Notice of Public Meeting  The Water Quality Advisory Council convened for a regular meeting at 1:00 p.m. January 19, 2010, in the Multipurpose Room of the 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 December 3, 2009. The agenda was posted at the Department of Environmental Quality twenty-four hours prior to the meeting. Mr. Lowell Hobbs, Chair, called the meeting to order and requested roll call. A quorum was confirmed. Mr. Hobbs introduced new member Steve Sowers the Council. The new Water Quality Division Director, Shellie Chard-McClary introduced the Assistant Director, Tim Ward.

**MEMBERS PRESENT**
- Stephen Greetham
- Lowell Hobbs
- Mike Paque
- Jeffery Short
- Steve Sowers
- Debbie Wells
- Duane Winegardner

**MEMBERS ABSENT**
- G. T. Bynum
- Cathy Canty

**DEQ STAFF PRESENT**
- Shellie Chard-McClary
- Don Maisch
- Robert Huber
- Tim Ward
- Jamie Mungle
- Myrna Bruce

**OTHERS PRESENT**
- Christy Myers, Court Reporter

The Attendance sheet is attached as an official part of these Minutes

**Approval of Minutes**  Mr. Paque called for approval of the Minutes of the October 13, 2009 Regular Meeting as presented. Mr. Paque made the motion to approve and Mr. Winegardner made the second.

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See transcript pages 3 - 10

**Election of Vice-Chair**  Mr. Hobbs opened the floor for nominations for Vice-Chair for Calendar Year 2010. Mr. Short nominated Mike Paque for another year. Mr. Greetham made the second.

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See transcript pages 10 - 12

**Election of Chair**  Mr. Paque entertained motion for Chair for Calendar Year 2010. Mr. Short nominated Lowell Hobbs and the second was by Mr. Greetham.

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See transcript pages 12 - 14
PERMANENT RULEMAKING – OAC 252:606 “OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS”  Mr. Don Maisch advised that the proposal would update rules concerning the date of the incorporation by reference of certain federal regulations. The change would update the publication date of the federal rules from July 1, 2008, to July 1, 2009. Included for the first time in the incorporation is EPA’s “Water Transfer Rule” at 40 CFR, Section 122.3 (i), which went into effect on August 12, 2008. The “Water Transfer Rule” exempts the need of an NPDES permit for the transfer of raw water from one watershed to another watershed. Hearing no comments, Mr. Hobbs called for a motion. Mr. Short moved to accept the changes as presented and Mr. Paque made the second.

PERMANENT RULEMAKING – OAC 252:690 – "WATER QUALITY STANDARDS IMPLEMENTATION”  Mr. Don Maisch advised that the proposal would update the publication date of the federal rules adopted by reference from July 1, 2008, to July 1, 2009. Included for the first time in the incorporation is EPA’s “Water Transfer Rule” at 40 CFR, Section 122.3 (i), which went into effect on August 12, 2008. The “Water Transfer Rule” exempts the need of an NPDES permit for the transfer of raw water from one watershed to another watershed. Additionally, the proposed changes would update the list of incorporated hazardous waste management rules found in 40 CFR, Parts 260 - 279, as the list had become outdated. Finally, the Department proposes to remove the reference to “EPA, Region 6” from the Technical Acronym “MQL”. Staff fielded questions from Council then Mr. Hobbs called for a motion. Mr. Paque moved for approval as presented and the second was by Mr. Winegardner.

DIRECTOR’S REPORT  – Shellie Chard-McClary provided a PowerPoint presentation of the providing updates on several issues: the State budget and its impact; the changes in EPA administration; and ARRA how the stimulus money was distributed. Her presentation is attached.

NEW BUSINESS – None

ANNOUNCEMENTS  Next Scheduled Meeting – July 13, 2010, 1:00 p.m. Multi-Purpose Room, 1st Floor, DEQ Building, 707 N. Robinson, Oklahoma City, Oklahoma

ADJOURNMENT  Mr. Hobbs adjourned the meeting.

Transcripts and Attendance Sheet are attached as an official part of these Minutes.
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF OKLAHOMA

* * * * *

TRANSCRIPT OF PROCEEDINGS
OF THE WATER QUALITY MANAGEMENT
ADVISORY COUNCIL MEETING
HELD ON JANUARY 19, 2010, AT 1:00 P.M.
IN OKLAHOMA CITY, OKLAHOMA

* * * * *

MYERS REPORTING SERVICE
Christy Myers, CSR
P.O. Box 721532
Oklahoma City, Oklahoma 73172-1532
(405) 721-2882
MEMBERS OF THE COUNCIL

LOWELL HOBBS, CHAIR
MICHEL PAQUE, VICE-CHAIR
DUANE WINEGARDNER, MEMBER
DEBBIE WELLS, MEMBER
STEVE SOWERS, MEMBER
JEFFERY SHORT, MEMBER
STEVEN GREETHAM, MEMBER
CATHY CANTY, MEMBER (ABSENT)
G. T. BYNUM, MEMBER (ABSENT)

DEQ STAFF
MYRNA BRUCE, SECRETARY
DONALD MAISCH, ATTORNEY
SHELLIE CHARD-McCLARY, DIRECTOR
MR. HOBBS: I'll call the meeting to order of the Water Quality Management Advisory Council.

I would like to advise you before we start, if you have cell phones that are going to ring out loud, we have a $45.00 fee for every time it rings. And that's payable to me.

In the event that there is something that you want to address the Council about, we would ask that you come up to the microphone without taking a lot of time to get up here, and state your name and something about you a little bit so Christy can get it on the record. And we'll try to make this as speedy as we can without leaving anything out that needs to be attended to.

I'll start with the Protocol Statement.

This regular meeting of the Water Quality Management Advisory Council was called in accordance with the Open Meeting
Notice for this January 19, 2010 Meeting was filed with the Secretary of State on December 3, 2009.

At least 24 hours prior to the meeting, the Agenda was duly posted at this facility, 707 North Robinson, Oklahoma City.

Only matters appearing on the posted Agenda may be considered at this regular meeting. In the event that this meeting is continued or reconvened, public notice of the date, time, and place of the continued meeting will be given by announcement at this meeting. Only matters appearing on the Agenda of a meeting which is continued may be discussed at the continued or reconvened meeting.

Myrna, we'll ask you to have a roll call, please.

MS. BRUCE: Duane Winegardner.

MR. WINEGARDNER: Present.

MS. BRUCE: Debbie Wells is absent.

Steve Sowers.
Mr. Sowers: Present.

Ms. Bruce: Jeff Short.

Mr. Short: Here.

Ms. Bruce: Mike Paque.

Mr. Paque: Present.

Ms. Bruce: Stephen Greetham.

Mr. Greetham: Here.

