

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 4. RULES OF PRACTICE AND PROCEDURE**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Appendix C. Permitting Process Summary [REVOKED]

Appendix C. Permitting Process Summary [NEW]

**SUMMARY:**

The Department of Environmental Quality (Department or DEQ) is proposing to revoke and replace Appendix C, Permitting Process Summary, to ensure that entities with Air Quality permits are directed to the specific regulatory citations for the public review process rather than following the general procedures outlined in the current version of Appendix C. The gist of the rulemaking and underlying reason for the proposed changes are to ensure that permit holders are aware of recent changes to the public noticing provisions of Chapter 4 for Air Quality permits through a notation in Appendix C.

**AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, and 2-5-106.

Air Quality Advisory Council; 27A O.S. §§ 2-2-201 and 2-5-107.

Oklahoma Clean Air Act; 27A O.S. §§ 2-5-101 through 2-5-117.

**COMMENT PERIOD:**

Written comments may be submitted to the contact person from December 15, 2020, through January 15, 2021. Oral comments may be made at the January 20, 2021 hearing and at the February 19, 2021 Environmental Quality Board.

**PUBLIC HEARINGS:**

Before the Air Quality Advisory Council at 9:00 a.m. on Wednesday, January 20, 2021, at the DEQ headquarters, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Friday, February 19, 2021, at the DEQ headquarters, 707 N. Robinson Avenue, Oklahoma City, OK 73102.

In the event the current state of emergency declaration is extended by the Governor and the statutory authorization within the Open Meetings Act, as amended by SB 661 (2020), is extended beyond the current expiration date of November 15, 2020, the Air Quality Advisory Council and Environmental Quality Board meetings may both take place at the specified dates and times via videoconference and/or teleconference in compliance with the Open Meetings Act. Members of the Council or the Board (as appropriate) and public may then participate via videoconference and/or teleconference. If a videoconference and/or teleconference is necessary, details will be available from the contact person or obtained online at <https://www.deq.ok.gov/council-meetings/air-quality-advisory-council/> for the Air Quality Advisory Council or <https://www.deq.ok.gov/council-meetings/environmental-quality-board/> for the Environmental Quality Board.

These hearings shall also serve as public hearings to receive comments on the proposed revisions to the SIP under the requirements of 40 C.F.R. § 51.102 and 27A O.S. § 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 C.F.R. Part 70 and 27A O.S. § 2-5-112(B)(9).

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, or reviewed online at <https://www.deq.ok.gov/council-meetings/air-quality-advisory-council/>.

**RULE IMPACT STATEMENTS:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and available on and after December 15, 2020, on the DEQ Air Quality Division website at <https://www.deq.ok.gov/council-meetings/air-quality-advisory-council/>. Copies also may be obtained from the Department by calling the contact person listed below.

**CONTACT PERSON:**

The contact person for these proposals is Melanie Foster, Environmental Programs Manager, at (405) 702-4100. Please send written comments on the proposed rule changes to [AQDRuleComments@deq.ok.gov](mailto:AQDRuleComments@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Melanie Foster. The Air Quality Division FAX number is (405) 702-4101.

**PERSONS WITH DISABILITIES:**

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405) 702-4177. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.