

**MINUTES**  
**HAZARDOUS WASTE MANAGEMENT ADVISORY COUNCIL**  
**October 26, 2023**  
Oklahoma Department of Environmental Quality  
Multipurpose Room  
Oklahoma City, Oklahoma

Official after Approved by HWMAC  
On October 24, 2024 meeting

**Notice of Public Meeting** - The Hazardous Waste Management Advisory Council (HWMAC) convened for a Regular Meeting at 10:00 a.m. on October 26, 2023. The meeting was held in accordance with the Open Meetings Act, with notice of the meeting given to the Secretary of State on November 1, 2022. The agenda was posted at the DEQ at least twenty-four hours prior to the meeting. Mr. Lee Grater, Chair, called the meeting to order. Ms. Quiana Fields called roll and a quorum was confirmed.

**MEMBERS PRESENT**

Wesley Anderson  
Kinnamon Clark  
Matt Cobb  
Dale Copeland  
Kenneth Ede  
Lyndel Gibson  
Lee Grater  
Ray Reaves

**DEQ STAFF PRESENT**

Mike Edwards  
Kole Kennedy  
Kelly Dixon  
Clifton Hoyle  
Mike Stickney  
Lee Dooley  
Jim Wilkins  
Pam Dizikes  
Ryan Kirk  
Michelle Wynn  
Bruce Adams  
Quiana Fields

**MEMBERS ABSENT**

Terry Vandell

**OTHERS PRESENT**

Jenny Longley, Court Reporter

**Director’s Report** – Ms. Kelly Dixon Division Director of the LPD, provided an update on division activities.

*See transcript pages 3 - 18*

**Mr. Anderson entered the meeting during the Director’s Report.**

**Budget Presentation** – Mr. Mike Stickney of the LPD, gave a presentation on the budget.

*See transcript pages 18 - 24*

**Discussion, Amendment and Roll Call Vote to approve the Minutes from the October 27, 2022 HWMAC meeting** – Mr. Grater called for a motion to approve the minutes, Mr. Cobb moved to approve and Dr. Ede made the second.

*See transcript pages 24 - 25*

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Abstain
Matt Cobb	Yes	Ray Reeves	Yes
Dale Copeland	Yes	Lee Grater	Yes

**Presentation, Discussion and Roll Call Vote** – Mr. Ryan Kirk of the LPD, spoke on the incorporation by reference of federal rule changes from the year that ended June 30, 2023. Hearing questions and comments by the Council but none by the public, Mr. Grater called for a motion to approve the rule. Dr. Ede moved to approve and Mr. Grater made the second.

*See transcript pages 26 - 31*

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Ray Reeves	Yes
Dale Copeland	Yes	Lee Grater	Yes

**Election of Officers for 2024** – Mr. Reaves made a motion that Mr. Grater remain as Chair and Dr. Ede made the second.

*See transcript pages 31 - 32*

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Ray Reeves	Yes
Dale Copeland	Yes	Lee Grater	Abstain

Mr. Grater made a motion that Mr. Reaves remain as Vice-Chair and Mr. Clark made the second.

*See transcript pages 32 - 33*

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Ray Reeves	Yes
Dale Copeland	Yes	Lee Grater	Yes

**Set Meeting Dates for 2024** – The proposed HWMAC meeting dates for 2024 will be Thursday, July 18 and Thursday, October 24. Mr. Grater moved to approve and Mr. Reeves made the second.

*See transcript pages 33 - 35*

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Ray Reeves	Yes
Dale Copeland	Yes	Lee Grater	Yes

**New Business** – None

**Adjournment** – Mr. Cobb moved to adjourn and Mr. Reeves made the second. The meeting was adjourned at 10:32 a.m.

*See transcript page 37 - 38*

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Ray Reeves	Yes
Dale Copeland	Yes	Lee Grater	Yes