Ms. Bruce: Cathy Canty is absent; G. T. Bynum is absent.

Lowell Hobbs.

Mr. Hobbs: Present.

Ms. Bruce: We do have a quorum.

Mr. Hobbs: Thank you. We have a new Water Quality Division Director and Assistant Director. And at this time -- before we get into that, let me introduce our new Council Member first.

Steve Sowers, would you push your talk button and tell us as much as you can tell us about yourself that can be publicized.

Mr. Sowers: I'm Steve Sowers. And it's a pleasure to be here. I'm the Director of Environmental Cleanups for the
OERB. And we're a voluntary State Agency that cleans up abandon well sites all across the State of Oklahoma. It's a pleasure to be here. I live in the Yukon area. I have two sons, but it's a pleasure to be here. Thank you.

MR. HOBBES: Thank you, Steve. We welcome you aboard.

Don, do you want to introduce our -- you're Number 4 on my list.

MR. MAISCH: Sure. Actually, the first person needs no introduction. And I will let her introduce the new Assistant Director.

As many of you know, Jon Craig formally retired on December 31, 2009. And on January 1, 2010, Shellie Chard-McClary took over and was appointed by Steve Thompson to be Director of the Water Quality Division.

Shellie has been with the Agency -- the DEQ, since its inception and came over from the Water Resources Board where she worked on permitting wastewater facilities. So she's been around longer than I have. I
will say that up front. And so I'll let
Shellie tell you her life story.

MR. HOBBS: That does not mean
that she is older than you.

MR. MAISCH: No, that does not
mean that at all.

MS. CHARD-McCLARY: That couldn't
possibly.

MR. HOBBS: I just wanted to
clarify that.

MS. CHARD-McCLARY: In my
Director's Report I'll tell you a little
bit more about kind of my background and
the experience that I bring to this group,
for those of you who don't know me.

Some of you I have known from the
beginning of the Agency.

As Don said, I was one of the
original DEQ employees when we were formed
back in -- effective July of '93, there was
a group of us pulled out of the Water
Resources Board, Environmental Health from
the Health Department and Department of
Pollution Control and we were all merged in
together to form the new Agency, and I
spent twelve years in the Water Quality Division and then spent the last five years in the Administrative Services Division of the Executive Director's Office with various Agency-wide issues. And I will talk more about that later this afternoon.

Tim Ward is my Assistant Director who is going to be here but he's sitting --

(Comment)

MS. CHARD-McCLARY: -- oh, Tim's in the back of the room. He got called into the Director's meeting to finish that up since I had to leave to come down here since Steve Thompson was not finished yet.

Tim's background is he has been with the Agency from the beginning and worked a lot in the construction permitting area of both Drinking Water and Waste Water and then headed up our sections on the Construction Permitting, DWSRF, the Drinking Water Revolving Loan Funds, the Operator Certification Program and then he's been in the Assistant Director's role
now a few months. So I'm sure some of you
already know him, but the rest of you I'm
sure will be working with him more in the
future. And with that, I will turn it back
over to the Chairman and then we'll talk
more about the details of my background and
let you guys play 20 questions with me in
the Director's Report.

MR. HOBBS: Thank you, Shellie.

Shellie and I, I guess both came about the
same time. Glad to have you back, and it's
good to have you in that position. Not
that it wasn't good to have Jon, but since
he left we're glad you're here.

We need the approval of the -- let's
see, let me acknowledge that Debbie's on
board. Thank you, Debbie.

Approval of the Minutes from the
October 13, 2009 Meeting. We've all been
supplied a copy of those Minutes and I'm
sure you've had time to look at them and if
there's any corrections or additions you
need to make, well this would be the time;
if not, we need a motion to approve.

MR. PAQUE: I'll make a motion to
approve the Minutes of the previous meeting
of October 13th.

MR. WINEGARDNER: Second.
MR. HOBBS: Roll call, Myrna.
MS. BRUCE: Duane Winegardner.
MR. WINEGARDNER: Yes.
MS. BRUCE: Debbie Wells.
MS. WELLS: Yes.
MS. BRUCE: Steve Sowers.
MR. SOWERS: Yes.
MS. BRUCE: Jeff Short.
MR. SHORT: Yes.
MS. BRUCE: Mike Paque.
MR. PUAQUE: Yes.
MS. BRUCE: Stephen Greetham.
MR. GREETHAM: Yes.
MS. BRUCE: Lowell Hobbs.
MR. HOBBS: Yes.
MS. BRUCE: Motion passed.
MR. HOBBS: I wasn't here at that
meeting but I did get to read the Minutes
and it looked like you all did a good job
with Michael being in charge and getting
out of here pretty early. He's kind of set
the pace for me to try do as well.
Each year we have election of officers and first Item on the Agenda is the election of the new officers is Election of Vice-Chair. And I would now open the floor for nominations for the Vice-Chair of the Water Quality Management Advisory Council.

MR. SHORT: Mr. Chairman, I'd nominate Michael Paque. He's done a good job this year, let's let him keep doing it.

MR. GREETHAM: I'd second that.

MR. HOBBBS: Are there other nominations? Are there other nominations?

Hearing no more nominations, I would move that the nomination cease and we elect him by acclamation.

Can I have a second to that?

MR. GREETHAM: Yes.

MR. HOBBBS: All in favor, roll call.

MS. BRUCE: Duane Winegardner.

MR. WINEGARDNER: Yes.

MS. BRUCE: Debbie Wells.

MS. WELLS: Yes.

MS. BRUCE: Steve Sowers.
MR. SOWERS: Yes.

MS. BRUCE: Jeff Short.

MR. SHORT: Yes.

MS. BRUCE: Mike Paque.

MR. PAQUE: Can I abstain and still have a quorum?

MR. HOBBS: No.

MR. PAQUE: Yes, I accept it.

Thank you gentlemen, I appreciate it.

MS. BRUCE: Steve Greetham.

MR. GREETHAM: Yes.

MS. BRUCE: Lowell Hobbs.

MR. HOBBS: Yes.

MS. BRUCE: Motion passed.

MR. HOBBS: Mike, I might say you've been a pleasure to work with and I appreciate you serving in that capacity.

MR. PAQUE: I'll be here if you need me, hopefully.

MR. HOBBS: I need to turn the meeting over to you now as the newly elected Vice-Chair for the election of the Chairman.

MR. PAQUE: Next item of business is the Election of the Chair.
The Vice-Chair will entertain nominations for the position for the coming year of Chair of the Water Quality Management Council. Any nominations?

MR. SHORT: You know, I think Lowell has done a good job, so I will nominate Lowell to be the Chairman.

MR. PAQUE: Have a nomination for Chair, Lowell Hobbs, for the coming year of the Council. Is there a second?

MR. GREETHAM: Yes, second.

