Notice of Public Meeting  The Environmental Quality Board convened for a regular meeting at 9:30 a.m. August 22, 2006 at the Kruse Auditorium in Ardmore, Oklahoma. This meeting was held in accordance with 25 O.S. Sections 301-314, with notice of the meeting given to the Secretary of State on December 5, 2005. The agenda was mailed to interested parties on November 3, 2006 and was posted on November 9, 2006 at this facility and at the Department of Environmental Quality. Mr. Steve Mason, Chair, called the meeting to order. Roll call was taken and a quorum was confirmed.

MEMBERS PRESENT
Brita Cantrell
Tony Dark (arrived late)
Bob Drake
Jennifer Galvin
David Griesel
Jerry Johnston
Sandra Rose
Terri Savage
Kerry Sublette
Richard Wuerflein
Steve Mason

MEMBERS ABSENT
Mike Cassidy
Jack Coffman

DEQ STAFF PRESENT
Steve Thompson, Executive Director
Jimmy Givens, General Counsel
Wendy Caperton, Executive Director’s Office
Scott Thompson, Land Protection Division
Gary Collins, Env. Complaints & Local Services
Jon Craig, Water Quality Division
Ellen Bussert, Administrative Services Division
Jannie Fannin, Administrative Services Division
Myrna Bruce, Secretary, Board & Councils

OTHERS PRESENT
Ellen Phillips, Assistant Attorney General
Christy Myers, Court Reporter

The Attendance Sheet is attached as an official part of these Minutes.

Approval of Minutes  Mr. Mason called for motion to approve the Minutes of the February 24, 2006 Regular Meeting. Mr. Johnston made the motion to approve as presented and Mr. Wuerflein made the second. Roll call as follows with motion passing.

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Rulemaking – OAC 252:4 Rules of Practice and Procedure  Mr. Jimmy Givens, DEQ General Counsel advised that the proposed rulemaking would allow the Board to have three meetings per year instead of the usual four with special meetings allowed if necessary. Mr. Drake moved to follow the recommendation of Counsel for three meetings per year. Mr. Johnston made the second. Roll call as follows with motion passing.

See transcript pages 8 - 15

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Rulemaking – OAC 252:100 Air Pollution Control  Mr. David Branecky, Vice-Chair, Air Quality Council requested permanent adoption of proposed amendments to Subchapter 17 that incorporate by reference federal rules for commercial and industrial solid waste incineration units changing the date to September 22, 2005. Ms. Cantrell moved for approval and Mr. Griesel made the second. Roll call as follows with motion passing.

See transcript pages 15 - 17

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Mr. Branecky asked for permanent and emergency adoption of Subchapter 8, Part 11 which would incorporate by reference new federal Best Available Retrofit Technology (BART) requirements that deal with visibility impairment in national parks. He further explained that these requirements are part of the Regional Haze SIP. After discussion, Mr. Mason called for a motion. Ms. Cantrell moved for approval of Council’s recommendation. Ms. Savage made the second. Roll call as follows with motion passing.

See transcript pages 17 - 25

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Executive Director’s Report  Mr. Thompson called upon Mr. Givens to report on the disclosure of financial interests of those DEQ employees who are involved in issuing or enforcing permits for the DEQ. Mr. Thompson also talked about how the drought conditions had affected the public water supplies in many parts of the State; and he provided an update on the Tar Creek Superfund site and legislative issues.

See transcript pages 25 - 50

Mr. Craig Kennamer provided a slide presentation of the many accomplishments in the past year of the DEQ employees. See transcript pages 51 - 67

DEQ Operational Budget Request  Mr. Kennamer provided a detailed review of the budget for the Board’s approval. Comments and questions were fielded by Mr. Kennamer, Mr. Thompson, and the Directors. Mr. Johnston moved for approval of the budget request and Ms. Galvin made the second.

See transcript pages 68 - 90

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Annual Performance Review of Executive Director  Mr. Mason called for a decision whether to go into Executive Session to discuss Mr. Thompson’s annual review. Mr. Griesel made the motion to enter into Executive Session and Mr. Johnston made the second. The Board voted to enter into Executive Session and Ms. Cantrell volunteered to keep the minutes for the session.

See transcript pages 90 – 92
Returning from the Executive Session, Mr. Drake made motion to set the Executive Director’s salary to the maximum annual salary currently allowed by the Oklahoma Legislature. Mr. Johnston made the second.

Calendar Year 2007 Board meeting dates and locations The Board decided upon three meetings in 2007 and to calendar a fourth meeting should an additional meeting be needed. Ms. Cantrell made motion for February 23 in Oklahoma City; August 21 in Guthrie; November 14 or 15 (to be decided) in Weatherford; with the alternate in Ada on June 19. Mr. Johnston made the second.

New Business None

Adjournment The meeting adjourned at 1:55 and the Public Forum followed.
MEMBERS OF THE BOARD

BRITA CANTRELL - MEMBER
MIKE CASSIDY - MEMBER
JACK COFFMAN - MEMBER
TONY DARK - MEMBER
BOB DRAKE - MEMBER
JENNIFER GALVIN - MEMBER
DAVID GRIESEL - MEMBER
JERRY JOHNSTON - MEMBER
STEVE MASON - MEMBER
SANDRA ROSE - MEMBER
TERRI SAVAGE - MEMBER
KERRY SUBLETTE - MEMBER
RICHARD WUERFLEIN - MEMBER
STAFF MEMBERS

STEVE THOMPSON - EXECUTIVE DIRECTOR
JIMMY GIVENS - LEGAL
WENDY CAPERTON - STAFF
SCOTT THOMPSON - STAFF
GARY COLINS - STAFF
JON CRAIG - STAFF
EDDIE MERRILL - STAFF
ELLEN BUSsert - STAFF
JAMIE FANNIN - STAFF
MYRNA BRUCE - SECRETARY
CRAIG KENNEMAR - ATTORNEY
MR. MASON: Good morning. My name is Steve Mason and I m Chairman of the Environmental Quality Board.

Before we start this morning, I d like to welcome Kerry Sublette, who s a new Member of our Board. Dr. Sublette is a Professor of Chemical Engineering and Geosciences and Sarkeys Professor in Environmental Engineering at the University of Tulsa. He also serves as the Director of the Integrated Petroleum Environmental Consortium.

His research interest include bioremediation of hydrocarbon impacted soil, remediation of brine spills, restoration of soil ecosystems, ecological indicators of soil ecosystem restoration and microbial ecology of aquifers impacted by BTEX, MTBE and chlorinated hydrocarbons.

You have 20 years of experience, I understand. And thank you for joining our Board. I appreciate it.

I d like to call this meeting to
order. The August 22, 2006 Regular Meeting
of the Environmental Quality Board has been
called according to the Oklahoma Open
Meeting Act, Section 311, Title 25 of the
Oklahoma Statutes.
Notice was filed with the Secretary
of State on December 5, 2005 and amended on
March 28, 2006 to add the location.
Agendas were mailed to the
interested parties on August 10, 2006. The
Agenda for this meeting was posted Friday,
August 18, 2006 at this facility at the
Department of Environmental Quality, 707
North Robinson in Oklahoma City, Oklahoma.
Only matters appearing on the posted
agenda may be considered. If this meeting
is continued or reconvened, we must
announce today the date, time, and place of
continued meeting and the Agenda for such
continuation will remain the same as
today’s Agenda.
Myrna, let’s do a roll call to see
who’s here, please.
MS. BRUCE: Good morning. One
thing, if everyone has a green light on
their power button, your mic should be working. If you don't, there's the power thing on the side -- we might have skipped you -- and push the blue button to talk should you want to, and please do.

Ms. Cantrell.

MS. CANTRELL: Here.

MS. BRUCE: Mr. Cassidy is absent. Mr. Coffman is absent. Mr. Dark, I understand might come in late.

Mr. Drake.

MR. DRAKE: Here.

MS. BRUCE: Dr. Galvin.

DR. GALVIN: Here.

MS. BRUCE: Mr. Griesel.

MR. GRIESEL: Here.

MS. BRUCE: Mr. Johnston.

MR. JOHNSTON: Here.

MS. BRUCE: Mr. Mason.

MR. MASON: Here.

MS. BRUCE: Ms. Rose.

MS. ROSE: Here.

MS. BRUCE: Ms. Savage.

MS. SAVAGE: Here.

MS. BRUCE: Dr. Sublette.
We'll continue with Item 3, which is Approval of the Minutes of our February 24, 2006 Regular Meeting.

MR. JOHNSTON: Move to approve.

MR. MASON: Jerry Johnston moves to approve.

Is there a second for his motion?

MR. WUERFLEIN: Second that, Steve.

MR. MASON: Richard seconds it.

Is there any discussion? May we have a vote, please, Myrna.

MS. BRUCE: Ms. Cantrell.

MS. CANTRELL: Yes.

MS. BRUCE: Mr. Drake.

MR. DRAKE: Yes.

MS. BRUCE: Dr. Galvin.

DR. GALVIN: Yes.

MS. BRUCE: Mr. Griesel.

MR. GRIESEL: Yes.
Item 4 is a presentation by Jimmy Givens about the frequency of meetings, by this Board.

Mr. Givens: Good morning. You will recall that at the last Board Meeting in February there was a request made to staff of the DEQ to bring before you, both, language and the rulemaking documents that are necessary to adopt a rule that would allow this Board to change the current rule
in such a way that there would only be three Board Meetings per year, rather than four.

Now, let me clarify that that doesn't mean if this rule were adopted, that you would be limited to three, it's more a matter of expectations.

When the DEQ was formed in the early 90's, for a number of years after that, obviously, there was a lot of rulemaking that had to be done and there was a pretty compelling need to have several Board meetings per year.

In the past four years, counting this year, we have had two out of those four years in which we only had three meetings. And the way it really breaks out is, there is a pretty compelling reason to have a Board Meeting early in the year; there's a compelling reason to have one late in the year; and there needs to be at least one somewhere over the summer or early fall months.

It has become less necessary to have four per year because the programs have
matured, the rules require some revision
time-to-time but we're not starting
out from scratch, so to speak.

So the Board did request that we
bring this proposal for further discussion
today. The steps have been taken so that
you could adopt this if you so desire,
today.

And as I say, if you were to adopt
it, we would set up three regularly
scheduled Board Meetings per year, and if
there were a need for any beyond that, they
would be handled as what are called
special meetings under the Administrative
Procedures Act -- Open Meetings Act, I'm
sorry.

And with that, I will answer any
questions that you might have.

MR. MASON: Questions for Jimmy?

DR. GALVIN: Jimmy, is there any
need for the three meetings to be
specified? In other words, if you just
take out the at least three and leave it
at regularly scheduled meetings per year
would -- in case we wanted to have five,
one year; or two, one year; we wouldn’t be
held to three.

MR. GIVENS: I’m sorry, Jennifer,
are you saying if we took out at least
and just said there will be three
regularly scheduled?"

DR. GALVIN: Take out at least
three.” Take all three of those words out
and it reads, the Board shall hold
regularly scheduled meetings per calendar
year.” As it reads, you have to have
three.

MR. GIVENS: There is no
requirement in the Statute for a minimum
number of meetings per year. As a
practical matter, we pretty much have to
have three to get all the business done.
If we just say, the Board shall hold
regularly scheduled meetings per calendar
year, is that what you’re proposing?
I don’t know that that is
problematic in the sense of saying anything
that would be erroneous, but I don’t know
if that creates -- it seems to me you may
want to create some expectation about what
the minimum number is, would be my concern on that. If I'm understanding what you're asking.

MR. THOMPSON: Let me just say --

I think Jimmy covered this. As a practical matter, the Board has an obligation to review our budget request. That budget request is due October the 1st. We typically do that at this meeting.

Then the Board also has an additional obligation to review our legislative agenda. That's typically done closer to the legislative session, in November.

And then at the February meeting, as our good friend -- my good friend, Bud Ground, would say, the DEQ never saw a fee that it didn't like. You have to do fee making during the legislative session.

So there is, as a practical matter, a need for those three meetings. But I agree with Jimmy that if -- I don't think there is any compelling legislative requirement to do them -- to set a specific number.
MR. GIVENS: Just to follow up, I guess if we wanted to simply imitate what the Statute says, the rule would say something like, the Board shall hold meetings as it deems necessary. That is pretty much what the Statute, itself, says. And we could mimic that in the rule. But as Steve said, I think what we would like to emphasize is if we went that direction, our belief is that it would rarely, if ever, be possible to get by with less than three meetings per year.

DR. GALVIN: I don’t have any real concern about this, other than we are changing it and if you leave it more open-ended you can have five, you can have four, you could have two. My thinking is that you just don’t ever have to change it again.

So, I mean, I understand the need for at least three and if you want to leave it with that wording, that’s fine.

MR. GIVENS: I don’t know that we have any strong desire one way or the other as long as the Board understands what our
MR. JOHNSTON: I think if we cut down less than that, it's detrimental to the Councils because it doesn't let us get to some of the things that they need to get voted on and get back to the -- I noticed in some of the Minutes, the Council Minutes, that they asked if we weren't having an August meeting, were we having a meeting in June, and they had to change some of the things they did.

I feel comfortable with specifying three meetings a year.

MR. MASON: Other Board discussion? Comments from the public? Does the Board have a pleasure?

MR. DRAKE: I move that we follow the recommendations of Counsel for the publication of three meetings.

MR. JOHNSTON: Second.

MR. MASON: We have a Motion and a second. Is there any discussion? Can we have a vote, please.

MS. BRUCE: Ms. Cantrell.

MS. CANTRELL: Yes.
MS. BRUCE: Mr. Drake.
MR. DRAKE: Yes.
MS. BRUCE: Dr. Galvin.
DR. GALVIN: Yes.
MS. BRUCE: Mr. Griesel.
MR. GRIESEL: Yes.
MS. BRUCE: Mr. Johnston.
MR. JOHNSTON: Yes.
MS. BRUCE: Mr. Mason.
MR. MASON: Yes.
MS. BRUCE: Ms. Rose.
MS. ROSE: Yes.
MS. BRUCE: Ms. Savage.
MS. SAVAGE: Yes.
MS. BRUCE: Dr. Sublette.
DR. SUBLETTE: Yes.
MS. BRUCE: Mr. Wuerflein.
MR. WUERFLEIN: Yes.
MS. BRUCE: Motion passed.
MR. MASON: Thank you.

Item 5 is an Air Pollution Control rulemaking issue by David Branecky, please.
MR. BRANECKY: Thank you, Mr. Chairman. Good morning, Members of the Board.
I have two rules that I bring before you today. And I guess what I'd like to do is present our revision to Subchapter 17 first and then we'll go on and do the revision of Subchapter 8.

What we're asking for in Subchapter 17 is just a date change from July 1, 2002 to September 22, 2005. Last year EPA promulgated new rules that had to deal with commercial and industrial solid waste incineration units, and so we need to change that date to incorporate those changes into the State rule. And we're asking that this be passed as a permanent rule.

MR. MASON: Questions from the Board? Questions from the public?

Comments? What would the Board like to do?

MS. CANTRELL: I move for approval.

MR. GRIESEL: I'll second.

MR. MASON: We have a Motion and a second. Is there any discussion? Can we have a roll call vote, please, Myrna.

MS. BRUCE: Ms. Cantrell.
second rule we'd like to ask for your approval on is the revision of Subchapter 8, Part 11; visibility protection standards. As you recall, we brought this
to the last Board meeting but after the
Council passed it, we recognized an errors.
So we asked that it be brought back to the
Council for corrections and we have since
done that.

To give you a little bit of a
background of what this is, it's a little
bit more complicated than the first rule
you just passed. It has to deal with
visibility impairment in Class I areas,
what we call Class I areas, which are
National Parks.

In Oklahoma the Wichita Mountains is
considered a Class I area. This requires
the installation of Best Available Retrofit
Technology on certain sources in the state
to reduce the visibility impairment in a
Class I area. If a source is listed as one
of 26 categories and its utilities,
generating units, refineries, pulp and
paper mills, those types of facilities, if
they emit more than 250 tons a year of any
visibility impairing pollutant, which would
be NOx, SO2, or particulate matter. And if
they were built -- became operational after
August 7, 1962 and were in existence before August 7, 1977 and they emit these pollutants that impact the visibility then they are considered BART-eligible for Best Available for Retrofit Technology.

In Oklahoma, there are 23 sources that are eligible. Those sources are in the process of going through and determining whether they do impact the visibility. And it’s not only the visibility in Oklahoma, there’s some National Parks, or National Forests, I guess, in Arkansas that are Class I areas: Caney Creek, Upper Buffalo River, and even in Southern Missouri there’s the Hercules Glade, they have to look at the visibility impact on those facilities -- or those areas also. If there is an impact, then those sources have to install controls to reduce their emissions. And that’s what this rule requires those sources to do.

This is part of the federal program and we’re just making this part of the SIP. Once this is into the SIP, the states will have -- the affected sources will have to
submit permit modifications to DEQ by March of next year. DEQ will incorporate those permit modifications into the SIP, and then once EPA approves the SIP, those sources have five years to install the controls. So we're looking at installation of controls on these sources by, earliest, 2013.

So we're asking this to be passed as both an emergency and a permanent rule. We're asking for an emergency rule because the affected sources need to know the rules of the game and we're on a short time frame. Like I said, the permanent modifications for these sources have to be in by March of next year. So we want to get this rule in place so the sources will know what they have to deal with. We're asking for both a permanent and emergency rule, today.

MR. MASON: Questions from the Board?

David, do we know if the examination by the sources, say in Lawton, like the Goodyear plant or Goodrich, what is this
going to do to them?

MR. BRANECKY: I don’t believe they are -- they are not an affected source.

MR. MASON: So there’s nobody big in Lawton, that this is going to hit bad?

MR. BRANECKY: I have a list -- in Lawton itself, I don’t think -- there are some -- a power plant near Lawton that maybe I think is.

The majority of the impact on the Wichita Mountains comes from Texas, from the sources in Texas.

MR. THOMPSON: I think it is fair to say that there was a new facility that was seeking to be permitted in Lawton, and that would have had an impact. And quite frankly we, the Agency, could not work with the facility but we couldn’t find a way to permit that facility at the proximity to the Wichita Mountain Wildlife Refuge, that they wanted to place a facility. I think they have since then -- they’re looking at other locations. I think that -- I mean other locations in Oklahoma, is my
But while we don't have an existing source that is impacted by the Regional Haze Rule, I think their new facilities are beginning to show up at their -- where there may be an impact.

MR. BRANECKY: I do think there is a power plant in Comanche County that is actually affected by this. That would be the closest facility to the Wichita Mountains.

MR. WUERFLEIN: David, I understand this just affects facilities built during a 15 year period, so this list is fixed? I mean there's no way to get added into the -- or subtracted from the BART technology remediation list?

MR. BRANECKY: Well, there is a way if after the installation of these controls, there still shows an impact in visibility. What EPA did was, it took the background positions of all the Class I areas and the goal is to reach natural conditions by 2064. So from the -- I'm sorry, from the natural conditions to 2064
you draw a line and you re -- EPA expects
you to meet certain reasonable progress
goals, you re supposed to stay on that line
from now -- between now and 2064.

If you put on controls or propose
these BART controls, and you don t meet
your goal, then there s a possibility that
it could be required to go out and ask for
additional reduction on sources that are
not subject to this BART rule.

