**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**CHAPTER 515. MANAGEMENT OF SOLID WASTE**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions

 252:515-1-2 [AMENDED]

 252:515-1-8 [AMENDED]

Subchapter 9. Groundwater Monitoring/Corrective Action

 Part 3. Background Water Quality

 252:515-9-31 [AMENDED]

 Part 9. Assessment Monitoring

 252:515-9-94 [AMENDED]

252:515-9-96 [AMENDED]

Subchapter 13. Leachate Collection and Management

Part 5. Leachate Management

252:515-13-52 [AMENDED]

Subchapter 17. Stormwater Management

252:515-17-3 [AMENDED]

Subchapter 19. Operational Requirements

Part 5. Cover and Soil Borrow Requirements for Land Disposal Facilities

252:515-19-50 [AMENDED]

Part 13. Wheel Washes

252:515-19-131 [REVOKED]

252:515-19-133 [REVOKED]

252:515-19-138 [REVOKED]

Subchapter 21. Used Tire Processing, Certification, Permits and Compensation

Part 7. Compensation from the Used Tire Indemnity Fund

252:515-21-72 [AMENDED]

252:515-21-74 [REVOKED]

Subchapter 23. Regulated Medical Waste Management

Part 3. Operational Requirements for all Commercial Regulated Medical Waste Processing Facilities

252:515-23-31 [AMENDED]

Subchapter 25 Closure and Post-Closure Care

Part 5. Post-Closure

252:515-25-54 [AMENDED]

Subchapter 27. Cost Estimates and Financial Assurance

Part 1. General Provisions

252:515-27-4 [AMENDED]

252:515-27-8 [AMENDED]

Part 3. Cost Estimates

252:515-27-34 [AMENDED]

Subchapter 41. Roofing Material Recycling

252:515-41-5 [REVOKED]

252:515-41-6 [REVOKED]

252:515-41-7 [REVOKED]

252:515-41-8 [REVOKED]

252:515-41-9 [REVOKED]

252:515-41-10 [REVOKED]

252:515-41-11 [REVOKED]

Appendix H. Procedure for Calculating Closure Cost Estimates for Financial Assurance [REVOKED]

Appendix H. Procedure for Calculating Closure Cost Estimates for Financial Assurance [NEW]

Appendix I. Procedure for Calculating Post-closure Cost Estimates for Financial Assurance [REVOKED]

Appendix I. Procedure for Calculating Post-closure Cost Estimates for Financial Assurance [NEW]

**SUMMARY:**

 The Department of Environmental Quality (DEQ) is proposing to amend OAC 252:515 in response to Governor Stitt’s Executive Order 2020-03. The gist of this rulemaking is to remove redundant and outdated regulations and make minor changes to clarify existing language. Included, are proposed changes to clarify background water quality and assessment monitoring sampling requirements, and leachate storage options.

**AUTHORITY:**

 Environmental Quality Board, 27A O.S. §§ 2-2-101, and 2-10-201; Solid Waste Management Advisory Council, 27A O.S. § 2-2-201.

**COMMENT PERIOD:**

 Deliver or mail written comments on the proposed rules to the contact person from December 15, 2021 through January 19, 2022. Oral comments may be made at the Solid Waste Management Advisory Council meeting at 9:00 a.m. on January 20, 2022 and at the Environmental Quality Board meeting to be held on February 18, 2022 at the DEQ, first floor, 707 N. Robinson, Oklahoma City, OK 73102.

**PUBLIC HEARINGS:**

 Before the Solid Waste Management Advisory Council at 9:00 a.m. on January 20, 2022, in the Multi-Purpose Room, first floor of the DEQ, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board on February 18, 2022, at the DEQ, first floor, 707 N. Robinson, Oklahoma City, OK 73102.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

 The DEQ requests that business entities affected by these proposed rules provide the DEQ, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, record keeping, 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.

**PROPOSED RULES:**

 Copies of the proposed rules may be obtained from the contact person and may be viewed on the DEQ website at https://www.deq.ok.gov/land-protection-division/land-protection-division-proposed-rules/.

**RULE IMPACT STATEMENT:**

 The Rule Impact Statement for the proposed rules will be on file at the DEQ and may be requested from the contact person or viewed on the DEQ website at https://www.deq.ok.gov/land-protection-division/land-protection-division-proposed-rules/.

**CONTACT PERSON:**

 David Cates, Land Protection Division, Solid Waste Permitting Section, P.O. Box 1677, Oklahoma City, OK 73101-1677, e-mail at public.comments@deq.ok.gov, phone 405-702-5100, or fax 405-702-5101.

**ADDITIONAL INFORMATION:**

 Persons with disabilities who desire to attend the public hearing and need assistance should notify the contact person three days in advance of the meeting during business hours at 405-702-5100 or by using TDD relay number 1-800-522-8506.