MR. PAQUE: Hearing a second, any discussion? Any other nominations?

Hearing no discussion, no nominations, I'll close the discussion and ask for a vote.

MS. BRUCE: Duane Winegardner.

MR. WINEGARDNER: Yes.

MS. BRUCE: Debbie Wells.

MS. WELLS: Yes.

MS. BRUCE: Steve Sowers.

MR. SOWERS: Yes.

MS. BRUCE: Jeff Short.

MR. SHORT: Yes.

MS. BRUCE: Mike Paque.
MR. PAQUE: Yes.

MS. BRUCE: Stephen Greetham.

MR. GREETHAM: Yes.

MS. BRUCE: Lowell Hobbs.

MR. HOBBS: Yes.

MS. BRUCE: Motion passed.

MR. HOBBS: Thank you. I accept that as a vote of confidence whether it was intended that way or not. You should always look positive on things.

Interesting comment, it has nothing to do with this meeting, some folks back home have a meeting very similar to this, they're called the Criminal Justice Authority and they all voted yes just like we've done here and the reporter recorded it they voted unanimously, yes. And they're in a lawsuit over that now because they say they didn't vote according to the Open Meeting Record individually. They did vote individually but the reporter recorded it as unanimous vote and it's been a --

MR. MAISCH: Now you're going to have Myrna sweating bullets.

MS. BRUCE: I'll straighten up
and pronounce these names right from here on out.

MR. HOBBS: Along that line, I'd like to say I thank Christy Myers for her efforts to always record our meetings and - I might say if you say something and you don't say it very plainly, you've got a lot of uhs and you back up and repeat it, it's just like you said it, when she records that. It will kind of sober you up when you read that. And Myrna, we appreciate your help in our Council, you're a valuable part of our Council. Thank you very much.

All right. Permanent Rulemaking, 252:606, Oklahoma Pollutant Discharge Elimination System Standards. Mr. Don.

MR. MAISCH: Thank you, Mr. Chair. As you know each year we bring rules before the Council for those rules that we need to change the adoption by reference date to update them to meet our delegation agreement with EPA. That's what these rules do.

In these rules which are before you, we're changing the date of incorporation
from July 1, 2008 to July 1, 2009. These rules adopt 40 CFR Part 122 and 124 by reference. Those provisions we need to have adopted for our OPDES Act.

The Federal Rules really didn't change that much from 2008 to 2009, except that the Federal Rules did adopt the current position of EPA concerning raw water transfers. And that was newly adopted in these rules.

What that means is that there is an exception to the need for an OPDES on a national level and NPDES discharge permit if you're just transferring water, raw water, from one water shed to another water shed.

So like the water transfers that Oklahoma City does from Lake Atoka and McGee Creek Lake and bring them up to Lake Stanley Draper, the current position by EPA, which is newly adopted and newly placed in the Federal Rules that we're just adopting here today, says that kind of transfer does not need a permit from this Agency.
So that is really the major change in the rules from 2008 to 2009. We had comment period open and to date, the DEQ has not received any written or oral comments concerning these rules. And the Agency would ask that this change be adopted.

And I'll be happy to answer any questions.

MR. HOBBS: Council, any comments? Any discussion from the public? Does anybody have anything they want to say about it? I don't mean to cut anybody off, so if you've got anything that you want to address at any time, speak up pretty quick and we'll not stop you.

Okay. Council, it's time to make our decision on that.

MR. SHORT: I move to accept the changes as submitted.

MR. PAQUE: I'll second.

MR. HOBBS: Any further discussion? Hearing none, we're ready for a roll call vote.

MS. BRUCE: Duane Winegardner.
MR. WINEGARDNER: Yes.

MS. BRUCE: Debbie Wells.

MS. WELLS: Yes.

MS. BRUCE: Steve Sowers.

MR. SOWERS: Yes.

MS. BRUCE: Jeff Short.

MR. SHORT: Yes.

MS. BRUCE: Mike Paque.

MR. PAQUE: Yes.

MS. BRUCE: Stephen Greetham.

MR. GREETHAM: Yes.

MS. BRUCE: Lowell Hobbs.

MR. HOBBS: Yes.

MS. BRUCE: Motion passed.

MR. HOBBS: Item Number 9 on the Agenda, Permanent Rulemaking OAC 252:690,

Water Quality Standards Implementation.

Don Maisch.

MR. MAISCH: Thank you, Mr. Chair. Again Chapter 690 is our set of rules that are required by state law. That state law requires all state environmental agencies to adopt a Water Quality Standards Implementation Plan. The Chapter 690 and Appendix A to Chapter 690 is the DEQ's
1 Water Quality Standards Implementation
2 Plan. These rules basically do three
3 things.
4 Number one, again, we're adopting
5 Federal Rules by reference in these rules,
6 we're updating that federal -- that
7 adoption of Federal Rules by reference from
8 2008 to 2009. Again, that will bring along
9 with it the current position of EPA on the
10 Water Transfer Rule.
11 The second thing these rules do is
12 as a part -- there's a committee put
13 together that looks at all of the state
14 agencies Water Quality Standards
15 Implementation Plans. The committee that
16 looked at ours required us to not only
17 adopt the Federal Rules dealing with water
18 quality, they also wanted the Federal Rules
19 for RCRA, because there are certain
20 discharge in water quality standards
21 implementation issues there.
22 So we originally did that and
23 they've been a part of our rules for a
24 numbers of years. If you will notice the
25 RCRA standards Parts 260 through 279 have
been stricken and replaced. The reason for that is to make them similar or the same as our chapter of rules that adopt Federal Rules by reference for RCRA which are in our Land Protection Division. They had changed how they had adopted those rules and -- not the parts so much but some of the titles changed and their style changed. So to make them mirror one another, we've revoked what we had in our rules and adopted the look that they have.

And then finally, if you'll look in the technical acronyms under MQL which is the third page that you have. You will notice MQL, we struck out "unestablished by EPA Region 6".

And the reason for that is EPA Region 6 has requested the DEQ to adopt MQLs that are more stringent than those that have been put forth by headquarters. And at this time we don't know whether our permitted facilities, whether industrial, municipal or our laboratories for that matter, can meet those more stringent MQLs.

When we mentioned this to EPA and we
began having discussions, they noted that in our rules we're required to adopt those and to follow those that are put forth by Region 6. So to fix that problem we're removing this language. I can tell you it's the Agency's position and we have been working with our laboratory certification group and we're putting together a workgroup of municipalities, industries, laboratories that's going to be headed up by our Customer Services Division and we'll be looking at the MQLs, the Minimum Quantification Levels put forth by Region 6 to see what impact they would have if we are required to follow them, and to see what upgrades labs may have to do to meet those to see whether municipalities and industries can meet those. And that will be an ongoing process throughout 2010. And then we will report back to EPA as to our findings as we go forward with that.

