

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

Before the Environmental Quality Board on February 19, 2021

RULE IMPACT STATEMENT

APPENDIX C. PERMITTING PROCESS SUMMARY [REVOKED]

APPENDIX C. PERMITTING PROCESS SUMMARY [NEW]

1. **DESCRIPTION:** 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.
2. **CLASSES OF PERSONS AFFECTED:** Classes of persons affected are the owners and operators of facilities that are subject to the permitting requirements in OAC 252:100, both Part 70 sources subject to Subchapter 8 and minor facilities subject to Subchapter 7.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** This is a clarification only and no costs are expected to be incurred.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** The Department has received no information on cost impacts from private or public entities pertaining to the proposed rule.
5. **CLASSES OF PERSONS BENEFITTED:** The proposed changes will benefit the citizens of Oklahoma and owners and operators of the facilities subject to these regulations by ensuring that they are aware of the correct permitting process.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The Department anticipates no significant economic impact as a result of the proposed changes.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The Department anticipates no economic impact on political subdivisions as a result of the proposed changes.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** The Department expects no adverse effect on small business as a result of the proposed changes.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** No fee changes are included in the proposed amendment.

10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** The Department anticipates there will be no costs associated with the implementation and enforcement of this proposed clarification. The Department will benefit from the proposal because it will ensure permittees are aware of the proper permit processes.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** There are none. No other agencies will be implementing or enforcing this rule.
12. **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.
13. **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.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** Cooperation of political subdivisions will not be required to implement or enforce the rule.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** This clarification should help minimize mistakes in the permitting process and therefore minimize compliance costs to the regulated community.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** This clarification is the least costly method of ensuring the regulated community follows the correct permitting process.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed clarification will have a minimal effect on public health, safety, and 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 clarification is not designed to reduce significant risks to the public health, safety, and the environment.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** If the proposed changes are not implemented, there is minimal risk of any detrimental effect on the public health, safety, and environment.

20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** The owners and operators of businesses subject to permitting requirements will benefit from the proposed clarification to ensure they follow the correct permitting process.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: January 15, 2021
MODIFIED ON: