

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 690. WATER QUALITY STANDARDS IMPLEMENTATION**

RULE IMPACT STATEMENT

Before the Water Quality Management Advisory Council on January 8, 2013
Before the Environmental Quality Board on February 22, 2013

1. **DESCRIPTION:** There are five primary purposes for this rulemaking: (1) to clarify how certain calculations are done when evaluating whether or not limits or monitoring requirements are needed in OPDES discharge permits, (2) to require whole effluent toxicity (WET) limits upon completion of toxicity identification evaluations (TIEs), (3) to specify bacteria limits that will be used for the recreation season and outside the recreation season for indicators other than fecal coliform, (4) to clarify when monitoring frequency reductions occur in permits, and (5) to incorporate by reference applicable federal regulations published on July 1, 2012.
2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are municipalities and industries that discharge wastewater under the OPDES program.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Classes of persons who will bear the costs are municipalities and industries that receive effluent limitations or monitoring requirements in their discharge permits.
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 benefit from cleaner effluent being discharged as a result of permit limits. All citizens of Oklahoma will also benefit from year-round control of bacteria being discharged to impaired streams from municipal point sources.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** DEQ does not anticipate a major economic impact as a result of the rule changes. Many of the changes clarify requirements already being implemented by facilities. Year-round disinfection will be limited to those wastewater facilities that discharge sanitary wastewater to streams impaired for bacteria.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** DEQ has received no information on the 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.

9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** No new fees are being proposed.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** DEQ will incur minimal costs of implementing these new requirements.
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:** Existing sources.
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:** Most of the rule changes are clarifications of permitting procedures already in place and therefore the DEQ does not believe there will be a significant increase in compliance costs.
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:** Most of the rule changes are clarifications of permitting procedures already in place so there should be no negative effect to the public or the environment.
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 rule establishes year-round effluent limitations for additional bacterial species and clarifies how certain calculations are done in determining the need for limits or monitoring requirements in permits. Since this involves clarifications of procedures already in place, this should not have an impact on the risk to the public.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** None anticipated.

20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** None anticipated.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: December 13, 2012; Amended February 4, 2013