

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 656. WATER POLLUTION CONTROL FACILITY CONSTRUCTION
STANDARDS**

RULE IMPACT STATEMENT

Before the Water Quality Management Advisory Council on January 14, 2014
Before the Environmental Quality Board on February 21, 2014

1. **DESCRIPTION:** The Department is proposing to: (1) require that the submission of plans include at least one set of construction plans be on 11" x 17" paper and one set of specifications be loosely bound and suitable for scanning; (2) strengthen the existing prohibition against locating lagoons in areas subject to karstification; (3) add disinfection criteria for reclaimed water systems and distinguish those criteria from the criteria required for OPDES discharges; (4) add traveling bridge filters as an approved method for filtration; (5) clarify that the minimum dosage for Category 3 reclaimed water is based on MS-2 phage inactivation; (6) update the hydraulic loading rates for disc filters; (7) require a pilot study before designing filters to be used to polish TSS from lagoon effluent; (8) add a requirement for signage around water reuse land application sites; (9) clarify that fencing is required for Category 5 reclaimed water land application sites; (10) add a requirement for above-ground signage for existing reclaimed water piping that does not meet the purple pipe standards; and (11) make other minor clarifications, reorganize some of the existing rules and make typographical corrections.
2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are municipalities and other persons or entities that construct or modify water pollution control facilities or water reuse treatment and distribution systems.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Classes of persons who will bear the costs are municipalities and other persons or entities seeking construction permits for water pollution control facilities or water reuse treatment and distribution systems.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** DEQ has received no information on cost impacts from private or public entities.
5. **CLASSES OF PERSONS BENEFITTED:** All citizens of Oklahoma, including regulated entities that seek permits to construct water pollution control facilities or water reuse treatment and distribution systems from the Water Quality Division, are benefitted by the proposed rulemaking. DEQ anticipates that all citizens of Oklahoma will benefit from the preservation of potable water supplies.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** DEQ anticipates that there will be minimal economic impact on affected classes of persons. However, the proposed rules will require existing non-color coded reuse piping to have warning signs installed.

7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** DEQ expects these rules to have a minimal economic impact on political subdivisions.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** DEQ does not anticipate an adverse economic impact on small businesses as the result of this rule. In fact, some small businesses that were previously purchasing potable water for certain uses may be able to use less expensive reclaimed water for those uses.
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:** None.
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:** The existing sources of revenue for this program (fees and general revenue) will continue to be the sources of revenue used to implement and enforce these rules.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** The proposed revisions will have no anticipated net effect on revenues for DEQ or other agencies.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** None.
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 nonregulatory methods of achieving the purpose of the proposed revision to the rule.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed amendments will protect public health, safety, and environment by clarifying the regulations for construction of water pollution control facilities and water reuse treatment and distribution systems to allow for the safe, beneficial treatment of wastewater and reuse water.
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: N/A

19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** No specific detrimental effect is expected if the proposed rules are not implemented but their implementation will allow Oklahoma to continue to progress in the areas of water pollution control and water reuse.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** Unknown, but see Paragraph 19.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: December 16, 2013
Amended on January 8, 2014