UNIDENTIFIED PERSON:

Theoretically.

MR. BRANECKY: Theoretically, it
could be done. So we could pull in other
sources if we re not meeting our goals with
respect to the progress.

MR. TERRILL: In order to do that
we would have to go through our Council
with additional rulemaking. This is the
only rule we ll have on the books in our
SIP that s applicable to Region 8.

Anything else will have to go through the
Council process so that we can share
comments of these facilities that might be
affected.
MR. BRANECKY: This is a national program. Every state in the country is having to address this. And the State of Oklahoma, ODEQ, has been part of a nine-state group that has been looking at this since 1999. It’s been quite a while.

MR. MASON: Other comments or questions from the Board?

MS. CANTRELL: I move approval of the Council’s recommendation.

MR. MASON: Is there a second?

MS. SAVAGE: Second.

MR. MASON: We have a Motion on the table, which I appreciate. Now, let’s go to public, is there any public comment? Is there any further Board discussion? I think we have a Motion to pass this as presented. Myrna.

MS. BRUCE: Ms. Cantrell.

MS. CANTRELL: Yes.

MS. BRUCE: Mr. Drake.

MR. DRAKE: Yes.

MS. BRUCE: Dr. Galvin.

DR. GALVIN: Yes.
MS. BRUCE: Mr. Griesel.
MR. GRIESEL: Yes.
MS. BRUCE: Mr. Johnston.
MR. JOHNSTON: Yes.
MS. BRUCE: Mr. Mason.
MR. MASON: Yes.
MS. BRUCE: Ms. Rose.
MS. ROSE: Yes.
MS. BRUCE: Ms. Savage.
MS. SAVAGE: Yes.
MS. BRUCE: Dr. Sublette.
DR. SUBLETTE: Abstain.
MS. BRUCE: Mr. Wuerflein.
MR. WUERFLEIN: Yes.
MS. BRUCE: Motion passed.
MR. MASON: Thank you. Thank you, David. I think we re at Steve Thompson now.
MR. THOMPSON: Thank you, Mr. Chairman. We wanted to cover about four things in the Executive Director s Report this morning. The first is some disclosure of financial interest that the statutes require us to disclose to the Board each year. I wanted to talk a little
bit about a couple of things that have been
in the news, the impacts from the drought
conditions that we are suffering in the
state and from the extraordinary heat that
we've been suffering, and a little bit
about Tar Creek. I want to go over the key
legislative actions that occurred in the
past Legislative Session. And Craig has
put together a review of some of the
notable projects -- or programs for the
Agency and for some of its employees since
we're beginning a -- really in the
beginnings of a new fiscal year.
So, first let me turn to Jimmy to
discuss the financial interest disclosure.

MR. GIVENS: I will be brief. If
you've been on the Board for very long, you
are familiar with the requirement that we
have in the Environmental Quality Code
that's actually an overlay on more general
ethics rules, statutory requirements and,
of course, our own internal policies about
conflict of interest.

When the DEQ was created there was a
statute that was adopted, however, that
added to those requirements by saying that
if you work for the DEQ in any sort of a
supervisory, administrative, or technical
position that involves issuing or enforcing
permits for the DEQ, then you must disclose
to the Executive Director, and he in turn
must disclose to the Board what those
interest are that you hold. Any sort of
compensation, stock interest, anything like
that. I think it’s simply to allow the
Board to perform an oversight role to make
sure that everything is as it should be
from among the people who work for DEQ.
And so that is, basically, what the
requirement says. There are about a half
dozent new disclosures this year and those
are the ones that I will mention. And then
if you have any questions, I’d certainly be
pleased to answer them.

To begin with, Scott Thompson, Land
Protection Division, disclosed ownership
interest and stock in Sonic Corporation.
And by the way, some of these corporations
-- it’s a little bit of a stretch to say
whether they are regulated by DEQ or not.
Certainly, Sonic is large enough that in some respects, they would be regulated by us, but there may be others where it’s not as obvious that there’s a regulatory position with respect to that corporation.

Nevertheless, with storm water requirements, even solid waste requirements, whatever, we tend to take a cautious approach about making disclosures and make them where there’s any doubt.

Secondly, Robert Replogle, with Land Protection Division, an override interest in leases with Duke Energy Field Services.

Karen Miles, in the Water Quality Division, stock interest in OG&E.

Michael Freeman, Administrative Services Division, stock interest in Walmart.

Dave Dimick, from the Air Quality Division with bond interest in the Grand River Dam Authority, and the Oklahoma State Turnpike Authority.

Lynn Martin, from the Water Quality Division, with a stock interest in OG&E.

And one update, there had been a
previous disclosure several years ago by Pam Dizikes in the Legal Division, of stock ownership in Kerr-McGee Corporation and that has been divested.

And let me just wrap up my part of this presentation prior to any questions you may have by saying what we do with this, beyond simply reporting to you, is that whenever one of these disclosures is made, I generate a memo that goes both to the supervisor and to the Division Director, with a copy to the employee, that emphasizes how seriously we take conflict of interest situations and emphasizes that that employee cannot be in a position of not only working on but in anyway influencing any decision that relates to that corporation.

So, we do take it quite seriously. We follow it up when these disclosures are made and it is the responsibility, of course, of the manager to make sure that that is observed.

I'd be pleased to answer any questions, if you have any.
MR. THOMPSON: Thank you, Jimmy.

Let me briefly talk about the drought and heat conditions that we've been experiencing in the state and some of the impacts of those.

First, I'll talk a little bit about public water supply. DEQ lists on its website, the number of communities that are doing rationing, water rationing, either voluntary or mandatory rationing. That list has grown to 58 through last Friday, which is a significant number, I understand. But if you compare it to the numbers that we had during the 78 and 80 drought period, the numbers for rationing grew to almost 200 systems.

I think from that experience, the Agency and the Water Quality Council have learned the need for better engineering systems and I think the engineering designs of public water supply systems have improved to the point where some of the rationing issues have gone away. But that's not to say that there haven't been
isolated incidences where folks have either been out of water or nearly out of water.

The City of Jay, on two occasions now, has struggled with supplying water to their customers because the intake to their public water supply in Lake Oochee is at a depth that, as the lake drops, it becomes difficult to supply that water.

We have worked with them twice now to try to rehab a couple of existing wells to use as emergency water sources and will continue to work with them. But I suspect a long-term solution to that problem is to extend the intake out deeper into the lake -- to a deeper part of the lake.

I notice that Brian Campbell is here. The City of Colbert ran out of water. And our friends -- I don't know where we're at with that right now, but our friends at the Chickasaw Tribe actually trucked the water -- while the state was trying to figure out how we were going to get the water to Colbert, the Chickasaw Nation loaded up their water trucks with water and provided Colbert with water for
their tank. And Brian, is that continued -- do we continue -- do you guys continue to do that?

MR. CAMPBELL: They're still having problems but I think they're drilling a new water well, the last time I heard. I think they're making progress. But we're still ready whenever they have problems. We're having to go in, periodically.

MR. THOMPSON: Well, we appreciate your effort on that.

The City of Bridgeport had to drill a new well because they ran out of water.

Let's see, John, I'm trying to think. Those are the three that come to mind. It seems to me there was one other one. Oh, I know, the City of Dustin. The town of Dustin was struggling with their public water supply because it was a surface water source and they were -- the lake dried up. Their water source dried up. So we improvised a system where they were going to pump water from a well into the lake and then treat it as it went into the lake, so
they would have a water supply. So we are beginning to see some effects from the drought. Hopefully, it will rain.

The other issue that I think is of some interest is the effect of the heat on the ozone formation in Tulsa and Oklahoma City. And this has been sort of an anomaly for us. Typically, when you get extremely high temperatures, you don't see the formation of ozone at the levels that you would for an intermediate range temperature. I think sort of the perfect cooking temperature for ozone is between 85 and 95 degrees. But we have had some exceedences at very high temperatures. We question whether that is -- begin to question whether that ozone formation is a result of facilities in Tulsa and Oklahoma City or if we're beginning to see some transport effects and what we're going to have to do in the future.

So where are we? Well, fortunately the standard calls for the fourth highest reading, and it's a three year rolling average, and the magic number is .085 parts
per million. And we have a -- we've had
some bad days. We have one site in
Oklahoma City, in fact, that has hit the
standard as the fourth highest reading, but
if you consider the two good years we had
previously, the rolling average between 04
and 06 is at .080. So we have some margin
there.

So the answer is, what's going to
happen with attainment or non-attainment?
The answer is, we'll see what kind of a
year, we have next year. If we have
another good year we're sort of back in the
black. If we have a bad year, it depends
on how bad it is. If we have a bad year we
may, in fact, be faced with non-attainment
issues.

Jon or Eddie, anything to add to
that? Is that a pretty good general
description of what's going on?

MR. TERRILL: Yes.

MR. THOMPSON: Okay. Any
questions about that?

Then, let me briefly talk about Tar
Creek. I thought I would be retiring with
the issues relating to Tar Creek, I’m not sure that’s true anymore.

This year Senator Inhofe commissioned a study by the US Corp of Engineers, the Army Corp of Engineers to look at subsidence issue in the Tar Creek area around Picher and Cardin. And that report, when it was issued this spring, showed in some areas there was a 50 percent chance of subsidence in the area.

So faced with that reality, there was a public meeting that was held on the subsidence report and there was enough concern by public policy makers in the state to -- that Senator Inhofe set aside some money that was to be used for other purposes in Tar Creek for voluntary buyout of people in a designated area that included Cardin, Picher, and Hopper.

A local trust will be in charge of the buyout as it was in the Governor’s buyout of people with children of six years and under, last year. Last year’s local trust was headed by former State Representative Larry Roberts. This year
the Chairman of that local trust is former
State Representative Larry Rice. They will
do the evaluations of the property, use the
federal money for the buyout, the DEQ will
be the banker. We will -- as we were last
year, we'll -- the funds will come to us
and we will release the money to the trust
based on certain statutory requirements.