The Agency has already had their first meeting on that, we've already begun our outreach to those groups and we hope soon to be having a meeting with all of
those groups to discuss the MQL issue that
EPA Region 6 wants to do.

So at this time, again, as of today the DEQ has not received any written or
oral comments concerning this rule change
and the Agency would ask that the rule
changes be adopted -- or be recommended for
approval by the Council.

And I'll be happy to take any
questions. Thank you.

MR. HOBBS: Any of the Council have any comments?

MR. PAQUE: Just one -- just one
simple one, I think. When you said Region 6 adopted minimums that were higher than
headquarters, you meant EPA Nationals?

MR. MAISCH: Right. In other
words, EPA Headquarters has promulgated
Minimum Quantification Levels. EPA Region 6, the region itself, has now put out --
they haven't promulgated them anywhere they
have just put out, not even a guidance,
just given them to the state and said here we want you to do these more restrictive
Minimum Quantification Levels.
MR. PAQUE: I didn't know they could do that.

MR. MAISCH: They think they can.

MR. PAQUE: They think they can.

Well we're going the right direction here today, I think. I agree with the recommendation but I was surprised when they thought they could do that.

MR. SHORT: If you could educate me, when we're looking at the Minimum Quantification Level, isn't there a governing agency whose test we base our test upon and then ASTM will tell you what the Minimum Quantifiable Level is based on the standard of AMZ-ASTM?

MR. MAISCH: There is a group that recommends those. They are not specifically set in stone. And I forget -- Carl, you do remember the name of that group that --

MR. PARROTT: It's ABC, I believe.

MR. MAISCH: You know, there's a laboratory called --

(Comments)
MR. MAISCH: Yeah. There you go.

You're going to have to state your name.

MR. PARROTT: Carl Parrot, Chief Engineer. You know the NELAC standards do set these and we're going to be looking at those too in conjunction with this workgroup project that we're going to take on next year and try to set up, you know -- we realize that some of ours may need to be a little bit tighter but we want to do that based on, you know, the science and not based on just EPA says that's what we need to do, you know, in what our laboratories can do, what our cities can afford and that kind of thing.

MS. CHARD-McCLARY: A lot of the MQLs are set based on particular equipment and the sensitivity of that equipment. So there will be in some cases an MQL for a particular instrument, not specifically a perimeter. And so what Region 6 has done is they've looked at it and said, well, we know that at least some laboratory equipment can get all the way down to this level so that's what we want everyone to
use, as opposed to going with what we've been using, which is more standard, you know, which is more the common equipment as opposed to the highest tech equipment and that's where you get into the issues with the municipalities. And in some cases the state laboratories cannot keep up with the changing technology to get those lower and lower limits.

MR. PARROTT: You know, we're also looking at the media, you know, is this a water sample, a public water supply sample or is this a waste water discharge sample? And, you know, that MQL that you can meet kind of depends on what matrix you're looking at. And so that's what NELAC is looking at. EPA Region 6 hasn't looked at it that way, so we want to look at that issue too.

MR. HOBBS: Council, anything else? Anybody from the public have any comments or questions?

Hearing none, let's have some action on what to do.

MR. PAQUE: I'd move approval of
the staff recommendation.

MR. WINEGARDNER: I'll second.

MR. HOBBS: Any further discussion? Hearing none, Myrna.

MS. BRUCE: Duane Winegardner.

MR. WINEGARDNER: Yes.

MS. BRUCE: Debbie Wells.

MS. WELLS: Yes.

MS. BRUCE: Steve Sowers.

MR. SOWERS: Yes.

MS. BRUCE: Jeff Short.

MR. SHORT: Yes.

MS. BRUCE: Mike Paque.

MR. PAQUE: Yes.

MS. BRUCE: Stephen Greetham.

MR. GREETHAM: Yes.

MS. BRUCE: Lowell Hobbs.

MR. HOBBS: Yes.

MS. BRUCE: Motion passed.

(Rulemaking Concluded)
MR. HOBBS: That probably seems like not a very tough thing to do for us to come and do that, but those are things that need to be done and we've got that part taken care of.

Now we're ready to hear Item 10 on Agenda from our new Director, Shellie.

I might say before you start, Shellie, if any good comments come from your staff and the general public that your regulating, it's all because the Council has set that up for you.

MS. CHARD-McCLARY: Oh, I appreciate that, Lowell.

MR. HOBBS: I figured you would.

MS. CHARD-McCLARY: Some of you
may want to move or turn a little bit so
you can see better. And I promise I won't
make a habit of talking this long or
putting slides together. But I just wanted
to take advantage of this opportunity,
especially since some of you, this is your
first time meeting me, or it's been a while
at the very least, I just want to tell you
a little bit about myself, you know, the
issues that we're hearing about all the
time on the news; the state budget, how
that is impacting us; what are we doing;
how are we moving forward. And then I want
to talk a little bit about some of the
changes on the state level in response to
some things going on at EPA headquarters
with the change in Administration, what
that means and how that's impacting our
programs. And then I want to end on kind
of a good news note, and talk a little bit
about the stimulus funding and what we've
been able to do here in Oklahoma.
For those of you who remember when
my babies were born, they are now eight.
So those are my three big boys. It's like,
okay, what does that have to do with
running a division or dealing with all of
the issues? Everybody keeps saying, you
know, you don't seem like you have too much
grey hair. It's like, yeah, if those three
boys can't do it, you know, there's not
anything anybody at DEQ can throw at me
that I can't deal with.

I do have a degree in chemical
engineering and biotechnology, which is not
necessarily a traditional degree for the
Water Quality Division but I did start out
dealing with industrial facilities,
cleanups and permitting and all kinds of
things like that. So it lends itself well
to that. I do have over 17 years of
experience at DEQ, and the Water Board then
before that, which is a little bit
frightening when you start adding all of
that up and how quickly the time comes and
goes.

I do have 12 years of experience in
the Water Quality Division, which I will
talk a little bit more in a minute. I
spent five years out of Water Quality in
the Administrative Services Division of the
Executive Director's Office dealing with
Agency-wide issues. I did come back to
Water Quality the first of this year, and
I'm glad to be home.
In Administration I was looking at
issues that impacted the entire Agency, so
I'm hopeful, that, that experience will lend itself very well in coming back to
Water Quality.
I spent about 18 months doing what we termed in workload evaluation and
consistent management study. And I basically went through all of the sections in the entire Agency and looking at what their job tasks were, how many people they had to do it, how they performed those tasks, where we could reassign resources to kind of get the most bang for our buck, looking at where we needed additional staffing because of changes or increases in federal requirements, looking at for example in our MPS permitting is very cyclical. The permits must be renewed every five years, while some years we have
really a lot of permits that expire and
have to be renewed in the industrial side
and not quite as many on the municipal; and
then a couple of years later it kind of
flips. So looking at where can we share
permit writers as opposed to having them
only dedicated to one area.

