

**TITLE 252. OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 641. INDIVIDUAL AND SMALL PUBLIC ON-SITE SEWAGE DISPOSAL SYSTEMS**

**RULE IMPACT STATEMENT**

Before the Water Quality Management Advisory Council on January 10, 2012  
Before the Environmental Quality Board on February 24, 2012

1. **DESCRIPTION:** There are four (4) main reasons for this proposed rulemaking. First is to establish water body protection areas for siting and designing on-site sewage treatment systems. Second is to require nitrogen reduction systems to be installed prior to dispersal for any on-site sewage treatment systems located within Zone 1 of a water body protection area. Third, is to prohibit any system installed within Zone 2 of a water body protection area from being designed using a soil percolation test. Fourth is to require purple pipe for any pressurized piping conveying treated wastewater for reuse. Finally, DEQ proposes other non-substantive changes to existing language for clarification purposes.
2. **CLASSES OF PERSONS AFFECTED:** Individuals and businesses who propose to construct on-site sewage treatment systems within water body protection areas.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Homeowners and business owners are responsible for the installation costs of sewage treatment systems on their property. Any increased system cost associated with these rules will be borne by the property owners.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** None submitted as of this date.
5. **CLASSES OF PERSONS BENEFITTED:** All citizens of Oklahoma, particularly those utilizing water bodies for recreational or water supply purposes. Also, the purple pipe requirement will prevent accidental cross connection between wastewater and drinking water.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** Soil conditions currently dictate system design. Over the last six years, approximately 40% of the on-site sewage treatment systems installed in the state have been aerobic treatment systems. With the proposed rule change all of the systems within Zone 1 of a water body protection area will be required to provide aerobic treatment with nitrogen reduction. DEQ anticipates that there will be a minimal cost increase associated with this level of treatment. The cost will be borne by property owners who construct a new system or modify an existing system within 1/8 mile of water bodies.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** Political subdivisions may realize reduced cost of producing drinking water if harmful algae blooms are reduced.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** None anticipated.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** None.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** DEQ does

not anticipate any additional costs associated with the proposed rule.

11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** None.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Implementing and enforcing the proposed rules will not require more revenue than the current rules, which are supported with fees and appropriated funds.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** None.
14. **COOPERATION OF POLITICAL SUBDIVISION REQUIRED TO IMPLEMENT OR ENFORCE RULE:** None.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** The proposed rules represent the minimum requirements necessary to protect the environment and the public's health and safety.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** None.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed rules are intended to reduce nutrient loading of surface waters by assuring that sewage dispersed within water body protection areas is treated to reduce nitrogen.
18. **IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** The proposed rules should reduce the contribution that wastewater systems have on the formation of harmful algae blooms in the state's water bodies. The nutrients in untreated sewage that cause harmful algae blooms will be reduced to safer levels in the treated sewage before it is dispersed where it can affect water bodies.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** See paragraphs 17 and 18.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** DEQ anticipates that businesses associated with tourism and recreational uses of the water bodies will benefit from improved water quality and fewer days of restricted use of the water bodies than were experienced in summer 2011.
21. **THIS RULE IMPACT STATEMENT WAS PREPARED ON:** September 23, 2011.