Any questions about that before I
move on to the legislation?

MR. MASON: Steve, did I read
that the source of that funding, maybe,
came from some research funds that were
being used up there and did that impact
other activities up there?

MR. THOMPSON: There was some
research funds that had been -- was going
to go to OU for some work. There was some
-- the Oklahoma Plan, when we first got
into the Oklahoma Plan generally
anticipated the cleanup of areas outside of
the corp. And we had begun some of that
work. But with the advent of the
subsidence report, the money that was going
to go for perimeter cleanup actually became
the money that was used for the buyout.
Other projects were affected.

Scott, is there -- is that generally

a pretty good summary?

MR. SCOTT THOMPSON: I’d say most

of the work around (inaudible) is done or
will be done shortly. We’re doing some QA
and QC on the conservation commission’s

cleanup stuff, we have some loose ends

there. But there’s going to be 18 Million

Dollars out of the Oklahoma Plan money

diverted for buyout and -- so some of the

work around -- in other parts of the site

was done, too, but for the most part it’s

(inaudible) commerce. I’d say that portion

of the site will be cleared off the map

fairly soon.

MR. STEVE THOMPSON: Okay. Then

let me run through -- I think we sent a

Legislative update to you under separate

cover from the Board packet. Let me run

through the items of interest, the Bills of

interest from last the legislative session.

The first of these was House Bill
2766 by representative Roggow and Senator Rabon. As we have taken on more program responsibility we -- let me start again. The legislature sets a certain level of full-time equivalent employees that any Agency can have. As we've taken on more and more programs, we have begun to creep closer to that limit.

The Agency has always hired college students that gives us a fairly flexible workforce for certain activities and it helps these kids with their college expenses. Those folks have always counted against our FTE limit.

What we did this year was go to the legislature with a Bill that said they don't count against our FTE limit. So we now can hire those college kids, get a pretty good flexible workforce, help them with their college expenses, but hire full-time employees that those positions had previously taken up. So it was sort of an interim process to asking for an increase in our FTE limit.

Senate Bill 1293 was a request bill.
The authors were Senator Johnnie Crutchfield and Representative Dale Dewitt. Small communities typically struggle with employing and retaining certified operators. The state certifies the operators of public water supply and waste water systems. This bill removed any potential legal impediment against small communities sharing certified operators. The Water Quality Advisory Council will address the issue of what constitutes a small community. Rather than try to define that in the statute, we were going to leave that to the Water Quality Advisory Council and the number or size of communities that can share services.

We are partnering with the Southern Oklahoma Development Authority, to run a pilot implementation project. Senator Crutchfield has committed to try next year given -- going to run this pilot, see how successful it is. If it's successful Senator Crutchfield is committed to try to seek funding for the program statewide next year. So we'll see how that goes.
One of the most interesting -- probably the bill that took the most time and hardest work this year was Senate Bill 1366. You will recall, last year we came to you with a request to increase the hazardous waste fees, those are fees that are statutory fees rather than regulatory fees. That bill was introduced and was met with just standing ovations everywhere. It was just a bill that just everybody loved. But then a couple of things happened, as a part of the BRAC, the Base Relocation and Closure effort of the federal government, they are giving back 60 National Guard Armories to communities across the state, all of which have environmental problems. So we were in a position -- and the Department of Central Services was a real estate agent. So what Central Services was going to do was say, here's this property, use it as you wish. And the DEQ was going to -- we have the responsibility of doing the assessment and we were going to come along behind them and say, hold up just a minute, we have environmental problems
here. So that came along during the
session. The other thing that came along
during the session was that there was some
money that had gone from the underground
storage tank indemnity fund to pay off some
capital improvement projects at OU and OSU.
Those obligations were met in the Spring so
that money was being returned to the
Underground Storage Tank Indemnity Fund.
So we worked with the Oklahoma
Corporation Commissioners, the Oklahoma
Petroleum Marketers, the Environmental
Federation of Oklahoma, and the facility
that was going to be most impacted by a
hazardous waste fee increase, Clean Harbors
up in the northwest part of the state, and
we were able to change Senate Bill 1366 to
a bill that provides annual payments of
Eight percent of the Underground Storage
Tank Fund to the department, which annually
will bring in somewhere between 2 and 2.4
Million Dollars for the Agency.
With that money we plan to address
the environmental issues of the armories;
to address the issues related to funding
for our Land Protection Division; to use
the funding for Superfund match; we hope to
begin to address contaminated sites across
the state that don't qualify for Superfund;
and, to the extent possible, mitigate the
need for increases in Title V fees.

So, I don't know, in my experience
I've hit a few singles and a double or two,
this was a home run. This was a
legislative home run.

Senate Bill 1460 was a -- started
out as simple clean up language on some Air
Quality issues. There was a bill out there
called the Environmental Covenants Act and
that was not heard because of some
scheduling conflicts. And that bill simply
says that to remove a restriction that the
DEQ has put on property, now takes a court
action, where it wasn't necessarily the
case before. It gives buyers and sellers
protection. It gives the Agency the kind
of institutional control on restrictions
that we had always hoped for. It was
supported well by industry. Bud Ground was
the one that brought it to my attention and
we just think it was -- we thought it was a 
good -- a win-win for everybody. And so 
that was incorporated into -- that language 
was incorporated into 1460 and was enacted. 

That represents the request bills 
that we came to you with, last year. Now 
there's some other bills of interest. 
House Bill 2810 was a bill that got some 
publicity during session. It was entitled 
the Oklahoma Refinery Revitalization Act. 
And it requires the Agency to work with the 
Environmental Protection Agency, to get a 
Memorandum of Understanding (MOU) with the 
federal Agencies and for DEQ to get a 
Memorandum of Understanding (MOU) with the 
state Agencies to coordinate and 
consolidate the regulatory effort for the 
revitalization permitting or the permitting 
of a new refinery in the State of Oklahoma. 

We've been working since the end of 
the session to -- we've drafted some MOU's, 
we have forwarded those to both the US 
Environmental Protection Agency and to the 
other state Agencies. And we're going to
open discussion with both, I think, the
first week in September, to begin to work
through the issues with those MOU s.

The bill, additionally, provided
certain time lines for the consideration of
a permit for a refinery and an appeals
process, should the Agency or Agencies fail
to meet those time lines.

Senate Bill 1463 by Senator Wyrick
and Representative Glenn, it s the
framework legislation for the Tar Creek
buyout that I talked about earlier.

Senate Bill 1557 was a bill that
takes 10 percent of the solid waste fee,
per ton, for the purchase of wheel washes
at municipal solid waste landfills with a
cap of $300,000 per year. It s a voluntary
program, it s an issue that the Agency
didn t oppose because we do get complaints
about people tracking things out of
landfills -- mud and trash, on their wheels
-- and this helps to clean those trucks up
before they leave the landfill. It was a
bill that we, I suppose, supported. It s
always fun to give up $300,000.
Senate Bill 1938 by Senator Corn and Representative Blackwell, was a bill that by some miracle passed through both Houses on the very last day of the session. It's a good bill, it requires us to license highway spill contractors. The licensing fee is -- for the initial licenses is $10,000 with a $1,000 annual renewal. The bill requires adequate training and insurance, that's the basic provisions of the Bill for the companies that do this and they were -- and then we will forward that to the Hazardous Waste Management Advisory Council and let them wrestle with what that means.

It had an interesting provision that clean ups were limited to Oklahoma companies only. So we'll see how that works out.

A couple of other bills that we mentioned -- that I mentioned that were bills of interest that were not enacted, House Bill 2711 by Representative Bingman would have merged the responsibilities of the Oklahoma Water Resources Board into the
DEQ.

Senate Bill 1785 by Senator Wyrick would have merged the authorities of the Oklahoma Scenic Rivers Commission into the DEQ. Neither of those were enacted.

The other thing I'll mention is our budget. We had asked for some funding for small communities, and at the end of the session, I think, with the help of -- I don't think Senator Crutchfield is here, but with his help we were able to get $750,000 added to our appropriations. Of that money, $545,000, in that range, will go as a direct offset to increasing analytical cost for our smallest communities for public water supply analysis. The remainder will be -- will go to the Water Quality Division to do on-the-ground technical assistance to small communities. The issue we're dealing with most specifically now, is public water supply, although, there will probably be some waste water issues that we can use for that also, down the road.

So at the end of the day, all of our
request bills were passed. Some of the
bills of interest, that were not request
bills, were enacted and we are working on
those. Had a pretty good budget year.

Bill 1366, I think, will provide, until
it is changed, annual funding for a lot of
the needs of the Agency. So we are very
happy with the outcome of that legislation.

With that, I will answer any questions
about legislation from the past year.

MR. DRAKE: Steve, this isn't a
question. You commented several times on
Senator Johnnie Crutchfield and he had
planned to be here, as you know. I just
wanted everyone else to know that his wife
was having some medical problems and he
wasn't able to be here but he has certainly
been a good friend to this area of Oklahoma
and certainly DEQ. We need to thank him
when we see him.

MR. THOMPSON: Good friend. And
if our pilot with SODA works out this year,
we are hopeful that he will be able to get us
some more money so we can take that program
statewide.
With that, if there's no other questions, I'm going to turn it over to Craig and he's going to highlight some activities of the Agency and I think he's got some slides, don't you?

MR. MASON: Before we go there, does the public have any questions for Steve about what he's covered?

Let's go to your slides.

MR. KENNAME: All right.

MR. MASON: Sorry. Let's hear what Richard --

MR. WUERFLEIN: With 1366, our fee request on hazardous waste materials is no more.

MR. THOMPSON: No more.