**Transcript and attendance sheet is attached as an official part of these Minutes.**

<p style="text-align: right;">Page 1</p> <p>1 REGULAR MEETING</p> <p>2 HAZARDOUS WASTE MANAGEMENT COUNCIL</p> <p>3 OCTOBER 26, 2023, 10:00 AM</p> <p>4</p> <p>5</p> <p>6 MEMBERS PRESENT</p> <p>7 Lee Grater</p> <p>8 Ray Reaves</p> <p>9 Dale Copeland</p> <p>10 Kenneth F. Ede</p> <p>11 Kinnamon Clark</p> <p>12 Matt Cobb</p> <p>13 Wes Anderson</p> <p>14 Lyndel Gibson</p> <p>15</p> <p>16 MEMBERS ABSENT</p> <p>17 Terry Vandell</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25 REPORTED BY: Jenny Longley, CSR</p>	<p style="text-align: right;">Page 3</p> <p>1 MS. FIELDS: Dr. Ede?</p> <p>2 DR. EDE: Here.</p> <p>3 MS. FIELDS: Mr. Gibson?</p> <p>4 MR. GIBSON: Present.</p> <p>5 MS. FIELDS: Mr. Reaves?</p> <p>6 MR. REAVES: Here.</p> <p>7 MS. FIELDS: Ms. Vandell is absent.</p> <p>8 Mr. Grater?</p> <p>9 CHAIRMAN GRATER: Here.</p> <p>10 MS. FIELDS: We have a quorum.</p> <p>11 CHAIRMAN GRATER: Thank you.</p> <p>12 I believe the first order of business</p> <p>13 would be to review and approve the minutes from the</p> <p>14 last meeting.</p> <p>15 MS. FIELDS: It's director's report.</p> <p>16 CHAIRMAN GRATER: Oh, in all honesty, I do</p> <p>17 not have the -- that portion of the scheduling,</p> <p>18 didn't pick it up.</p> <p>19 MS. FIELDS: You need an agenda?</p> <p>20 CHAIRMAN GRATER: Yeah. Okay. There we</p> <p>21 go, thank you.</p> <p>22 Director's report. Ms. Dixon?</p> <p>23 MS. DIXON: Thank you. Kole, could you</p> <p>24 pull the slides up? There we go.</p> <p>25 Good morning, everyone. I wanted to</p>
<p style="text-align: right;">Page 2</p> <p>1 PROCEEDINGS</p> <p>2 CHAIRMAN GRATER: The October 26, '23</p> <p>3 regularly scheduled meeting of the Hazardous Waste</p> <p>4 Management Advisory Council is called in accordance</p> <p>5 with the Open Meeting Act.</p> <p>6 Notice was filed with the Secretary</p> <p>7 of State on November 1, 2022. The Agenda was duly</p> <p>8 posted 24 hours prior to the meeting at the DEQ.</p> <p>9 Only matters appearing on the posted</p> <p>10 Agenda may be considered at this regular meeting.</p> <p>11 In the event that this meeting is continued or</p> <p>12 reconvened, public notice of the date, time, and</p> <p>13 place of the continued meeting will be given by</p> <p>14 announcement at this meeting. Only matters</p> <p>15 appearing on the Agenda of a meeting which is</p> <p>16 continued may be discussed at the continued or</p> <p>17 reconvened meeting.</p> <p>18 Ms. Fields, would you call the roll?</p> <p>19 MS. FIELDS: Mr. Anderson is absent.</p> <p>20 Mr. Clark?</p> <p>21 MR. CLARK: Here.</p> <p>22 MS. FIELDS: Mr. Cobb?</p> <p>23 MR. COBB: Here.</p> <p>24 MS. FIELDS: Mr. Copeland?</p> <p>25 MR. COPELAND: Here.</p>	<p style="text-align: right;">Page 4</p> <p>1 again, once again, thank you for your service to the</p> <p>2 DEQ and to the State of Oklahoma. It helps us</p> <p>3 fulfill our mission and it's a very important</p> <p>4 service, and I know it's time out of your busy day;</p> <p>5 so we really appreciate you guys.</p> <p>6 I'm going to give you a few updates</p> <p>7 from the Land Protection Division and the agency</p> <p>8 perspective, and then I'll kick it to Mike, where he</p> <p>9 can talk more about the hazardous waste world.</p> <p>10 So, next slide. We continue to lose</p> <p>11 employees who are retiring, so with that, a lot of</p> <p>12 institutional knowledge. So our latest exit in our</p> <p>13 division was Mike Broderick, who worked in our</p> <p>14 Radiation Management Program. His replacement, who</p> <p>15 is very capable, has 20 years of experience in the</p> <p>16 radiation management world, is Keisha Cornelius, so</p> <p>17 we're very happy that she is on board.</p> <p>18 Some other news in the agency, Jimmy</p> <p>19 Givens, if you guys didn't know, he was our deputy</p> <p>20 director for the agency, he retired a few months</p> <p>21 ago. Saba Tahmassebi, who was our chief engineer</p> <p>22 for the agency, also retired from the DEQ and now</p> <p>23 works -- is the director of the Kerr Lab, EPA Kerr</p> <p>24 Lab in Ada, working on groundwater projects. So</p> <p>25 that will be a good connection to have, but you</p>

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1 know, we miss his leadership.

2           The really good news for our division

3 is that we're almost fully staffed. I think we have

4 one vacancy in our entire division, which is

5 awesome, and it's been a long time coming.

6           The other good news - and we've

7 talked about this in the past - is that the agency

8 was able to do an across-the-board performance-based

9 salary increase for employees, and it averages about

10 5 percent for everyone, it was different for

11 different job classifications, but good news. I

12 mean, it doesn't keep up with the pace of inflation,

13 but it -- every little bit helps, as you know.

14           Next slide. So our division, we have

15 a lot of outreach and technical assistance programs,

16 and some of the ones I wanted to highlight were

17 related to what we do with schools. We have been

18 able to help schools across the state clean out

19 their school laboratories that -- you can see from

20 some of these pictures what a mess they are.

21           I think we started this project four

22 or five years ago, we average about 20 per year.

23 It's a one-time service. We counsel the

24 laboratories on how to manage their waste better in

25 the future, but we're happy to keep school kids safe

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1 from some dangerous chemicals.

2           We also have partnered with the Water

3 Quality Division, who's focused on lead in schools,

4 and so Water's doing a lot of sampling in schools,

5 looking for lead in pipes or lead in fixtures, and

6 our division steps in if it's found and we can help

7 fund the replacement of some of those things, and so

8 that's kind of the nexus with our division.

9           We also have an amnesty program for

10 elemental mercury for -- you know how your granddad

11 might have a jar of mercury in his barn or his

12 garage then and his grandkid finds it and it's

13 really fascinating to play with. We've had this

14 amnesty program for a long time, and it's -- you

15 know, you can see last year we recovered 18.5 pounds

16 of mercury. So it's just a service we can provide,

17 statewide, to keep them safe.

18           Next slide. We also have a variety

19 of cleanup programs in our division, Superfund,

20 Brownfields, Voluntary Cleanup, and these projects

21 tend to be large, large in scale and scope, and take

22 more than a year to complete; so we're really proud

23 of the effort.

24           We've completed an interim cleanup at

25 the Wilcox Superfund Site, which is just outside of

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1 Bristow, there's more work to do there. In our

2 Voluntary Cleanup Program, we've closed six sites;

3 there's about 100, give or take, in that program at

4 any given time. Most of the projects in our

5 Voluntary Cleanup Program are groundwater projects,

6 and those take a while to resolve; so it's an

7 ongoing effort.

8           And then I think we've talked -- next

9 slide, I'm sorry. I think we've talked about Tar

10 Creek in the past, but Tar Creek is in the far

11 northeast corner of the state, in Ottawa County.

12 It's a hard-rock mining legacy site, 40 square

13 miles, it's one of the largest Superfund sites in

14 the country.

15           It became a Superfund site in 1980.

16 We've been working on it all that time in different

17 operable units, starting with surface water and

18 groundwater, residential cleanup, and now we're

19 focused on the cleanup of the mill tailings that are

20 full of lead.

21           It's interesting, EPA -- this is

22 funded by EPA and we're working closely with the

23 Quapaw Nation, we've contracted with them to do a

24 lot of the work, and that's working very well.

