

DRAFT MINUTES
WATER QUALITY MANAGEMENT ADVISORY COUNCIL
January 12, 2016
Oklahoma Department of Environmental Quality
Multipurpose Room
Oklahoma City, Oklahoma

Official WQMAC
Approved at May 3, 2016 Meeting

Notice of Public Meeting – The Water Quality Management Advisory Council (WQMAC) convened for a Regular Meeting at 2:00 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 October 20, 2015. The agenda was posted at DEQ twenty-four hours prior to the meeting. Mr. Duane Winegardner, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT

Robert Carr
 Brian Duzan
 Mark Matheson
 Jon Nelson
 Mike Paque
 Jim Rodriguez
 Jeff Short
 Steve Sowers
 Duane Winegardner

MEMBERS ABSENT

Debbie Wells
 Terry Wyatt

DEQ STAFF PRESENT

Shellie Chard-McClary
 Chris Armstrong
 Carl Parrott
 Mark Hildebrand
 Scott Cordell
 Betsey Streuli
 Jennifer Boyle
 Michelle Wynn
 Terry Lyhane
 Patty Thompson
 Courtney Carter
 Lloyd Kirk
 Martha Penisten
 Sharon Smith
 David Caldwell
 Jamie Henson
 Quiana Fields

OTHERS PRESENT

Lynette Wrany, Court Reporter

Approval of Minutes from the October 13, 2015 Meeting – Mr. Winegardner called for a motion to approve the Minutes of the October 13, 2015 Regular Meeting. Mr. Carr moved to approve and Mr. Short made the second.

	<i>See transcript pages 5 – 6</i>		
Robert Carr	Yes	Jim Rodriguez	Abstain
Brian Duzan	Yes	Jeff Short	Yes
Mark Matheson	Abstain	Steve Sowers	Yes
Jon Nelson	Abstain	Duane Winegardner	Yes
Mike Paque	Yes		

ELECTION OF THE VICE-CHAIR – Mr. Paque moved that the Chair and Vice-Chair be re-elected for one more term by acclamation. Mr. Sowers made the second.

See transcript pages 6 – 7

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Jeff Short	Yes
Mark Matheson	Yes	Steve Sowers	Yes
Jon Nelson	Yes	Duane Winegardner	Yes
Mike Paque	Yes		

PERMANENT RULEMAKING – OAC 252:606 – OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS – Mr. Mark Hildebrand, Environmental Programs Manager of the WQD, stated that the Department is proposing to update the date of the incorporation by reference of federal rules from July 1, 2014 to July 1, 2015. The most significant federal rules to be incorporated are the cooling water intake rule, and the sufficiently sensitive method rule (SSMR). The cooling water intake rule is intended to protect aquatic life (for example fish and shellfish) from becoming entrapped in the filtration screen of an intake structure or from being taken into the cooling water system. The SSMR is intended to allow for detection of pollutants at levels that will be a more accurate indication of compliance with water quality standards. Hearing no discussion by the Council or the public, Mr. Winegardner called for a motion. Mr. Rodriguez moved to approve and Mr. Paque made the second.

See transcript pages 7 – 11

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Jeff Short	Yes
Mark Matheson	Yes	Steve Sowers	Yes
Jon Nelson	Yes	Duane Winegardner	Yes
Mike Paque	Yes		

PERMANENT RULEMAKING – OAC 252:626 – PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS – Mr. Hildebrand stated that the Department is proposing to: add definitions for “25-year flood,” and “100 year flood”; clarify the definition for “CT,”; “Community water system,” “Minor water system” and “Public Water Supply system” to be consistent with other DEQ and federal regulations; add language requiring maps, site plans, and schematic layout of treatment facilities with engineering reports; clarify the requirement for standby power and elevated storage to be based off peak hourly demand; add a requirement for a concrete splash pad outside the wellhouse where blow-off valve discharges; add a requirement that filters be equipped to indicate or otherwise measure head loss; add a requirement that each filter unit indicate the instantaneous rate of flow; clarify the requirement that mechanical dewatering of residuals be constructed in accordance with OAC 252:656-19-5(3)(4) and (5); clarify the requirements for residual lagoons; add a requirement that plant outfalls be designed and constructed in accordance with OAC 252:656-9-3 when wastewater is discharged; and other minor clarifications. The proposed amendments are primarily intended to improve the operation and maintenance of all public water systems in the state and to improve the safety of drinking water provided to the citizens of Oklahoma. Following discussion by the Council and none by the public, Mr. Winegardner called for a motion. Mr. Nelson moved to approve and Mr. Matheson made the second.

See transcript pages 12 – 20

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Jeff Short	Yes

Mark Matheson	Yes	Steve Sowers	Yes
Jon Nelson	Yes	Duane Winegardner	Yes
Mike Paque	Yes		

PERMANENT RULEMAKING – OAC 252:631 – PUBLIC WATER SUPPLY OPERATION – Mr. Hildebrand stated that the Department is proposing to: replace “Laboratory Certification” with “Laboratory Accreditation,” rules; clarify the definitions for “maximum contaminant level,” “maximum residual disinfectant level,” “primary drinking water standards,” “public water supply system,” “community water system,” non-community water system,” “non-transient non-community system,” and “minor water system”; update the rules concerning the date of the incorporation by reference of certain federal regulations from July 1, 2014, to July 1, 2015; add language incorporating Subparts S and Y of the Microbiological standards in accordance with 40 CFR Section 141.63; replace “Turbidity” with “Filtration, disinfection, and enhanced treatment” standards in accordance with 40 CFR Sections 141.73 and 141.173; add “lead, copper, and corrosivity standards” in accordance with 40 CFR Part 141, Subpart I; replace “Coliform” with “Microbiological” requirements in accordance with 40 CFR Section 141, Subparts S and Y; add enhanced treatment requirements in accordance with 40 CFR Sections 141.74 and 141.174, Subparts T and W; add Subparts U and V in accordance with 40 CFR, Part 141; clarify the requirements for laboratory accreditation, emergency notification requirements, and validation of data to be consistent with federal requirements and (10) other minor clarifications. The proposed changes will have minimal effect on the regulated community as they are largely clarifications. The referenced rules have already been adopted in previous rulemakings, and the additional listing of headings and subparts in this rulemaking is simply intended to make those rules easier to identify and locate. Hearing no discussion by the Council or the public, Mr. Winegardner called for a motion. Mr. Rodriguez moved to approve and Mr. Short made the second.

See transcript pages 20 – 23

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Jeff Short	Yes
Mark Matheson	Yes	Steve Sowers	Yes
Jon Nelson	Yes	Duane Winegardner	Yes
Mike Paque	Yes		

PERMANENT RULEMAKING – OAC 252:690 – WATER QUALITY STANDARDS IMPLEMENTATION – Mr. Hildebrand stated that the Department is proposing to delete the term “CFU [colony forming units]” from this rule, which will allow the permit holder to choose from additional methods for bacteria testing and is in accordance with changes to Oklahoma’s Water Quality Standards made by the Oklahoma Water Resources Board; update the date of incorporation by reference of federal rules from July 1, 2014 to July 1, 2015, which will include the cooling water intake rule and the sufficiently sensitive method rule (SSMR) update for tests performed on wastewater effluent; revoke “Appendix B Priority and Nonpriority Pollutants with Numerical Criteria Requiring Reasonable Potential Screening” and replace with an amended version of Appendix B that includes updated minimum quantifiable levels (MQLs) for measuring the presence and level of various pollutants in wastewater discharges. DEQ has determined that updating the MQLs is the least burdensome way of implementing the SSMR for both DEQ and the regulated community. The SSMR is included in the proposed incorporation by reference as well as the incorporation by reference proposed in the rulemaking for OAC 252:606 and is intended to allow detection of pollutants at levels that will give a more accurate indication of

compliance with water quality standards. Following discussion by the Council and none by the public, Mr. Winegardner called for a motion. Mr. Duzan moved to approve and Mr. Sowers made the second.

