14 Superfund match. Miscellaneous -- it was our repair or 15 replace the parking garage capital budget fund. So I 16 think I looked at it and it was something like 56 or 17 7 percent of our revolving fund was taken.</p> <p>18 So, you know, what does that mean for us? We 19 went through and looked at where do we have vacancies, 20 where are we doing something that's not required but is 21 just kind of a good thing to be doing, and made a lot of 22 changes to things in the Agency.</p> <p>23 Primarily the three divisions impacted was 24 environmental complaints and local services, state 25 environmental lab, and water quality, because we were</p> |
| <p style="text-align: right;">Page 51</p> <p>1 phosphorous in scenic rivers of 0.037 is appropriate or 2 it is not appropriate. If it is not appropriate, then 3 the Water Board will have to adjust it either up or 4 down, and Arkansas will then have to implement those 5 standards for its discharges that are along the border.</p> <p>6 This is about the fourth or fifth round of 7 negotiations and studies, and this is the first time 8 that it kind of got out of a political realm and into 9 more of the scientific realm. So it should be good once 10 we get through it, but it's pretty painful going through 11 that level of detail and that amount of data and all of 12 the literature associated. But that project is moving 13 forward, and Ryan King out of Baylor University is 14 heading up that study.</p> <p>15 So those of you on the eastern part of the 16 state, particularly around Tulsa, probably have heard a 17 little more about that, but if you see things or you 18 have questions, feel free to contact me or Derek Smithee 19 at the Water Board or Shanon Phillips at the 20 Conservation Commission.</p> <p>21 And there is a link from the DEQ website. On 22 the front page of our website there's a button that's 23 Scenic River Phosphorus Study, so you can click on it 24 and it will take you to all of the information. And 25 it's up to date. It's updated weekly or whenever there</p> | <p style="text-align: right;">Page 53</p> <p>1 the three divisions that received the general revenue 2 funds. And then our land protection division was hit 3 really hard with the revolving fund money. And that's 4 the armory cleanup, Superfund match, voluntary cleanup, 5 armories, those types of programs. So we have looked. 6 The environmental complaint local services division will 7 be closing some additional offices and leaving positions 8 unfilled.</p> <p>9 You know, it's kind of I don't know if it's a 10 good thing or a bad thing. We have had so many people 11 leaving because of pay is much better in private sector, 12 particularly oil and gas, so we had a lot of vacancies. 13 So they will not be laying off employees, but they will 14 be leaving a lot of positions vacant.</p> <p>15 Lab will be primarily not replacing equipment. 16 That for this year is probably okay, but eventually 17 that's going to catch up to you. When the equipment 18 goes down and you can't replace it or you can't fix it, 19 we'll have to figure out how we're going to deal with 20 that.</p> <p>21 In the water quality division we are looking at 22 leaving seven positions vacant. We are looking at 23 utilizing more of a drinking water state revolving fund 24 set-aside money. It is -- up to 31 percent of that 25 money can be used for program implementation, so we will</p> |