MR. WUERFLEIN: So where does that leave our hazardous waste fee compared to the regional states surrounding us?

MR. THOMPSON: I think that leaves us the second -- I think the lowest one is Colorado --

MR. WUERFLEIN: I think we were just bringing it up to kind of a regional deal, so we're still very low.
MR. THOMPSON: Yeah. I think Colorado is $6.00 and we are $9.00 and everybody else in the Region is --

MR. WUERFLEIN: Is twenty-

something.

MR. SCOTT THOMPSON: And ours has been $9.00 since probably 1990 or something like that. So that remains the same.

MR. THOMPSON: But it remains the same. But we will use this funding to address the needs, that we were raising the fee before. But Scott's doing what he ought to do. He's setting up for the next run at a fee increase.

MR. WUERFLEIN: Okay.

MR. MASON: Steve, is there any date for this highway transporter spill cleanup guys you have to start licensing by?

MR. THOMPSON: It's the -- the bill becomes effective November 1st and so we are working with the Council, as we speak, to try to move rules along so that we're prepared to implement the Act. We'll
never get it done by November 1st, but we're moving forward because those rules will have to come here. But we're moving forward as quickly as we can.

Jimmy, do you have something to add?

MR. GIVENS: No. Just the Board needs to be ready because they will come to the Board at the November Board Meeting and we will get them -- we intend to talk to the Governor's office and give them a heads up that these are coming and get them in place as soon as we can.

MR. MASON: So we're going to have emergency rules on this in November?

MR. GIVENS: Yes.

MR. THOMPSON: We hope. That's what we're trying to do. Clearly, the most interesting provision of that is limiting it to Oklahoma facilities. But that was discussed briefly when the legislation was proposed and you can see how it turned out.

(Board watches slides of presentation)

MR. KENNAME: Good morning. I m
Craig Kennamer and I'm the Deputy Executive Director with the DEQ. And this morning's presentation is a great honor for me because I get to talk about my good fortune in working with 550 exceptional people. I am amazed by their efforts every single day, and as you'll see in this presentation just how excellent and how above and beyond our employees go to get the job done.

This first slide is one of the new Air Programs and you all are familiar with the ozone alerts that we do, and those are really tied to forecasting when we think that we're going to exceed the ozone levels. And they really are an effort to have people reduce activities or change behaviors so that we can keep the ozone levels in attainment. But what the staff in air quality has done is gone above and beyond that, and now they are offering to the public health advisories, relative to ozone in particulate matter. And it is designed to assist the most sensitive people in the population.

And they've developed some really
unique things. They've set up a website. We have some geographical information, we have some graphics that are available. This is a page from the website that provides information based on real time. This is based on actual information that demonstrates that they have exceeded the standard for ozone or particular matter that will impact those sensitive people in a particular area of the state. And this is a true benefit to the citizens. We have done some great outreach with advertisements, like this one with the canary, and we have done 158 publications across the state in county newspapers and city newspapers. We have gotten the word out about our website and how you can sign up to get notices on these health advisories. And this has just been an outstanding effort by the Air Quality Division.

Again, this is not a regulatory requirement, this is something that they did to help and to benefit the citizens of the State of Oklahoma.
Another example is in the drinking water program. We have a regulatory wellhead protection program that is encouraged by EPA and there is funding through the federal government to help communities understand what they need to do to protect their wellheads and it's critical, because water resources, as you know, are very limited. And so to protect these wellheads, through various education programs, has been an ongoing effort by our field staff.

But what they did to go above and beyond that, is they developed a Wellhead Bulletin and it's a guidance document that they keep in front of the communities. Because what often happens is you go out and you educate and you help the staff in the field but then there is no follow-up. So they came up with a method for providing that follow-up. And this provides current information and pertinent information with a catchy little icon or mascot, if you want. We still haven't named it. Steve has vetoed every name that they've come up
with. But they're working on that and it's really been helpful and we've gotten a lot of good response to this effort.

MR. THOMPSON: Particularly, the one where they said Steve is a drip.

MR. KENNAMER: And you know, I think it points out, in this light, why we care about wellhead protection and why it's so important and why this effort to go above and beyond is incredibly important.

This is -- one percent is suitable for drinking, of all the water. So this is why it's very, very important to do these kinds of things.

One of the things we've done internally is centralize records. When I was the Deputy General Counsel one of our individual staff members came to me and said, you're in charge of record disposition, so what are you doing about centralizing records? And I said, well, nothing because that doesn't have to do anything with disposition. We have to follow the Department of Libraries requirements for how we handle records and
how we dispose of records. Well, she said
this would be a really good idea to
centralize records because we have people
coming in this building all the time, they
have one facility that they're looking at,
they have to go to five different floors to
find records and they spend several days
getting the records that they need to
address this facility.

So we approached Steve about this
idea and he gave it 100 percent support and
we launched it. Now we have a centralized
area in the Agency, that's specifically for
handling records. And it has provided us
with better customer service, it has
provided us with more space and it has
streamlined the way we handle records. And
we are not stopping there, we are now going
to image records and that effort is
underway and we think we will have even
better response to the public, in terms of
getting records out the door and, also, it
will help us with space.

But to give you an idea of what we
deal with, we have over 800 records
requests every month. And those are from individuals in the Agency and then from individuals outside the Agency and from Courts requesting records as part of a records request. There is just a huge volume of records that go in and out of the Agency. And so this has been a tremendous effort, tremendous change, and it's really benefitted the public and we've gotten a lot of good positive feedback on this effort.

One of the things that the DEQ staff is really notable for is their efforts, nationally. We get involved on a national basis, from staff level all the way up. And Steve Thompson, for example, has served nationally as the President of the Environmental Commissioners of Estates. We have directors that are serving nationally as presidents of organizations. Eddie is right now President of the Air Quality National Organization. We have Judy Duncan who is involved heavily in NELAC.

So, throughout the Agency we get involved nationally and what does that do
for us? That gives a small state like Oklahoma a big voice. And Jerry Johnston can attest to this, when you get involved with these organizations, you can get at the forefront and you can shape policy.

Steve Thompson shaped policy nationally, on the national framework effort which is how EPA conducts its enforcement efforts across the country. He asked for a consistent effort and it has changed the whole complexion of the way EPA looks at enforcement and the way they look at the State’s Programs.

This one, that I’m showing on the screen, is an award that we got in Water Quality in the public water supply side where Mike Harrell, who is the section manager for that unit, has been involved in the effort to get data into EPA. It is modernizing the way we input data. And then they can use that data to properly address the way we look at public water supplies and what is important for the regulation of public water supplies. So it’s a lot -- it’s great kudos to Mike
Harrell and Jon Craig and his staff.

There is an old African proverb, the Togo Tribe, and they say that dirty water can't be washed. And that is so true.

This is a slide of a storm water event where the storm water control mechanisms have failed and the sediments are flowing directly into the stream.

Most of you are familiar, I think, with our discussions about TMDLs, Total Maximum Daily Loads, which is a federal regulatory effort that requires the states to assess the water bodies to determine how much load those streams can actually have. And you have to look at point source discharges and non-point source discharges.

Unfortunately, for non-point source discharges, there's no regulatory teeth. And so you have to be very creative about what you do with non-point sources.

Well, the Water Quality Division, along with the Conservation Commission and some other state organizations, recently said, why don't we do something different, why don't we think outside the box and
approach this in a different manner. And they did. And they looked at the non-point source problem, but not only did they look at that problem, they came up with solutions on how to mitigate the damage from non-point source. They found lots of money, they found methods for controlling sediments, they found methods for controlling agriculture runoff. And so they looked at the total picture and EPA was so impressed, it was one of the six watershed programs in the country to win an award. So Jon Craig and his staff deserve a real round of applause for that.

Our Customer Service Division, you all may be very familiar with. They are set up by Statute and required by Statute to provide customer services to the people that we regulate. And they provide regulatory assistance, compliance assistance, and pollution prevention assistance. But what the Customer Services Division is, that you may not know about, is that they’re recognized nationally for their program. They are a true assistance
program to not only the citizens of the
state, but to the regulated entities. And
Judy Duncan and her shop do an excellent
job of getting out there and assisting
people in coming into compliance.

This slide reflects a dry cleaner
that came to our attention, through a
legislature, who said that they were using
innovative processes in their dry cleaning
operation.

And so we went out and we assisted
this dry cleaner in getting what they
needed to obtain to get tax relief because
they are doing a good job. They replaced
how they operated, with a new method for
dry cleaning, that made tremendous
improvements to the environment. And they
received $20,000 in tax credits.

Today we’ve issued over $700,000 in
tax credits. This is because, in Oklahoma
our staff actually goes out and helps
people. They don’t rely on industry to do
that job, they really go out and educate
and they’re proactive in getting out there
and helping people.
You may be familiar with the Skirvin Hotel in Oklahoma City. It has sat in disrepair since 1989. My wife, and I, went to the last New Year’s party at the Skirvin in '88 and it was a tremendous hotel, even then. And it was a real shame when it closed its doors. And Oklahoma City has looked for investors and they’ve had investors fall through, and the City ended up buying the property because they felt like it was necessary to restore it.

It was built by an oil man, W. Skirvin and it is designed by the same architect that designed the State Capitol. It’s got some of the most unique architecture, inside, that you’ve ever seen and it is truly one of the last grand hotels in the country.

But this is what it looked like very recently. And we got involved because of the numerous environmental issues, which were a roadblock to redeveloping this property. It had asbestos, it had lead paint, it had mercury thermostats, it had PCB issues and it had bird droppings that
carried one of the respiratory flus that is a very serious issue.

So what we did was we were able to approach the City and assist them proactively in coming up with very sound environmental solutions but also coming up with money to address those solutions. And we were able to get them a $780,000 loan from the Brownsfield Cleanup Program to help defray some of the cost of restoring the Skirvin Hotel.

