



# Welcome to the 2021 Regulatory Newsreel June 17, 2021 Oklahoma City, OK



### **Environmental Federation of Oklahoma 2021 Regulatory Newsreel**



#### June 17, 2021

8:30 - 8:45	Welcome – Bud Ground, EFO President
8:45 - 9:00	Scott Thompson, Executive Director, Oklahoma Department of Environmental Quality
9:00 - 9:30	Victoria Tran, Sr. Counsel and Policy Adviser, Oklahoma Secretary of Energy and Environment
9:30 - 10:00	ODEQ Legislative Update
	"Policy and Polemics Amidst a Pandemic: 2021 Legislative Update" - Michelle Wynn, Legislative Liaison
	& Jimmy Givens, Deputy Executive Director
10:00 - 10:15	Break
10:15 – 10:45	ODEQ Land Protection Division (LPD) – Regulatory Updates & Highlights
	Program Highlights – Cliff Hoyle, Assistant Division Director
	Hazardous Waste Updates – Cliff Hoyle, Assistant Division Director
	Solid Waste Updates – Patrick Riley, Environmental Program Manager
10:45 – 11:15	ODEQ Air Quality Division (AQD) – Regulatory Updates & Highlights
	New Permitting Rules – Tom Richardson, Professional Engineer
	VW Accomplishments – Heather Lerch, Environmental Programs Manager
11:15 – 11:35	ODEQ State Environmental Lab Services (SELS) Division – Regulatory Updates & Highlights
	SELS Staffing Changes – Jeff Franklin, Division Director/Cody Danielson, Asst. Division Director
	Small PWS Technical Assistance Pilot Program – Jeff Franklin, Division Director
	EPA Water Security Emergency Response Exercise – Cody Danielson, Asst. Division Director
	UCMR 5 – Cody Danielson, Asst. Division Director/Jeff Franklin, Div Director
11:35 – 11:55	ODEQ ECLS Division – Regulatory Update & Highlights – Mark Hildebrand
	ArcGIS Mapping of ECLS Programs – George Russell, Environmental Programs Manager
	Virtual Training During the Pandemic and Beyond – Nicholas Huber, Environmental Programs
	Manager
12:00-1:00	LUNCH
1:00 – 2:00	ODEQ Water Quality Division (WQD) – Regulatory Updates & Highlights
	Industrial NPDES Permitting Update – Karen Steele, Assistant Division Director
	Stormwater Update – Karen Steele, Assistant Division Director
	Clean Water Act and PFAS Requirements – Shellie Chard, Division Director
2.00	CDC Wastewater Based Epidemiology Project – Shellie Chard, Division Director
2:00 - 2:30	•
2 20 2 45	"A Walk on the Wild Side" – Corey Jager, Legislative Liaison
2:30 – 2:45	Break Oldshama Watan Basania
2:45 – 3:15	Oklahoma Water Resources Board
2.45 2.20	OWRB Update – Bill Cauthron
3:15 – 3:30	Closing Remarks – Bud Ground, EFO President



Scott Thompson, Executive Director

### Victoria Tran, Senior Counsel and Policy Advisor



# OKLAHOMA SECRETARY OF ENERGY & ENVIRONMENT



ENVIRONMENTAL FEDERATION OF OKLAHOMA JUNE 17, 2021

PRESENTED BY:

JIMMY GIVENS

<u>DEQ DEPUTY EXECUTIVE DIRECTOR</u>

MICHELLE WYNN
DEQ LEGISLATIVE LIAISON

# Session Attributes

#### Ended not with a bang but with a whimper

The more things change, the more they stay the same, e.g.:

- Record number of bills, including hundreds of shell bills
- Complaints about openness and transparency, especially budget bills ("warm from the printer")
- When push comes to shove, Rules of Procedure don't mean much

#### Big issues:

- Managed care for Medicaid
- Federal/state/municipal authority
- Merit System reform
- Abortion
- Critical race theory
- Redistricting

# **Enacted Bills**

### Bills Related to DEQ Areas of Environmental Responsibility

#### **HB 1705** (eff. 7/01/21) Eliminate hazardous waste disposal plans and slightly adjust generator and TSD fees **HB 2402** (eff. 7/01/21) Authorize political subdivisions to utilize design-build project delivery for water and wastewater facilities **SB 246** (eff. 11/01/21) Air curtain incinerators required for land-clearing and brush-burning fires only in Oklahoma County and Tulsa County, rather than whole MSA SB 448 (eff. 11/01/21) Advanced plastics recycling facilities (post-use polymer/recovered feedstock depolymerization, gasification, pyrolysis, solvolysis) not subject to solid waste permitting HJR 1046 Administrative rules approval

### **Government Operations Measures**

#### **HB 2900** (eff. 7/01/21)

- General appropriations (FY 22)
  - \$1.8M increase in general revenue money to DEQ for additional assistance to small public water supply systems and for FTEs in the lab, local services, and water/wastewater

#### HB 1146 (eff. 1/01/22)

Merit System reform

#### HB 1236 (eff. 7/01/21)

 Legislative/Attorney General review of federal regs and executive orders

#### **SB 913** (eff. 9/01/21)

 Revised administrative rules review procedure, including new joint legislative committee

# Bills of Interest Not Enacted





# Thank you to our Break Sponsors!





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Environmental Federation of Oklahoma



# Land Protection Division EFO Regulatory Newsreel

June 17, 2021





Clifton Hoyle

### Land Protection Division

Personnel Updates



### Fenton Rood

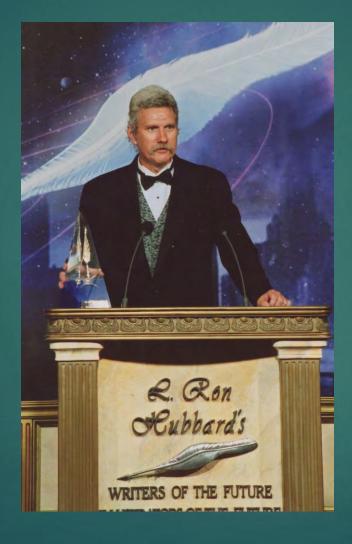




# Ray Roberts











### Land Protection Division

Remediation Highlights



# DEQ Brownfields- \$1M Revolving Loan Fund

Diamond Building-Tulsa, Oklahoma



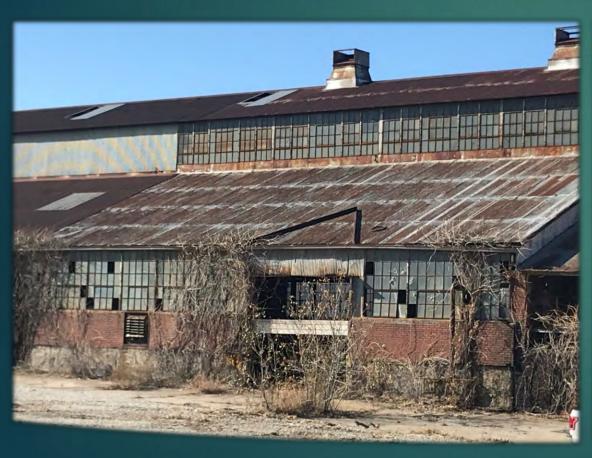


# Scissortail Park Brownfields Site Oklahoma City, Oklahoma





# Evans-Fintube Brownfields Site Tulsa, Oklahoma







www.brownfields2021.org OKLAHOMA CITY, OK

# Eagle Industries Superfund Site Midwest City, Oklahoma





# ORC Superfund Site Cyril, Oklahoma





# Cushing Refinery VCP Site Cushing, Oklahoma





### Land Protection Division

Regulatory Updates



## Hazardous Waste Program

Large Quantity Generator Reporting Requirements and Fees

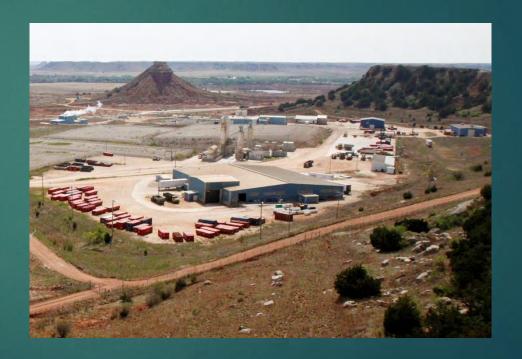
- ► HB 1705
- ► Beginning July 1, 2021
  - LQGs will no longer be required to submit Disposal Plans
  - LQGs will no longer pay fees for any associated waste streams
  - LQGs will no longer be required submit Hazardous Waste Quarterly Reports
  - The annual monitoring and inspection fee will now be at a flat rate of \$300 for all LQGs



## Hazardous Waste Program

#### Hazardous Waste Disposal Fees

- ► HB 1705
- ► Beginning July 1, 2021
  - Increases the in-state per-ton disposal fee from \$9/ton to \$9.50/ton
  - Offset the revenue lost from removing disposal plans
  - Goal was to preserve, not increase, revenue



# Hazardous Waste Program

#### Small Quantity Generator Monitoring Fee

- ► HB 1705
- ► Beginning July 1, 2021
  - Sets fee of not less than Twenty-five (\$25.00) and no more than Seventy-five Dollars (\$75.00)













# Overview of Recent Changes to Air Quality Permitting Rules

Environmental Federation of Oklahoma Regulatory Newsreel June 17, 2021



Tom Richardson
Rules & Planning Section
Air Quality Division
Oklahoma Department of Environmental Quality

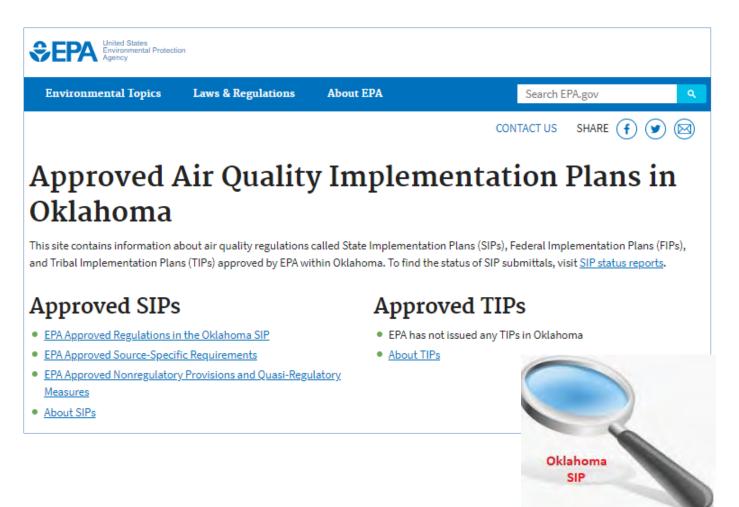
#### Introduction

### A quick update. Topics:

- Why did we make these particular changes?
- Which permitting actions will need to undergo public review on the web?
- Other changes to our rules.
- Implementation.

June 17, 2021

### SIP Backlog and EPA Collaboration



Backlog – A State Implementation Plan (SIP) is considered to be in backlog if it has been with EPA > 18 months.

EPA has committed to eliminating the backlog.

During the review of our backlogged SIPs, our SIPs have received active review.

Our collaboration with EPA has been productive and fruitful. They have worked with us every step of the way and we expect this will expedite approval of our updated SIP.

June 17, 2021

### **Summary of Issues We Needed to Address**

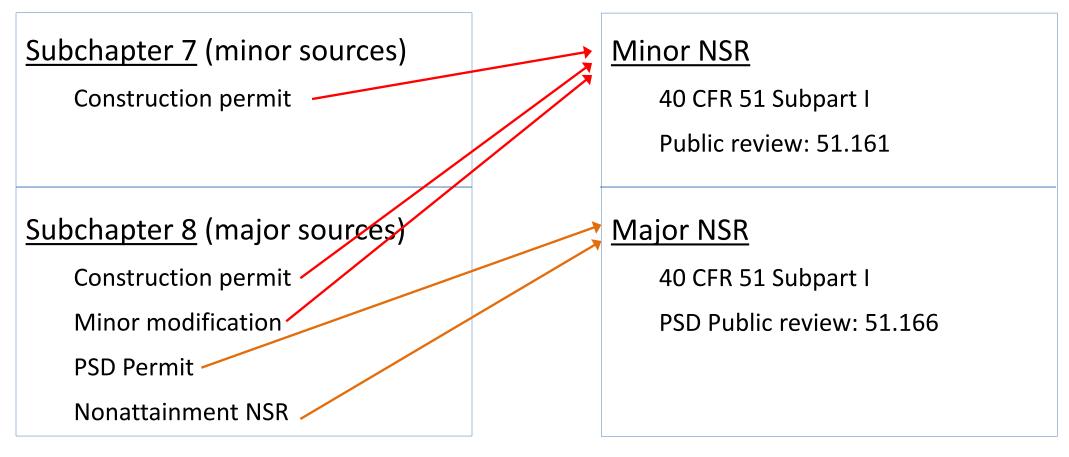
Our Prevention of Significant Deterioration (PSD) construction permitting program has been approved and incorporated into our SIP.

Issues addressed in our recent rule changes:

- Public review of the initial Title V permit
- Public review of minor New Source Review (NSR) permits with new exemption thresholds for minor modifications to Title V permits and exemptions for replacement units in our minor source permitting program
- Public review of minor source operating permits

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#### Oklahoma DEQ vs EPA View of NSR



Oklahoma DEQ Rules

**EPA Rules** 

5

## **New Requirements for Public Review**

A number of permits previously exempt from public review will now receive public review.

- An initial Title V operating permit will follow the Tier II process.
- The permit that is issued to move a facility from a Title V permit to a minor source permit will also be Tier II.

Other permitting actions newly required to undergo public review will do so through a Tier I web-based process authorized by EPA.

- Individual facility minor source construction permits.
- Individual facility minor source operating permits.
- Major source construction permits needed to authorize minor modifications to Title V operating permits.

June 17, 2021

## **Federally Enforceable State Operating Permits**

## An addition to our definitions: FESOP

This term describes the minor source operating permits we issue in Subchapter 7. Components of this program are already in the SIP. However, we need formal adoption.

The initial FESOP will require 30-day public review.

Modifications to FESOPs will proceed two different ways: enhanced NSR or traditional NSR.

June 17, 2021

## **Enhanced NSR or Traditional NSR**

When facilities submit applications for construction permits, they will be asked to choose which public review process they choose to follow:

**Enhanced NSR** – The public review and EPA review will occur only during the issuance of the construction permit. The operating permit will be modified using the administrative amendment process for Title V permits or minor modifications will be issued without public or EPA review for Subchapter 7 operating permits (FESOPS).

**Traditional NSR** – The 30-day public review period will occur before the construction permit is issued. EPA will have an opportunity to comment as well, during this period. When it is time to issue the operating permit, there will be another 30-day public review period and, for Title V operating permits, a 45-day EPA review period.

## **Thresholds for Minor Modifications**

New **10 TPY exemption threshold** from the requirement for a minor NSR permit for minor modifications to Title V operating permits.

- Our past practice has been to exempt all minor modifications (minor mods) to
   Title V operation permits from the requirement to obtain a minor NSR permit.
- This practice was never formally incorporated into the SIP.
- The SIP does include an old exemption for facilities and/or projects with emissions and/or emission increases less than 5 TPY (originally 1 lb/hr).
- Our proposed rule text will provide for an exemption from minor NSR for any project with a potential emissions increase of less than or equal to 10 TPY of any regulated air pollutant.
- The calculation method will be adapted from the approach used in the Tribal NSR rule (40 CFR Part 49.153(b).

June 17, 2021

## Replacement Units in Subchapter 7

Newly proposed rule text will exempt installation of replacement units from the requirement to obtain a construction permit.

- This exemption is only allowed if the replacement unit does not require a change in any emission limit in the existing permit.
- The owner or operator will be required to notify the DEQ in writing within fifteen (15) days of the startup of the replacement unit.
- This exemption includes units subject to emission limits, equipment standards, and/or work practice standards under NSPS and NESHAP.

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## **Our Path Forward**

- The new rules will go into effect on **September 15, 2021**.
  - > We are developing new guidance and new forms.
  - > Please try to get your applications in as early as practicable.
  - ➤ Please plan, in advance, for the extra time needed for the 30-day public review on the web for these categories of Tier I permits.
- Lee Warden (Air Quality Permitting and Engineering Group Manager) and Phillip Fielder (Air Quality Chief Engineer) are happy to answer your implementation questions.

June 17, 2021 1.

## **Q&A Session**



June 17, 2021 12

## Oklahoma Volkswagen Settlement

Presented by:

Heather Lerch
Oklahoma Department of Environmental Quality





# Settlement Background

 From 2009-2016, Volkswagen, Audi, and Porsche sold approx. 590,000 vehicles equipped with defeat devices, emitting harmful air pollution (nitrogen oxides/NO<sub>x</sub>) up to 40-times the legal limit

 Settlement funds will pay for specific projects that reduce NO<sub>x</sub>



## Oklahoma VW Program

## **Goal:**

To cost-effectively reduce mobile Nitrogen Oxide (NOx) emissions throughout the State

Approximately \$21 million;

About 10 years to spend

(we are in year 4)

- All-electric
- Propane
- CNG

#### **DERA Grants**

- Diesel School Buses
- Gasoline School Buses

#### **On-Road Program**

- Class 8 Local Freight Trucks and Drayage Trucks
- Class 4-8 Shuttle Bus or Transit Bus
- Class 4-7 Local Freight Trucks

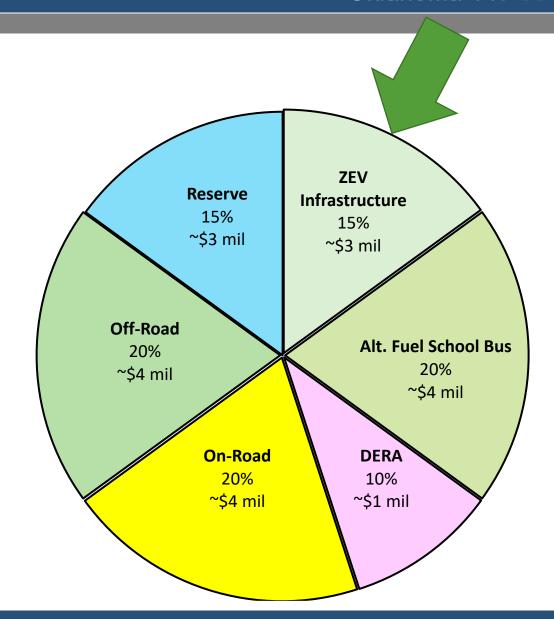
#### **Off-Road Program**

- Freight Switchers
- Ferries/Tugs
- Airport Ground Support Equipment
- Forklifts and Port Cargo Handling Equipment