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| <p style="text-align: right;">Page 54</p> <p>1 be using a greater percentage of that. The problem is 2 when we put it in a loan fund, each dollar is worth 3 about \$10 because the Water Board is our banker and they 4 buy bonds, leverage that money, and can make greater 5 amount of loans available to public utilities. 6 We are also kind of looking at there's some 7 organizational changes, shifting around of actual filled 8 positions so that we can get the required tasks done. 9 What we just implemented after getting the additional 10 general revenue, some training outreach. 11 We have done the first six of those. Now we are 12 having to rethink that approach. We are still going to 13 try to do some outreach and training in education, 14 particularly with public utilities, but we're not going 15 to be able to do all over the state the way we had 16 intended. 17 We are trying to look at, can we do, well, one 18 location in Tulsa, one location in Oklahoma City, and 19 have the cities and the rural water districts drive to 20 one of two locations. We are trying to see if we can 21 make some of the training either available through a 22 webinar or video conference or something along those 23 lines. 24 So we're trying to get creative to see how we 25 can do as much of that compliance assistance and</p> | <p style="text-align: right;">Page 56</p> <p>1 just kind of have to see how that turns out. 2 That's a whole lot of stuff so I'm going to stop 3 there and open it up to any questions that you all might 4 have about any of those items. 5 MR. PAQUE: I don't have a question but I would 6 like to give Shellie a compliment. 7 Those of you that don't know, Shellie mentioned 8 the Association of Clean Water Act Administrators. 9 Shellie is the current president of ACWA, as it's 10 called, and I think that's certainly an honor for her 11 professionally but for the state of Oklahoma. And I -- 12 I would -- I would love for the Chamber of Commerce to 13 give her an award for bringing that meeting to downtown 14 Oklahoma City. That's very rewarding. So we appreciate 15 you being able to do that for the first time in 50 years 16 to have that crew meet here. With no question is your 17 influence as the current president, so thank you. 18 MR. RODRIGUEZ: Mr. Chairman, I would like to 19 make a comment that is on the periphery related to this 20 Council. And that is the fact that Secretary Teague is 21 holding a meeting this afternoon of stakeholders up at 22 Frances Tuttle Vo-Tech to discuss the proposed rule that 23 EPA has forwarded along with the U.S. Army Corps of 24 Engineers to substantially change the definition of 25 jurisdiction under the Clean Water Act.</p> |
| <p style="text-align: right;">Page 55</p> <p>1 outreach that we can do. But, you know, the changing 2 budget certainly changed our plans for the Water Quality 3 Division. 4 We did have positions that we were trying to 5 fill, had been unable to fill, and now we simply will 6 not be filling some of those. But because of the 7 economy, we are losing quicker than we can hire. 8 So the upside is we won't be having to get rid 9 of people, we're just trying to figure out how do we use 10 the people we have and how do we replace enough that we 11 can meet our state and federal obligations. So this 12 will be an ongoing conversation, I'm sure, and we'll be 13 dealing with this for several years. 14 One of the most immediate implications, the 15 Revised Total Coliform Rule is set to be effective on 16 January 1, 2016. EPA is asking for the primacy packets 17 to be submitted sometime shortly after October 1 and we 18 will not be making application for primacy. Looking at 19 it would require at least another one to two staff, and 20 we are struggling where we are right now. 21 So that will be one that will have to wait, see 22 if we can request an extension for two years. So that's 23 typically what we will do in a situation like this and 24 hope to be able to adjust and be able to apply for full 25 primacy. Hopefully sooner rather than later, so we'll</p> | <p style="text-align: right;">Page 57</p> <p>1 This clarification takes the form of some 88 2 pages of new language that would expand jurisdiction 3 quite broadly from, you know, using legislative language 4 that gives EPA jurisdiction over navigable waters to 5 cover just about any ditch or water pond that you can 6 imagine. 7 The industry that I represent is concerned about 8 that expansion without legislation. And we salute 9 Secretary Teague in, you know, facilitating this 10 informal conference today. He invited Region 6 11 officials from EPA to Oklahoma, and he invited 12 stakeholders, and there are both industrial, 13 agricultural, and environmental groups, citizens groups, 14 a wide variety of people are given today the opportunity 15 to address that subject. 16 It -- the comment period really was supposed to 17 run out, but there has been such a response to this 18 proposed rule that the EPA extended for another 90 days 19 the comment period, so this bears watching. And, again, 20 I salute the Secretary for having this meeting today. 21 MS. CHARD-McCLARY: That's the water -- 22 MR. RODRIGUEZ: Yes, the meeting does go to 23 4:30. 24 MS. CHARD-McCLARY: The Waters of the U.S. Rule 25 and then it has a companion, the Interpretive Rule,</p> |

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1 which is the agriculture exemptions.
 2 And there have been a lot of discussion of it
 3 uses language like "accepted farming practices". And
 4 there's, Okay, accepted by who? And the Department of
 5 Agriculture representatives, DEQ, the Water Board,
 6 Conservation Commission, and the Secretary's office have
 7 met a couple of times in trying to kind of iron out
 8 where do we stand and what do we think?
 9 And the state of Oklahoma will be offering one
 10 cohesive set of comments coordinated by the Secretary's
 11 office, so we will be on the record as a state with
 12 where we stand and what our concerns are. And I think
 13 the way I've heard it described best for those of you
 14 who know Derek Smithee, so he's -- this WOTUS, Waters of
 15 the U.S., so he -- all the letters, it's a WOTUS. He
 16 said, This WOTUS has turned into a wookee.
 17 And when you start looking at it, well, you look
 18 at it and we had this very fuzzy line, and someone has
 19 now picked up that line and put it down somewhere else.
 20 It's still fuzzy and we still don't know exactly where
 21 it is, and it's hard to know what the impact is because
 22 you don't really know what it says. So that's going to
 23 be something that we are definitely going to stay
 24 engaged in and have those discussions.
 25 And I think when you were listing out

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1 of town.
 2 The first point is that, Mark, if you could do a
 3 doodle poll before October when we set our -- please,
 4 before we set our dates. You all do a fine job and you
 5 pick dates that you think are workable, but if you could
 6 do a doodle poll of all 12 months next year, and let
 7 each of us have a chance to tell you when we can't meet
 8 and let majority rule. You just have to do the best you
 9 can do. I think that would be helpful.
 10 Does anybody else think that's unreasonable? At
 11 least you can mark off when you know you're going to be
 12 out of town. I think that would be -- that would be
 13 handy.
 14 Mr. Chairman, I was enjoying having the throne
 15 back again. And I will turn it back to you.
 16 I asked staff or Mark if he could do a doodle
 17 poll for all 12 months next year. In fact, if you know
 18 in four months we're going to meet, I guess, Mark,
 19 January, if it's quarterly, just pick the month, and let
 20 us all have the opportunity to mark when we cannot meet
 21 and then majority rules. If it's my schedule and
 22 everyone else can meet, that's my problem. I thought
 23 that would be handy. And with particular attention to
 24 January, that will be an interesting, to say the least,
 25 meeting. So that was my comment.