It is going to be opened in 2007 and we are very far along on that project and it has really been a joint effort by all of the citizens of Oklahoma City and the DEQ.

Another thing that our Land Protection Program did, and a credit to Scott Thompson and his group, is again thinking outside of what you usually do when you approach a regulatory issue. And we're bound by regulations and we're inclined as regulators to just come out and take enforcement. But what we did here was take a novel approach and look at this once again from what Steve is always saying,
solve the problem. And so we did solve the problem and we came up with a couple of really sound ideas.

One, was to address the utility corridors so that the utility companies could come in and do the work that they needed to do without contamination issues arising again out at the facility. So we cleaned these corridors where utilities will be laid so that anytime utility work had to be done, it could be done at the site.

And the other thing is that we found a source of funding to the federal government to help clean this up. And so a lot of work has been done out there. And a lot of assistance by the DEQ and a lot of assistance by individual staff members. And it is, as you can see in these slides, it was a tremendous effort and it was a big, big job. It is now the Sheraton Lease Industrial Complex and we re happy to say that it now has a tenant that manufactures the frames for Honda and Harley-Davidson and they re expecting more tenants in the
area. So it's not only advantageous to the
environment but it also is an economic
advantage.

MR. THOMPSON: They make the --

has anybody seen the show about Orange
County Choppers that's on the Discovery
Channel? They make the frame -- this
facility in Henryetta makes the frames for
the custom motorcycles that Orange County
Choppers has.

MR. KENNAME: As an Agency, our
staff is constantly volunteering to help
improve the environment and there is
activities all over the state occurring and
our staff volunteers on a regular basis.
And one of the promotional efforts that
we're involved in is this Woody Guthrie
festival. And the initial festival left
tremendous amounts of waste all over the
area. And we have, through our efforts,
improved what happens. And these are all
volunteers from the DEQ that go and assist
in this festival. And now 50 percent of
all the waste generated are recycled at
this facility -- or at this festival. So
it's a tremendous improvement.

I guess the last thing I'm going to talk to you about is how DEQ employees rate the Agency. And I thought this would be of interest because when we have an employee leave us, we ask them to do an exit interview. And they do also a survey that provides feedback for the Agency and this helps us better respond to our employees and our employees' needs. The employees rate the overall organization, they rate the management, the advancement in career opportunities and they rate the morale of the Agency. And we've achieved what we believe are pretty good results.

The most common -- these are some of the most common things that have been said about the Agency.

"It's outstanding", "pay leaves a lot to be desired", "there's a need for more training", and "DEQ is a great place to work".

Well, we're not going to bury our heads in the sand and we're going to address these issues. And we are going to
-- first of all, we've been moving forward on salary increases. I think in the last three years we've seen more salary increases than we've seen since the Agency's inception. And that's largely due to Steve and his effort to bring all of the salaries up to be competitive with state government and other surrounding states.

We are also instituting new training programs to identify and assist our up and coming folks, enabling them to get into the management structure and to move forward with their careers. We're also instituting a training program for all employees so that they can improve how they do their job. And we are looking at opportunities, all the time, on improving the way we address employees and how they function in the Agency. We're looking at ways to save them money in terms of transportation and other methods to make the DEQ a great place to work.

And I really appreciate the opportunity to talk about the employees at the DEQ because I find them exceptional.
I've had the opportunity to work in the private sector and in the public sector and I think this is one of the greatest staffs of people, and I think they truly do try to solve problems. And if anybody has dealt with EPA employees, or if you've dealt with other states, you can truly say that with a lot of conviction. Thank you, for the time and opportunity.

Do you want to get back so you can do the budget portion of this?

MR. STEVE THOMPSON: Does anybody have any questions about any of this?

We'll go back, I guess, and then Craig is going to do the budget.

MR. MASON: Craig, thank you for your presentation and I think the best part of your presentation is that you were healthy and made it.

MR. KENNAME: Thank you.

MR. MASON: Thanks for doing that. We're glad you're back to help us again.

MR. KENNAME: Thank you.

MR. MASON: I think the next item
is your operational budget request.

MR. KENNAME: Yes.

Mr. Chairman, Members of the Board, I'm happy to present the budget today. The appropriations -- the total appropriations from the legislature is now at $9,500,000, we are requesting an additional $3,500,000 this year and we have three basic areas that we are requesting appropriations for.

One, is the Blue Skyways Project and that's an effort by the Agency to lower emissions from off-road and on-road engines. We will do a number of things in that particular program, but I first want to point out that this is a collaborative effort that involves a number of states, a number of State Agencies, a number of Federal Agencies, the national -- I mean a regional area, organization, and many local governments.

We're asking for 2.5 Million Dollars and it's going to be an incentive based program that both the public and the private sectors can be involved in. We are asking, as a portion of that, $100,000 to
be in administrative costs with the bulk of it going, as past through the Agency, to participants as investment dollars to help eliminate some of these transport emissions.

We are proposing, at this time, a percentage of -- match from the public entities at five percent and a match of 25 percent from private entities. What the program will do is address anti-idling issues from large fleet vehicles, they will look at electrification of truck stops so that they can power their equipment without idling their trucks or buses. They will look at retrofitting school buses and retrofitting municipal equipment. We ll look at emission control projects at construction areas, agriculture reductions and bio-diesel fuel use, introduction of E85 fuels, the information sharing on alternative fuels. We ll look at siting issues for wind sources, look at developing templates for ground source heat and also the methane -- use of methane from -- as energy from landfills.
I'm going to pause at this time to ask if there's any questions or if Steve would like to discuss this particular part of the budget.

MR. THOMPSON: The only thing I would add is that we have -- I guess I'd add a couple of things. We're trying -- if you look at the air sources in Oklahoma, generally speaking, about 50 percent of the emissions come from stationary sources, and about 50 percent come from mobile sources; trucks, cars, and off-road equipment, construction equipment, those kinds of things. Little bit different in Tulsa than Oklahoma City, but generally about 50/50.

Typically, as a regulatory issue, we have tried to get the reductions necessary to stay in attainment from stationary sources. Over the last couple of years we've tried to, for a state that remains in attainment, tried to look at processes that could get us emission reductions from mobile sources. And so this, I think, is another in that -- the next, in that effort to look at ways to get to retain our
status as a clean-air state, through incentive programs.

I guess that’s about all I’ve got.

MR. KENNAMER: Okay. Well, I’d like to point out that there is a number of other states that are also involved in this effort, in this particular region. We have -- Minnesota is doing a similar program, Texas is doing one on a very large scale, and then there is another one in Arkansas. And if you need any information on this, we have it available through the Air Quality Division. The private partner applications that we currently have are Fort Hood, UPS, Boone Pickins, Clean Energy Company, and Grace Hill.

So there are some corporations already interested in the program. There are the following states that are involved in this. Minnesota, Iowa, Nebraska, Kansas, Missouri, Oklahoma, Texas, Louisiana, and Arkansas work through CENSARA organization to develop the criteria for this program.

So it is something that Oklahoma
certainly could take a leadership role in
and get out on the forefront, and we don't
really think the 2.5 Million Dollars is
enough but it's what we think is going to
be palatable to the legislature.

MR. THOMPSON: Quite, frankly,
Eddie came to me and said, let's go get 10
Million Dollars. And I said, well, Eddie,
the first thing we got to do is not get
kicked out of their office.

So we're going to try to get 2.5
Million Dollars, run that as a pilot, and
see what affects -- what results we get
from that and then maybe we can go back
next year for some more money. I don't
know how far -- if we got 2.5 Million
Dollars -- I mean, we're talking about some
pretty high dollar issues here, obviously,
and how far we can get with that money, I
don't know. I think we have to -- I would
suggest we have to crawl a little bit
before we run on this budget request.

MR. KENNAME: I think Eddie had
something to add.

MR. TERRILL: One thing I wanted
to add is, in Tulsa and Oklahoma City and Lawton, we were going to be talking to -- we talked to Oklahoma City and we talked to Tulsa, Thursday, about entering into what's known as an ozone -- eight hour ozone flex agreement. It's similar to what we did for the one hour ozone standard and also for the current eight hour standard. But this is -- the current program that we're under will expire at the end of this year. And this is an opportunity for us to have some flexibility if we violate the standard, which is a possibility next summer.

But the difference between this program that we're going to be entering into if Tulsa and Oklahoma City both decide that's what they want to do, and the ones we've been in in the past, is this one would require verifiable, quantifiable reductions in emissions. And we're hoping to tie this program -- voluntary program, grant program to the ozone flex agreement that we'll enter into with EPA, and ODOT, and several other state Agencies, as well as local Agencies -- governments in
Oklahoma City and Tulsa, and we're hoping to get our reductions from this grant program. We're going to have to get it from somewhere and we've asked the stationary sources to do a lot of things over the years, and rather than ask them to do something again as part of this program, we're going to try to tie it to this "Blue Skyways" initiative so that we can do some voluntary things and get credit for it. We don't give ourselves (inaudible), but in the event we do have a violation of a standard next summer in Tulsa and Oklahoma City. So it's got a dual purpose actually.

MR. KENNAME: Thanks, Eddie. We've also looked at the State of Texas and they have a pretty broad and sophisticated program and it's a hundred million dollars, a program so it can get pretty extensive in terms of what they're looking at.

The next thing that we're asking for is the money for analytical equipment. You've heard this before. We seem to ask for this almost every budget cycle. It's because the equipment that we have is aging
rapidly and we do not have the money to replace it. So we're asking for $400,000 which is about 10 percent of the total dollar amount of our current equipment inventory and it is critical to keep this equipment up because we serve a lot of laboratory needs for the state, especially areas where nobody else is doing anything in regard to these kinds of analytical efforts.