So I looked at all of those things
throughout the Agency which kind of gave me
a new appreciation for the other divisions
and how that they worked and how they
function.

And on the consistent management
efforts, what we were looking at is how all
of the sections and divisions apply Agency
policy. Did it take the same violations of
policy to result in the same disciplinary
action? Were all managers applying our
performance review process in the same way,
in looking at ways that we could take good
ideas and good things that worked in one
division and applying it to another.

We looked at our interview process,
our interview questions, how we structured
our interview teams this all -- anything
that fell under the management umbrella, looked at that and then tried to apply through our Assistant Directors, those policies equally or consistently across the Agency.

During that time I basically managed all things administrative, you know I -- what do you do, I know about everybody's business, is kind of the way I would answer that question. Because I don't know how else adequately describes what I was doing with our personnel management, our IT functions, our budget, finance, dealing with our federal grants, our fees, building operations, building security, we have our own physical plant because of the age of the building, all of the environmental records are maintained here dealing with all of our standard operating procedures, our administrative proceedings, manuals, just all kinds of things. Pretty much, if it involved DEQ, I was meddling in it at least a little bit.

Well see, that's the kind of Water Quality I want all the time. If we could
just figure that out.

1 I did spend the first 12 years of my
career dealing with water quality issues.
2 I spent time doing permitting, wrote
permits for industrial facilities, I did
3 cleanup and closure, cleanups for
industrial facilities, did compliance and
4 enforcement. Mostly on the municipal side.
5 Had two or three areas that I kind of
6 focused on depending on what was happening
7 on the national level. Sanitary sewer
8 overflows, stormwater, basically all kinds
9 of wet weather issues. I spent a lot of
10 time with the Councils at that time doing
11 all the rulemaking activities. Did a lot
12 of water quality and policy development,
13 both, on the State level and Agency level
14 and the National level and was involved in
15 personnel project and the budgetary
16 management of the Water Quality Division
17 before I left.

18 As far as on a national level, I
19 know you all are aware of Jon Craig who had
20 a big national involvement in certain
21 organizations. That's something that's
been very important to Steve Thompson, our Executive Director, as he has maintained large national presence. He has encouraged the divisions and certain other staff to develop those relationships and to be involved in a lot of those issues. And over the last -- even the five years I was out of water, I was still actively involved in all of these groups and issues because Oklahoma had some interest.

When we talk about the difference between EPA Region 6 and EPA Headquarters, sometimes it's almost frightening. It's certainly astonishing that they are actually part of the same group. They function so independently and you'll have Region 6 say this is how it is, and be talking to someone at Headquarters and "Oh, why would we do that, that doesn't make any sense", "but wait a minute, how does that happen"? So I've been involved with all the various offices that even kind of touch the Water Division for -- very structurally different in that the EPA breaks things up and the Office of Water only does water
permitting or program issues. They have a different division that does enforcement of all the (inaudible). We don't do that. To us, it makes more sense to have a water division that deals with all things water, as opposed to carving out different areas. So a lot of times we butt heads. Also water and OECA, Office of Enforcement Compliance Assurance, they'll both be having these wonderful new initiatives that increase the state workload, double, triple, quadruple, and start talking "why are you requiring us to do this when the office of water has already done this"? "Oh, well we haven't talked to them". "Well, why not? They're down the hall, go talk to them. You guys work together, quit dragging us in."

So it's just a little bit interesting in seeing the differences in how that's played out. You have the Water Environment Federation, ASWPCA, AWWA, all good places to talk with different people from different states; different parts of
the industry, either municipal or industrial; in wastewater, drinking water, you know, talking with all of them.

What are you doing, how are you addressing --?

Well, our region is doing this.

Well, our region isn't, we're doing something else.

Trying to just develop those relationships, sharing ideas and then trying to settle on -- well if we can find an approach that works to try and get that to be applied consistently rather than every region doing its own thing, or within the region of EPA dealing with the states differently, which also happens.

Environmental Council of States, that's the group of State Commissioners. Steve Thompson is a past president. He currently has, at least, one or two Committee Appointments in that organization. And I've worked with him on several issues, their ECOS and they work very closely with ASWIPCA in dealing with EPA issues.
The Environmental Finance Advisory Board is a Federal Advisory Committee that looks at all things that involve both the environment and the financial impacts, whether it's securing funding for certain types of new regulations or finding innovative funding approaches for compliance with regulations. It's a very interesting group. I've learned a lot about the insurance industry, commercial insurance, investment, venture capitalist, all of that was very interesting. And when EPA is looking at implementing or approving new technology, this group is involved. And Steve Thompson was appointed to that Board, I guess three years ago, so I was his staff support for that Board.

The Wet Weather Advisory Committee was also a Federal Advisory Committee that looked at all things related to wet weather events; SSOs, CSOs, CAFOs, stormwater, and there were several subgroups that broke out from that, too, that focused on one or more of those issues. And the idea between -- for both of those groups is to provide
input to EPA for them to hopefully make
better informed decisions in how their
regulations impact the regulated community
and to help them weed through some of the
technology to come up with what makes the
most sense to help guide that process a
little bit.

Okay. The budget. It's not good.
It's kind of -- the nicest thing I can say
about it, if you look at the DEQ Budget
based on July 1st of '09, we went into the
year with a 4.4 percent general revenue
cut. We had a 4 million dollar mandated
increase in cost in what the State is
required to pay for insurance, for
retirement contributions, all of that. And
so really, it wasn't just a 400 thousand
dollar cut, it was a 4.4 million dollar
cut. That's kind of tough.

Then we started looking at, well,
with the change in fees, the CPI applied --
and this applies to the entire Agency, not
just Water Quality -- there was a 1.3
million increase because of that change in
the CPI. We had 1.5 million dollars in
administrative money from that ARRA funding
for the Drinking Water Revolving Fund.
Then we had another increase of about 300
thousand dollars, and through some changes
made in administration, about a half a
million dollars savings, these were some
changes in the way we were purchasing
natural gas for heating -- we go through
the Commissioners of Land Office. They are
authorized by wholesale prices on behalf of
the other agencies. We've spent, I can't
remember the exact amount, they went
through and caulked all of the windows to
help make those a little bit more energy
efficient. Just miscellaneous changes
along those lines has saved us about a half
a million dollars.
So the Agency started the fiscal
year about 840 thousand dollars in the
hole.
And of course, it's been nothing but
good news ever since. We actually did not
have a budget cut in our GR for the month
of July. That's where the good news stops.
For August, September, October, November,
we had a 5 percent cut to our general revenue. So for the Agency, that was a little over a hundred and fifty thousand dollars there. For December and January, we had a 10 percent general revenue cut, which is another 155 thousand dollars. So, so far, what we've been cut since the beginning of the fiscal year, is a little over 300 thousand dollars Agency-wide. And we know that's not the end. We're hoping it doesn't much more than double, which is a little bit scary. But if you look at the Water Quality budget, we have -- the bulk of our budget for this division comes from federal grants. Then we have the next piece is fees, as in (inaudible); and then the smallest piece that the Water Quality Division has, is the general revenue. And when you look at the next line, it just shows the percentages, it's easier for us to take a 10 percent cut of 14 percent, than, say, a State Agency that is 90 percent general revenue. DEQ, as a whole, is around 25
percent general revenue, 25 percent fee, and 50 percent federal grants. So we have a little bit more on the federal side than some of the other divisions. Some of our divisions are very heavily general revenue funded. And we have made a decision as an Agency, we are not going to basically dismantle one division and the others remain just because of where the general revenue is allocated.

