

**TITLE 252. OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 606. OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM
(OPDES) 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) update the numbering of subparagraphs incorporated by reference in 40 CFR 124.10 because subparagraph (a)(1)(iv), which is not incorporated by reference, has been revoked and subparagraph (a)(1)(v), which is incorporated by reference, has been renumbered to (a)(1)(iv); (2) replace the provision for pro-rating the initial stormwater permit fees with a provision allowing the initial fee to cover the subsequent 12 months; and (3) revoke Appendix D and move the fee language and schedules to Section 3-4.
2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are municipalities and industries that require stormwater or other general wastewater discharge permits under the OPDES program.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Updating the numbering of incorporation by reference for federal regulations is not expected to increase any existing operating costs.

The proposed removal of the pro-rating of the initial stormwater permit fees and allowing the initial fee to cover the subsequent 12-month period is expected to minimize accounting and paperwork for permit holders.

Revoking Appendix D and moving the fee language schedules to the text of the rule is not expected to increase any existing operating costs.

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:** Current and future general permit holders will benefit from a more efficient renewal process. See paragraph 3.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** None anticipated. See paragraph 3.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** None anticipated. See paragraph 3.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** None anticipated. See Paragraph 3.

9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** N/A. The fees are not being changed. However, the elimination of pro-rating permit fees will give permit holders authorizations that are valid for 12 months from the issuance of the authorization.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** DEQ will benefit by spreading the workload for the renewal process over the entire year, rather than doing all renewals in July of every year. See paragraph 3.
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:** DEQ expects a slight gain due to the improved efficiency this rulemaking will allow.
14. **COOPERATION OF POLITICAL SUBDIVISION 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:** Promulgating these rules will have no positive or negative effect on public health, safety 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 changes are not designed to reduce significant risks to the public health, safety or environment. See paragraph 17.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** There will not be a detrimental effect on the public health, safety and environment if the proposed rule is not implemented.

20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** Businesses seeking renewals of authorizations under a general permit should benefit from the more efficient renewal process.

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