

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 100. AIR POLLUTION CONTROL**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 7. Permits for Minor Facilities

Part 9. Permits By Rule

252:100-7-60. [AMENDED]

252:100-7-60.5. [NEW]

Appendix E. Primary Ambient Air Quality Standards [REVOKED]

Appendix E. Primary Ambient Air Quality Standards [NEW]

**SUMMARY:**

The Department is proposing to modify OAC 252:100-7, Permits for Minor Facilities, to add a new Permit By Rule (PBR) for minor facilities and area sources in the oil and natural gas (O&NG) sector. The PBR would streamline the permitting process for O&NG sources affected by recent changes to the federal standards. The Department is also proposing to update the PBR general requirements and references. The Department is proposing to change the requirements regarding registration under PBRs to make the registration effective upon receipt of the application by the Department of Environmental Quality.

The Department proposes changing Appendix E, Primary Ambient Air Quality Standards, to maintain consistency with the National Ambient Air Quality Standards. Specifically, the primary standards for particulate matter less than or equal to 2.5 microns in diameter (PM<sub>2.5</sub>) would be modified to reflect recent changes made by the Environmental Protection Agency.

**AUTHORITY:**

The powers and duties of the Environmental Quality Board are set out in 27A O.S. Section 2-2-101 and 27A O.S. Section 2-5-106 and those of the Air Quality Advisory Council in 27A O.S. Section 2-2-201 and 27A O.S. Section 2-5-107. The legal authority authorizing the proposed rules is found in the Oklahoma Clean Air Act, 27A O.S. Sections 2-5-101 through -117, specifically 27A O.S. Section 2-5-105 for Subchapter 7 and Appendix E; and 27A O.S. Section 2-5-112 and -114 for Subchapter 7.

**COMMENT PERIOD:**

Written comments on the proposed rulemakings will be accepted prior to and at the hearing on April 17, 2013. For comments received at least five (5) business days prior to the Council meeting, staff will post written responses on the Department's web page at least one (1) day prior to the Council meeting. Oral comments may be made at the April 17, 2013 hearing and at the June 18, 2013 Environmental Quality Board hearing.

**PUBLIC HEARINGS:**

A public hearing is scheduled before the Air Quality Advisory Council at 9:00 a.m. on Wednesday, April 17, 2013, at the Broken Arrow campus of TulsaTech, 4000 West Florence Street, Tulsa, Oklahoma 74011.

Also, a public hearing is scheduled before the Environmental Quality Board at 9:30 a.m. on Tuesday, June 18, 2013, at the Great Plains Area Vo-Tech, 2001 E. Gladstone, Frederick, Oklahoma 73542.

These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Implementation Plan (SIP) under the requirements of 40 CFR Section 51.102 and 27A

O.S. Section 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 CFR Part 70 and 27A O.S. Section 2-5-112(B)(9).

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

The proposed rules are available for review 30 days prior to the hearing on the DEQ Air Quality Division website at [http://www.deq.state.ok.us/AQDnew/council\\_mtgs/index.htm](http://www.deq.state.ok.us/AQDnew/council_mtgs/index.htm). Copies also may be obtained from the Department by calling the contact person listed below.

**RULE IMPACT STATEMENTS:**

The rule impact statements will be available on and after March 15, 2013 on the DEQ Air Quality Division website at [http://www.deq.state.ok.us/AQDnew/council\\_mtgs/index.htm](http://www.deq.state.ok.us/AQDnew/council_mtgs/index.htm). Copies also may be obtained from the Department by calling the contact person listed below.

**CONTACT PERSON:**

The contact person for these proposals is Cheryl E. Bradley, Environmental Programs Manager, at (405) 702-4218. Please send written comments on the proposed rule changes to Ms. Bradley at [cheryl.bradley@deq.ok.gov](mailto:cheryl.bradley@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677, ATTN: Cheryl E. Bradley. The Air Quality Division FAX number is (405)702-4101.

**PERSONS WITH DISABILITIES:**

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405)702-4172. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.