#### **Light Duty Zero Emission Vehicle Supply Equipment**

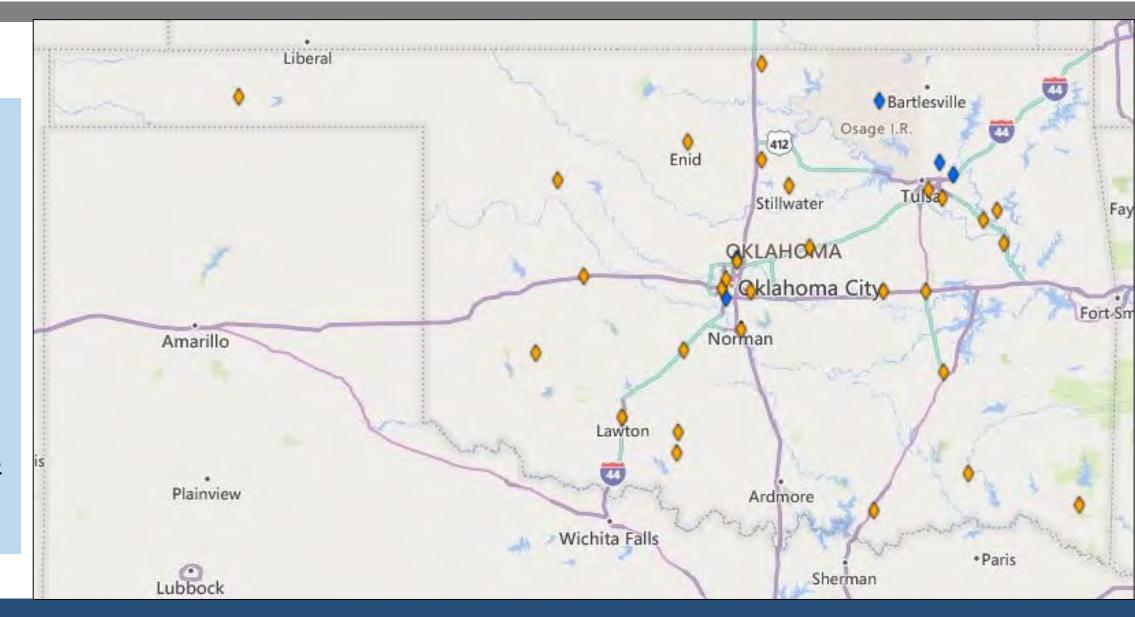
Electric Chargers

#### **Reserve Flex Funding**



90 public electric vehicle chargers

34 locations



- All-electric
- Propane
- CNG

#### **DERA Grants**

- Diesel School Buses
- Gasoline School Buses

#### **On-Road Program**

- Class 8 Local Freight Trucks and Drayage Trucks
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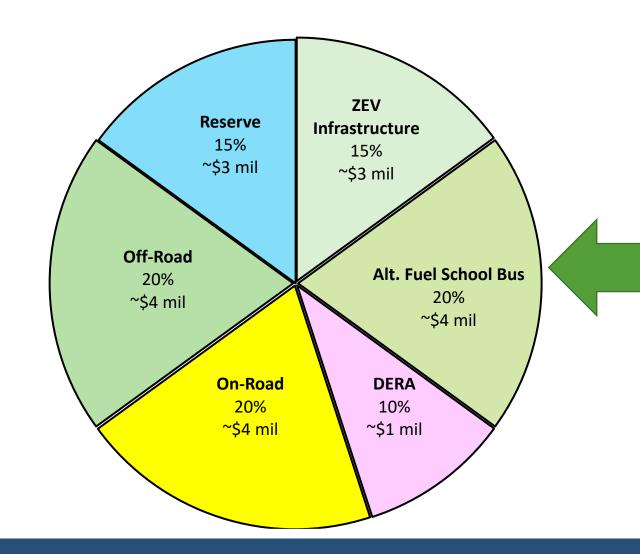
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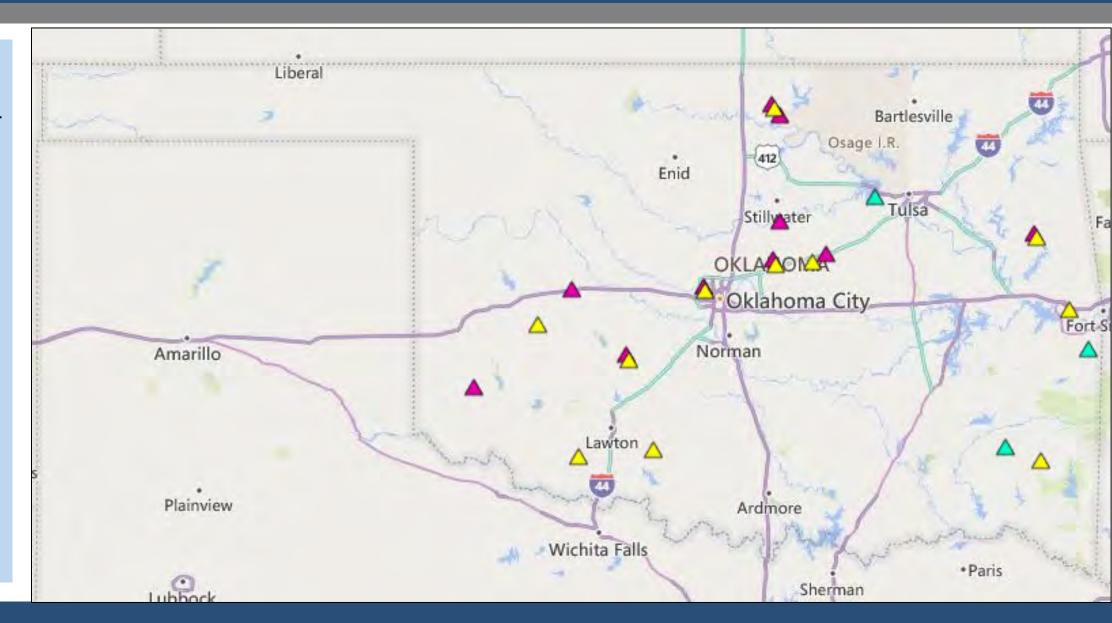
#### **Reserve Flex Funding**



Alternative
Fuel
School Bus
Projects

4 new CNG school buses

64 new LPG school buses



- All-electric
- Propane
- CNG

#### **DERA Grants**

- Diesel School Buses
- Gasoline School Buses

#### **On-Road Program**

- Class 8 Local Freight Trucks and Drayage Trucks
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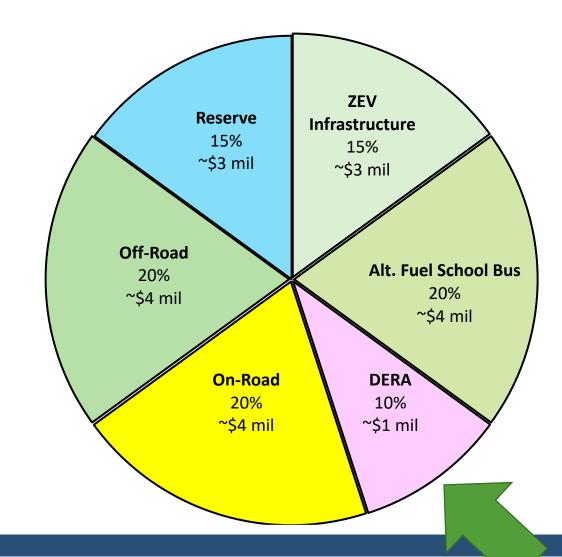
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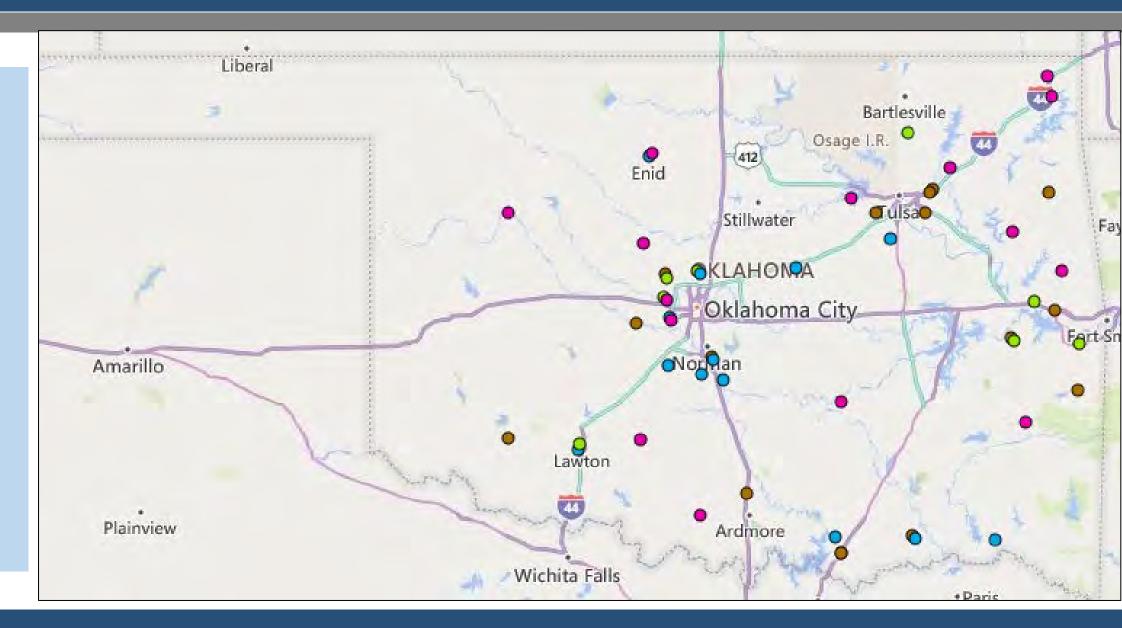
#### **Reserve Flex Funding**



Clean
Diesel
Projects

113 new diesel school buses

2 vehicle
retrofits



- All-electric
- Propane
- CNG

#### **DERA Grants**

- Diesel School Buses
- Gasoline School Buses

#### **On-Road Program**

- Class 8 Local Freight Trucks and Drayage Trucks
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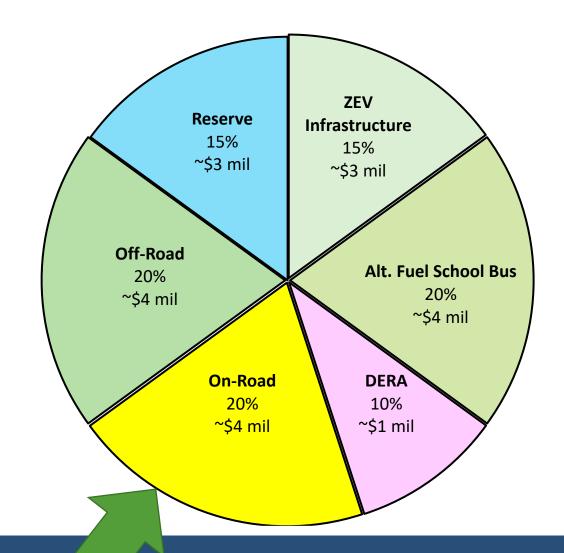
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- Forklifts and Port Cargo Handling Equipment