We'll be looking at sharing the misery a little bit, so that our environmental complaints and local services, those particular activities do not lend themselves to charging a fee. You can't charge somebody when they call you to say, "I think somebody is illegally dumping", you don't charge them to call and make that report. So it's difficult for them to have other funding, other than the general revenue.

So we're going to have to look at how we prioritize and how we cut, where we cut, who it impacts and do the best we can in order to ensure that our federal
commitments are met, and that our state
commitments are met, and then the things
that we do that are not required either by
the state or the federal government are --
you know, those are things that get
impacted. Although, those are the things
that we really like to do, like the
technical assistance and things like that.

So what are we doing today? Well we're really watching a lot of things.
We're reducing but not eliminating a lot of things. Our routine spending on out of
state travel, where we in the past may have
sent two or three people to a meeting,
we're sending one person and expecting that
person to bring back all the materials and
basically provide the training to co-
workers. We're looking at contracts that
we have in place. Do we need them, how
critical are those contracts to our mission
in helping to decide whether we continue
them in the future or if we can reduce the
amount expenditure or what else we can do
with those funds.

Equipment, you know, we're looking
at do we really need to replace that piece
of equipment or can we get by another year.
Particularly, when we are looking at our
computer IT functions, we have a policy in
place where we try to replace all of our
PCs on a five year cycle. So what that
translate to is approximately 20 percent of
all of our computer equipment is replaced
on an annual basis. That's not going to
happen this year. We will replace a
computer that dies, and the IT staff can't
rebuild to get working again, but otherwise
we won't be making those kinds of
purchases. We're looking at delaying
(inaudible) hiring. When somebody leaves,
even if we know we need to fill that
position, instead of moving immediately, we
may wait two or three months, that allows
us to build up that excess salary that
those cuts could actually occur there.
Where there was actually not a person, so
it wasn't impacting anyone. We are also
looking at a handful of positions that
simply will remain vacant until the budget
gets better.
And what that means is, you know, we eliminate some things that are not critical and kind of reassign those things that are critical so that we do have staff with additional assignments they may not have had before.

Our solid waste fees are a little bit different than other fees, that they are set in statute. And there are specific functions that they can fund that are outside of just solid waste for the Agency. We also do a lot of recycling projects, county-wide projects, environmental education pollution prevention activities are funded out of those fees. We will have to reduce and ultimately eliminate some of those activities. We think we get a lot of value in -- you know, my children -- the youngest are eight and even in pre-kindergarten at four years old, they were coming home from public school talking about recycling and all of these things and, you know, protecting the water. And it all came from the Environmental Education Grants and things that were
awarded to the schools to bring that message to the younger ones so that they could take that with them even through high school, through adulthood. We think there's certain value in doing that, but if we have to choose between that and regulate landfills, we are going to regulate landfills. If we have to choose between that and, you know, keeping people here to do legislative mandated tasks, that's what we have to choose. So we're going to see some of those programs diminish.

And the last one is, one we hate to even see on the list, and that's the reduction in technical assistance that we provide to smaller communities. We get a lot of value out of that. It's not recognized by EPA as a -- you know, it's just something we do, because we choose to, but we think that it makes more sense for us to have our technical staff out in a small community helping them address their drinking water issues before they have a situation that causes a lot of people to get sick. We think there's value in
spending that extra time to keep them in compliance rather than waiting until they are out of compliance, hitting them with a fine, and then say, now, pay us money, and go hire an engineer, and spend even more money to fix your problem.

Unfortunately, our technical assistance programs are going to start shrinking as long as the budget stays the way it is.

Decisions for the future. We have certain employees that turnover on a much more regular basis. Our student interns which are a lot of -- you know, they're college students, many of them are pursuing an engineering degree or some other degree field that would lend itself to the environmental specialist job classification. They come in, they learn about different types of engineering work or specialist work. And a lot of these -- they may stay with us two or three summers, and when they graduate then they're very interested in coming to work for us, when we have opening. They are ready to hit the
ground running, because they have some exposure to what we do, some experience at what we do, and so that's been very successful. But we probably will have fewer interns this year than we've had in the past.

Our temporary employees, there are kind of different types. You know, we may use clerical temps to help us answer the phone, rather than having a full-time person who we pay benefits, retirement, longevity, all of those ever-increasing state costs. And some of those are technical or professional temps. It may be someone who has 30 years of experience as an engineer. We've got one right now that's working with us on our Drinking Water, SRF. He's retired from the Water Resources Board, State Revolving Fund Program there. And without that kind of help, we would not have been able to meet the time lines of the federal legislation on the stimulus funding. We're going to have look at whether we would continue those kinds of temps or those kind of
contracts in the future.

The SWIPs, that's State Work Incentive Program, that's a specific program that the Legislature established several years ago. And it's basically individuals that meet certain criteria, receiving certain government assistance, but if they go through a training program, they can go to work for a State Agency for up to two years and get actual experience in an office setting, and they get paid health insurance, all of the benefits of a state employee. And then at the end of that two years, they basically are treated as if they were an existing state employee with reinstatement rights who can apply and basically have first shot at state jobs as they come up. And most of these, we have our clerical or accounting-type positions. We're going to see probably much fewer of those brought in, and ones, that when their two years are up that we likely will not be able to convert them into full-time employees with us.

We are looking at keeping some
additional positions vacant. There's just no way to not do that. And that is going to impact -- it may take an extra two or three or four day before a site visit is made on a complaint. It may take an extra week or two weeks to get a permit out. But that's just, unfortunately, where we may find ourselves.