25 There's a lot of money and a lot of work happening

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1 and a lot more work to be done.

2           One thing that I will point out

3 that's interesting, on the bottom of the slide you

4 can see that we removed -- through passive treatment

5 systems in surface water, we have removed lots of

6 iron, lead, zinc, and cadmium from upwelling in mine

7 flow as it gets into the surface water and improves

8 the surface water. We have two passive treatment

9 systems that we've worked with the University of

10 Oklahoma on, and we believe this technology is an

11 answer to some of the surface water issues that

12 persist at Tar Creek.

13           Next slide. This is more in line

14 with the hazardous waste world. In our Tier II

15 EPCRA reporting, we train a lot on how people need

16 to report, it's a little bit complicated. We work

17 with OSU on training people on hazardous waste

18 regulations, which is an important thing because the

19 regulations are complicated.

20           And we also have our third

21 e-application so we can have electronic reporting.

22 We've been -- we started with solid waste and we're

23 working with industrial radiography, and now

24 hazardous waste will be able to have some electronic

25 reporting and payment, which is part of our

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1 continuous improvement for efficiencies.

2           And the last thing I'm going to talk

3 about, you guys probably read about, heard about the

4 hand sanitizer fires in Chickasha. It's an ongoing

5 enforcement case and I'm not going to talk a lot

6 about it, but when this first happened last summer,

7 when the fire happened, we scrambled a staff to get

8 together and to go out and to sample to find out

9 where the releases were, how bad they were, what we

10 needed to do, did we need to ask EPA to come help us

11 with emergency response.

12           And so what we learned from that is

13 that we don't always have a good -- we're not

14 prepared to respond to this kind of emergency when

15 we need to. And we're not first responders, but you

16 know, to -- once the site is secure, to understand

17 releases and the nature of releases.

18           We have identified this as a

19 strategic goal that we're working on for this next

20 couple years, to develop a framework so that we have

21 staff identified and trained, exercising together on

22 practice incidents and template documents so that we

23 can better respond and have people ready to go when

24 we need to.

25           This is part of a larger agency

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1 effort on strategic planning. We have a -- our new

2 strategic plan that's out on our website, and so

3 we're trying to focus on the things that we really

4 can -- that will really make a difference and

5 improve our services to the State.

6           That's all I have. I would be happy

7 to answer any questions if you have any for me;

8 otherwise, I'll send it to Mr. Edwards.

9           MR. GIBSON: I have one question. On the

10 school lab cleanout program, you listed a number of

11 locations that y'all were able to service. What in

12 relationship is that to applications that came into

13 DEQ for the service?

14           MS. DIXON: We have sort of tried to align

15 our window for applications, and we have a lot of --

16 we have community revitalization, we have the school

17 chemical cleanups, technical assistance on

18 recycling. So we have an application window

19 starting in, I think, March, and it's on our web

20 page, you can look there. We also try to do

21 outreach and to use word of mouth to let people know

22 that we have the service available.

23           MR. GIBSON: Okay. But in relationship --

24 I believe it said 13 or 18 labs were cleaned out or

25 whatever. Did y'all receive 30 applicants and were

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1 only able to get to those -- that number or do we

2 know at this point?

3           MS. DIXON: That's a good question, I'm --

4 the program people would know. I suspect that we do

5 all the ones -- we budget a certain amount, I think

6 we budget up to 25.

7           MR. GIBSON: Right.

8           MS. DIXON: So we do -- if we only did 15

9 last year - which is what we did - we probably only

10 had 15 applicants. If you want me to find out

11 specifically if we had more, I can do that and let

12 you know.

13           MR. GIBSON: I would just be interested to

14 know.

15           MS. DIXON: Yeah, okay. I can do that.

16           MR. GIBSON: You know, because I

17 understand, you know, laboratories you don't know

18 what you're going to spend until you walk into it,

19 you know, and you're budgeted a certain amount of

20 money, that number can shrink or expand.

21           MS. DIXON: Yeah. Yes. And, you know,

22 we've had Oklahoma City Public Schools and Tulsa

23 Public Schools, which are large.

24           MR. GIBSON: Right.

25           MS. DIXON: Much larger than the rural

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1 ones, yeah.

2           Any other questions?

3           DR. EDE: This is not a question, it's

4 just a recommendation. Individuals who are going to

5 do first response work, from an OSHA perspective,

6 should receive a 40-hour HAZWOPER, and if I was

7 having individuals do lab pack work, I would also

8 have them do a 40-hour HAZWOPER because when you go

9 into the laboratory and do a lab pack, you have no

10 idea what you're going to find. Just a

11 recommendation for training.

12           MS. DIXON: Yeah. Most of our staff does

13 have the HAZWOPER training, but --

14           DR. EDE: Good.

15           MS. DIXON: -- we contract that work. We

16 don't do the work ourselves, there's a statewide

17 contract from emergency response that we use to do

18 the school chemical cleanup.

19           DR. EDE: Okay.

20           MS. DIXON: And on the emergency response,

21 the framework for emergency response, again, we're

22 not first responders, we're not going to put out a

23 fire, we're not going to be on-site until the

24 emergency is contained --

25           DR. EDE: Sure.

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1 MS. DIXON: -- because that's not our job,  
 2 that's the fire department's and other people.  
 3 DR. EDE: But even going into that  
 4 facility, the hand sanitizer --  
 5 MS. DIXON: Yeah.  
 6 DR. EDE: -- again, just as a precaution,  
 7 I would have those individuals, those DEQ agents,  
 8 HAZWOPER trained.  
 9 MS. DIXON: Yeah, they are.  
 10 DR. EDE: Good.  
 11 MS. DIXON: They are.  
 12 DR. EDE: Just --  
 13 MS. DIXON: Yeah.  
 14 DR. EDE: Yeah.  
 15 MS. DIXON: Appreciate your comment.  
 16 DR. EDE: Just trying to keep everybody  
 17 safe.  
 18 MS. DIXON: Yeah.  
 19 All right. Mike?  
 20 MR. EDWARDS: Okay. So I was just going  
 21 to give you a quick update on the status of the  
 22 compliance side of the RCRA program. One, I guess,  
 23 trend is that our LQG universe is sort of going down  
 24 over the past several years, there's a couple  
 25 reasons for that.

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1 EPA has allowed some additional  
 2 flexibility, which is really nice. For instance, in  
 3 the past, if you had a cleanout, for instance, that  
 4 would put you over the LQG limit, you would have to  
 5 notify it as an LQG. Well, now EPA has allowed for  
 6 one-time notifications so you can just notify that  
 7 you've created that waste and then go back to your  
 8 normal size. So that has helped our LQG universe go  
 9 down.  
 10 Another thing they did is they  
 11 reduced the regulatory impact of nicotine products.  
 12 So we used to have a bunch of, say, CVSs and  
 13 Walgreenses that were LQGs, large quantity  
 14 generators, simply because they had nicotine  
 15 patches, gum. So that has helped.  
 16 So with our universe down to about  
 17 130, we decided that we should do the alternative  
 18 approach to inspections that EPA allows. The simple  
 19 explanation for what that is, is EPA requires  
 20 hazardous waste programs to inspect 20 percent of  
 21 their LQG universe every year. Under the  
 22 alternative approach, we can inspect 10 percent and  
 23 then make up the difference of that 10 percent with  
 24 other generator-size facilities.  
 25 EPA really doesn't care -- it's kind

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1 of weird, but they don't care about SQGs, VSQGs,  
 2 transporters, used oil. When I say they don't care,  
 3 they don't care in the sense that they require the  
 4 RCRA programs to inspect those facilities. So by  
 5 doing the alternative approach, it frees us up to do  
 6 many more of those smaller facilities, and that's  
 7 where we tend to find more problems.  
 8 So -- and we have found that, I'd say  
 9 in the last two or three years, enforcement is on  
 10 the way up. I don't know exactly how many we're  
 11 juggling right now, but it's three or four, for  
 12 sure, and we seem to keep finding more. So we think  
 13 there's a pretty clear need to get out there more,  
 14 do more of those small facilities. EPA's offered  
 15 this flexibility, so we're taking advantage of that.  
 16 And as Kelly mentioned, we're fully  
 17 staffed for the first time in a long time. I've  
 18 added a new inspector recently, and then Cliff back  
 19 there reminded me that in the rulemaking meeting  
 20 last year, when you all were here, we did not have a  
 21 permit manager, and the permit staff I think was  
 22 three people down.  
 23 MS. DIXON: Yeah.  
 24 MR. EDWARDS: So I'm going to put  
 25 Mr. Wilkins on the spot and let him briefly talk

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1 about his new staff. Sorry for not giving you a  
 2 heads-up, but -- so, yeah.  
 3 MR. WILKINS: Yeah, I'll introduce myself  
 4 first. I'm Jim Wilkins, I've been with DEQ for  
 5 several years. I started actually in a different  
 6 division, the Environmental Complaints and Local  
 7 Services Division, in a field office, and then moved  
 8 to the Land Protection Division and worked on staff  
 9 in the Permitting and Corrective Action Section, and  
 10 I took on the role of supervisor for that section in  
 11 December of last year.  
 12 And since then, we've hired three new  
 13 staff, and we've been lucky enough to find people  
 14 that are very experienced in the hazardous waste  
 15 world; so that's helped us. And just being fully  
 16 staffed has really helped in accomplishing our goals  
 17 and improving timelines and had a big effect on the  
 18 program.  
 19 So, pass it back to you, Mike.  
 20 MR. EDWARDS: Yep.  
 21 The only other thing I was going to  
 22 mention is we recently received word that the --  
 23 that EPA is contemplating some rule changes  
 24 involving drum washing, essentially. It's  
 25 preliminary, I think it's in the comment period

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1 right now, but I'm just giving you a heads-up that  
 2 next year's rulemaking meeting will probably be to  
 3 incorporate those rules, at least, and then whatever  
 4 else they come out with between now and next July.  
 5 But we are aware of those and I think  
 6 they're going to be released under HSWA, which means  
 7 they'll go into effect immediately; so technically,  
 8 we probably don't even need to do the rulemaking.  
 9 But anyway, that's going to be coming up next year,  
 10 most likely.  
 11 So that's really all I had, if  
 12 anybody has any questions.  
 13 MR. CLARK: Mike, do you know if the drum  
 14 washing rules that they're proposing, are those  
 15 going to align more with the DOT regulations?  
 16 MR. EDWARDS: I don't know the answer. I  
 17 mean, to be honest, I haven't even read the  
 18 preliminary rules yet, it just -- I think it was  
 19 last week that we got the Federal Register notice of  
 20 the comment period.  
 21 MR. CLARK: Okay.  
 22 MR. EDWARDS: So I can check into it in  
 23 some more detail and let you know. I think that's  
 24 probably a reasonable assumption. And we have had  
 25 -- we have found problems with those types of

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1 facilities in Oklahoma in the past, including the  
 2 recent past; so I definitely think it's something  
 3 that's needed.  
 4 If no other questions, I think we can  
 5 move on to the next item.  
 6 CHAIRMAN GRATER: The next item would be  
 7 the budget presentation by Mike Stickney.  
 8 MR. STICKNEY: Okay. Let's start with the  
 9 FY2023 sheet for Budgeted and Expended. We've got a  
 10 hard copy in front of you, it's labeled "Sheet 1" in  
 11 the upper right, it's the page with five columns.  
 12 We can start with Column 2, that has a heading of  
 13 "FY2023 Budget", and that's a recap of what we  
 14 budgeted for FY23, and that total, where you see at  
 15 the bottom of that column, was \$2,625,000. That  
 16 number's broken down by categories which are in  
 17 Column 1 on the left, and I'll talk about those more  
 18 in a few minutes.  
 19 FY23 expenditures are found in Column  
 20 3, and the remaining encumbrances for FY23 are in  
 21 Column 4. And we added a column this year, Column  
 22 5, where we added those two together so I don't  
 23 don't have to do the math in my head. The total for  
 24 all the categories of expended and encumbered is  
 25 \$2,440,000, seen at the bottom of Column 5.

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1 And going back to the top of the  
 2 page, we see the income for FY2023, the numbers on  
 3 the right: \$1,544,000, which is our fee income; and  
 4 \$1,017,000, which is the amount of our federal  
 5 grant; so the total for FY23 is \$2,561,458. So in  
 6 summary, we budgeted \$2,625,892, our expenses were  
 7 \$2,440,683, and our income was \$2,561,458. Income  
 8 was greater than expenses by \$120,851.  
 9 Additional information not seen on  
 10 these handouts as far as fees and income for FYs 19  
 11 through 21 averaged \$1,596,000, FY23 comes in just  
 12 under that five-year average, at \$1,544,000 - as you  
 13 see here - a difference of about \$50,000. Looking  
 14 ahead at the first quarter of FY24, the fee amount  
 15 is around \$493,000, and that's above our average of  
 16 the previous five years.  
 17 A little more information about our  
 18 grant money. We mentioned this last year, but as a  
 19 reminder, our grant amount fell each year from FY15,  
 20 when it was \$1 million, through FY20, when it  
 21 reached a low of \$856,000. That trend reversed in  
 22 FY21, and at that time EPA projected an increase of  
 23 \$60,000 each year through FY25.  
 24 So in FY23, we were projected to  
 25 receive \$1,008,000, and we actually received

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1 \$1,017,000, about \$8,600 more than was projected;  
 2 the projected amount for FY24 is \$1,070,000; and for  
 3 FY25, the amount is \$1,132,000.  
 4 If we look at the individual line  
 5 items of the different categories in Column 1,  
 6 starting with Salaries and Other Compensation  
 7 Expenses, we budgeted more than we expended. We  
 8 budgeted \$1.9 million and expended \$1.6 million, a  
 9 difference of an actual number of \$270,952.  
 10 The Hazardous Waste Section has 14  
 11 FTEs that Mike and Jim mentioned, in the Permitting  
 12 and Corrective Action Group, the Hazardous Waste and  
 13 Compliance and Enforcement Group. Other people that  
 14 code part or all the time to Hazardous Waste include  
 15 our chief engineer, our lawyer, and additional staff  
 16 working on hazardous waste projects.  
 17 The difference in budgeted and  
 18 expended in this category has mostly to do with  
 19 changes in the staff vacancies that were discussed.  
 20 Last year at this time, we had four vacancies  
 21 overall, and we've been really fortunate over the  
 22 last year and, recently, we -- all of the vacancies  
 23 have been filled.  
 24 Looking at Professional Services, we  
 25 expended about \$28,000 more than was budgeted.

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1 Professional Services include things like  
 2 maintenance and calibration of equipment, sampling  
 3 events, document databases, certain training and  
 4 things like disposal of DEQ's own hazardous waste.  
 5 Moving to Travel, expenses were  
 6 slightly higher than we budgeted, a difference of  
 7 about \$6,800, almost \$6,900 there.  
 8 On Administrative Expenses,  
 9 expenditures were up from the budgeted amount about  
 10 -- a difference of \$27,448. Administrative Expenses  
 11 include things like copy machines, payments to the  
 12 Bar Association, office supplies, legal notices in  
 13 the newspaper, those sorts of things.  
 14 The next line, Lab Equipment,  
 15 Furniture and Building Construction, and Air  
 16 Monitoring Sites, is up from the budgeted amount.  
 17 The budget was \$8,000, we expended \$33,000, and the  
 18 difference is likely from helping the lab with some  
 19 equipment costs, and we also have replaced quite a  
 20 few laptops in the division this year.  
 21 The Northwest Oklahoma Economic  
 22 Development Authority is a statutorily required  
 23 payment to the local development authority, it's  
 24 calculated on a percentage of fees charged by Lone  
 25 Mountain.

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1 Indirect Costs, we budgeted more than  
 2 we expended, about \$73,000 more. Indirect Costs go  
 3 to things that aren't easily categorized by a  
 4 section or a division, it's agency-wide, things like  
 5 finance, accounting, and human resources.  
 6 So that's the review of FY23, and if  
 7 we could go to Sheet 2 and discuss FY24's budget,  
 8 then we can address any questions, if that's okay.  
 9 So, Salaries and Other Compensation  
 10 Expenses is just over \$2 million on FY24.  
 11 Professional Services, it's right at \$142,000, up  
 12 about \$72,000 from last year.  
 13 One of the things that fits in that  
 14 category, we have a new application that Kelly was  
 15 mentioning, it's -- we call it the nFarm  
 16 application, and it will allow our TSD facilities to  
 17 submit monthly and quarterly hazardous waste  
 18 disposal reports electronically and in a way that's  
 19 more user-friendly and a streamlined approach that  
 20 provides those TSDs with immediate feedback to make  
 21 their quarterly payments to DEQ. It also provides  
 22 smoother and a streamlined tracking, reporting  
 23 option for the DEQ staff to help us better serve our  
 24 customers as well as it can then be automatically  
 25 uploaded into another system for archiving central

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1 records.  
 2 Travel Expenses is up about a little  
 3 more than \$13,000. We continue to travel more as  
 4 restrictions have been lifted and there have been  
 5 more training and other opportunities.  
 6 Administrative Expenses is up  
 7 slightly, about \$4,000 there. Lab Equipment,  
 8 Furniture and Building Construction, and Air  
 9 Monitoring, it's up \$30,790, and that's really more  
 10 in line with where we should have been last year.  
 11 Local Government & Non Profit  
 12 Projects & Programs, you can see that comes in at  
 13 \$253,000. That money is a carryover from last year  
 14 and partly the four vacancies that we discussed that  
 15 have been filled. Those were fully funded, but not  
 16 filled until recently.  
 17 So surplus overall that we anticipate  
 18 using for additional equipment. We hope to obtain  
 19 equipment to better do our inspections of facilities  
 20 that may have emissions from vents, equipment leaks,  
 21 tanks and containers, for example using infrared or  
 22 FLIR cameras to help locate repairs -- I'm sorry, I  
 23 should say to help locate and repair leaks and help  
 24 facilities to be in compliance.  
 25 Northwest Oklahoma Economic

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1 Development Authority, that comes in -- there's no  
 2 change on the budget on that. Indirect Costs comes  
 3 in at \$594,799, that's up about \$90,000.  
 4 Overall, the FY24 budget is  
 5 \$3,134,624, and the FY23 budget was \$2,625,000, a  
 6 difference of about \$500,000. I think those  
 7 differences can be attributed to the salaries and  
 8 the Local Government & Non Profit Projects &  
 9 Programs that we just discussed, it's about a  
 10 \$400,000 difference in just those two items.  
 11 That's the budget, a short version.  
 12 If I have any questions, I'd be happy to try and  
 13 answer them.  
 14 CHAIRMAN GRATER: Are there any questions  
 15 from the Council?  
 16 Any questions from the public?  
 17 The next item on the agenda is the  
 18 Discussion, Amendment, and Roll Call Vote to Approve  
 19 the minutes of the October 27, 2022 Hazardous Waste  
 20 Management Advisory Council meeting.  
 21 Do we have any questions or comments  
 22 from the Council? There don't appear to be.  
 23 Any questions and discussion from the  
 24 public? There does not appear to be.  
 25 Does anybody make a motion to



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1 approve?

2 MR. COBB: Make a motion to approve.

3 CHAIRMAN GRATER: Do I hear a motion to --

4 DR. EDE: I second the motion.

5 CHAIRMAN GRATER: Motion's approved and

6 seconded. Ms. Fields?

7 MS. FIELDS: For the record, Mr. Anderson

8 has entered the meeting.

9 Mr. Anderson?

10 MR. ANDERSON: Yes.

11 MS. FIELDS: Mr. Clark?

12 MR. CLARK: Aye.

13 MS. FIELDS: Mr. Cobb?

14 MR. COBB: Aye.

15 MS. FIELDS: Mr. Copeland?

16 MR. COPELAND: Aye.

17 MS. FIELDS: Dr. Ede?

18 DR. EDE: Aye.

19 MS. FIELDS: Mr. Gibson?

20 MR. GIBSON: Abstain.

21 MS. FIELDS: Mr. Reaves?

22 MR. REAVES: Yes.

23 MS. FIELDS: Mr. Grater?

24 CHAIRMAN GRATER: Yes.

25 MS. FIELDS: Motion passed.

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1 CHAIRMAN GRATER: All right. The next

2 item on the agenda is the Presentation, Discussion,

3 and Vote of the incorporation by reference of

4 federal rule changes from the year that ended in

5 2023.

6 Mr. Edwards, Mr. Kirk?

7 MR. EDWARDS: I'm just going to hand this

8 straight to Mr. Kirk.

9 MR. KIRK: All right. Thank you.

10 The incorporation by reference rule

11 change that we are presenting to the Council this

12 morning addresses the regulations that cover burning

13 of hazardous waste in boilers and industrial

14 furnaces.

15 A little bit of background about this

16 specific aspect of the boilers and industrial

17 furnaces rule that we're talking about today, the

18 boilers and industrial furnaces operating under

19 certain conditions must be evaluated to determine

20 emission rates of the dioxins and furans to ensure

21 that limits on increased lifetime cancer risk are

22 not exceeded.

23 So as a result of this rather minor

24 and obscure rule change, operators of boilers and

25 industrial furnaces are now allowed to use Method 23

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1 as an alternative to SW-846 Test Method 0023A when

2 conducting these evaluations.

3 So Method 23 is aligned with the

4 Clean Air Act and it was added to the Clean Air Act

5 Regulations in 1991, whereas SW-846 - which includes

6 Method 0023A - is EPA's official collection of test

7 methods used to comply with the Resource

8 Conservation and Recovery Act.

9 So, essentially, you now have the

10 option to use either of these methods as opposed to

11 the method that -- strictly the method that was

12 affiliated with the hazardous waste regulations,

13 which was 0023A.

14 And I'll add that the - if you want

15 to get a little more specific - the specific dioxin

16 and furan that -- the specific test for dioxin and

17 furan emissions that is required -- let me rephrase

18 that. The specific dioxins and furans that this

19 specific aspect of the rule is required to address -

20 and with my apologies to the stenographer - it's

21 tetra-octa congeners of chlorinated

22 dibenzo-p-dioxins and dibenzofurans, and there won't

23 be a quiz, so don't worry about that.

24 Furthermore - and I think this is a

25 very important aspect of this presentation - there

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1 are currently no facilities in Oklahoma that will be

2 affected by this rule change.

3 All boilers and industrial furnaces

4 operating in Oklahoma are either subject to: the

5 Clean Air Act's MACT Standards - that stands for

6 Maximum Achievable Control Technology Standards -

7 rather than the RCRA boiler and industrial furnace

8 standards; or they are otherwise qualified for one

9 of the exemptions that allow them to avoid these

10 emission evaluations. And there are other aspects

11 that they are exempt -- part of the rule that they

12 are exempt from, but, this, we are specifically

13 dealing with the emissions test.

14 So, therefore, we recommend adoption

15 of this rule change in order to benefit those who

16 might be subject in the future as well as to

17 maintain equivalency with the federal program. Does

18 anybody have any questions?

19 MR. CLARK: Since this is stack testing,

20 has the Air Quality Advisory Council seen this yet

21 and given direction?

22 MR. KIRK: The -- this rule incorporates

23 the Clean Air Act because it's a combined rule with

24 Clean Air Act and RCRA. So when this rule was

25 promulgated, it addressed Part 63, which is where

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1 this resides in the Clean Air Act, as well as Part  
 2 266 of RCRA; so, yes, they're well aware of this.  
 3 MR. CLARK: Okay.  
 4 CHAIRMAN GRATER: So, Ryan, does this rule  
 5 change primarily address stack testing methodology  
 6 or does it make changes to the analytical procedures  
 7 under 846?  
 8 MR. KIRK: It just -- if I'm interpreting  
 9 your question correctly, it just provides an  
 10 alternative test method, so -- that has already been  
 11 used for 30 years in the emissions test --  
 12 CHAIRMAN GRATER: Right.  
 13 MR. KIRK: -- under the Clean Air Act.  
 14 CHAIRMAN GRATER: So I guess my question  
 15 is, does it affect the acquisition of the samples or  
 16 the analysis or both?  
 17 MR. KIRK: That I'm not sure of, I can  
 18 look into that for you.  
 19 CHAIRMAN GRATER: Okay. Also, they're  
 20 mentioning octas, but previously under the F020  
 21 rules -- the F020 EQS codes for dioxin-bearing  
 22 wastes, the treatment standards didn't really  
 23 include octas and septas, they only included the 4s,  
 24 5s, and 6 chlorides. Has EPA made major changes in  
 25 regards to regulating the levels of 7 and 8

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1 chlorofurans and dioxins?  
 2 MR. KIRK: And are you referring to  
 3 changes under the Clean Air Act or under --  
 4 CHAIRMAN GRATER: Yes.  
 5 MR. KIRK: -- Resource Conservation and --  
 6 CHAIRMAN GRATER: Yes.  
 7 MR. KIRK: I'm afraid I can't speak to  
 8 that, but we can get an answer for you.  
 9 CHAIRMAN GRATER: Okay. Just curious.  
 10 Any other questions?  
 11 Any questions from the public? Okay.  
 12 This apparently is mainly a  
 13 laboratory method change; so it looks like it's a  
 14 relatively minor issue. Is there a motion to  
 15 approve?  
 16 DR. EDE: I move to approve this, it is  
 17 EPA-approved methodology. Yes.  
 18 CHAIRMAN GRATER: I'll second.  
 19 Ms. Fields?  
 20 MS. FIELDS: Mr. Anderson?  
 21 MR. ANDERSON: Aye.  
 22 MS. FIELDS: Mr. Clark?  
 23 MR. CLARK: Aye.  
 24 MS. FIELDS: Mr. Cobb?  
 25 MR. COBB: Aye.

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1 MS. FIELDS: Mr. Copeland?  
 2 MR. COPELAND: Aye.  
 3 MS. FIELDS: Dr. Ede?  
 4 DR. EDE: Aye.  
 5 MS. FIELDS: Mr. Gibson?  
 6 MR. GIBSON: Aye.  
 7 MS. FIELDS: Mr. Reaves?  
 8 MR. REAVES: Yes.  
 9 MS. FIELDS: Mr. Grater?  
 10 CHAIRMAN GRATER: Yes.  
 11 MS. FIELDS: Motion passed.  
 12 CHAIRMAN GRATER: The next item on the  
 13 agenda would be the Election of Officers for 2024.  
 14 Are there any nominations of Council for officers?  
 15 MR. REAVES: Yes. I nominate you to keep  
 16 your job. If you'll tell us how long you've been  
 17 taking the job.  
 18 CHAIRMAN GRATER: How long I've been here?  
 19 I believe I've been on the Council since 2006 or  
 20 2007 and sitting in this spot for a long time,  
 21 several years.  
 22 DR. EDE: I second the motion, then.  
 23 CHAIRMAN GRATER: I think I'm trapped.  
 24 Is there a second?  
 25 MS. FIELDS: Dr. Ede did the second.

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1 CHAIRMAN GRATER: We have a motion and a  
 2 second. Ms. Fields?  
 3 MS. FIELDS: Mr. Anderson?  
 4 MR. ANDERSON: Aye.  
 5 MS. FIELDS: Mr. Clark?  
 6 MR. CLARK: Aye.  
 7 MS. FIELDS: Mr. Cobb?  
 8 MR. COBB: Aye.  
 9 MS. FIELDS: Mr. Copeland?  
 10 MR. COPELAND: Aye.  
 11 MS. FIELDS: Dr. Ede?  
 12 DR. EDE: Aye.  
 13 MS. FIELDS: Mr. Gibson?  
 14 MR. GIBSON: Aye.  
 15 MS. FIELDS: Mr. Reaves?  
 16 MR. REAVES: Aye.  
 17 MS. FIELDS: Mr. Grater?  
 18 CHAIRMAN GRATER: Abstain.  
 19 MS. FIELDS: Motion passed.  
 20 CHAIRMAN GRATER: We also have a need to  
 21 fill the position of Vice Chairman. Are there any  
 22 nominations for that? It's currently held by Mr.  
 23 Reaves. I would nominate Mr. -- I would make a  
 24 motion to have Mr. Reaves continue as Vice Chairman.  
 25 MR. CLARK: Second.

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1 CHAIRMAN GRATER: A motion has been made  
 2 and seconded. Ms. Fields, will you call the roll?  
 3 MS. FIELDS: Mr. Anderson?  
 4 MR. ANDERSON: Aye.  
 5 MS. FIELDS: Mr. Clark?  
 6 MR. CLARK: Aye.  
 7 MS. FIELDS: Mr. Cobb?  
 8 MR. COBB: Aye.  
 9 MS. FIELDS: Mr. Copeland?  
 10 MR. COPELAND: Aye.  
 11 MS. FIELDS: Dr. Ede?  
 12 DR. EDE: Aye.  
 13 MS. FIELDS: Mr. Gibson?  
 14 MR. GIBSON: Aye.  
 15 MS. FIELDS: Mr. Reaves?  
 16 MR. REAVES: Yes.  
 17 MS. FIELDS: Mr. Grater?  
 18 CHAIRMAN GRATER: Yes.  
 19 MS. FIELDS: Motion passed.  
 20 CHAIRMAN GRATER: All right. Next item on  
 21 the agenda is to Set Meeting Dates for 2024.  
 22 Mr. Edwards?  
 23 MR. EDWARDS: Yes.  
 24 So, as usual, we like to set a July  
 25 meeting in case we need it and then the October

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1 rulemaking meeting. For July we're looking at the  
 2 18th, the 25th is a possible alternative, and for  
 3 October we're looking at the 24th as our preference,  
 4 we could do the 17th if we need to.  
 5 So those are our suggestions,  
 6 July 18th, October 24th, both Thursdays, 10:00 a.m.  
 7 MR. COBB: I will not be -- I'll be out of  
 8 the country the 18th and the 25th, just -- which is  
 9 --  
 10 MR. EDWARDS: July?  
 11 MR. COBB: July, yeah.  
 12 MR. EDWARDS: Okay. If we have that  
 13 meeting, it wouldn't be a rulemaking meeting; so it  
 14 may not be -- it'd be information --  
 15 MR. COBB: Sure.  
 16 MR. EDWARDS: -- sharing --  
 17 MR. COBB: Absolutely.  
 18 MR. EDWARDS: -- so that's probably not  
 19 crucial that everyone attend that meeting.  
 20 MR. COBB: Perfect.  
 21 CHAIRMAN GRATER: Looks like the -- Mike,  
 22 which one did you decide on?  
 23 MR. EDWARDS: July 18th and October 24th.  
 24 CHAIRMAN GRATER: Okay. I would -- are  
 25 there any comments from the Council on that? Or the

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1 public?  
 2 I would move to approve it. Is there  
 3 a second?  
 4 MR. REAVES: I second it.  
 5 MS. FIELDS: Mr. Anderson?  
 6 MR. ANDERSON: Aye.  
 7 MS. FIELDS: Mr. Clark?  
 8 MR. CLARK: Aye.  
 9 MS. FIELDS: Mr. Cobb?  
 10 MR. COBB: Aye.  
 11 MS. FIELDS: Mr. Copeland?  
 12 MR. COPELAND: Aye.  
 13 MS. FIELDS: Dr. Ede?  
 14 DR. EDE: Aye.  
 15 MS. FIELDS: Mr. Gibson?  
 16 MR. GIBSON: Aye.  
 17 MS. FIELDS: Mr. Reaves?  
 18 MR. REAVES: Yes.  
 19 MS. FIELDS: Mr. Grater?  
 20 CHAIRMAN GRATER: Yes.  
 21 MS. FIELDS: Motion passed.  
 22 CHAIRMAN GRATER: Does that cover all the  
 23 meetings? Okay.  
 24 Is there any -- the next item would  
 25 be New Business, this would be limited to any matter

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1 not known or which could not have been reasonably  
 2 foreseen prior to the time of posting the agenda, 24  
 3 hours prior to the meeting.  
 4 Are there any comments from the  
 5 Council?  
 6 MS. DIXON: Mr. Chairman?  
 7 CHAIRMAN GRATER: Yes?  
 8 MS. DIXON: This is not new business, but  
 9 I have an answer for Mr. Gibson on the school  
 10 chemical cleanup. We clean up all the ones that we  
 11 can, and if we have more -- it's sort of first come,  
 12 first served. If we have more than we've budgeted,  
 13 they're first in line after the 1st of July. So we  
 14 don't turn any of them away, they just go in the  
 15 queue a little bit later.  
 16 MR. GIBSON: Okay.  
 17 MS. DIXON: If that makes sense to you?  
 18 MR. GIBSON: Yep.  
 19 MS. DIXON: And the average cost for the  
 20 cleanups is around \$8,000.  
 21 CHAIRMAN GRATER: Kelly, just as an aside,  
 22 I think it's commendable that DEQ is cleaning up  
 23 school laboratories. In another life, in a state  
 24 bordering this one to the north, I was cleaning up  
 25 high school labs in the 1990's, and it was amazing

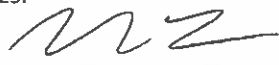
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1 the number of things we would get. We cleaned up  
 2 high school labs, and if there had been a fire, it  
 3 would taken out half a mile. It was  
 4 amazing what we found.  
 5 MS. DIXON: Yeah, it seems like it's one  
 6 of those things that after 20 years, then you have  
 7 to repeat it because even though we try to counsel  
 8 people on the best way to manage their laboratory  
 9 waste, it's --  
 10 CHAIRMAN GRATER: Yeah, and everybody has  
 11 a 50-year-old bottle of picric acid, which -- it's  
 12 ubiquitous.  
 13 Okay. I believe if there's no  
 14 further business we need to cover, it would be safe  
 15 to adjourn.  
 16 There seem to be no comments from the  
 17 public or the Council, if anyone would make a move  
 18 to adjourn?  
 19 MR. COBB: Make a motion to adjourn.  
 20 MR. REAVES: Second.  
 21 CHAIRMAN GRATER: A motion has been made  
 22 and seconded.  
 23 MS. FIELDS: Mr. Anderson?  
 24 MR. ANDERSON: Aye.  
 25 MS. FIELDS: Mr. Clark?

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1 MR. CLARK: Aye.  
 2 MS. FIELDS: Mr. Cobb?  
 3 MR. COBB: Aye.  
 4 MS. FIELDS: Mr. Copeland?  
 5 MR. COPELAND: Aye.  
 6 MS. FIELDS: Dr. Ede?  
 7 DR. EDE: Aye.  
 8 MS. FIELDS: Mr. Gibson?  
 9 MR. GIBSON: Aye.  
 10 MS. FIELDS: Mr. Reaves?  
 11 MR. REAVES: Aye.  
 12 MS. FIELDS: Mr. Grater?  
 13 CHAIRMAN GRATER: Yes.  
 14 MS. FIELDS: Motion passed.  
 15 (MEETING ADJOURNED AT 10:32 AM)  
 16  
 17  
 18  
 19  
 20  
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 22  
 23  
 24  
 25

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1 CERTIFICATE  
 2 I, Jenny Longley, Certified Shorthand  
 3 Reporter within and for the State of Oklahoma, do  
 4 hereby certify that the above and foregoing meeting  
 5 was by me taken in shorthand and thereafter  
 6 transcribed; and that I am not an attorney for nor  
 7 relative of any of said parties or otherwise  
 8 interested in the event of said action.  
 9 IN WITNESS WHEREOF, I have hereunto  
 10 set my hand and official seal this 6th day of  
 11 November, 2023.  
 12  
 13   
 14 Jenny Longley, CSR  
 15 CSR # 1903  
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 17  
 18  
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# HAZARDOUS WASTE MANAGEMENT ADVISORY COUNCIL

Attendance Record  
October 26, 2023  
Oklahoma City, Oklahoma

**CHECK BOX TO COMMENT**

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