We're also asking in addition to the analytical equipment for $150,000 for new testing technologies. And what I'm talking about there is something that you may all be familiar with. Recently, there's been an issue about all glue toxicity. You may have heard about the blue/green algae and the toxic effects of that algae. And so we are in a great need to be able to test for that kind of toxicity and we need to be paying close attention to this because it's starting to occur in Oklahoma. We have Kerr Lake, we have Fort Gibson and Tenkiller, with toxic algae issues.

We also need to be able, from a
drinking water standpoint, need to be able
to test for cryptosporidium and geoardium.
And we need to be looking at human
byproduct issues, like antibiotics and
estrogen, that occurs primarily in septic
tank discharges, but also in wastewater
issues.
And then we have perchlorates
occurring in the state now from rocket fuel
-- military areas, and we have synthetic
carbons, which you may be familiar with in
the form of Roundup. A constituent of the
Roundup product produces a synthetic
organic carbon that gets into the drinking
water supply.
And, currently, we have very limited
resources for testing for those. The State
lab would be the only available lab at this
time to test for those kinds of materials.
So we're looking for -- or those kinds of
things. So we're looking for an additional
$150,000 to be able to get up to speed with
that effort.
And I'll take any questions at this
time. Yes?
MS. SAVAGE: Well, apparently Florida's gotten on the (inaudible) for the mainstream of discussion and we're concerned about it. Have they established standards at a federal level?

MR. KENNAME: No, there are no standards at the federal level. I know that some states have established standards, like Massachusetts, but right now the federal government has not provided any guidance on how to address perchlorides.

MS. SAVAGE: How extensive -- I don't think we have -- the State of Oklahoma has extensive exposure, or do we have more than I think?

MR. KENNAME: No. The only issue that I know of is a former military installation where we have found some in an impoundment because they were using that -- or storing that product on site. But that's really the only time that I've seen it or heard of it.

Judy, do you know of any issues in the --
MS. DUNCAN: No. But then on the other hand there's a lot of places that we haven't looked because we don't have the capability to monitor extensively.

MR. THOMPSON: I know that (inaudible) begins to show up -- I don't know, I think they were beginning to show up in, oh, just south of the southwest corner of Oklahoma and Texas. I don't know how to describe that but there was some issue there and there was some discussion that those (inaudible) might be naturally occurring. I don't know how extensive the work that's been done down there on that. But there's that one site over at Pryor and maybe some indications of some perchloride activity just across the border into Texas.

MS. ROSE: Craig, this $150,000 seems to be a rather conservative figure. When you consider estrogen, antibiotics, and those kinds of pollutants, and is there any federal standard there? Is there any work being done in this area?

MR. KENNAMER: I'll have to rely on Judy for that.
MS. DUNCAN: Well, with regard to human byproducts in natural waters, there aren't standards at the present time. Those things are beginning to be things that are considered for requirements -- as monitoring requirements for streams and things of that nature. And with regard to the $150,000, that is a conservative figure but what we're asking for is an increase to our annual appropriation. And so if we had $150,000 that was an every year part of the appropriate, rather than one-time money, that would allow us to address these things as they come up and as we go along. And so we wouldn't be addressing them all at one time but we would be adding that as we had, as -- we would have the ability to increase our capabilities, routinely.

MR. THOMPSON: I suspect that, unless we get a lot of rain and the weather cools off by next summer, this alpha-toxin is going to be pretty high on our priority list.

MS. DUNCAN: The alpha-toxin issue seems to be the one which is going to
be before us most quickly, I agree. And

with working with a (inaudible), actually

DEQ has formed a workgroup that involves

other state Agencies to develop a plan for

how to address issues of blue/green algae

blooms and the possibility of alpha-toxin

that may possibly get into drinking water

supplies. And that group is working up two

different things. They're working up a

plan for how to make the public more aware

of the dangers of algae blooms and alpha

toxins and then secondly they're developing

contingency plans for public water supplies

to use to address those issues, should

there be blue/green algae blooms in public

water supply reservoirs.

MR. JOHNSTON: Can I go back to -

- I'm excited about the Blue Skyways

because this is the only way we're going to

make these things work is through

collaborative efforts with the states,

federal Agencies, private corporations,

counties, countries -- the government, I

guess that includes us, but the government

level that I have more trouble with is the
EPA level, haven’t really come up with a plan to make a lot of things work and this is the only way that we’re going to make things work is if we all get together and use private money and our money and other money. So I’m kind of excited about the Blue Skyways funding.

MR. THOMPSON: I think there’s — I guess, I always, look at the salability of issues to the legislature and sort of the constituent groups you can bring to (inaudible). And when you start talking about E-85 I think you begin to peak the interest of agricultural groups. I think when you talk about reductions from the mobile sources, you begin to peak the interest of industrial groups.

MR. KENNAMER: I’m going to move away now from the analytical needs to the
mercury monitoring. And we re requesting $100,000 for monitoring mercury. EPA is proposing guidance for the mercury levels in fish flesh. We don t exactly understand how they re going to determine what those levels will be but that never seems to be a problem with EPA in terms of what they actually come out with. But to get proactive with this, we recognize that the current monitoring in the state isn t adequate and that we need to expand the universe of our monitoring.

Mercury has significant toxic affects to the central nervous system and to the renal systems. It is also something that you get exposure to from fish consumption, typically the large mouth bass or the predator fish.

So we would like to expand what we do in this state to more reservoirs or streams. That studying we estimate will be around $100,000.

Mercury is a very tricky issue because of the way it accumulates in the fish flesh. It is not really the amount of
mercury that's present but how it -- bio-
availability of that mercury, how it
accumulates. And so there's going to be
more studies that are necessary but we are
going to proceed with these monitoring
efforts and try to also, as Jerry pointed
out, to collaborate with other states where
we have bordering reservoirs to study the
fish flesh.

If there's any questions, I'll take
that at this time.

MS. GALVIN: Are there any -- I
did read this and I know a lot of the
mercury is atmospheric, but are there any
known sources, which, of course, I don't
want any company names but are there
problem areas in the state of Oklahoma that
has a particular issue with mercury?

MR. KENNAMER: Well, there is
some particular locations that we have
found accumulations of mercury in fish
flesh and it seems to be tied to some
degree to power facilities -- coal-powered
facilities. Judy can probably point to
some of the areas but our testing has been
somewhat limited.

MS. DUNCAN: Yes, the reservoirs in the eastern portion of the state tend to have higher levels of mercury in fish than those in the west. That could be due to the location of power companies. There’s really nothing that ties it to it directly. It could just be that the water chemistry tends to make what mercury is there more (inaudible)-available. And we haven’t really found any hot spots, as such that are associated with specific sources. But again, our current program only includes about 55 of the largest reservoirs in the state, we really need to be looking at -- we figured if we looked at reservoirs 200 acres or greater that we need to look at another 70 reservoirs and we’re not looking at all at stream samples, fish from streams.

I think we’ve talked with you within the last couple of years about what we’re trying to do with mercury and how we changed our mercury advisory level. We were able to get the equipment, we can more
efficiently test for mercury in fish now.

Our biggest need is just to be able to
expand our monitoring network to look more
closely and to be able to make site-
specific recommendations. Right now we
just have a general mercury advisory, we d
like to have the data that would allow us
to make site-specific recommendations about
mercury.

MR. THOMPSON: I think the hot
spot debate rages back and forth in the
country. One day you are advised that
there s some reasonable assumption about
hot spots and the next day it changes back.
I think, generally, burning coal is the
cause but even at the international level,
the depth of the amount of mercury
emissions overseas are greater than what
they are in this country and how those are
carried on wind patterns remains -- they ll
debate -- they ll continue to debate that,
I suppose, for a while.

MR. TERRILL: There s also a
couple of other issues here. We ve got two
mercury deposition sites, one is up and
running and the other will be soon. There are two tribal sites. We'll have four sites here in Oklahoma where we'll be monitoring mercury depositions.

And another thing we kind of need to get out in front of is, TXU, and Texas Utility is proposing 15 new units to be built in the eastern part of the state. And they are going to be burning lignite coal. And lignite is supposedly more susceptible to creating a hot spot issue and they're just close enough to where we might get a little drift across our side of the Red River. So we need to get a handle on what's out there now so we can get a baseline established if we do get those units built. And I really believe they will build them. There's (inaudible) and there's several reasons why they want to get that done and they've been pretty adamant they are going to build all of them.

MR. THOMPSON: It's mostly, Eddie, in east Texas?

MR. TERRILL: Yes.
MR. THOMPSON: And where you find biocumulation is in clear lakes, as I understand it, which would be in eastern Oklahoma, so you combine those two issues and it is --

MS. DUNCAN: Well, you know, the water chemistry of the lakes in Oklahoma, some of the -- particularly south eastern lakes have less alkalinity so they may have higher ph -- or lower ph s at certain levels that might make the mercury more bio-available.

The problem with predicting things just like this is there s too many variables that we don t completely understand. So about the only -- at this point, the best approach seems to be to look to see if the mercury is accumulating in the fish rather than try to figure out why it is there or where it s coming from, exactly. So deal, on a global scale, with controlling emissions but then look at where the mercury is actually accumulating in fish and deal on a site-specific scale with advisories in that area while you work
to reduce emissions.

MR. KENNAME: Okay, at this time if there’s no more questions I’d like to request the Board approve the budget of 3.5 Million Dollars.

MR. MASON: Is there any questions from the public or comments?

I’d like to expand a little bit on the background section of this first paragraph. The DEQ operates on about 53 Million Dollars a year and what we’re considering today is that part from the Legislature, which for fiscal year 07 they were appropriating 9.5 Million Dollars. And then on top of that besides the 9.5 they’re asking for again, we’ll be asking for an additional 3.1 Million Dollars. And that’s kind of the finances -- about 20 percent of their budget comes from the Legislature.