The last two; furloughs and RIFs, reduction in force. That's been talked about in the news a lot. There are several State Agencies that have some kind of furlough plan in place. I know the Department of Agriculture right now, their employees have a mandatory three unpaid days off a month. There are some agencies that it's one day, kind of runs the gambit, they are looking at -- several agencies have filed reduction in force plans. We'll see how it all shakes out. Right now, we think we're in pretty good shape because our overall budget is only 25 percent general revenue. Not that it doesn't hurt when we lose it, it's just not deadly like it is in some of the agencies.
Briefly, let's talk about some national changes. This is really small print, but there are pieces of it that I just wanted to point out.

President Obama created a new position in the White House that had not existed before, and that is the Energy Coordinator. Carol Browner is the person in that position. Many of you recognize that name as a -- the Clinton Era Administrator for EPA.

Nancy Sutley heads the Council on Environmental Quality for the White House. She has a lot of experience of various state level in California.

The Administrator for EPA is Lisa Jackson. We're pretty hopeful that she is going to be good to work with. She has a lot of experience in the state of New Jersey prior to -- going back to Washington DC. She also -- I can't remember which EPA Regional office she spent some time -- so she's kind of got a -- she's at least seen a snapshot of all the various players in EPA. So hopefully, that is going to be a
positive.

The Deputy Administrator, Bob Perciasepe, he was the Director of Water for a while, and then Air, and Radiation, and he has a lot of experience -- go ahead and go to the next one.

The Office of Air and Radiation, Regina McCarthy, has a lot of state experience and we're hopeful.

When you look at Office of Enforcement Compliance Assurance, OECA, Cynthia Giles, that's the one that's kind of the -- I don't want to say wild card, but we're hopeful that we're seeing a whole lot of things, I'm going to talk about in a minute, that make us a little bit nervous.

Steve Owens -- not the football player from Oklahoma from years ago -- heading the Office of Pollution Prevention and Toxics; he basically traded places with Ben Grumbles, who was the Assistant Administrator for Water for a long time.

Ben went and took over as the Executive Director of the Arizona Department of Environmental Quality; and now Steve Owens
is taking over the Office of Pollution
Prevention and Toxics. So, we're seeing an
awful lot of state experience going to
Washington, hopefully that's a good sign.

Offices of Water, Peter Silva.

Again California, west coast very big; New
Jersey, Connecticut, New England very big
in this administration. Those of us in the
middle are a little nervous. Not a lot of
involvement there.

EPA priorities. What we're hearing
a lot about, of course, the climate change
issues, you know, which direction are they
going to go with it? Are they going to go
with a more congressional approach or a
regulatory approach? Basically on the
congressional approach, it would be some
kind of act by congress that says, you
know, here is the frame work or a
regulatory approach which mean EPA takes
existing programs probably in this case
it'd be air -- Clean Air Act and tries to
within the confines of that existing law to
create a program to deal with climate
change. If congress does it, if it's just
a different level of involvement and input that occurs than when EPA does it, it kind of gets even more convoluted when they try to craft a new program based on existing law that it wasn't intended for that purpose. So that will be interesting.

We don't know what rule the states are going to have. If it's a congressional approach, well, theoretically we get -- assume that we all have the same vote, if it's a regulatory approach, well in Region 6, Texas has a bigger vote usually; in Region 4, Florida has the bigger vote; in Region 9, California -- we've all joked that those states can sneeze and their region dies from pneumonia. You just never know what you're going to get in that setting. And nobody's talked about how much is all this going to cost and who's paying that bill. All of the states are saying "excuse us, we have no money, you know, we're cutting, we're barely surviving with existing programs, how are we going to change priorities to include this one?"

The other interesting item that
we're going to continue to see and hear about, the definition of waters of the United States, in theory it's so simple; the reality it's just not playing out that way. Prior to the two Supreme Court decisions that involved one of the state (inaudible) and SWANCC, everybody had a pretty good idea of what waters of the United States meant, and depending on who you talked to, by taking out the word "navigable" from the definition that either makes it much more inclusive or much less inclusive depending on which spin they put on it. So, it's just going to be interesting, is about the only word I can come up with.

Enforcement is huge with this EPA administration. Almost immediately after being confirmed, Administrator Jackson sent a memo to Cynthia Giles, her OECA Director say "I have serious concerns about the enforcement level going on the wastewater in the United States".

Well the New York Times did their stories -- who had a whole series of
stories pointing out, based on in some cases, some pretty flawed data, or statics they could -- just manipulate them to tell whatever story you want told -- basically said, the states are doing a lousy job, industries and municipalities are not complying, states aren't taking appropriate enforcement action; and it's not fair to those who do, so we need to take some action or require some action to occur in order to level the playing field so everyone faces increased scrutiny, so that there is more enforcement. She also called for greater transparency. Well, okay, what exactly does that mean? We are not sure. They want it to be easier for everyone to look at the information and get a good picture of what's happening. There seems to be the failure to recognize that, well, it doesn't rain that much in Arizona compared to the state of Washington, perhaps we need to have different priorities based on climate, based on geographics, you know, there should be something more than just one size
fits all.

To raise the bar on enforcement, they're looking at where can existing levels be rationed down, where can we expand programs. Clean Water Act of 1972 established certain things. Well we've expanded it, we're looking at wet weather issues. Well they don't report the same way, they don't have the same level of scrutiny, we want SSOs in the national data base.

Well, which ones?

Well, all of them.

Really, you do?

So there are just all kinds of things they are having to look at. Looking at how can you deal with this much larger regulated universe and how do you get that much more data collected and into a national data system without it -- there being any additional fund in reality and cut funds, so they are looking at how can we do some things through automated submittals, more automated processes. So we'll see what EPA comes up with there.
And all of this was to occur by October of 2009. So what EPA did was they came up with a Clean Water Act Enforcement Implementation Plan. When you don't know what to do, you have a plan. So their plan was to put these six workgroups together that are going to report to a seventh group, which is the Steering Committee. The Steering Committee is made up of various high level people at EPA and a few state people, and they put together these other six groups.

The two in red are committees that I'm, one of the state representatives, working on. It's interesting. They have a very short deadline, they're going to come up with this new approach to wastewater enforcement and the committee is to do all this and meet a time line to have it implemented in October of 2010. I don't see that in anyway, shape, or form. There's a group -- the short term oversight group is suppose to oversee how all of these other groups start implementing and how EPA and the state could better
communicate, and how EPA is going to oversee the states to make sure we do all of these new things.

The problem is, a lot of these groups relate to each other. You kind of have to have the data analysis group basically finished before it makes senses to look at, what are you going to do with the data from enforcement perspective. How can you determine appropriate oversight if you don't know what the approached is that's being implemented. How can you better improve the process for citizens lawsuits? Okay, I don't understand exactly how that's going to work. There are just -- it's going to be interesting. Like I said EPA is pushing to have this done by the end of their current fiscal year and so what means for the states are, there are two-hour conference calls every week for each of these groups, and then there is another call with ASWIPCA to see how the groups are doing, and then another call with the heads of different agencies. Very labor intensive. I don't know where we're
going to end up. We're going to see a change, but I wish I could tell you I knew what it was. Hopefully, Steve Thompson's involvement and my involvement, we'll at least have a vote or some voice in the process.

