

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 110. LEAD-BASED PAINT MANAGEMENT**

Before the Air Quality Advisory Council on July 30, 2025  
Before the Environmental Quality Board on September 9, 2025

**RULE IMPACT STATEMENT**

**Subchapter 3. Definitions**

**252:110-3-1 [AMENDED]**

**252:110-3-2 [AMENDED]**

**Subchapter 5. Incorporation by Reference**

**252:110-5-1 [AMENDED]**

**Subchapter 13. Additional Work Practice Standards**

**252:110-13-2 [AMENDED]**

**252:110-13-7 [REVOKED]**

**Subchapter 15. Additional Renovation, Repair, and Painting (RRP) Requirements**

**252:110-15-1 [AMENDED]**

**DESCRIPTION:** The Department of Environmental Quality (Department or DEQ) is proposing to amend Oklahoma Administrative Code (OAC) 252:110, Lead-Based Paint Management: to update the incorporation by reference section (252:110-5-1); to remove Section 252:110-13-7; and to make minor terminology revisions in Sections 252:110-3-1, 252:110-3-2, 252:110-13-2, and 252:110-15-1. The proposed updates are necessary to remain consistent with the U.S. Environmental Protection Agency's (EPA's) updated Lead-Based Paint (LBP) program requirements and maintain EPA approval for Oklahoma's LBP program. The clearance levels currently in Section 252:110-13-7 are unnecessary following incorporation by reference of updated corresponding federal LBP requirements. The gist of the proposed rulemaking is to update the rule in accordance with recent changes to the federal lead-based paint poisoning prevention requirements.

**CLASSES OF PERSONS AFFECTED:** Classes of persons affected by the proposed rule change are individuals and firms performing or offering to perform RRP activities for compensation in target housing and child-occupied facilities, as well as owners and occupants, especially children, of said housing and facilities. Training providers that seek accreditation to offer LBP activities and RRP training courses will also be affected. The proposed rule change would also affect contractors and firms conducting LBP activities in target housing and child-occupied facilities, as well as owners and occupants, especially children, of said housing and facilities.

**CLASSES OF PERSONS WHO WILL BEAR COSTS:** LBP Contractors will bear the cost to conduct lead hazard screens and cleaning of abatement sites. Property owners may incur increased costs if said costs are passed through by the contractors. It is not expected that RRP Certified Renovators will bear any additional costs.

**INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** The Department has received no information on cost impacts from private or public entities associated with the proposed rule.

**CLASSES OF PERSONS BENEFITTED:** Young children and families will experience the most benefit through protection from exposure to lead-based paint poisoning hazards.

**PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The Department anticipates no significant economic impact as a result of the proposed changes. To reach the revised clearance levels, minimal costs may be incurred by contractors and firms that perform LBP activities for compensation. Property owners may incur increased costs if said costs are passed through by the contractors.

**PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The Department anticipates no economic impact on political subdivisions as a result of this rule change.

**POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** The Department anticipates minimal, if any, adverse effects on small businesses due to the potential for increased costs to the contractors that may or may not be passed on to property owners.

**LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** No fee changes are included in the proposed amendments.

**PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** The Department does not expect significant cost increases associated with implementing and enforcing the proposed revision to OAC 252:110. The Department and the citizens of Oklahoma will benefit from clarification of the requirements.

**PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** There are none. No other agencies will be implementing or enforcing this rule.

**SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Federal grants and fees will continue to be used as the sources of revenue to implement and enforce the rule.

**PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** The proposed revision should have little effect on net revenues for the Department and/or other agencies.

**COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** Cooperation of political subdivisions will not be required to implement or enforce the rule.

**EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** No measures were necessary to minimize compliance costs as the increase in compliance costs should be minimal.

**DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** The Department has determined that there are no less costly or nonregulatory or less intrusive methods of achieving the purpose of the proposed rule.

**DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed rule should result in improved public health and safety for the citizens of Oklahoma, especially children. Updating state regulations to match current federal dust-lead hazard reportable and action levels is intended to reduce the risk of the public's exposure to LBP hazards.

**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:** Lead-based paint can cause a wide array of negative effects on multiple organ systems, most notable are the effects of LBP in children under the age of six (6) years old, who are at a particularly vulnerable stage of development. The proposed rule would result in improved public health, safety, and protection of the environment by reducing the risk of exposure to LBP hazards by lowering the dust-lead hazard reportable and action levels.

**DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** If certain provisions of the proposed rule are not implemented, the Department's delegation of the LBP program may be jeopardized. Those receiving grants through U.S. Housing and Urban Development's (HUD's) Office of Lead Hazard Control and Healthy Homes will still be required to meet the lower action levels. However, for those children in homes that do not have HUD-funded lead cleanup, the children may be adversely affected due to the possibility of LBP Contractors exacerbating lead dust hazards.

**PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** There will be minimal, if any, quantitative impact on business entities, since the proposed changes will better align state regulations with the current federal standards, and will prevent LBP abatement workers/supervisors from creating a dust-lead hazard.

**THIS RULE IMPACT STATEMENT WAS PREPARED ON:** June 16, 2025  
**MODIFIED ON:**