#### **Light Duty Zero Emission Vehicle Supply Equipment**

Electric Chargers

#### **Reserve Flex Funding**



1 electric transit bus

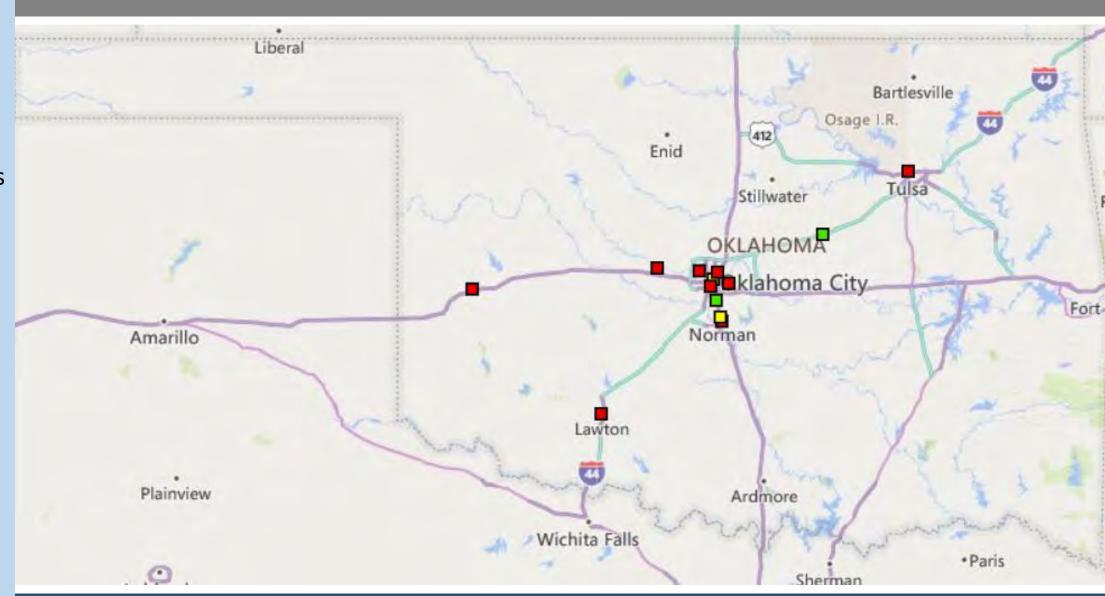
3 CNG transit buses

9 CNG large trucks

30 diesel large trucks

2 diesel medium trucks

45 total vehicles



- All-electric
- Propane
- CNG

#### **DERA Grants**

- Diesel School Buses
- Gasoline School Buses

#### **On-Road Program**

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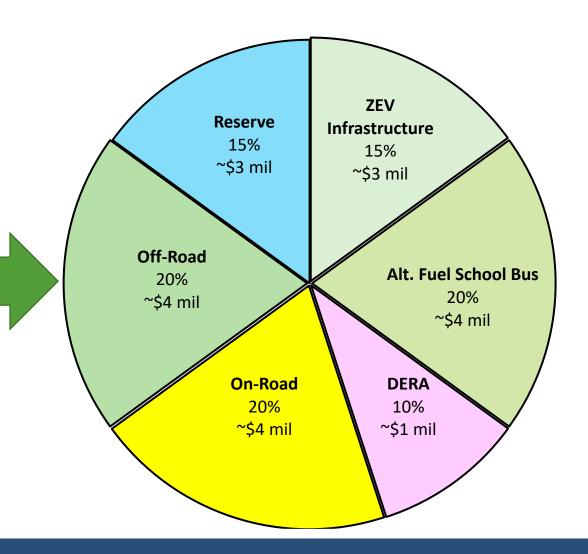
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#### **Light Duty Zero Emission Vehicle Supply Equipment**

Electric Chargers

#### **Reserve Flex Funding**



- All-electric
- Propane
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#### **DERA Grants**

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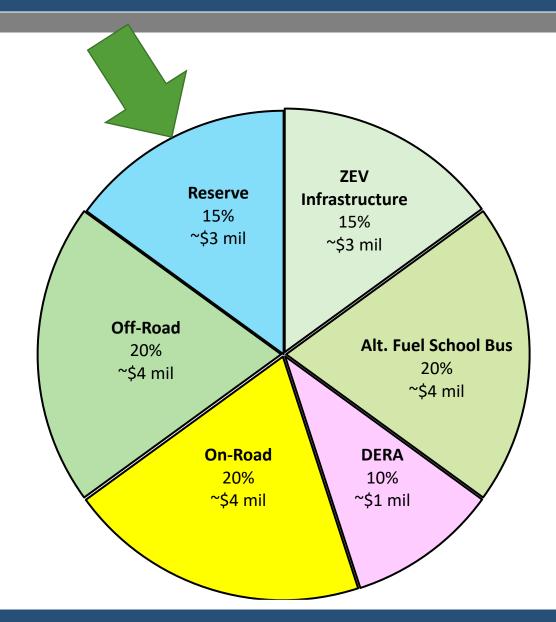
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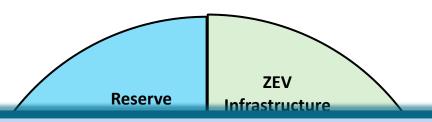
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Electric Chargers

#### **Reserve Flex Funding**



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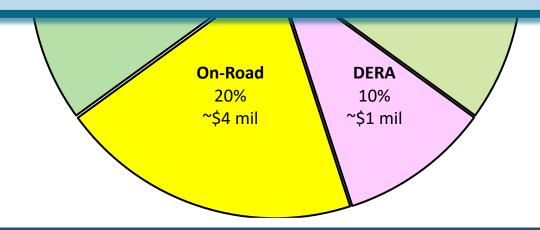
# Benefits So Far...

- Ferries/Tugs
- Airport Ground Support Equipment
- Forklifts and Port Cargo Handling Equipment

#### **Light Duty Zero Emission Vehicle Supply Equipment**

• Electric Chargers

#### **Reserve Flex Funding**



# **Projected Cumulative Benefits**

To Date

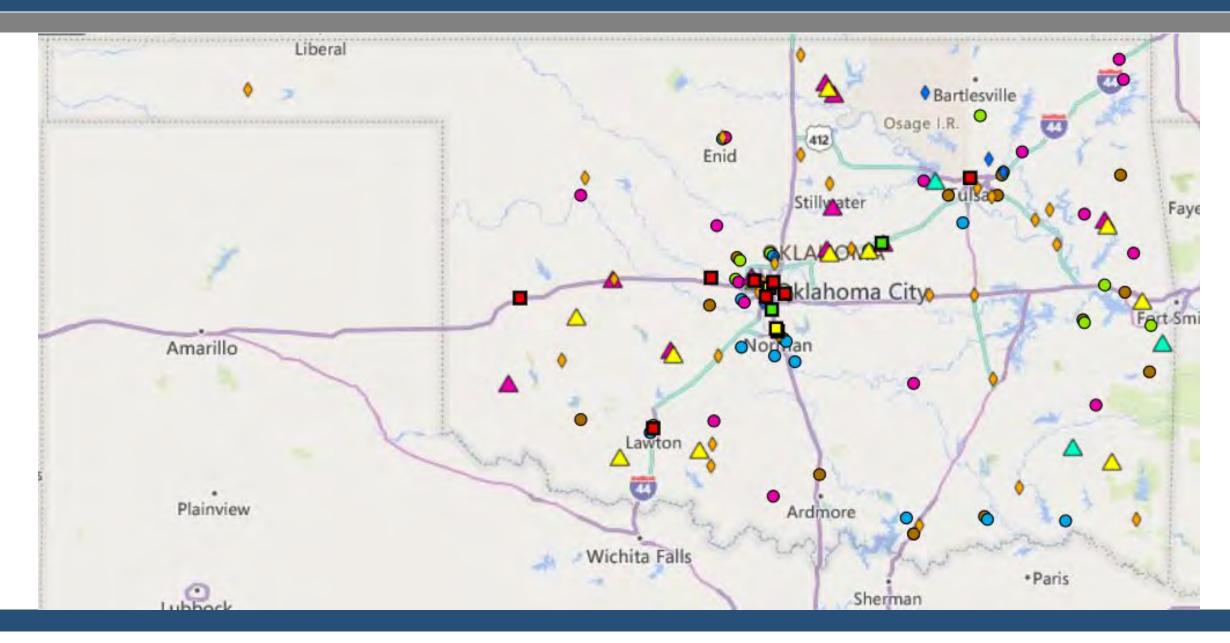
2 vehicle retrofits

226 cleaner vehicles on the road

90 EV chargers

\$12.3 mil federal and VW funding 102 awards/organizations funded

#### Oklahoma VW Settlement



**Projected Cumulative Benefits** 

10.2 tons PM2.5 To Date

18.9 tons
VOC

199 tons NOx

14.4 tons HC

338 tons CO 51,403 tons CO2

## Oklahoma Volkswagen Program

Email: <a href="mailto:VWSettlement@deq.ok.gov">VWSettlement@deq.ok.gov</a>

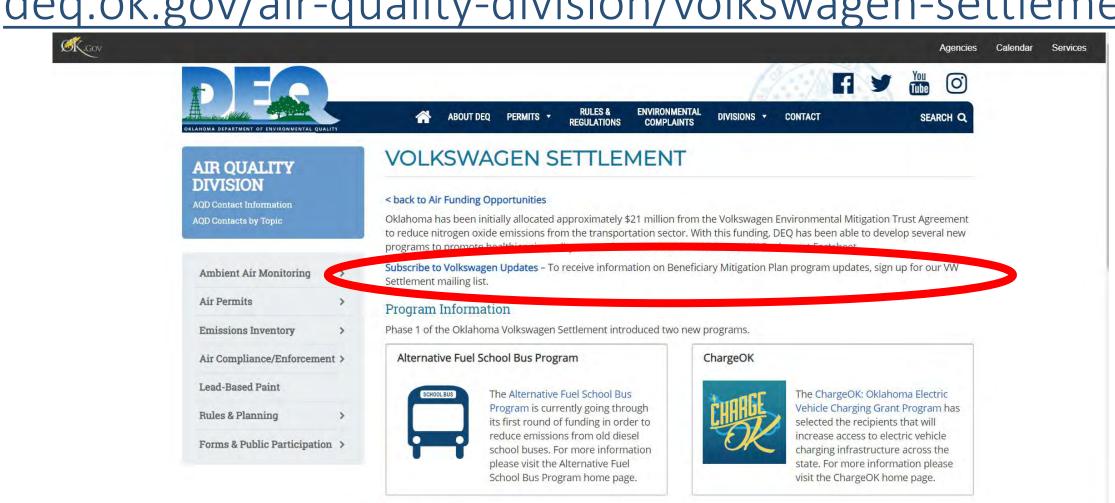
Phone: (405) 702-4100

Web: <a href="deg.ok.gov/air-quality-division/volkswagen-settlement/">deg.ok.gov/air-quality-division/volkswagen-settlement/</a>





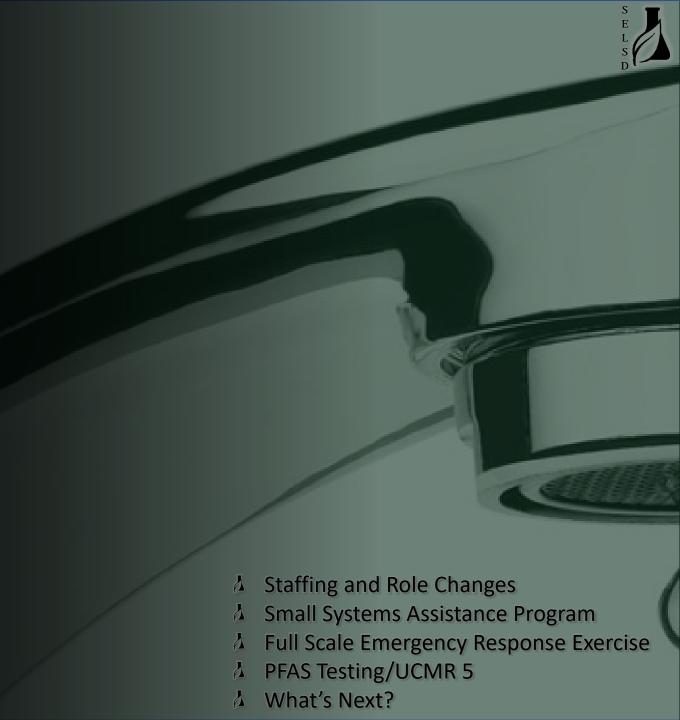
## deq.ok.gov/air-quality-division/volkswagen-settlement/



Important Documents

# ODEQ Principal Laboratory Update

EFO Regulatory Update June 17th, 2021 Jeff Franklin Cody Danielson



# SELSD Staffing and Role Changes

Karina Blanton new SELSD Quality Assurance Officer 3/2020

Cody Danielson TNI Microbiology Expert Committee Vice Chair 4/2020

Chris Armstrong retired as SELSD Director 3/31/2021

Jeff Franklin new SELSD Director 4/1/2021

3/2020

David Caldwell joined TNI Board of Directors 3/2021

Ryan Lerch joined NELAP Accreditation Council 4/2021

Cody Danielson APHL Agency Representative 4/25/21

Cody Danielson new SELSD Assistant Director



# Small Systems Assistance Pilot Program

What: EPA grant funded program, sponsored by ODEQ WQD

Goal: Bring PWS's into compliance, reduce health-based violations, build an infrastructure of training and sustainable competence for small system personnel.

Project status: Ongoing since July 2020

Project scope: **50** small systems within greater OKC area have been targeted to **date and provided enhanced technical assistance** 

National Older Worker Career Center (NOWCC)

# It's Working!

Small Systems
Assistance Pilot
Program



7/1/2020 to 6/11/2021

#### SAMPLE COUNT BY RULE

ETCR: 30 DBP2: 10 LT2
DWR: 2 ARSENIC: 0 LCR
DHEM CONTAMINANTS: 131 RAD1

77 %

TRACEBILITY

VIABILITY: Percentage of samples that were not cancelled out of total samples received IRACEBILITY: Percentage of received with complete sampling information

TOTAL TESTS: Howmany tests received for pilot

MOLATIONS: How
many health-based volations
(bacteria positives, MCL
exceedances) that occurred

#### ISSUES

- · Systems lack knowledge of:
- SDWIS what is it and how does it work
- Sample Schedules when to sample, how many
- Sample Points where to sample
- Results interpretation; what is good/bad; what actions to take
- Rules what do they mean
- Health violations; Public safety aspect
- Financial burden of sampling

#### EFFOR

#### 27 / ON SITE

Sample Collection

Educate and demonstrate proper sampling techniques according to associated method

**Customer Relations** 

Develop constructive relationships with customers who oppose or do not trust government

SDWIS Assistance

Explain and demonstrate how SDWIS works Rule Explanation

Increase competency by educating on rule requirements

Site Assessment

Look for problematic areas within the system and provide solutions to remove those issues; update sampling plans and sampling points

## 182/ OFF SITE

Phone Calls and Email

Answer questions and provide assistance, send instructional documents

Kit Preparation & Scheduling

Prepare appropriate bottles approved for the method and associated paperwork that coordinates with each system's monitoring periods

Coordination

Organize sampling events with the system that align with the monitoring period

esearch

Research past violations for each system to determine the issues and better assist the customer

Violation Explanation

Explain where and why violations are happening

#### PARTICIPATING SYSTEMS

OK3005305 OK3000901 OK2006363 OK2005503 OK2004206 OK2004101 OK2003722 OK2002605 OK2002604





# **Objectives**

Full Scale Emergency Response Exercise Increase awareness of roles and responsibilities

Enhance internal coordination

Examine operational coordination between SELS and the PHL

Expand ODEQ field and analytical expertise

Examine timely and coordinated test data information sharing

6

Explore tools and resources available to support response operations



Full Scale Emergency Response Exercise

## **Partners**

- EPA Headquarters
- EPA R6 Water Security Branch
- Cadmus Group
- ERLN
- WLA
- City of Norman
- ODEQ Divisions: SELSD, WQD, LPD, and ECLS

# Planning Phase

- 5 Months of planning
- Full team meetings every two weeks
- ODEQ meetings more often



Full Scale Emergency Response Exercise Scope

Realistic watershed contamination events

• Carried through as if a real-life event

**Associated Activities** 

- Training seminars
- Collection events
- Analytical testing
- Tabletop exercise
- Hotwashes

**Event Timeline** 

- June 2021
- Duration of 1 week

## PFAS In Our World

- Limited capacity for testing in the state
- LC-MS-MS Technology
- SELS developing Analytical Capacity for PFAS
- UCMR 5
- TNI/NELAP Accreditation
- Future DW rule promulgation?
- Wastewater?



ALL TASKS MUST BE COMPLETED PRIOR TO APPLICATION PACKAGE DEADLINE OF AUGUST 1, 2022

Sampling Period/PWS Monitoring begins January 1, 2023

EPA Methods 533 and EPA Method 537.1 Revision 2.

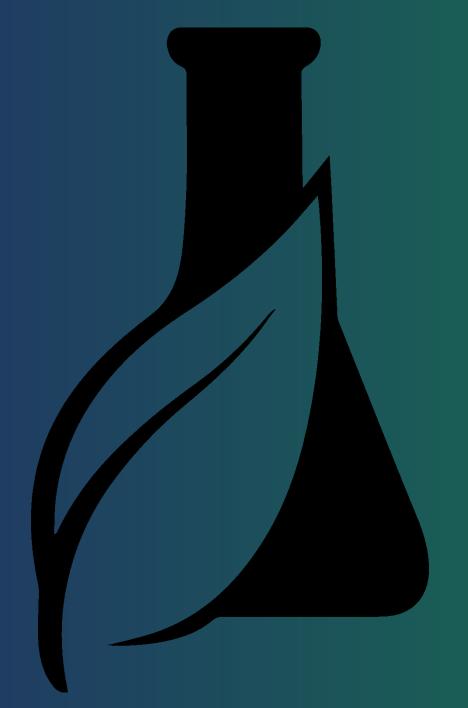


Task	Time Needed	Goal Start Date	Goal Due Date	Assignee(s)	Notes/Status	Date Completed
Signed Partnership Agreement due to EPA Region 6	1 month	April 2021	May 17, 2021	WQD		5/17/2021
Email EPA to request registration materials	1 day	May 2021	May 2021	Karina Blanton	Karina, Cody, Jeff take a look at this when we get this. FW to Cody and Jeff and then set a meeting.	5/24/2021
Complete and turn in the UCMR 5 LAP Registration	2 weeks	June 2021	June 2021	Karina Blanton		6/2/2021
Determine which personnel will be involved in UCMR 5 work	1 week	June 2021	June 2021		Who is involved and what will they be responsible for? Make assignments and accountabilities really clear! Need to have conversation with Organics.	
Establish Meeting Frequency with UCMR 5 Team		June 2021	June 2021		Weekly meeting invite was sent out.	6/3/2021
SSCRWA Meeting #1		June 2021	June 15, 2021		Jeff will set this up.	
Review Methods	2 weeks	June 2021	June 2021			
Research needs and prices for equipment/instrumentation and training	2 weeks	June 2021	June 2021			
Research needs and prices for supplies, workspace/infrastructure, data drop/electrical, etc.	2 weeks	June 2021	June 2021		Take a tour of Organics section-invite Hunter/Erin!	
Order equipment/instrumentation, supplies, casement, etc.	3 months	June 2021	August 2021		Get Amber involved! Will require bidding? Can this be done in less time?	

Install casement/infrastructure, data drop, electrical outlets??	??	August 2021	Sept. 2021		If this isn't needed can bump method develop up!
Coordinate sample scheduling and collection (what supplies will be needed)					
Lab QMP must be kept current throughout UCMR 5 activity (Section 3)	3 months	May 2021	July 2021		Set weekly meetings to review/revise QAP starting 6/3/21.
Need QAPP specific to UCMR 5 methods being conducted (including options mandated by EPA & differences from the published methods summarized in Section 4)	??		November 2021	Karina Blanton & Team?	Who does this?
Review TNI Standard/Checklists (V1M4, V1M2 4.2.8.5 SOP requirements)	2 weeks	Sept. 2021	October 2021		
Research and secure hands-on method/analytical training	1 month	June 2021	July 2021		Will this need to wait until after we know who instrumentation vendor is?
METHOD DEVELOPMENT	6 months	August 2021	December 2021		Try to make November 2021 PT? Or finish by December 2021 or January 2022 to make 2022 PT deadlines??
Set up work areas and install equipment/instrumentation	2 weeks	August 2021	August 2021		
<ul> <li>Hands-on vendor/analytical training</li> </ul>	1-2 weeks	August 2021	August 2021		
Write SOPs	1 month	June 2021	August 2021		Can this be worked on any prior to receiving instrumentation?
<ul> <li>Create associated WIDs, worksheets, tools, etc.</li> </ul>	1 month	June 2021	August 2021		Can this be worked on any prior to receiving instrumentation?
PFAS Configuration Demo		June 2021	August 2021		
Work on LabWare Method     Workbook	1 month	June 2021	August 2021		Can this be worked on any prior to receiving instrumentation?
<ul> <li>Add methods to LabWare (build out instrument interface)</li> </ul>	2 months	June 2021	August 2021		Can this be worked on any prior to receiving instrumentation?
Test LabWare environment with real data	2 months	Sept. 2021	November 2021		









# Questions?

**Jeff Franklin, SELSD Director** 

Email: jeff.franklin@deq.ok.gov

Phone: 405-702-1000

**Cody Danielson, SELSD Assistant Director** 

Email: cody.danielson@deq.ok.gov

Phone: 405-702-1000

## Environmental Complaints and Local Services

George Russell IV- ArcGIS maps and ECLS

Nicholas Huber- Virtual Training During the Pandemic and Beyond

https://storymaps.arcgis.com/stories/0bef9af83b5d47ce85f93993569eb5e4

## Thank you to our Luncheon Sponsor





Environmental Federation of Oklahoma



## REGULATORY UPDATES AND HIGHLIGHTS

SHELLIE CHARD, DIRECTOR, WATER QUALITY DIVISION KAREN STEELE, ASSISTANT DIRECTOR, WATER QUALITY DIVISION



### **TOPICS**

NPDES Updates for Industries Industrial Stormwater updates Clean Water Act PFAS Updates Wastewater Based Epidemiology

### INDUSTRIAL WASTEWATER AND DEQ

#### DEQ\*

- Paper and Allied Products
- Mineral Mining and Dressing
- Landfills
- Automobile Salvage Yards
- Food and Kindred Products
- Textile Mills

#### NOT DEQ\*

- Certain Oil & Gas
- Agricultural Production
- Pesticide Application
- Produced water (so far)
- Any Activity in Indian Country within the State of Oklahoma

<sup>\*</sup>Examples of Activities. Contact DEQ for additional information.