Region 6, we've had a lot of changes. The Administrator and it's kind of been interesting. He's what 38, 39 years old, he has been an engineering professor for several years in the Dallas area. He is known as an environmental activist and has great disdain for TDEQ, the Texas Environmental Quality Department. So we're kind of hoping that's a distraction and he'll be focused on his disdain of them and will focus on their programs and he'll leave us alone.

The others have all been around for a long time. John Blevins, has been around several years. He's got a lot of experience from the state of Delaware and spent some time in one of the regional offices on the east coast, he's been in Dallas now five years, six years.
Gale Flores has been around.

Jerry Saunder. I can remember working with Jerry 15 years ago. He has been at -- Claudia Hush, Paulette Jonsy, they've all been around, we have a good working relationship with them. There are a lot of issues, we don't always agree with them, but we try of work through it, and we at least have people there that we have some sort of working relationship that we can deal with.

Okay. A little bit of good news for a change, which at the time it was a little bit scary when you looked at the time lines on it, but the American Recovery Reinvestment Act which is just kind of known as the Stimulus Bill, they'll be signed into law February 17th, and basically it gave the state one year to award all of this money, have it go through all the contracting processes. In order to meet that deadline, DEQ established a deadline of June that the projects had to be shuttle ready. Ready to go in order to get the funding.
We looked at a lot of different things. The Water Resources Board has the wastewater side, DEQ just has the drinking water. So we were looking at treatment plants, waterline replacements, anything relating to a drinking water plant, collection -- or distribution centers, storage, all aspects.

We had 31.4 million dollars, we did have 1.2 that we kept -- 1.2 million we kept for the administrative cost to pay the people to do all the work associated with getting that money out the door. There was a requirement that all projects had to have the "Buy American" clause, had to comply with the Davis-Bacon Act, and 20 percent of the project had to be environmentally friendly or green, and had to offer at least some percentage of grant funds, it couldn't all just be loans.

So what DEQ ended up with, we've had 23 projects that were ready to go. We had 137 million dollars that we were able to use combination of existing Drinking Water State Revolving Fund money, the 30 million
of the ERA funding -- go ahead.

(Audio recording of cheering)

MS. CHARD-McCLARY: Yay. We made it, finally. Because we had bids come in lower than anticipated, we ended up able to add a 24th project and get it out there. Because of the way we were able to use our funds, we ended up with the third highest amount of money as part of our stimulus program in Oklahoma.

Go ahead. And we met that February 17th deadline. We got our last contract signed and in place earlier this month. We have some of the smaller projects who actually will finish as early as April this year, and by 2013 we will be done.

We know that there's going to be a future -- don't know if it's going to be called ERA or what's it's going to be called. Kind of waiting to see what happens in the senate. We've heard that Oklahoma could end up with as much as 52 million dollars or it may be closer to 15 million, we don't know. We're just kind of waiting to see. They're looking at a 90
day time frame potentially, which basically means the only projects that will be able to be considered will be those projects that are ready to go the day we get the announcement, because there's just no other way to do it with all of the bid process, the public notification that's required. So any system that's just ready to go may have an opportunity for some additional funding.

I'm almost finished. There's one thing that I wanted to -- wanted to talk about all of these things in the water and how important it is. So of all of the earth's water, 97 percent is in the ocean, two percent if frozen, and only one percent is suitable to drink without some kind of extensive treatment. And finally dirty water can not be washed. So we need to be mindful of that and protect our water quality, so we don't get down to something like that instead of an ugly beach scene that we had earlier.

I know that's kind of a whole lot of information in not that short of a period
of time, and I won't make a habit of this but I kind of wanted to play a little bit of catch-up, and a lot of these that have been happening over the last few months, and also to give you an opportunity to get to know me. And with that, if anybody has any questions about the technical information or just about who I am or what I know or what I do, by all means, please, now is the time.

MR. HOBBS: That was a whole lot of information to share with us. I hope you don't ask me to repeat that.

MS. CHARD-McCLARY: Oh, did I tell you there's a test later, Lowell.

MR. HOBBS: Yes, you did. And I can pass part of the test. But let me assure you, we appreciate the things that you're going to be involved in. One of the things I always appreciated about Jon Craig was the fact that he seemed to have good common sense in his approach to those highly technical or highly controversial subjects. One thing he said early on in our relationship was his goal was not to
keep anybody from being able to operate
their business and making a living at their
jobs. And I hope we don't get things so
complicated that the regulated community
cannot operate efficiently and effectively
in the things they have got to do. I am
trusting that even though that sounds very
convoluted and very technical in a lot of
respects, that your common sense will
prevail in most things when you're
representing us at that level.

MS. CHARD-McCLARY: That's what
we're trying. Don't know that we always
win, but, you know, that's what we try to
do.

MR. HOBBS: Steve told me earlier
that he needs to leave about 2:15, so if
you see Steve leaving you will know he's
already advised us that he needed to leave
for technical reasons, so don't get alarmed
if he leaves.

Anybody have any comments for
Shellie or any question they would like to
ask her?

MS. CHARD-McCLARY: Okay, thank
MR. HOBBES: Thank you, Shellie, appreciate that.
And you're right, we will limit your future presentations.
I know of no new business that needs to come before the Council at this time.
Does anybody know of anything that I'm not aware of?
I have no announcements. Does anybody have an announcement to make?
MR. MAISCH: Just the next meeting is July 13, 2010, right here if we need to have the meeting. If not, Lowell and I, will get together and if nothing comes down from the Legislature, we'll probably cancel that meeting. And then our other meeting is schedule in October.
MR. HOBBES: Very good, and I think in our mail-out stuff you saw -- we've already met on those proposed dates anyway, so apparently we got those dates situation where it accommodates -- most of the people that knew at that time their situation.
Hearing nothing further, I declare
the meeting adjourned.

(Meeting Concluded)
CERTIFICATE

STATE OF OKLAHOMA    )    SS:
COUNTY OF OKLAHOMA   )

I, CHRISTY A. MYERS, Certified Shorthand Reporter in and for the State of Oklahoma, do hereby certify that the above meeting is the truth, the whole truth, and nothing but the truth; that the foregoing meeting was taken down in shorthand by me and thereafter transcribed under my direction; that said meeting was taken on the 13th day of January, 2010, at Oklahoma City, Oklahoma; and that I am neither attorney for, nor relative of any of said parties, nor otherwise interested in said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this, the 8th day of April, 2010.

CHRISTY A. MYERS, C.S.R.
Certificate No. 00310