

# Board Rulemaking Activities

Chapter	Council	Description	Adopted	Type	Effective
606	WQMAC	Updated the rule to ensure that references to OAC 785:45, OAC 785:46, and to the Oklahoma Water Resources Board's (OWRB) authority for administering Oklahoma Water Quality Standards appropriately cite new emergency rules, OAC 252:730 and OAC 252:740, and DEQ's authority over Water Quality Standards including the authority to issue Water Quality Standard Variances. During the 2022 Oklahoma Legislative session, Senate Bill No. 1325 and House Bill No. 3824 were passed by the Legislature and signed by the Governor transferring authority for administering Oklahoma Water Quality Standards (OWQS) from the OWRB to DEQ and specifically authorizing DEQ to issue Water Quality Standards Variances.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
611	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
616	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
621	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
628	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
652	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
653	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
656	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards and Variances.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23

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690	WQMAC	Updated the rule to ensure that references to OAC 785:45 and to OWRB's authority for administering OWQS appropriately cite new emergency rule OAC 252:730 and DEQ's authority over Water Quality Standards and Variances.	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
730	WQMAC	Promulgated this new rule to replace OWRB rule OAC 785:45 – "OKLAHOMA'S WATER QUALITY STANDARDS".	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
740	WQMAC	Promulgated this new rule to replace OWRB rule OAC 785:46 – "IMPLEMENTATION OF OKLAHOMA'S WATER QUALITY STANDARDS".	EQB 9-13-22; Approved by Governor 10-25-22	Emergency	10-25-22 through 9-14-23
100 SC2 and APP Q	AQAC	Revoked and replaced Oklahoma Administrative Code (OAC) 252:100, Appendix Q. Updated language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. This action incorporated the latest changes to EPA regulations, primarily those relating to the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 C.F.R. Parts 60, 61, and 63.	EQB 11-8-22 Approved by SJR 22 on 5-31-23	Permanent	9-15-23
100 SC 5	AQAC	Amended OAC 252:100, Subchapter 5, Registration, Emission Inventory and Annual Operating Fees, to adjust the annual operating fee and to update the annual operating fee schedule language to include the use of the Consumer Price Index (CPI) in the adjustment of annual operating fees for minor facilities. Part 70 (major) sources are subject to adjusted annual operating fees based on the CPI.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
100 SC 49	AQAC	Added Subchapter 49, Oklahoma Emission Reduction Technology Rebate Program to OAC 252:100, to implement applicable provisions of the Oklahoma Emission Reduction Technology Incentive Act, 68 O.S. § 55006, et seq. The Act created the "Oklahoma Emission Reduction Technology Rebate Program," administered by DEQ and the Oklahoma Tax Commission, to provide an incentive for "Emission Reduction Projects" – implementation of new and innovative technologies to reduce air pollutant emissions from oil and gas facilities.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
205	HWAC	Amended OAC 252:205 to make DEQ's hazardous waste rules consistent with the federal regulations by incorporating by reference (IBR) the regulations found in 40 CFR Parts 124 and 260-279, revised as of July 1, 2022.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23

# Board Rulemaking Activities (continued)

Chapter	Council	Description	Adopted	Type	Effective
515	SWAC	Revised OAC 252:515-23-3. Disposal of untreated, regulated medical waste, to make clear that regulated medical waste generators, including small quantity generators, are also subject to any additional provisions that may be required by the Oklahoma State Department of Health.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
606	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.  In addition to that action, this rulemaking updated the federal rules incorporated by reference from July 19, 2021, to July 1, 2022.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
611	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
616	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
621	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
626	WQMAC	Updated the rule to allow Design-build as a project delivery method. On July 1, 2021, House Bill 2402 was enacted authorizing conservancy districts, municipalities, counties, public trusts, and other political subdivisions operating a public water supply system or wastewater treatment system to utilize Design-build. The measure requires DEQ incorporate a flexible permitting process to allow this Design-build authorization into its rules and to authorize up to 5 pilot projects in the interim before those rules are adopted.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
628	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
631	WQMAC	Updated the rule concerning the date of IBR of certain federal regulations from July 1, 2021, to August 17, 2022. Changes included EPA's approval of alternative testing methods for measuring the levels of contaminants in drinking water and determining compliance with national primary drinking water regulations.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
633	WQMAC	Removing illustrative language related to the application of outdated median household income information in Appendix A. The new Appendix A is intended to clarify that the Department uses information from the latest census regarding median household income, rather than listed dollar amounts, in prioritizing the award of Drinking Water State Revolving Fund.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23

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652	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
653	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
656	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.  Additionally, House Bill 2402 authorized certain public entities operating public water supply systems or wastewater treatment systems to utilize a "design-build" project delivery methods, which means that entities can enter a single contract that provides both design and construction services. HB 2402 further requires the Department to incorporate a flexible permitting process to allow this design-build authorization in its rules.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
690	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.  In addition to that action, this rulemaking updated the federal rules incorporated by reference from July 19, 2021, to July 1, 2022. The final regulatory change consisted of a technical amendment to modify the submission location for Continuous Release Reports (CRRs) subject to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
710	WQMAC	Updated the rule to allow DEQ to permanently revoke, or revoke for a set time an operator's certification; to better define special requirements for instructors of approved training courses; and, to allow recording of laboratory analyses utilizing software applications in addition to bound volumes.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
730	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23
740	WQMAC	Adopted the emergency rule promulgated on 10-25-22 (described above) as a permanent rule.	EQB 2-17-23; Approved by SJR 22 on 5-31-23	Permanent	9-15-23