### ORGANIZATIONAL UPDATES



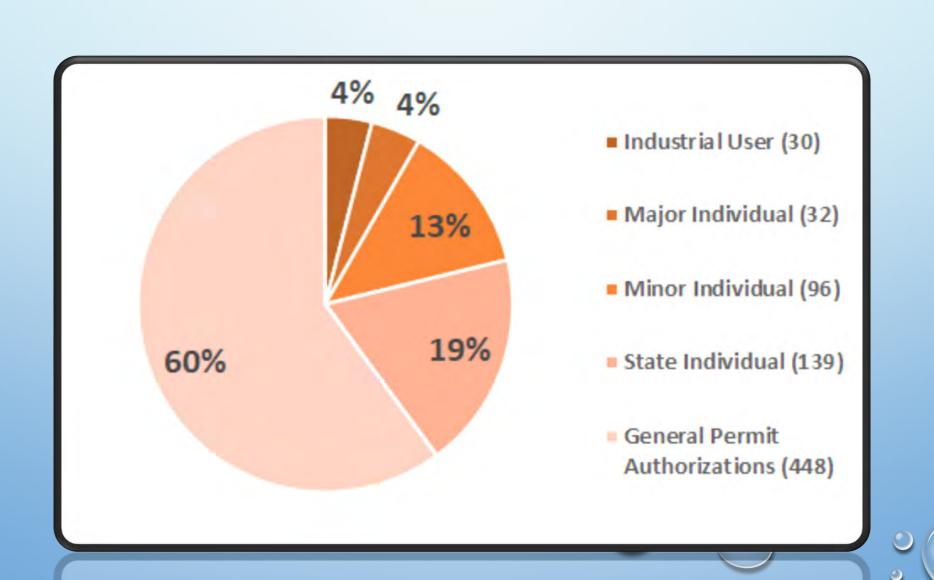
Brian Clagg Industrial Wastewater Group



Carol Paden Industrial Permitting Wayne Craney
Industrial Technical
Assistance and
Enforcement



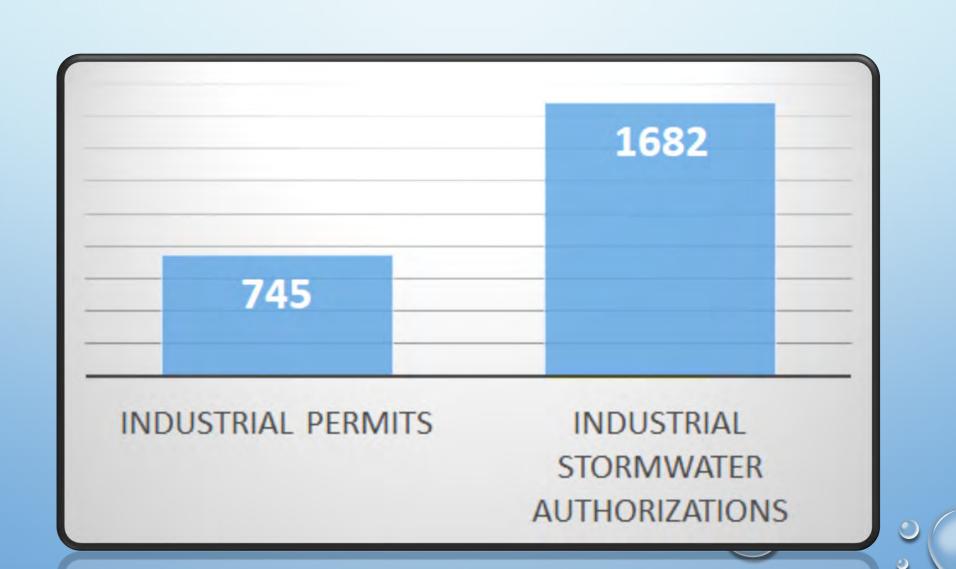
### INDUSTRIAL PERMITS



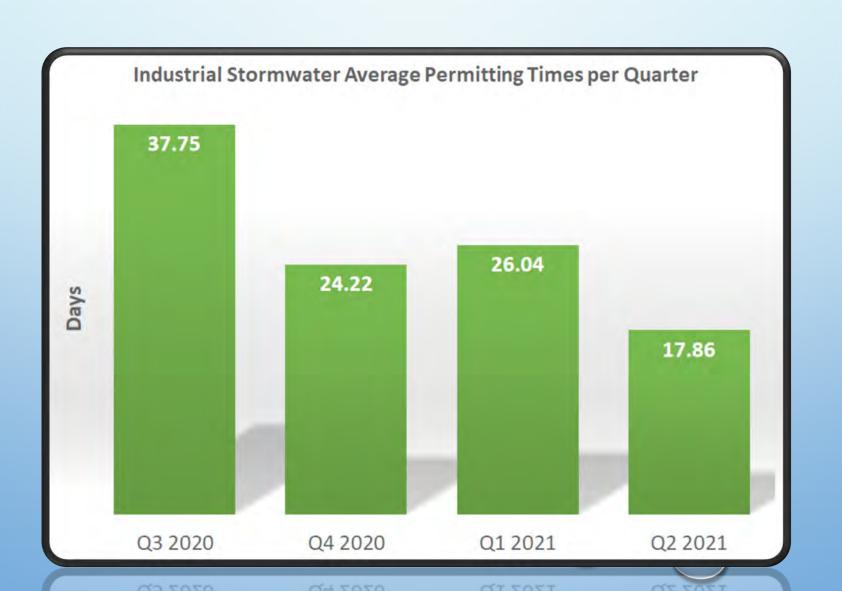
### INDUSTRIAL GENERAL PERMIT RENEWAL SCHEDULE

PERMIT	EXPIRATION DATE	FISCAL YEAR
MOBILE CONCRETE BATCH PLANT (OKG11MT)	JUNE 7, 2022	FY22
UNDERGROUND STORAGE TANK (OKG83)	DECEMBER 31, 2022	FY23
VEHICLE WASH FACILITY (OKG75)	JANUARY 1, 2023	FY23
CLASS III TOTAL RETENTION IMPOUNDMENT (OKGC3T)	FEBRUARY 6, 2023	FY23
ROCK, SAND, AND GRAVEL QUARRY (OKG95)	JUNE 30, 2023	FY23
SURFACE COAL STRIP MINE (OKG04)	NOVEMBER 30, 2023	FY24
CONCRETE BATCH PLANT (OKG11)	FEBRUARY 29, 2024	FY24
HYDROSTATIC TEST (OKG27)	MARCH 31, 2025	FY25
MEDICAL MARIJUANA (OKG42T)	APRIL 30, 2025	FY25

### INDUSTRIAL STORMATER AUTHORIZATIONS



### FY21 INDUSTRIAL STORMWATER PERMIT TIMELINES



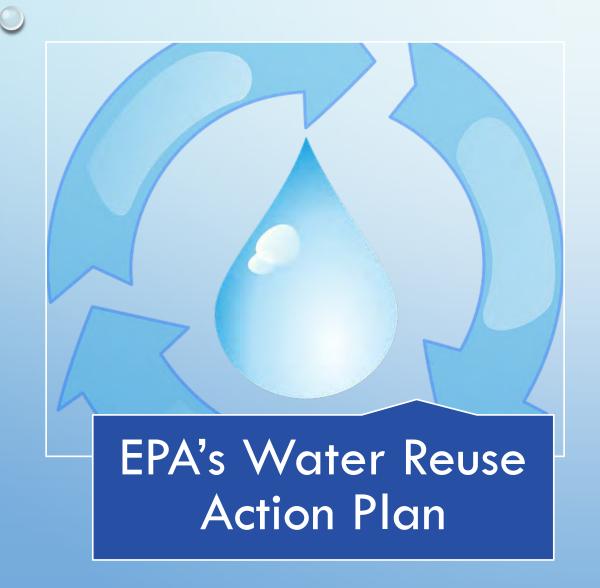
### NEW AND UPCOMING



Meat Processors

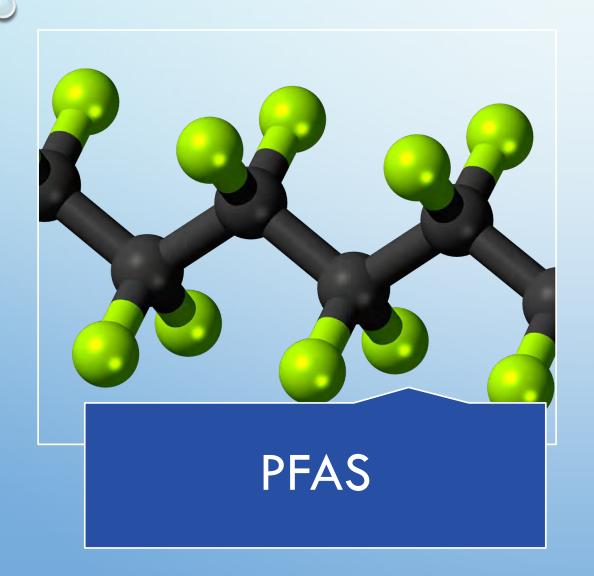


### NEW AND UPCOMING





### NEW AND UPCOMING





### INDUSTRIAL STORMWATER PERMIT TIMELINE

Summer 2021 Stakeholder meetings Fall 2021 Submit Draft to EPA Spring 2022
Public Comment
Period

Summer 2022 Issue Permit

## EPA'S 2021 MSGP

ISSUED: 1/15/2021

EFFECTIVE: 3/1/2021

Facilities without sector-specific benchmarks conduct indicator monitoring for pH, TSS, and COD

Certain facilities conduct indicator monitoring for polycyclic aromatic hydrocarbons (PAHs)

Updates to benchmark values and benchmark monitoring schedule

Updates to monitoring for impaired waters without a TMDL

Additional Implementation Measures (AIM) for benchmark exceedances

DEQ'S 2022 MSGP

GOAL
EFFECTIVE
DATE:
7/5/2022

Does NOT have to match EPA's MSGP

Collaborate with stakeholders early

SWP3's will not be reviewed during renewal

Goal: Online Application Forms (NOIs)

