

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 631. PUBLIC WATER SUPPLY OPERATION**

RULE IMPACT STATEMENT

Before the Water Quality Management Advisory Council on October 8, 2013
Before the Environmental Quality Board on November 13, 2013

1. **DESCRIPTION:** The proposed regulations will: (1) update the date of the incorporation by reference for federal regulations from July 1, 2012, to July 1, 2013; (2) remove language from 252:631-3-3 that is duplicated in other sections; (3) add non-community water systems to the list of systems required to record chlorine residual twice daily in the distribution system and once daily at the point-of-entry; (4) add a requirement for purchase water systems that provide supplemental chlorination to record chlorine residual monitoring results; (5) remove language that applies to minor water systems, which are regulated in 252:624; and (6) make other minor clarifications.

The amendments to the federal regulations, which will be incorporated by reference with this proposed rulemaking, were made to 40 CFR 141.402(a) and 141.405(b)(4). The revisions allow for the implementation of the Revised Total Coliform Rule (RTCR), with a compliance date of April 1, 2016.

2. **CLASSES OF PERSONS AFFECTED:** Classes of persons affected are those who operate or plan to operate a public water supply system.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Classes of persons who will bear the costs are those that operate a public water supply. It is anticipated that any increase in costs will be passed along to the consumer.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** DEQ has not received any information from other public or private entities concerning the cost impacts of the proposed regulations.
5. **CLASSES OF PERSONS BENEFITTED:** All citizens of Oklahoma will be benefitted, particularly those members of the public who consume drinking water from a public water supply.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** DEQ anticipates a small economic impact to owners of public water supply systems that are not already implementing the proposed measures.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** DEQ anticipates a small economic impact to political subdivisions (e.g., municipalities and rural water associations) that are not already implementing the proposed measures.

8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** DEQ anticipates a small economic impact to small businesses (e.g., commercial entities that provide drinking water from their own public water supply system) that are not already implementing the proposed measures.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** N/A
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** There are no anticipated additional costs to the DEQ to implement and enforce the proposed rules. Implementing the proposed rule modifications will help DEQ continue to ensure the safety of public water supply systems in Oklahoma and maintain compliance with its agreement with EPA to properly enforce the federal program.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** None anticipated.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** There is no new funding necessary to implement and enforce this rule. Current funding sources include federal grant funds, user fees and general revenue appropriations.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** None anticipated.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** None anticipated.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** N/A
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** There are no less costly or non-regulatory methods of achieving the purpose of the proposed regulations.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed testing will reduce the likelihood of the presence of bacteria in drinking water from public water supplies, regardless of the type of water supply. Currently, non-community systems are not required to do this testing.
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:** Having non-community water systems do the same testing as the other types of water systems will aid in preventing illnesses caused by bacteria. Due

to under reporting of illnesses, it is not possible to quantify the reduction of the risk. See paragraph 17.

19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** If the proposed regulations are not promulgated, then consumers of water from non-community water systems will continue to be more at risk for contracting bacteria-related illnesses. See paragraph 17.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** None anticipated.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: September 12, 2013

Amended September 20, 2013.