MR. THOMPSON: The increase last year to our budget was -- it was about 1.3 Million Dollars as I recall, and about $750,000 of that, what we talked about earlier, the direct pass-through assistance
for analytical cost for small communities
and the assistance program we’re trying to
put together. The rest of it was the
legislative funding for salary increases,
which was about, David, how much? About 70
percent of the actual cost of the pay
increase; is that right? About 65 percent
of the actual cost of pay increase. They
funded the pay, but they didn’t fund any
fringe benefits or insurance cost.

MR. JOHNSTON: I move we approve
the budget request.

MS. MASON: We have a Motion.
MS. GALVIN: Second that Motion.
MR. MASON: We have a second,
Jennifer. Is there any discussion?

Myrna, let’s see if we like the
request.

MS. BRUCE: Ms. Cantrell.
MS. CANTRELL: Yes.
MS. BRUCE: Mr. Drake.
MR. DRAKE: Yes.
MS. BRUCE: Dr. Galvin.
DR. GALVIN: Yes.
MS. BRUCE: Mr. Griesel.
MR. GRIESEL: Yes.

MS. BRUCE: Mr. Johnston.

MR. JOHNSTON: Yes.

MS. BRUCE: Mr. Mason.

MR. MASON: Yes.

MS. BRUCE: Ms. Rose.

MS. ROSE: Yes.

MS. BRUCE: Ms. Savage.

MS. SAVAGE: Yes.

MS. BRUCE: Dr. Sublette.

DR. SUBLETTE: Yes.

MS. BRUCE: Mr. Wuerflein.

MR. WUERFLEIN: Yes.

MS. BRUCE: Motion passed.

MR. MASON: Thank you. Now we re

to Item 8, which is the Annual Performance

Review of the Executive Director.

Steve, do you have anything to

present before we start talking?

MR. THOMPSON: Actually, I ve

prepared something for Executive Session.

MR. MASON: Before we go into

Executive Session is there anything we need

-- Item A talks about discussion by the

Board in open session, which I guess is the
decision whether we go to Executive
Session.

MR. GRIESEL: I ll make a Motion.

MR. MASON: I have a Motion we go
into Executive Session by David. Is there
a second?

MR. JOHNSTON: Second that
Motion.

MR. MASON: We have a second. I
guess can we check, Myrna, and see if we ll
go into Executive Session.

MS. BRUCE: Ms. Cantrell.

MS. CANTRELL: Yes.

MS. BRUCE: Mr. Drake.

MR. DRAKE: Yes.

MS. BRUCE: Dr. Galvin.

DR. GALVIN: Yes.

MS. BRUCE: Mr. Griesel.

MR. GRIESEL: Yes.

MS. BRUCE: Mr. Johnston.

MR. JOHNSTON: Yes.

MS. BRUCE: Mr. Mason.

MR. MASON: Yes.

MS. BRUCE: Ms. Rose.

MS. ROSE: Yes.
MS. BRUCE: Ms. Savage.

MS. SAVAGE: Yes.

MS. BRUCE: Dr. Sublette.

DR. SUBLETTE: Yes.

MS. BRUCE: Mr. Wuerflein.

MR. WUERFLEIN: Yes.

MR. MASON: Great. So we're going to go into Executive Session.

Item B2 says we need to appoint somebody in open session to keep some notes for us. Is there somebody on the Board that wants to just kind of keep some general notes?

MR. THOMPSON: Very general.

MR. MASON: Very general.

MS. CANTRELL: I'll keep notes.

MR. MASON: Okay. Great. All right. I guess Ellen will show us where to go.

(Board Members go into Executive Session)

(Board Members come out of Executive Session)
MR. MASON: I think we will reconvene now. Jamie, are you ready?
Okay. We're going to --
MR. DRAKE: ... not one negative in that room and thank you. I think they heard it anyway because most of them know I'm talking about them. But there wasn't a negative in that room and we are very fortunate to have the staff that we have and we are very fortunate to have as our Executive Director, Steve Thompson. And I would like to move that effective October 1, 06 the salary of the Executive Director be set at a monthly rate of $7,826.83, which equals an annual salary of $93,922, which is the maximum annual salary that the Oklahoma Legislature currently allows for the position.
I further move that the new salary remain effective until changed either directed by the Legislature or by subsequent action by this Board as may be allowed by future legislation.
Mr. Chairman, I place that in a Motion.
MR. JOHNSTON: Second that.

MR. MASON: Is there discussion amongst the Board? Myrna, let's see if we give him a raise.

MS. BRUCE: Ms. Cantrell.

MS. CANTRELL: Yes.

MS. BRUCE: Mr. Dark.

MR. DARK: Yes.

MS. BRUCE: Mr. Drake.

MR. DRAKE: Yes.

MS. BRUCE: Dr. Galvin.

DR. GALVIN: Yes.

MS. BRUCE: Mr. Griesel.

MR. GRIESEL: Yes.

MS. BRUCE: Mr. Johnston.

MR. JOHNSTON: Yes.

MS. BRUCE: Mr. Mason.

MR. MASON: Yes.

MS. BRUCE: Ms. Rose.

MS. ROSE: Yes.

MS. BRUCE: Ms. Savage.

MS. SAVAGE: Yes.

MS. BRUCE: Dr. Sublette.

DR. SUBLETTE: Yes.

MS. BRUCE: Mr. Wuerflein.
MR. WUERFLEIN: Yes.

MS. BRUCE: Steve does get a raise.

MR. MASON: Good.

MR. THOMPSON: Thank you, everybody, very much.

MR. MASON: And Steve, I think what Bob said was accurate about the respect that, both you, and your Agency enjoy within the state and out of the state. We appreciate you.

MR. THOMPSON: I appreciate that. I will tell you that you guys know the staff, you know their experience and their maturity, you know how fortunate we are in the state to have the quality of leadership other than me. They make my job pretty easy. I appreciate the comments about the staff because they truly are a great group to work with. Thank you very much.

MR. MASON: Item 9 is next year, which is a yellow sheet that's been passed out to us. We need to decide if we want to schedule three or four Board Meetings and where we want to meet.
Yeah, Steve, go ahead.

MR. THOMPSON: In talking about this, we would like to recommend that at least one of the Board Meetings for next year be held at Guthrie since it's our Centennial year. We thought it would be appropriate to meet at our first capitol -- the city where our first capitol was located. I think one of the -- we had scheduled the June meeting, which was not held, for Weatherford, and so we would recommend to you that the other Board meeting be held in Weatherford, and as the alternate for the -- if we should need four Board meetings, it's been a while since we've been to Ada, and so those are our three recommendations for the Board's consideration.

MR. JOHNSTON: (Inaudible).

MR. THOMPSON: One might think the 14th or the 15th, which is very near statehood day, might be -- Guthrie might be a little bit busy. I think the statehood day is the 16th. So we might recommend Guthrie in August, unless you want to fight
the crowds. And then maybe Weatherford in
November of next year, and then as the
alternate for June, Ada. That gives us
some distribution around the state.

MR. MASON: I guess the
discussion is, do you want to be in Guthrie
in August or November?

(Inaudible conversations)

MR. MASON: All right. Where do
we want to go in November?

MS. SAVAGE: Is there a
compelling reason for Weatherford? I mean
is there a reason like (inaudible)? I just
remember we went there a few years ago.

UNIDENTIFIED MALE: The only
reason we recommended Weatherford is
because we ditched them last June.

MR. MASON: But I'm not sure if
they'd call to complain.

MR. THOMPSON: I think they have,
as a matter of fact.

MR. GIVENS: I stand to be
corrected, but I believe that the reason
that we were trying to accommodate
Weatherford was one of the Council Members
from, I want to say the Water Quality Council, had specifically asked us to come back out, he was going to try to work that in where his students could be part of the meeting. So I think that's why we were going back to Weatherford sooner than we might have otherwise.

MR. THOMPSON: Jeffrey Short that's on the Water Quality Council always brings his students -- I mean tries to bring his students.

MS. CANTRELL: (Inaudible).

MR. MASON: Jimmy, do we have to vote or can we just assign it?

MR. GIVENS: (Inaudible).

MR. MASON: Okay.

MR. GIVENS: The safer way is to vote.

MR. MASON: We're going to vote.

So, Brita, what dates -- what towns have you assigned in your Motion?

MS. CANTRELL: My Motion is February 23rd in Oklahoma City, at the DEQ; August 21st in Guthrie; November 14th or 15th, in Weatherford; and then as a fourth
alternative should we need it, June 19th in Ada.

MR. MASON: Is there any discussion? Myrna, may we vote.

MS. BRUCE: Ms. Cantrell.

MS. CANTRELL: Yes.

MS. BRUCE: Mr. Dark.

MR. DARK: Yes.

MS. BRUCE: Mr. Drake.

MR. DRAKE: Yes.

MS. BRUCE: Dr. Galvin.

DR. GALVIN: Yes.

MS. BRUCE: Mr. Griesel.

MR. GRIESEL: Yes.

MS. BRUCE: Mr. Johnston.

MR. JOHNSTON: Yes.

MS. BRUCE: Mr. Mason.

MR. MASON: Yes.

MS. BRUCE: Ms. Rose.

MS. ROSE: Yes.

MS. BRUCE: Ms. Savage.

MS. SAVAGE: Yes.

MS. BRUCE: Dr. Sublette.

DR. SUBLETTE: Yes.

MS. BRUCE: Mr. Wuerflein.
MR. WUERFLEIN: Yes.

MS. BRUCE: Motion approved.

(End of Proceedings)
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 proceedings is the truth, the whole truth, and nothing but the truth; that the foregoing proceedings was taken down in shorthand by me and transcribed under my direction; that said proceedings were take on the 22th day of August, 2006, at Ardmore, 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 25th day of September, 2006.

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