Goal: Online Payment Options

Stretch Goal: All forms online (ACSCER, NEC, NOT)



### QUESTIONS?

## Thank you to our Break Sponsors





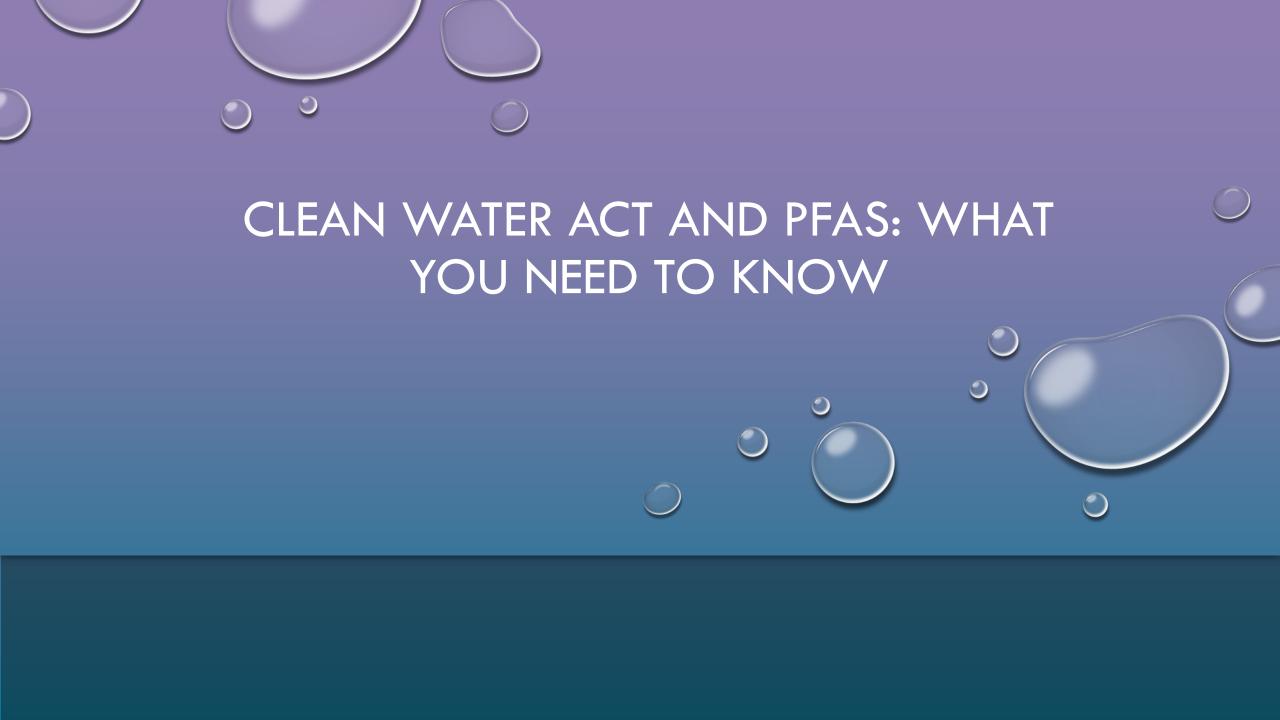


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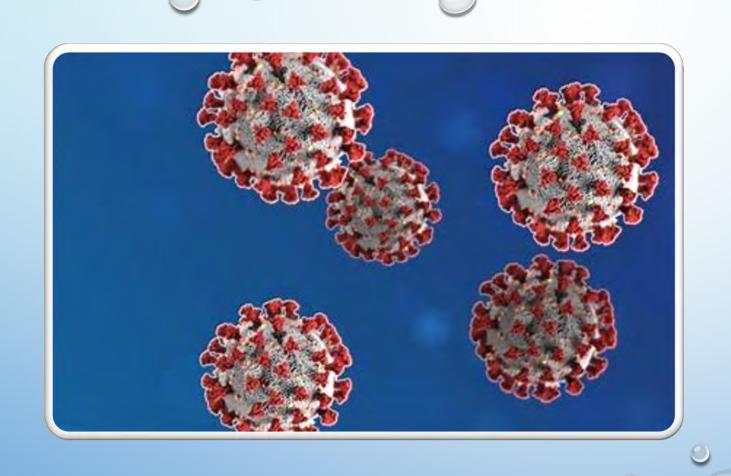






### NPDES PERMITS

- EPA LOOKING AT EFFLUENT LIMITATION GUIDELINES FOR PFAS CHEMICALS
- EPA ISSUED INDIVIDUAL AND GENERAL (STORMWATER) PERMITS WILL HAVE MONITORING REQUIREMENTS
- MONITORING REQUIREMENTS EFFECTIVE WHEN TEST METHOD POSTED TO EPA'S WEBSITE
- BIOSOLIDS TEST METHODS AND LIMITS BEING
   DISCUSSED



WASTEWATER
BASED
EPIDEMIOLOGY
AND COVID-19

# OKLAHOMA WBE PROJECTS

### University of Oklahoma Team

- OU Norman Campus
- OU Health
- OKC
- Norman
- Anadarko

### CDC/Correctional Facilities Team

- Center for Disease Control and Prevention
- Water Environment Federation
- HACH
- OSEE
- DEQ
- DOC



#### **OU PROJECTS**



Monitoring Dorms

City of Norman Water Reclamation Facility

Monitoring 13 OKC Sewersheds

Monitoring City of Anadarko Collection System and Wastewater Treatment Plant













### DEPARTMENT OF CORRECTIONS PARTICIPATING FACILITIES

**Howard McLeod Correctional Center** 

John Lilley Correctional Center

Mack Alford Correctional Center

Jim E Hamilton Correctional Center

Dick Conner Correctional Center

### FIELD MONITORING PILOT STUDY

Test Hach "field test" for Sars-CoV-2 virus

5 states – Oklahoma first state to participate

Monitor housing units

Real time results for real time decisions



SHELLIE.CHARD@DEQ.OK.GOV

(405) 702-8157





## **Environmental Federation OKLAHOMA 2021 Newsreel Conference**

### **OWRB Update**

Bill Cauthron
Water Quality Program Chief
Oklahoma Water Resources Board



## Oklahoma Comprehensive Water Plan 2012 Update



### 50-year Supply Needs and Solutions

- Quantified Demand vs. Supply by Region (82 sub-basin level), identified supply gaps, Water/WW Infrastructure Needs, State Legislative policy recommendations
- Since then, significant progress made at all levels and use sectors
- Many Oklahomans and our elected officials have dedicated time and support for law changes, studies, and funding
- Water users from all sectors have embraced Oklahoma's Water for
   2060 Act for water efficiency, conservation, and developing new
   technologies to put non-traditional water resources to use

### **Implementing 2012 0CWP**



#### 2012:

- Gross Production Tax Funding Continued extensions by Legislature
- Beneficial Use Monitoring Network- Legislature injected permanent funding for new SW/GW monitoring network - Legislature
- HB 3055 Water for 2060 Act Sen. Fields; Reps. Steele, Lockhart, and Roan
- HJR 1085 State Question 764 Water Infrastructure Credit Enhancement Reserve Fund Sen. Crain, Fields; Rep. Richardson, Hickman, Roan
- SB 1043 ODEQ Reuse Framework Sen. Fields Marlatt , Fields; Rep. Martin

#### **2016:**

SB 1219 – Aquifer Storage and Recovery framework – Sen. Fields; Rep. Pfeiffer,
 Osborn

#### 2017:

• HB 1485 authorizes **pilot programs for aquifer storage and recovery**; adds definitions of aquifer storage – Sen. Griffin & Rep. Watson

### **OCWP Legislation Since 2012**



### **OKLAHOMA**

#### **2018:**

- SB 1294 Authorized gradual implementation of MAY & statewide well spacing. Sen. Pederson, Murdock, Rosino, Griffin; Rep. Pfeiffer, Osborn
- HB 3405 Authorized use of marginal quality water by allowing for responsible and safe completion of marginal quality water wells Sen. Fields; Rep. Watson

#### **2019**:

- SB 539 Extension of Gross Production Tax Sen. Jech; Rep. Newton
- HB 2263 Creates GW Irrigation District Act Sen. Murdock; Rep. Patzkowsky
- SB 998 Defines taking and use of marginal water to be beneficial and not waste
   S. Murdock, Rep. Patzkowsky

#### 2020:

- SB 1875- Oil & Gas Produced Water and Waste Recycling Act, ownership and disposal responsibilities
- SB 1269 Directs OWRB to develop statewide flood resiliency plan and creates revolving fund



### **Fast forward**



- Today's trends showing more frequent weather extremes at both ends of hydrograph
- Record rainfall and flood losses becoming larger, more widespread, and costly
- Oklahoma's water infrastructure is aging and storage capacity inventory lacking
- Flood planning is woven throughout OCWP but drought resiliency typically major focus
- Time for a New Plan!







### 2019 Record Flooding



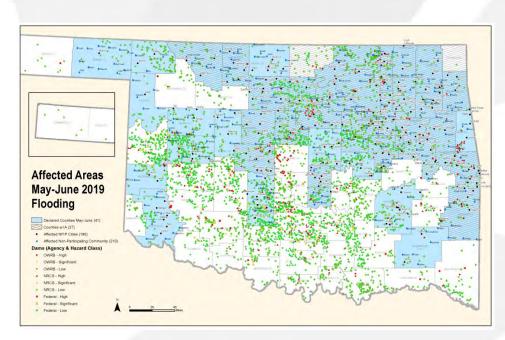
 2019 historic flood heavily impacted Ark. R. basin, damaging homes, agri. transportation, levees; 6 deaths; \$100 million estimated cost

416 Counties/Towns/Cities Impacted, with less than ½ participating in

NFIP program

 40 Fed. Disaster Declared Counties

2,375 Dams in Declared
 Counties (201 high hazard); 3
 dams failed



### **OWRB Hazard Mitigation Authority**



#### **Water Resources Planning**

- Oklahoma Comprehensive Water Plan and Decennial Updates
- Local water planning assistance

#### Floodplain Management

- FEMA NFIP and Cooperating Tech. Partnership Programs: 404
   participating communities; 13,026 policies; \$2.9 billion coverage;
   407 NON-participating communities; 139 w/ pop> 100
- Floodplain board for State-owned property within floodplains development permitting & construction standards
- Floodplain Accreditation Program
- Dam Safety Program 4,700 State/NRCS dams; average age >50 years; > 360 high hazard potential dams

#### State Flood Resiliency Plan



What is the purpose of a state flood plan? (SB1269)

- EVALUATE condition and adequacy of critical infrastructure subject to flooding on a watershed basis.
- DEVELOP a comprehensive list of flood mitigation projects.
- PROVIDE improved resource management between federal, state agencies, and local communities.
- INCREASE the state's community and public awareness
- . PROTECT against the loss of life and property in Oklahoma.