See transcript pages 23 – 32

Robert Carr	Yes	Jim Rodriguez	Yes
Brian Duzan	Yes	Jeff Short	Yes
Mark Matheson	Yes	Steve Sowers	Yes
Jon Nelson	Yes	Duane Winegardner	Yes
Mike Paque	Yes		

DIRECTOR'S REPORT – Ms. Chard-McClary provided an update on other division activities.
See transcript pages 32 – 41

NEW BUSINESS – None

ANNOUNCEMENTS – The next scheduled meeting is on Tuesday, May 3, 2016, 2:00 p. m. at DEQ.

ADJOURNMENT - The meeting was adjourned at 3:00 p.m.

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

WQMAC Meeting 1/12/2016

<p>1 DEPARTMENT OF ENVIRONMENTAL QUALITY 2 REGULAR MEETING 3 WATER QUALITY MANAGEMENT ADVISORY COUNCIL 4 5 6 7 8 9 10 11 JANUARY 12, 2016 - 2:00 P.M. 12 13 14 15 Multi-Purpose Room, 1st Floor DEQ Building 707 N. Robinson Oklahoma City, OK 17 18 19 20 21 22 23 Reported by Lynette H. Wrany, C.S.R. #1167 24 25</p>	<p>1 3</p>
<p>1 COUNCIL MEMBERS PRESENT: 2 Robert Carr Brian Duzan 3 Mark Matheson Jon Nelson 4 Mike Paque Jim Rodriguez 5 Jeffrey Short-Vice-Chair Steve Sowers 6 Duane Winegardner-Chair 7 8 COUNCIL MEMBERS ABSENT: 9 Debbie Wells Terry Wyatt 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p>1 Call to order - 2:00 P.M. 2 MR. WINEGARDNER: It's now 2:00 o'clock. I'd 3 like to encourage you to complete your conversation 4 and have a seat, please. 5 Thank you all for coming today. Welcome to 6 the regular meeting of the Water Quality Management 7 Advisory Council. And I'd like to call this meeting 8 to order. 9 And prior to calling it formally to order, 10 some of you, apparently, have not yet been able to get 11 ahold of a copy of all of the paperwork for the 12 meeting today, and there is more being printed that 13 will be back there on the table very shortly. 14 Okay. I will read the protocol statement. 15 This regular meeting of the Water Quality Management 16 Advisory Council was called in accordance with the 17 Open Meeting Act. 18 Notice for this January 12th, 2016 meeting 19 was filed with the Secretary of State on October 20th, 20 2015. The Agenda was duly posted at DEQ at least 21 twenty-four hours prior to the meeting. 22 Only matters appearing on the posted Agenda 23 may be considered at this regular meeting. In the 24 event that this meeting is continued or reconvened, 25 public notice of the date, time, and place of the</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p>1 continued meeting will be given by announcement at 2 this meeting. Only matters appearing on the Agenda of 3 the meeting which is continued may be discussed at the 4 continued or reconvened meetings. 5 May we have the roll call, please. 6 MS. QUIANA FIELDS: Mr. Carr? 7 MR. CARR: Here. 8 MS. QUIANA FIELDS: Mr. Duzan? 9 MR. DUZAN: Here. 10 MS. QUIANA FIELDS: Mr. Matheson? 11 MR. MATHESON: Here. 12 MS. QUIANA FIELDS: Mr. Nelson? 13 MR. NELSON: Here. 14 MS. QUIANA FIELDS: Mr. Paque? 15 MR. PAQUE: Present. 16 MS. QUIANA FIELDS: Mr. Rodriguez? 17 MR. RODRIGUEZ: Here. 18 MS. QUIANA FIELDS: Mr. Short? 19 MR. SHORT: Here. 20 MS. QUIANA FIELDS: Mr. Sowers? 21 MR. SOWERS: Here. 22 MS. QUIANA FIELDS: Ms. Wells is absent. Ms 23 Wyatt is absent. 24 MS. QUIANA FIELDS: Mr. Winegardner? 25 MR. WINEGARDNER: Here.</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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5	<p>1 MS. QUIANA FIELDS: We have a quorum. 2 MR. WINEGARDNER: Thank you. 3 The next item on the Agenda is the approval 4 of the minutes from the October 13th, 2015 minutes. 5 MR. CARR: Move approval. 6 MR. SHORT: Second. 7 MR. WINEGARDNER: Okay. Is there discussion 8 from the Council? If not, we'll call the roll. 9 MS. QUIANA FIELDS: Mr. Carr? 10 MR. CARR: Yes. 11 MS. QUIANA FIELDS: Mr. Duzan? 12 MR. DUZAN: Yes. 13 MS. QUIANA FIELDS: Mr. Matheson? 14 MR. MATHESON: I abstain. 15 MS. QUIANA FIELDS: Mr. Nelson? 16 MR. NELSON: I have to abstain. 17 MS. QUIANA FIELDS: Abstain? 18 MR. NELSON: Abstain. 19 MS. QUIANA FIELDS: Mr. Paque? 20 MR. PAQUE: Yes. 21 MS. QUIANA FIELDS: Mr. Rodriguez? 22 MR. RODRIGUEZ: Abstain. 23 MS. QUIANA FIELDS: Mr. Short? 24 MR. SHORT: Yes. 25 MS. QUIANA FIELDS: Mr. Sowers?</p>	7
6	<p>1 MR. SOWERS: Yes. 2 MS. QUIANA FIELDS: Mr. Winegardner? 3 MR. WINEGARDNER: Yes. 4 MS. QUIANA FIELDS: Motion passed. 5 MR. WINEGARDNER: Thank you. 6 The next item is the election of the 7 Vice-Chair. The Chair is open for nominations. 8 MR. PAQUE: Mr. Chairman, if unless one of 9 you other members object, and I certainly entertain 10 discussion or objection, I'd like to move that both 11 the Chair and the Vice-Chair be reelected for one more 12 term by acclamation. 13 MR. SOWERS: Second. 14 MR. WINEGARDNER: We have a motion and a 15 second. Is there discussion? If not, we'll call the 16 roll. 17 MS. QUIANA FIELDS: Mr. Carr? 18 MR. CARR: Yes. 19 MS. QUIANA FIELDS: Mr. Duzan? 20 MR. DUZAN: Yes. 21 MS. QUIANA FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 MS. QUIANA FIELDS: Mr. Nelson? 24 MR. NELSON: Yes. 25 MS. QUIANA FIELDS: Mr. Paque?</p>	8
5	<p>1 MR. PAQUE: Yes. 2 MS. QUIANA FIELDS: Mr. Rodriguez? 3 MR. RODRIGUEZ: Yes. 4 MS. QUIANA FIELDS: Mr. Short? 5 MR. SHORT: Yes. 6 MS. QUIANA FIELDS: Mr. Sowers? 7 MR. SOWERS: Yes. 8 MS. QUIANA FIELDS: Mr. Winegardner? 9 MR. WINEGARDNER: Yes. 10 MS. QUIANA FIELDS: Motion passed. 11 MR. WINEGARDNER: Thank you very much. 12 Okay. Now we will proceed on to the 13 permanent rulemaking discussions. And this one is 14 from OAC 252 606, the Oklahoma Pollution (sic.) 15 Discharge Elimination System Standards. 16 Mark, would you address us, please. 17 MR. MARK HILDEBRAND: Turn this on. You'd 18 think I'd know how to do this. 19 All right. Thank you all. And I guess I'll 20 take the blame for running low on handouts. But I do 21 appreciate everybody coming. 22 Hi, I'm Mark Hildebrand. I'm an 23 Environmental Program Manager for the Water Quality 24 Division. 25 And today we have four chapters of rule that</p>	7
6	<p>1 we are proposing changes to. Chapter 606, 626, 631 2 and Chapter 690. And at -- prior to bringing these 3 rules to you, we generally have public meetings to go 4 over these with all of our interested parties that are 5 on our mailing list. And if anybody in the audience 6 would be interested in getting on that mailing list, 7 we'd love to have you on there so you can be a part of 8 this informal process prior to the rules being public 9 noticed. 10 But we had one on November 17th here in 11 Oklahoma City and then we had a meeting on November 12 18th in Tulsa to go over these. And we hold these 13 just to get everybody's opinion and to vet it with our 14 stakeholders that are interested in these things. And 15 we always get good suggestions on wording and things 16 that we incorporate each time. 17 And we feel like, as a result of these, it 18 helps eliminate formal comments during the comment 19 period. And this year we didn't receive any formal 20 comments on any of these rules, written comments. 21 So I'll go ahead and get into Chapter 606. 22 For Chapter 606, Oklahoma Pollutant Discharge 23 Elimination Standards, the Department is proposing to 24 update the date of incorporation by reference of the 25 federal rules from July 1 of 2014 to July 1 of 2015.</p>	8

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<p style="text-align: right;">9</p> <p>1 And there are some significant changes in these rules 2 that are incorporated. 3 And two of the federal rules, the first is 4 the cooling water intake rule, which is intended to 5 protect aquatic life from being entrapped or taken 6 into cooling water systems. And as a part of this, 7 when we knew this was coming down the line, we -- our 8 staff has tried to have outreach with each of our 9 power plants that were going to be affected by this 10 rule and just give them a heads up and technical 11 assistance so that they could be prepared for what's 12 coming down the pike on this federal rule. 13 And I believe that the earliest things that 14 have to be done are in 2018 in various ways to address 15 this rule. And that should be who it affects here in 16 Oklahoma, is primarily a lot of our large power 17 plants. 18 And then we also have the sensitive -- 19 Sufficiently Sensitive Method Rule, which I'm going to 20 start calling the SSMR from here on so I don't get 21 tongue tied. And this is intended to allow for 22 detection of pollutants at levels that will be more 23 accurate indication of Water Quality Standards. And 24 we will primarily discuss this in Chapter 690 25 discussion, because that's how we plan on implementing</p>	<p style="text-align: right;">11</p> <p>1 MR. PAQUE: Yes. 2 MS. QUIANA FIELDS: Mr. Rodriguez? 3 MR. RODRIGUEZ: Yes. 4 MS. QUIANA FIELDS: Mr. Short? 5 MR. SHORT: Yes. 6 MS. QUIANA FIELDS: Mr. Sowers? 7 MR. SOWERS: Yes. 8 MS. QUIANA FIELDS: Mr. Winegardner? 9 MR. WINEGARDNER: Yes. 10 MS. QUIANA FIELDS: Motion passed. 11 MR. WINEGARDNER: Thank you very much. 12 Okay. Mark, lead us through 626. 13 MR. MARK HILDEBRAND: Okay. On -- is this 14 on? We've got some extra -- 15 MS. SHELLIE CHARD-McCLARY: You need to turn 16 off at least one of the -- 17 MR. MARK HILDEBRAND: This one right here. 18 MS. SHELLIE CHARD-McCLARY: There you go. 19 Okay. 20 MR. MARK HILDEBRAND: If anybody needs a copy 21 of this rule. Sharon's got some extra copies. I know 22 she's going around, but let us know. 23 To start this off, I just want to make a 24 quick announcement on one of our rulemaking documents, 25 that we made an amendment to a Rule Impact Statement</p>
<p style="text-align: right;">10</p> <p>1 this method rule in Oklahoma. 2 And that's really all we have on Chapter 606. 3 And as I mentioned just a minute ago, we didn't 4 receive any formal comments on this rule. 5 MR. WINEGARDNER: Is there some discussion or 6 concerns of the Council on these things? 7 Is there any discussion that the public would 8 wish to bring forward to us now on this rule? 9 Okay. Without that, without any discussion, 10 I suppose that it's time to entertain a motion. 11 MR. RODRIGUEZ: I move we accept the rule as 12 written. 13 MR. WINEGARDNER: Thank you. 14 MR. PAQUE: Second. 15 MR. SHORT: Second. 16 MR. WINEGARDNER: Thank you. 17 MS. QUIANA FIELDS: Mr. Carr? 18 MR. CARR: Yes. 19 MS. QUIANA FIELDS: Mr. Duzan? 20 MR. DUZAN: Yes. 21 MS. QUIANA FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 MS. QUIANA FIELDS: Mr. Nelson? 24 MR. NELSON: Yes. 25 MS. QUIANA FIELDS: Mr. Paque?</p>	<p style="text-align: right;">12</p> <p>1 for this chapter today on Item 11. We had -- we 2 changed it to include the possibility of other state 3 agencies may incur costs as a result of this rule. 4 If they run -- if they operate a public water 5 supply system and do some construction on there, it 6 may be an additional cost for them at this point. And 7 some examples of that would be Department of 8 Corrections may have something, and same way with, 9 like, Tourism in state parks and things. 10 But we overlooked that initially and we can 11 amend it and we did that today. And originally it 12 said that there would be no economic impact on any 13 other state agency. So we just wanted to go ahead and 14 correct that. And so, I wanted to share that with 15 you. 16 Okay. For Chapter 626, Public Water Supply 17 Construction Standards, the Department is proposing to 18 add definitions for "25-year flood" and "100-year 19 flood"; clarify definitions for "CT," "Community water 20 system," "Minor water system" and "Public water 21 system"; to add language requiring that maps, site 22 plans, and schematic layouts of treatment facilities 23 are submitted with engineering reports. And we did 24 this on Chapter 656 at this time last year. 25 And then also requirement to add a concrete</p>

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<p style="text-align: right;">13</p> <p>1 splash pad outside of a wellhouse where a blow-off 2 valve discharges; to add a requirement that filters be 3 equipped to indicate or otherwise measure head loss, 4 and that each filter unit indicate the instantaneous 5 rate of flow, to clarify the requirement that 6 mechanical dewatering of residuals should be 7 constructed in accordance with Chapter 656, to clarify 8 construction requirements for residuals lagoons, to 9 add a requirement that plant outfall be designed and 10 constructed in accordance with Chapter 656 when 11 wastewater is discharged, and other minor 12 clarifications. 13 And DEQ received no formal comments on this 14 chapter. However, during our informal public meeting 15 it was suggested that Minor water system be removed 16 from the Public water supply definition. So, we 17 agreed with that and moved that out and put the Minor 18 water supply definition in as a stand-alone definition 19 there. 20 MR. WINEGARDNER: All right. Thank you. 21 Are there comments, concerns from the Council? 22 Just a quick comment. These in general seem 23 to be pretty reasonable. I mean, I have seen many 24 public water supply systems where the well has no 25 gravel or concrete splash pads.</p>	<p style="text-align: right;">15</p> <p>1 misunderstanding it. But -- 2 MR. MARK HILDEBRAND: We don't feel like 3 there's a whole lot of economic, but there is a 4 possibility there is some. 5 MR. PAQUE: Yeah. 6 MR. MARK HILDEBRAND: But in the long term we 7 feel like it's going to save the systems money to do 8 these changes. 9 MR. PAQUE: Yeah. Understood. 10 MR. WINEGARDNER: Any other comments? 11 MR. NELSON: Mark, the only question I had 12 was the addition of the hourly to the peak demand 13 comment on the standby power. And I just -- that -- 14 that does kind of raise the standard for standby 15 facilities. 16 What's the background on that? And is there 17 any consideration that that might be a bit draconian, 18 you know, given that we have a loss of power that we 19 may not really need to get to the peak hour of a 20 system in a peak demand period of a community? That 21 might affect some systems. But I wasn't here at the 22 last meeting, so I didn't hear the background. So -- 23 MR. MARK HILDEBRAND: Well, Jon, I'll 24 probably let Carl answer this. But I will say that 25 there is a whole bunch of systems in the last couple</p>
<p style="text-align: right;">14</p> <p>1 MR. MARK HILDEBRAND: Right. 2 MR. WINEGARDNER: That -- and I think -- 3 MR. MARK HILDEBRAND: And it's just -- this 4 mainly are just compilations of things staff noticed, 5 and has seen good and bad, and felt like we need to 6 add these to our standards. And, of course, we go 7 ahead and look at what other states are doing as well. 8 So we feel it's all for a benefit and easier operating 9 plants and things like that. 10 MR. WINEGARDNER: Thank you. 11 MR. PAQUE: Let me ask you just a general 12 question. And I'm all in favor of it. Is this 13 something that would have been difficult to get 14 compliance with just by having a simple request? It 15 seems like just a good idea. And I understand the 16 motivation of putting it in here and it's the right 17 thing to do. But it's just a question. 18 MR. MARK HILDEBRAND: Well, no matter what, 19 we have some people that are -- obviously will listen 20 to what we give them advice on and some people don't, 21 because they don't want to spend the money. Or we 22 thought of, like, EPA and we're telling them what to 23 do, even if it's just a suggestion. So -- 24 MR. PAQUE: No, that's fine. I just -- it 25 seemed like a small economic matter to me. Maybe I'm</p>	<p style="text-align: right;">16</p> <p>1 of weeks that wished they had peak -- peak demand 2 generators that ran for their whole peak demand with 3 the flooding and the ice issues that we had, whether 4 it be wastewater or water systems. But I'll let Carl 5 kind of give -- 6 MR. NELSON: Well, at peak demand I 7 understand. But peak hour is the -- 8 MR. MARK HILDEBRAND: Peak hour. Right. 9 MR. CARL PARROTT: Anyway, well, we noticed 10 it didn't specify which peak demand. So it needed to 11 be changed so that there was a specification whether 12 we're talking about peak hourly, peak daily or what. 13 So, it was changed to peak hourly, as Mark said, just 14 in case the worst case scenario, you know. So -- 15 MR. NELSON: I understand you don't have to 16 meet that standard if you have the proper amount of 17 storage elevated, and I get that. 18 MR. CARL PARROTT: Yes. 19 MR. NELSON: But it seemed like those two 20 standards are a little bit at odds, because peak hour 21 is instantaneous max. 22 MR. CARL PARROTT: Uh-huh. 23 MR. NELSON: And it seemed like maybe a peak 24 day, maximum day, would be -- might be just as 25 sufficient. But that's just me. This could affect</p>

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<p style="text-align: right;">17</p> <p>1 some facilities certainly.</p> <p>2 MR. CARL PARROTT: Shellie.</p> <p>3 MS. SHELLIE CHARD-McCLARY: Shellie</p> <p>4 Chard-McClary, Water Quality Division Director.</p> <p>5 One of the things that I was going to talk</p> <p>6 about in my Director's Report was going to be numbers</p> <p>7 of facilities impacted, and that sort of thing, from</p> <p>8 our most recent natural disasters that we were dealing</p> <p>9 with, the ice and the flooding.</p> <p>10 And, you know, we had about 250 systems that</p> <p>11 were impacted that had some amount of power failure.</p> <p>12 Well, as of this morning, we still had 70 that were</p> <p>13 not recovered from that yet. So, it is something we</p> <p>14 deal with. And it does -- is it peak hours as the</p> <p>15 exact right answer? I don't know. But I do know</p> <p>16 that, you know, we're still dealing with lack of power</p> <p>17 and lack of safe drinking water in a lot of systems.</p> <p>18 MR. NELSON: And I understand the concern</p> <p>19 about lost power in the winter and due to ice storms</p> <p>20 and it can last for a long time. But then this</p> <p>21 standard imposes the peak hour of the peak demand</p> <p>22 period, as I understand it. It's like so you would be</p> <p>23 able to supply summertime peaks, instantaneous peaks,</p> <p>24 probably your maximum component capacity. And I don't</p> <p>25 know. That just seemed a little bit excessive</p>	<p style="text-align: right;">19</p> <p>1 see it. But -- so I just wanted to question it a</p> <p>2 little bit.</p> <p>3 MR. WINEGARDNER: Just, Mark, on the sheet</p> <p>4 that you have given us?</p> <p>5 MR. MARK HILDEBRAND: Yes.</p> <p>6 MR. WINEGARDNER: Back in there it says, "off</p> <p>7 peak hourly demand." Is that -- it was way back there</p> <p>8 on the Agenda page.</p> <p>9 MR. MATHESON: Well, I think it says to be</p> <p>10 based off of peak demand. Not the off peak demand.</p> <p>11 MR. WINEGARDNER: Based off. Okay. That was</p> <p>12 a little bit confusing. All right.</p> <p>13 MR. MARK HILDEBRAND: Right.</p> <p>14 MR. CARL PARROTT: Thanks, Mark.</p> <p>15 MR. WINEGARDNER: Okay. Any other comments</p> <p>16 from the Council?</p> <p>17 Any comments from the public?</p> <p>18 Okay. Then we will entertain a motion.</p> <p>19 MR. NELSON: I move approval.</p> <p>20 MR. WINEGARDNER: Thank you.</p> <p>21 MR. MATHESON: I'll second it.</p> <p>22 MR. WINEGARDNER: We have a moved and second.</p> <p>23 Okay. Please, call the roll.</p> <p>24 MS. QUIANA FIELDS: Mr. Carr?</p> <p>25 MR. CARR: Yes.</p>
<p style="text-align: right;">18</p> <p>1 possibly.</p> <p>2 MR. MATHESON: Well, I'd like to comment on</p> <p>3 that a minute, if I may. For one thing that I see in</p> <p>4 the wintertime a lot of these systems, especially the</p> <p>5 smaller systems, because a lot of the customers leave</p> <p>6 their faucets dripping in the wintertime to keep pipes</p> <p>7 from freezing, their usage is higher sometimes during</p> <p>8 those periods than it is during the summer. So I</p> <p>9 don't have a problem with that peak hourly demand to</p> <p>10 help those systems keep up.</p> <p>11 MR. CARL PARROTT: Well, with the tornadoes</p> <p>12 and that type thing, too, it may be happening in a</p> <p>13 peak hour time frame as well. So, in our generation,</p> <p>14 our lack of generators in the state is a problem. And</p> <p>15 we definitely need to beef up our requirements for</p> <p>16 generators. And if you're not running your peak hour</p> <p>17 at the time and you don't need to have all those pumps</p> <p>18 on, well, it would carry over to be accessible for</p> <p>19 other uses within the plant, too. And we were --</p> <p>20 we're constantly having the question of, well, which</p> <p>21 peak demand is it. So we did need to address that.</p> <p>22 MR. NELSON: And I will admit that when you</p> <p>23 get into a summertime position -- condition with</p> <p>24 tornadoes and then you have the possibility of quite a</p> <p>25 bit of fire flow, and under that circumstance I can</p>	<p style="text-align: right;">20</p> <p>1 MS. QUIANA FIELDS: Mr. Duzan?</p> <p>2 MR. DUZAN: Yes.</p> <p>3 MS. QUIANA FIELDS: Mr. Matheson?</p> <p>4 MR. MATHESON: Yes.</p> <p>5 MS. QUIANA FIELDS: Mr. Nelson?</p> <p>6 MR. NELSON: Yes.</p> <p>7 MS. QUIANA FIELDS: Mr. Paque?</p> <p>8 MR. PAQUE: Yes.</p> <p>9 MS. QUIANA FIELDS: Mr. Rodriguez?</p> <p>10 MR. RODRIGUEZ: Yes.</p> <p>11 MS. QUIANA FIELDS: Mr. Short?</p> <p>12 MR. SHORT: Yes.</p> <p>13 MS. QUIANA FIELDS: Mr. Sowers?</p> <p>14 MR. SOWERS: Yes.</p> <p>15 MS. QUIANA FIELDS: Mr. Winegardner?</p> <p>16 MR. WINEGARDNER: Yes.</p> <p>17 MS. QUIANA FIELDS: Motion passed.</p> <p>18 MR. WINEGARDNER: Okay. Okay, Mark. Our 631</p> <p>19 Chapter, Public Water Supply Operation.</p> <p>20 MR. MARK HILDEBRAND: Okay. For Chapter 631,</p> <p>21 the Department is proposing to replace, "Laboratory</p> <p>22 Certification" with the new "Lab Accreditation,"</p> <p>23 rules, clarify definitions of "Maximum contaminant</p> <p>24 level," "Maximum residual disinfectant level,"</p> <p>25 "Primary Drinking Water Standards," "Public Water</p>

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21	<p>1 Supply system," "Community water supply system," and 2 "Minor water system," and to update the rules 3 concerning the date of incorporation by reference from 4 July 1 of 2014 to July 1 of 2015, to add language 5 incorporating Subparts S and Y of the Microbiological 6 standards in accordance with 40 CFR Section 141.63; to 7 replace "Turbidity" with "Filtration, disinfection and 8 enhanced treatment" in accordance with 40 CFR Sections 9 141.73 and 141.173; to add "Lead, copper and 10 corrosivity standards" in accordance with 40 CFR Part 11 141, Subpart I, to replace "Coliform" with 12 "Microbiological" requirements in accordance with 40 13 CFR Section 141, Subparts S and Y – add enhanced 14 treatment requirements in CFR Section 141, Subparts S 15 and Y, and to add enhanced treatment requirements in 16 accordance with 40 CFR Sections 141.74 and 141.147 17 (sic.) Subparts T and W; and add Subparts U and V in 18 accordance with 40 CFR, Part 141, and also to clarify 19 requirements for laboratory accreditation and 20 validation of data to be consistent with federal 21 requirements, and this includes adding an emergency 22 reporting of positive E. coli results; and then other 23 minor clarifications. 24 And we received no formal comments on Chapter 25 631. However, during our public meetings, we had the</p>	23
22	<p>1 same comment on the removing Minor Water Supply from 2 the Public Water Supply definition, which we've 3 incorporated. 4 And it was also suggested that our original 5 proposed language on emergency notification was too 6 vague, so we discussed it there at the meeting and 7 modified 631-3-2 to clarify that all positive E. coli 8 results should be reported to us here at DEQ 9 immediately by phone and e-mail, in case we need to 10 deal with precautionary boil letters or mandatory boil 11 letters or things like that to protect the public. 12 MR. WINEGARDNER: Okay. Questions, comments 13 from the Council? 14 Any questions or comments from the public? 15 Hearing none, then we'll entertain a motion. 16 MR. RODRIGUEZ: I move we accept the 17 rule as amended. 18 MR. WINEGARDNER: Thank you. 19 MR. SHORT: Second. 20 MR. WINEGARDNER: I have a second. So moved 21 and seconded. Would you, please, call the roll? 22 MS. QUIANA FIELDS: Mr. Carr? 23 MR. CARR: Yes. 24 MS. QUIANA FIELDS: Mr. Duzan? 25 MR. DUZAN: Yes.</p>	24
21	<p>1 MS. QUIANA FIELDS: Mr. Matheson? 2 MR. MATHESON: Yes. 3 MS. QUIANA FIELDS: Mr. Nelson? 4 MR. NELSON: Yes. 5 MS. QUIANA FIELDS: Mr. Paque? 6 MR. PAQUE: Yes. 7 MS. QUIANA FIELDS: Mr. Rodriguez? 8 MR. RODRIGUEZ: Yes. 9 MS. QUIANA FIELDS: Mr. Short? 10 MR. SHORT: Yes. 11 MS. QUIANA FIELDS: Mr. Sowers? 12 MR. SOWERS: Yes. 13 MS. QUIANA FIELDS: Mr. Winegardner? 14 MR. WINEGARDNER: Yes. 15 MS. QUIANA FIELDS: Motion passed. 16 MR. WINEGARDNER: Okay. Mark, now Number 17 690, Water Quality Standards Implementation. 18 MR. MARK HILDEBRAND: Thank you. For Chapter 19 690, the Department is proposing to delete the term 20 "CFU", which is colony forming units, from this rule, 21 which will allow the permit holders to choose from 22 additional methods of bacteria testing. And this is 23 in accordance with the changes to Oklahoma Water 24 Quality Standards made by the Water Resources Board. 25 and also change to update a reference to a previously</p>	23
22	<p>1 revoked rule; and then to update the incorporation of 2 reference of federal rules from July 1, 2013 to July 3 1, 2015, and these significant changes include the 4 incorporation of the cooling water intake rule and the 5 SSMR rule. And the SSMR rule is intended to allow for 6 detection of pollutants at levels that will be more 7 accurate indication of water quality standards. 8 To incorporate this. DEQ has chosen to revoke 9 "Appendix B, Priority and Nonpriority Pollutants with 10 Numerical Criteria Requiring Reasonable Potential 11 Screening" and replace with an amended version of this 12 appendix that includes the minimum quantification 13 levels for measuring the presence of various 14 pollutants in wastewater discharges. And DEQ decided 15 that this would be the least burdensome way to 16 implement this rule that's come down from our federal 17 partners for both DEQ and the regulated community. 18 And as a result of this rule, DEQ formed an 19 internal work group here with our folks in Water 20 Quality, as well as our State Environmental Lab. And 21 we tried to figure out what were the reasonable MQLs. 22 Mainly relied on the lab on a lot of this. And they 23 had a big group of people, and really productive 24 meetings, and we set a preliminary list of numbers, 25 and most of which – some of which aren't anywhere</p>	24