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1 stakeholders, I know that several cities were
 2 specifically invited. I know a lot of public and
 3 private utilities as well as big business, big
 4 industries, smaller industries, so it really is a very
 5 wide group that has been invited.
 6 This is the second of the issues that Secretary
 7 Teague has taken on this way and trying to put together
 8 a group to provide input prior to the state offering
 9 official comments. So I think we're going to see a lot
 10 more of this, certainly on issues that impact multiple
 11 agencies and multiple sectors out there.
 12 MR. RODRIGUEZ: Did Dave leave anybody in charge
 13 before he left?
 14 MS. CHARD-McCLARY: How about our past chair,
 15 maybe? You want to take over for new business or ask
 16 for further comments or questions?
 17 MR. PAQUE: I can do that.
 18 Are there any other -- any other comments on the
 19 director's report?
 20 (No response.)
 21 Is there any other new business to be brought
 22 before the Council, any new business to be brought?
 23 (No response.)
 24 I'll make one comment I will tell the Chair when
 25 he returns. It's more to the people that drive from out

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1 MR. WINEGARDNER: I think that's a good idea.
 2 The other thing we are considering is moving the
 3 start hour until 1:30 to make it more convenient for
 4 people who are traveling in.
 5 MR. CARR: Good idea.
 6 MR. WINEGARDNER: And maybe you can take care of
 7 some morning business. So that's something we are
 8 discussing.
 9 I apologize for slipping out. Sometimes
 10 emergencies happen.
 11 MR. PAQUE: Actually, we were going to do it
 12 last year and we cut ourselves too late, it was after
 13 the roll when we said, oh, we wanted to make that 1:30
 14 and it never got through, if I remember right. But,
 15 again, that's something the group as a whole --
 16 MR. WINEGARDNER: Yeah. In October we'll set
 17 our meeting schedule, and I think those are good
 18 suggestions to decide when we cannot be there.
 19 MR. HILDEBRAND: I'll follow up with a poll on
 20 all those issues.
 21 MR. WINEGARDNER: Okay. Good. We can poll the
 22 Council without calling a meeting, can't we, ahead of
 23 time?
 24 MR. HILDEBRAND: Sure. I will just send an
 25 e-mail with requests --


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1 MR. WINEGARDNER: An e-mail?
 2 MR. HILDEBRAND: -- or suggestions or come up
 3 with a good format.
 4 MR. WINEGARDNER: So then it would be easier to
 5 be prepared when we come to the next meeting. Okay.
 6 Thank you.
 7 New business? I have none. I foresee none
 8 unless Council has new business.
 9 MS. CHARD-McCLARY: Do we have a baby update?
 10 MR. PAQUE: Not yet. I will have a picture
 11 within minutes.
 12 MR. WINEGARDNER: Okay. That may not be
 13 appropriate but --
 14 MS. CHARD-McCLARY: Picture of the baby.
 15 MR. WINEGARDNER: I just remember when our first
 16 grandchild was born, the grandparents on both sides were
 17 there. And immediately after the child was born, they
 18 wrapped the child in a blanket and brought him out to
 19 the grandparents, so we actually got to hold the baby
 20 before the mother and father did. And we have had a
 21 very close relationship, that initial relationship is
 22 developed and is very close to all of the grandparents.
 23 Well, our next meeting is October 7th at 1:00,
 24 at least is scheduled for 1:00, and with -- and without
 25 any further things, I will entertain a motion for

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1 adjournment.
 2 MR. RODRIGUEZ: So moved.
 3 MR. WINEGARDNER: So moved?
 4 MR. McCORTNEY: Second.
 5 MR. WINEGARDNER: Second. Okay.
 6 All in favor?
 7 (All affirm.)
 8 I mean, we can do that by acclamation, can we
 9 not?
 10 Thank you. Appreciate you all coming, and we'll
 11 see you in October.
 12 (Meeting adjourned; proceedings concluded at
 13 2:37 p.m.)
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1 -- CERTIFICATE --
 2 I, Lori L. Roberts, Certified Shorthand
 3 Reporter for the state of Oklahoma, certify that the
 4 above and foregoing proceeding was by me taken in
 5 stenotype and thereafter transcribed and is a true and
 6 correct transcript of the proceeding; that the
 7 proceeding was taken on July 8, 2014, at 1:00 p.m., in
 8 Oklahoma City, Oklahoma; that I am not an attorney for
 9 nor relative of any of said parties, or otherwise
 10 interested in the event of said action.
 11 IN WITNESS WHEREOF, I have hereunto set my hand
 12 and seal of office this 21st day of July, 2014.
 13
 14
 15 *Lori Roberts*
 16
 17 Lori L. Roberts
 18 CSR No. 1588
 19 Commission Expires: 12/31/14
 20
 21  Lori Lene Roberts
 22 State of Oklahoma
 23 Certified Shorthand Reporter
 24 No. 1588
 25 Commission Expires: 12/31/14