#### **Oklahoma Flood Challenges**

LACK OF PUBLIC AWARENESS regarding floodplain management.

LIMITED **FLOOD INSURANCE** PARTICIPATION OUTSIDE **FLOOPLAINS** 

(~25% of claims come from area outside of "1%-chance" flood areas).

DAM SAFETY and downstream development.

LACK OF FLOOD MAPS & RESERVOIR STORAGE CAPACITY INFORMATION

> 17 unmapped and 19 non-participating counties.

#### AGING AND DEFICIENT

flood control infrastructure.

#### LACK OF FUNDING

for rehabilitation and public outreach.

NEED FOR INCREASED AWARENESS within retail insurance market.

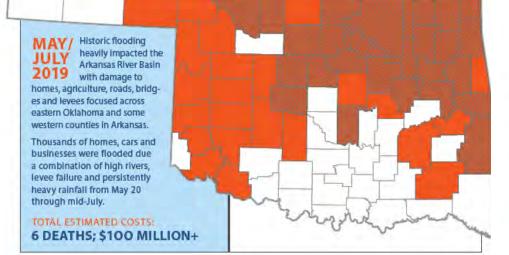
#### STATE PROGRAMS ARE HEAVILY DEPENDENT

on fluctuating federal dollars and low state funding levels.



Public Assistance available

Public Assistance and Individual Assistance available (23)





#### Why we need a Flood Resiliency Revolving Fund (SB1269):

- Leverage federal funding.
- Improve federal, state, and local partnership to reduce flood risk.
- Increased opportunity for local flood mitigation efforts.
- The program is able to be self-sustained in the future.

#### Plan Implementation:

- · FEMA provides Base Level Engineering (BLE) and Flood Insurance Rate Maps (FIRM) to identify structures in the Special Flood Hazard Area (SFHA) in communities.
- OWRB in partnership with federal, state, local, and nonprofit partners conducts public outreach to inform communities regarding flood hazard.

- · Through NFIP programs participation, local communities are able to manage the flood risk.
- Using FIRM and BLE data, local communities are able to mitigate flood risk through various projects such as:
- 1. Elevating existing structures in the SFHA.
- 2. Improved drainage.
- 3. Build/maintain water storage
- 4. Restore/protect wetlands.

About 25% of all NFIP claims come from areas lying outside of the 100-year, or 1% chance, flood boundary.

#### **Kent Wilkins**

405-201-4994 kent.wilkins@owrb.ok.gov



There is no request for appropriation associated with SB 1269,

#### **NFIP in OKLA:**

State Flood Resiliency Plan

- 404 Participating communities
- 13,026 Policies
- . \$2.9 Billion in coverage
- · 12,555 Claims totaling more than \$232 million since 1978.
- 407 Non-participating communities; 139 with population greater than 1,000.

#### Facts about Flooding:

1in4

Over the life of a 30-year mortgage, there's a 26% chance your home in the floodplain will be flooded.

25%

CONTACT:

## SB-1269 State Flood Plan/Fund OKLAHOMA

Author: Sen. Radar/Rep. Sims, Sponsor: Allison Ikley-Freeman overwhelmingly support by 2020 Legislature

- SB1269- Directs OWRB to develop 1<sup>st</sup>-ever statewide flood resiliency plan
- Will allow OWRB to integrate Ok. Flood Plan into OCWP and manage water resources more holistically
- Potential to leverage state/local dollars to gain access to additional Federal hazard mitigation funds
- Currently scoping work, data gaps, and identifying funding opportunities

## Oklahoma Comprehensive Water Plan 2025



#### Vision and Objectives

- Focus on water infrastructure and emphasize need for water investment mechanism
- 50-yr. Inventory of projects/cost estimates: water, reclaimed water, reservoir storage, storm water
- For 1<sup>st</sup> time ever, fold in stormwater and flood control needs, structural and non-structural, on a watershed basis
- Improve online tools, dashboards, models, integration for long-term planning and resource management

## Oklahoma Comprehensive Water Plan 2025



#### **Stakeholder Engagement:**

- Employ focus groups and statewide online surveys to inform workplan, projections by sector, studies, policy recommendations
- Water Provider surveys enhanced from lessons of 2012

#### **Preliminary Timeline**

- 2020/2021: work plan; broad engagement process; identified projects, technical studies, online tool development begin
- 2022: supply/demand projections begin w/ U.S. Census publication
- 2022-2025: technical studies, policy, online tools and data developed and launched, final OCWP recommendations and reports

Oklahoma Strategic Alliance

- Signed Sept. 2019 to assist in improving sustainability of Oklahoma's water systems
- GOVERNOR/OSEE/OWRA/ODEQ/OWRB partnership works with systems on planning, technical assistance, operator/member training
- OWRB offers assistance to borrowers on loan condition compliance, funding opportunities, and <u>small system mapping</u>



### 2021 Legislation



#### 2021:

- SB 913 Changes rule making requirements and timelines
- HB 2296 Re-creates the Red River Boundary Commission to coordinate with Texas to make certain boundary determinations
- HB 1093 Directs the Water Resources Board to update the Oklahoma Water Quality Standards to facilitate nutrient trading.
- SB 1022 Allows the Executive Director of the Water Resources Board to issue certain permits which aren't protested.

### Oklahoma Alliance Long Range Sustainability Partners

		•
	Atoka County RWD #3	Marietta PWA
	Boynton PWA	McClain County RWD #8
	Caddo PWA	Morrison PWA
	Cherokee County RWD #1	New Cordell
	Cherokee County RWD #7	Okmulgee County RWD #1
	Cherry Tree RWD	Okmulgee County RWD #20
	Cleo Springs	Porter PWA
	Colgate PWA	Pottawatomie County District Authority
	Delaware County RWD #10	Roger Mills County #2 / Red Star
	Dewar PWA	Southern Oklahoma Water Corporation
	Harper County RWD #1	Tishomingo Municipal Authority
	Haskell PWA	Town of Glencoe
	Hughes County RWD #6	Town of Jet
	Inola PWA	Wagoner County RWD #5
	Lincoln County RWD #4	Wellston PWA

### 2020 RURAL WATER IMPACT



#### OKLAHOMA'S RURAL AND SMALL COMMUNITY WATER SYSTEMS

Oklahoma's 704 rural and small community water systems are a primary driving force supporting public health and economic development. To preserve and enhance the quality of life that these systems support, it is critical that they operate sustainably. However, achieving sustainability is not easy; these small water systems face numerous significant challenges, including dilapidated and aged infrastructure, high levels of water loss, inadequate rates, and a need for updated business practices. To ensure that rural Oklahoma's water systems are around for future generations, the Oklahoma Strategic Alliance partners are working together to protect rural Oklahoma by offering free sustainability assistance to rural and small community water systems. Since July 1st, 2019, we've achieved the following results:

#### WATER STATS - 7/1/2019 TO PRESENT

#### Water Loss Auditing and Control

- 14 water loss audits were completed at rural Oklahoma water systems, identifying 742.4 million gallons per year of water loss valued at \$546,413.
- Leak detection was completed at 4 rural Oklahoma water systems, identifying 36 leaks.
   These leaks were costing the systems 277 million gallons per year, valued at \$646,133.
- Based on this work, Oklahoma water systems used the training and knowledge provided to repair leaks saving 188 million gallons of water. valued at \$319,616 with more savings on the way as systems repair additional leaks.

#### Rate Analysis

 9 rate studies completed, with a 0.33 average increase in operating ratio and a cost savings and increased revenue total of \$2,063,543 for the participating systems.

#### Capacity Development and Long Range Sustainability

Alliance partners work with both rural and small community water systems to improve their business management practices, which is crucial for promoting efficient operations. So far in FY2020, we helped systems develop:

- 3 Operations and Maintenance Plans, at a savings of \$26,550
- 10 Emergency Response Plans, at a savings of \$36,000
- 3 Personnel Policies, at a savings of \$14,000
- 7 Financial Management Policies, at a savings of \$61,950
- 1 Board Management Policy, at a savings of \$8,850
- 9 Asset Management Plans, at a savings of \$70,200

- 1 System Map, at a savings of \$30,000
- 5 Standard Operating Procedures, at a savings of \$44,250
- 6 Source Water Protection Plans, at a savings of \$78,000
- 7 Safety Plans, at a savings of \$6,300
- 4 Sanitary Sewer Surveys, at a savings of \$136,000
- 7 Hydraulic Analyses, at a savings of \$70,000

### RETURN ON INVESTMENT

From July 1st to present, the strategic alliance has generated \$6.04 per dollar invested of direct economic benefit, bolstering this important lifeline for rural Oklahoma communities and ensuring they are equipped to be successful in the coming decades.

### **Online Products & Services**



Expanding mobile operations, online service to increase accessibility/lower costs

- New Virtual public/stakeholder meetings: Board Meetings, <u>Water</u>
   Quality Standards rulemaking on Illinois R. Criteria, Produced Water
   Working Group
- New OWRB Help Desk and Complaints Reporting Portal
- New Licensing, Exams, and Continuing Education— well drillers, floodplain management, dam safety
- New Dashboards with mapping: Financial Assistance, Pending Water Permit Applications, developing new River Trends
- New Grant Application Forms



### **Collaborative Studies**



- SB 568 Phase II Arbuckle Simpson study (McCall/McCortney 2019)—inform water permitting: USGS; yr. 2 of 5 year data collection; Oka' Institute, Nations, OWRB; seeking funding
- Water Bank Development Strategy— Chickasaw Nation, BoR grant; water banking for water rights overlying ABS basin
- <u>Canadian River Modeling Project</u>— OU, Chickasaw and Choctaw Nations; water needs and identify vulnerable communities in Canadian and Ark. Basins
- <u>Water Settlement Planning</u>— Chickasaw, Choctaw, OWRB— Collaborate on comprehensive water planning activities on an annual basis
- <u>Upper Red and Upper Washita studies</u>— Ft. Cobb, Tom Steed, Lugert Altus, Foss Reservoir Districts, Bor, USGS

### Thank You!





**Bill Cauthron Water Quality Programs Chief Oklahoma Water Resources Board** 