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<p style="text-align: right;">25</p> <p>1 near as low as EPA has been trying to -- Region 6 of 2 EPA has been trying to promote. 3 But we sent this and then we also found a 4 group of laboratories that were stakeholders in this 5 group and we submitted this to them and asked them for 6 their comments and their thoughts on all of these 7 numbers. And this -- these group of laboratories 8 included commercial and municipal labs. We sent these 9 out to -- our participants were Green Country Testing, 10 Accurate Labs and Environmental Testing, Incorporated. 11 And then we also sent to the City of Midwest City, the 12 City of Oklahoma City, and the City of Tulsa. 13 And we got a whole bunch of comments from 14 them and then we reconvened. And we have adjusted 15 some of those numbers based on those comments and the 16 reality that it -- sometimes it is hard to get down as 17 low in a wastewater matrix as -- as necessary. 18 And we ended up making it -- change it to a 19 total of nine, nine analytical methods we modified on 20 Appendix B as a result of this. And we discussed 21 these changes and these proposed MQLs at our November 22 meetings here in Oklahoma City and Tulsa. And I'm 23 going to try and convey these costs and comments from 24 our -- from our laboratories, just to give you an idea 25 of the wide range and what we had for comments there.</p>	<p style="text-align: right;">27</p> <p>1 And we did not receive any formal comments on 2 Chapter 690. 3 MR. WINEGARDNER: Okay. Comments from the 4 Council? 5 MR. DUZAN: In the November meeting at the 6 City of Tulsa, I guess DEQ was in the process or had 7 just sent these limits to the EPA Region and had -- 8 the question was, were they going to accept them or 9 are they going to say, no, we want lower limits. Has 10 anything ever been heard back? 11 MR. MARK HILDEBRAND: We met with them and we 12 didn't -- although I can't say that we provided them 13 these exact numbers, our staff has talked to EPA down 14 in Region 6, a couple of their members at a big 15 manager's meeting, and told them our intention. And 16 they were at least on board with the concept, because 17 some of the other states in Region 6, the big one 18 south of us, I think they have adopted what Region 6 19 has been trying to push on us and EPA and Texas are 20 both having troubles with labs that are able to even 21 try and get down to those numbers that they were 22 pointing out. 23 So, I mean, could they change and tell us 24 those numbers later? Possibly. But we think they're 25 kind of on board with our concept. And I don't know</p>
<p style="text-align: right;">26</p> <p>1 Well, some labs put the costs in terms of 2 price increases per test that would be passed on to 3 customers. And we didn't really get specific numbers, 4 but we did hear a couple that were -- could increase 5 up to \$50 on some parameters, up to a thousand dollars 6 on some parameters, and depending on what the 7 parameter is. 8 And then some labs told us that they would 9 need to purchase new equipment and develop new 10 procedures and spend more man-hours on each test to do 11 a little -- be a little more careful to meet these new 12 limits. And these costs increases weren't really 13 enumerated to us in exact dollar figures either. 14 Some labs indicated that they currently have 15 the capabilities to meet -- meet the proposed MQLs. 16 Other labs indicated they would need to spend up to 17 \$30,000 on equipment. And then we had one lab that 18 suggested the possibility of spending \$250,000 for a 19 clean room and new equipment to achieve compliance 20 with the mercury MQL. However, based on our lab and 21 many of the stakeholder labs that came to our public 22 meetings and were part of our work group, we do not 23 believe that mercury at this level will require a 24 clean room to comply with these methods if they do 25 clean -- clean techniques.</p>	<p style="text-align: right;">28</p> <p>1 if anybody else has anything specific to add, Mike or 2 Terry? 3 MS. SHELLIE CHARD-McCLARY: This is Shellie 4 again. You know, we run all the traps, we've done 5 everything we could do with EPA. 6 Typically, when we go this far in the 7 process, they don't comment. So they haven't 8 officially said yes, but they haven't said no. So we 9 keep going. Sometimes they have trouble saying yes, 10 because, you know, that might set a precedent and we 11 might have other issues. They could come back at any 12 time and say, no, not good enough. But we've had 13 enough conversations. It's going to be awfully 14 difficult for them to say this is not acceptable, 15 considering some of the things that they were really 16 pushing for. Other states have been unable to meet 17 those limits because real-world laboratories don't 18 deal with distilled water with one pollutant in a 19 clean room. 20 So, while we can't say for certainty, oh, 21 yeah, EPA is good, they haven't given us any 22 indication they are not okay. And they have nodded at 23 the table in talking about this is our approach, how 24 we've decided, and how we've moved forward. So we're 25 going with no news is good news.</p>

