

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 611. GENERAL WATER QUALITY**

Before the Water Quality Management Advisory Council on January 9, 2024
Before the Environmental Quality Board on February 13, 2024

RULE IMPACT STATEMENT

Subchapter 1. General Provisions

- 252:611-1-1 [AMENDED]
- 252:611-1-2 [AMENDED]
- 252:611-1-3 [AMENDED]
- 252:611-1-4 [AMENDED]
- 252:611-1-6 [AMENDED]
- 252:611-1-7 [AMENDED]

Subchapter 3. Certifications

- 252:611-3-1 [AMENDED]
- 252:611-3-2 [AMENDED]
- 252:611-3-3 [AMENDED]
- 252:611-3-4 [AMENDED]
- 252:611-3-5 [AMENDED]
- 252:611-3-6 [AMENDED]

Subchapter 5. Groundwater Pollution Control

- 252:611-5-1 [AMENDED]
- 252:611-5-2 [AMENDED]
- 252:611-5-3 [AMENDED]

Subchapter 7. Groundwater Protection [NEW]

- 252:611-7-1 [NEW]
- 252:611-7-2 [NEW]
- 252:611-7-3 [NEW]
- 252:611-7-4 [NEW]
- 252:611-7-5 [NEW]
- 252:611-7-6 [NEW]
- 252:611-7-7 [NEW]
- 252:611-7-8 [NEW]
- 252:611-7-9 [NEW]
- 252:611-7-10 [NEW]
- 252:611-7-11 [NEW]
- 252:611-7-12 [NEW]
- 252:611-7-13 [NEW]
- 252:611-7-14 [NEW]
- 252:611-7-15 [NEW]
- 252:611-7-16 [NEW]
- 252:611-7-17 [NEW]
- 252:611-7-18 [NEW]
- 252:611-7-19 [NEW]

Subchapter 9. Water Quality Standards Implementation Plan [NEW]

252:611-9-1 [NEW]

252:611-9-2 [NEW]

252:611-9-3 [NEW]

DESCRIPTION:

This Chapter provides the implementation rules related to groundwater protection. The proposed rules are intended to streamline agency rules as part of a proposal to transfer existing regulations from Chapter 690 into this chapter. As part of the proposed agency rule changes, Chapter 690 will be revoked and the provisions in Chapter 690 dealing with groundwater protection will be included in Chapter 611 and merged with the existing rules. The Department also proposes to correct minor typographical and formatting errors, and to update identifying nouns, such as replacing references to "the DEQ" to simply "DEQ," to be consistent with the agency's other regulations.

CLASSES OF PERSONS AFFECTED:

Classes of persons affected are those who own, operate or plan to operate municipal or industrial wastewater treatment facilities and that must obtain permits to treat, dispose, and reuse municipal and industrial wastewater. This will also affect customers of those systems, incarcerated persons, and any other person that recreates in Oklahoma's waters.

CLASSES OF PERSONS WHO WILL BEAR COSTS: There is no anticipated increase in costs as a result of these rule changes.

INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES: DEQ has not received any information from other public or private entities concerning the cost impacts of the proposed regulations.

CLASSES OF PERSONS BENEFITTED: Classes of persons benefitted are those who own, operate or plan to operate municipal and industrial wastewater treatment facilities and that must obtain permits to treat, dispose, and reuse municipal and industrial wastewater. This will also affect customers of those systems, incarcerated persons, and any other person that recreates in Oklahoma's waters.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: There is no anticipated increase in costs as a result of these rule changes.

PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS: It is unlikely that the proposed rulemaking will have an economic impact on political subdivisions (e.g., municipalities).

POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS: DEQ has not identified any foreseeable adverse effect on small businesses.

LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE: None

PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE: There will be additional staffing costs to update all rule citations in permits, fact sheets and other associated documents.

PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE: There are no anticipated impacts to other agencies.

SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE: Potential sources of funding include General Revenue, federal grant dollars, and fees for service for certain activities.

PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED: DEQ projects there will be additional staffing costs to update rule citations in permits, fact sheets, and other associated documents.

COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE: DEQ does not anticipate the need for additional cooperation with political subdivisions associated with this rulemaking.

EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS: DEQ intends to use current staffing and workload as much as possible to update rule citations in permits, fact sheets and other associated documents. However, DEQ anticipates additional staff may be needed.

DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE: DEQ has determined there are no less costly or non-regulatory methods of achieving the purpose of the proposed regulations.

DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT: There is no specific anticipated effect on public health and safety at this time.

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: This update is not designed to reduce significant risks to the public health, safety and environment.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:

There has been no determination of any detrimental effect on public health, safety and environment.

PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE): DEQ has not received any quantifiable or qualitative data of the impacts of the proposed updates.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: December 7, 2023