29	<p>1 MR. WINEGARDNER: I find it interesting, 2 Mark, your comment that the EPA lab was also having 3 problems. 4 MR. MARK HILDEBRAND: Well, I don't know that 5 the EPA lab is, but some of their staff have witnessed 6 the problems in these other states. And they're like, 7 well, you know, it's easy to say this can be done and 8 all this when you're dealing with, like Shellie said, 9 with clean water or distilled water and then 10 segregating it with some mercury. And you're able to 11 do that with a bunch of high-powered equipment in a 12 clean room. 13 But, anyway, I think I'm glad we pushed back 14 for all these years. And I hope -- I think we got 15 something pretty manageable here. It's not -- I mean, 16 it's going to -- everybody knows that this is going to 17 cost some extra money for some parameters, and 18 sampling and stuff, but I think it could be a lot 19 worse for us and our regulated community. 20 MR. WINEGARDNER: Thank you. Further 21 comments? 22 MR. NELSON: Mark, are any of the proposed 23 standards actually lower than the federal standard? 24 Or are we either at the federal standard and higher? 25 MR. MARK HILDEBRAND: I can't say for sure.</p>	31
30	<p>1 I'm pretty sure we're at the federal standard and 2 higher. 3 MS. SHELLIE CHARD-McCLARY: Yeah. We applied 4 water quality standards criteria for as many of the 5 parameters that the Water Board had set standards. 6 And we determined that that was sufficiently 7 sensitive, rather than the numbers the EPA proposed, 8 which were, in some cases, significantly lower than 9 that. But since, you know, our argument was that's 10 what we're testing for, is to meet water quality 11 standards, as far as I know, we don't have anything 12 that is more sensitive than EPA. And, in most cases, 13 we are above. 14 MR. CARL PARROTT: I might add the EPA Region 15 6 is the one that had been pushing this to this for at 16 least ten years and they had numbers. But the rule 17 itself doesn't really have numbers in it. It's -- the 18 objective here is for us to get our numbers down low 19 enough where all the water quality standards, where we 20 can tell if there is reasonable potential for a water 21 quality standard to be violated. There were some of 22 these that were, arguably, maybe not low enough. Not 23 many. 24 But so that was our real goal, is to make 25 sure they're low enough that we could check to make</p>	32
	<p>1 sure there wasn't reasonable potential for a water 2 quality standard to be violated and, at the same time, 3 not too low where our labs couldn't get it with 4 existing equipment or with some minor modification to 5 other equipment. 6 MR. WINEGARDNER: Thank you. Any other 7 comments from the Council? Comments? 8 Any comments from the public? 9 All right. With no comments, then a motion 10 would be in order. 11 MR. DUZAN: I make a motion we pass as 12 described. 13 MR. WINEGARDNER: Thank you. 14 MR. SOWERS: Second. 15 MR. WINEGARDNER: Second. 16 MS. QUIANA FIELDS: Mr. Carr? 17 MR. CARR: Yes. 18 MS. QUIANA FIELDS: Mr. Duzan? 19 MR. DUZAN: Yes. 20 MS. QUIANA FIELDS: Mr. Matheson? 21 MR. MATHESON: Yes. 22 MS. QUIANA FIELDS: Mr. Nelson? 23 MR. NELSON: Yes. 24 MS. QUIANA FIELDS: Mr. Paque? 25 MR. PAQUE: Yes.</p> <p>1 MS. QUIANA FIELDS: Mr. Rodriguez? 2 MR. RODRIGUEZ: Yes. 3 MS. QUIANA FIELDS: Mr. Short? 4 MR. SHORT: Yes. 5 MS. QUIANA FIELDS: Mr. Sowers? 6 MR. SOWERS: Yes. 7 MS. QUIANA FIELDS: Mr. Winegardner? 8 MR. WINEGARDNER: Yes. 9 MS. QUIANA FIELDS: Motion passed. 10 MR. WINEGARDNER: Thank you. 11 MR. MARK HILDEBRAND: Thank you. 12 MR. WINEGARDNER: Thank you, Mark. 13 Shellie, would you like to address us? 14 MS. SHELLIE CHARD-McCLARY: Okay. Thank you. 15 I had just a few things that I wanted to 16 touch on today. Kind of briefly talked a little bit 17 about emergency response, that we are still in the 18 midst, just kind of to give you guys a snapshot of 19 this most recent event. 20 Starting December 28th, we had 319 or 318 21 facilities that were impacted either from ice or 22 flooding. Forty-six of the 77 counties were 23 dramatically impacted. We have resolved 248 of those 24 in two weeks, some pretty significant. A lot of work 25 between the Environmental Complaints and Local</p>	

<p style="text-align: right;">33</p> <p>1 Services Division, the Water Quality Division and then 2 the State Environmental Lab. A lot of samplings for 3 inundated wells and systems. A lot of talk about 4 standby power and generators over the last few weeks, 5 shifting those around. Who can borrow from who and 6 what we can bring in from out of state. That's been 7 pretty significant.</p> <p>8 To that effect, one of the things that we 9 have done with the drinking water SRS Program, which 10 we administer with the Water Board, we do the 11 engineering evaluation and then contract with the 12 Water Board to act as our banker. Lack of a generator 13 is one of the key points that will get a system moved 14 up on the list, because we have found that is so 15 important. So we have several systems that have been 16 able to get substantial funding for a project simply 17 by adding generators for the back up power. And we 18 found that some systems that historically go down 19 because of either the ice storms or that sort of 20 thing, we're not seeing that problem with the same 21 systems over and over, which has been very helpful.</p> <p>22 We are in a time of constant rule proposals 23 and changes from EPA. The last year or two years in 24 administration particularly, where we had a situation 25 of a lame-duck president, is how much can happen in</p>	<p style="text-align: right;">35</p> <p>1 information out about the training and what it's going 2 to mean to those systems.</p> <p>3 We also are hearing different conversations 4 with EPA, with things they're looking at on the 5 drinking water side. We've had the revised lead and 6 copper rule that's been talked about and been out 7 there for awhile. We expect that to keep moving. 8 That's a tough one. That's actually going into 9 peoples' houses and you are evaluating issues with 10 plumbing and plumbing code, as well as actual the 11 public water supply itself.</p> <p>12 We also know we are going to be seeing 13 regulations on strontium. EPA made an early 14 regulatory determination on it. They have not 15 finished the last round of monitoring and compiling 16 data, but made the announcement that they would be 17 moving that one forward.</p> <p>18 You know, the good news is, it's, you know, 19 naturally occurring. The bad news is, it's naturally 20 occurring in pretty much all of Oklahoma's aquifers. 21 It's not huge across the country. But 22 Garber-Wellington metals, we've also have some 23 strontium showing up there in a lot of the sample 24 locations in Oklahoma. So we'll be seeing some 25 activity on that.</p>
<p style="text-align: right;">34</p> <p>1 whatever window of time is left. We are seeing a lot 2 of activity on the drinking water and wastewater 3 front. How much of that will actually come to 4 fruition, you kind of never know. Things that you 5 think are important and have a lot of momentum 6 sometimes stop and go away and something else becomes 7 the one or the two that are going to happen.</p> <p>8 One of the things that we knew was coming 9 that is finally here, and that is the Revised Total 10 Coliform Rule. It does impact every drinking water 11 system. It has some significant changes to monitoring 12 frequency. It has potential to have a real impact to 13 a lot of systems.</p> <p>14 There is a flyer at the -- on the table. 15 Feel free to take them, distribute them. We have a 16 list of when we're doing training. It is an operator 17 certification renewal credit for the training, but it 18 will go through all of the revised sampling plans that 19 are required, the additional monitoring.</p> <p>20 Consecutive systems or purchased water 21 systems and seasonal systems are going to see a lot of 22 change. So if you're affiliated with one of those or 23 know somebody who is, by all means, please, let them 24 know about this training. We'll be working with the 25 Municipal League and the Water Association to get</p>	<p style="text-align: right;">36</p> <p>1 Wastewater side has been interesting. We 2 have been talking about the electronic reporting rule 3 for -- at one point I calculated back and it was 4 sometime in the late '90s when I started working on it 5 personally, not sure how much work went into it before 6 that, and it is now effective. It was signed in 7 December. We are working on trying to figure out how 8 we're going to deal with it.</p> <p>9 It's in three phases. The first phase is 10 going to be a challenge. But the federal data system 11 can at least accept the reports that are required. 12 Now we've just got to make it so that systems can use 13 it.</p> <p>14 Phases 2 and 3, the federal data system 15 cannot accept the data that's required to be 16 submitted. I don't know how that's going to play out. 17 Obviously there will be either delays in that or there 18 will be updates to the federal data system and we'll 19 have to figure that out and work our way through it. 20 But that's definitely something that we'll be talking 21 about. And next January that will be part of the 22 incorporation by reference that will be before you.</p> <p>23 We also are hearing a lot from EPA about the 24 NPDES program update rule. When I say we're hearing a 25 lot about it, we're hearing that it's drafted, it's</p>

<p style="text-align: right;">37</p> <p>1 gone to OMB, it's going to be reviewed, but we don't 2 know a lot about what's in it. Some of the things 3 that have been talked about are changes to the 4 criminal statutes of the Clean Water Act. More 5 violations would be criminal. There would be higher 6 criminal penalties.</p> <p>7 The one good thing for Oklahoma, because we 8 were not delegated into until the '90s, we have most 9 of the federal language already included in our state 10 statute and in our rules there are a few things that 11 we would have to tweak.</p> <p>12 Some concerning things that we've heard is 13 how EPA would treat permits that have reached their 14 expiration date but have been administratively 15 continued, that EPA would treat those 16 administratively-continued permits as draft permits 17 after some set amount of time. We don't know what 18 that time is. We've heard 12 months, we've heard 18 19 months, we've heard two years, which would basically 20 mean, instead of the state drafting a new permit, EPA 21 would review the existing permit and any comments or 22 questions they had on it, it would basically start the 23 clock as an EPA objection to the permit and then give 24 the state 90 days to address their issues or EPA could 25 federalize the permit.</p>	<p style="text-align: right;">39</p> <p>1 Force. I'm not sure exactly what they're called. 2 Representatives from the various agencies and various 3 sectors across the state, there is oil and gas 4 representatives, all kinds of other business and 5 industry looking at what are some options, what can we 6 do with produced water, kind of in the vein of drought 7 resiliency, protecting water future for the state. So 8 that will be ongoing.</p> <p>9 I think Mike Paque has been asked to serve on 10 that. So I'm sure we'll have more information on that 11 as we move through the next few months, as Mike hides 12 over there like, please, don't make me.</p> <p>13 So with that, I will stop. Those are kind of 14 the big things. Budget is going to be interesting. 15 All you have to do is read the paper to know that. I 16 can't tell you any more about it than that. We'll 17 kind of find our way through it. And usually it's 18 late April, May before we really know a whole lot.</p> <p>19 So with that, I will stop and answer any 20 questions anybody has.</p> <p>21 MR. PAQUE: I have one question. When you 22 talk about OPDES and NPDES and the review of the 23 administrative extensions, you said 90 days. Is that 24 firm or is that what you're hearing? Because that's 25 not realistic.</p>
<p style="text-align: right;">38</p> <p>1 Well, it's coming out of headquarters. We 2 know that. We know the region does not have any 3 interest in federalizing the permits under that rule. 4 They don't have the staff. They can't do it. It's 5 just an oddity and we're going to have to find our way 6 through it.</p> <p>7 The Director of Office of Wastewater 8 Management at headquarters says the rule is coming 9 out. Okay. I don't know when. We'll see what it all 10 says. But that's one that could impact a lot of – a 11 lot of Oklahoma.</p> <p>12 Those are the big things. We're also hearing 13 for the first time some conversation between different 14 areas in the Office of Water and Headquarters on water 15 reuse, both potable and – or direct potable and 16 indirect potable.</p> <p>17 We're also hearing, oh, we want to help you 18 find your way through this. I think every state can 19 have its own approach based on their own specific 20 conditions. So I think that one is going to be 21 interesting to watch and see what happens as they move 22 forward.</p> <p>23 And one of the other big things in water is 24 the Governor announced at the Governor's Water 25 Conference the new Produced Water Work Group Task</p>	<p style="text-align: right;">40</p> <p>1 MS. SHELLIE CHARD-McCLARY: That is the 2 actual time table. That's how it works now. It's 3 usually -- we will get -- I can think of one formal 4 objection that we have had in the last five years. 5 That's how infrequently it happens now.</p> <p>6 MR. PAQUE: Okay.</p> <p>7 MS. SHELLIE CHARD-McCLARY: That's under the 8 current system. If we do this funky thing with the -- 9 the proposed rule, if what the rumor says it is, I 10 think headquarters will be leaning on the regions to 11 do it, and I think the region, or at least our region, 12 will be looking at ways to not do it so that, 13 hopefully, it would be limited.</p> <p>14 If you are going through a normal process 15 where the state has drafted the permit and sent it for 16 review, most of the time, you know, we get a few 17 questions, a few comments, it's handled by phone, it's 18 handled by e-mail, and it just gets worked out because 19 it's not a big deal.</p> <p>20 But if it is something where a permit expired 21 6 1/2 years ago, the water quality standards have 22 changed, there's some new federal requirement that 23 applies to that facility, 90 days is not realistic or 24 doable. But under normal circumstances it is very 25 doable.</p>

1 MR. PAQUE: Okay. Well, that's good to hear.
2 But is there a provision that 90 days can be waived or
3 extended administratively?

4 MS. SHELLIE CHARD-McCLARY: No, but sometimes
5 the state and the regions play nice and we kind of,
6 you know, we work it out. But we would never violate
7 federal law.

8 MR. WINEGARDNER: Okay. Any comments? Any
9 other comments from the Council?

10 And I have absolutely no new business. No
11 business has been brought before me, and it's not on
12 the Agenda, so we couldn't discuss it anyways.

13 And the next meeting we have is on May - is
14 scheduled for May 3rd, 2016 in this room.

15 Are there other announcements that the
16 Council should be aware of? If not, I'll then - I
17 will adjourn the meeting. This is probably one of the
18 shortest meetings we've ever had. Thank you.

19

20 Meeting Adjourned - 3 00 P.M.

21

22

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25

1 ** CERTIFICATE **

2 STATE OF OKLAHOMA)

) SS:

3 COUNTY OF)

4

5 I, Lynette Wrany, a Certified Shorthand Reporter
6 within and for the State of Oklahoma, do hereby
7 certify that I reported all the foregoing meeting, and
8 that I later reduced it to typewritten form, as the
9 same appears herein.

10 I further certify that I am not a relative of,
11 nor attorney for, nor clerk or stenographer for any
12 party to this meeting, and that I am not otherwise
13 interested in the event of the same.

14 I further certify that the above and foregoing
15 typewritten pages contain a full, true and correct
16 transcript of my stenographic notes so taken, during
17 said meeting.

18 WITNESS my hand and seal this the 14th day of
19 January, 2015.

20

21

22

23



LYNETTE WRANY, C.S.R.

24 Oklahoma Certified Shorthand Reporter

Certificate No. 1167

25 Expiration Date: December 31, 2016



**WATER QUALITY MANAGEMENT
ADVISORY COUNCIL**

**Attendance Record
January 12, 2016
Department of Environmental Quality
Oklahoma City, Oklahoma**

CHECK BOX TO COMMENT

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Mark J. Hildebrand	DEQ	
Chris ARMSTRONG	DEQ	
Betsy Streuli	DEQ	
Jennifer Boyle	DEQ	
Bud Ground	EFO	
Scott Corpen	DEQ	
Courtney Carter	DEQ	
Molly Thompson	DEQ	
Jon Nelson	WQMAC	



**WATER QUALITY MANAGEMENT
ADVISORY COUNCIL**

Attendance Record

January 12, 2016

**Department of Environmental Quality
Oklahoma City, Oklahoma**

CHECK BOX TO COMMENT

NAME and/or AFFILIATION

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