

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 631. PUBLIC WATER SUPPLY OPERATION**

Before the Water Quality Management Advisory Council on January 7, 2025
Before the Environmental Quality Board on January 21, 2025

RULE IMPACT STATEMENT

Subchapter 1. Introduction

252:631-1-2 [AMENDED]

252:631-1-3 [AMENDED]

Subchapter 3. Operations

252:631-3-1 [AMENDED]

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252:631-3-11 [AMENDED]

252:631-3-17 [AMENDED]

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252:631-3-21 [AMENDED]

252:631-3-23 [AMENDED]

DESCRIPTION:

The gist of this rule and the underlying reason for the rulemaking is to: (1) update the rule concerning the date of incorporation by reference of certain federal regulations from August 17, 2022, to October 30, 2024; (2) correct a grammatical error; (3) remove references to Fecal Coliform and replace, where appropriate, with *E. coli*; (4) update laboratory emergency notification requirements to match Tier 1 public notice (PN) requirements in the C.F.R.; (5) update validation of data requirements for sampling procedures to match the intent of the C.F.R.; (6) update Consumer Confidence Reports (CCR) delivery requirements to match the CCR requirements in the C.F.R.; (7) remove total chlorine residual testing requirements for systems that use free chlorine; and (8) update public water supply (PWS) immediate notification requirements to match Tier 1 PN requirements in the C.F.R. and to account for physical and cybersecurity concerns.

CLASSES OF PERSONS AFFECTED: Classes of persons affected are those who own, operate or plan to operate a public water supply system. This will also affect customers of those systems, both in-state residents and out-of-state visitors, as well as incarcerated persons.

CLASSES OF PERSONS WHO WILL BEAR COSTS: Public water supply system operators, owners, and rate payers.

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

CLASSES OF PERSONS BENEFITTED: Classes of persons benefitted are those who own, operate or plan to operate a public water supply system. This will also benefit customers of those systems, both in-state residents and out-of-state visitors, as well as incarcerated persons.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: There are anticipated economic impacts as a result of the proposed rule changes, especially related to the federal mandates regarding the PFAS and lead and copper rules. Other proposed changes are not expected to increase costs.

PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS: There are anticipated economic impacts as a result of the proposed rule changes, especially related to the federal mandates regarding the PFAS and lead and copper rules. Other proposed changes are not expected to increase costs.

POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS: DEQ has not identified any foreseeable adverse effect on small businesses (e.g., commercial entities that provide drinking water from their own public water supply system and accredited laboratories).

LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE: There are no proposed fee changes associated with this rulemaking.

PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE: There are anticipated additional costs to DEQ to implement and enforce the proposed rules, especially related to the federal mandates regarding the PFAS and lead and copper rules.

PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE: There are no probable costs to other agencies associated with this rulemaking except those that operate their own public water supply systems will have increased compliance cost regarding the PFAS and lead and copper rules.

SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE: DEQ is requesting \$470,187 from General Revenue funds to help implement the lead and copper rules. Existing funding will be used to implement this rule as well.

PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED: None anticipated; the proposed rule does not alter neither the DEQ's fee structure nor the duties of DEQ or other agencies.

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 staff provides technical assistance and support in utilizing existing resources, such as monitoring data, to minimize compliance costs associated with this rulemaking.

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 an anticipated benefit in protecting public health, safety, and the environment, by monitoring for, and when necessary, treating for PFAS contamination. There is an additional benefit in protecting the public from exposure to lead and copper in drinking water.

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 proposed rulemaking is designed to reduce significant risk to public health, safety and the environment by identifying sources of PFAS and lead and to remove or treat these sources as necessary to prevent public exposure to these contaminants in their drinking water.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED: If proposed rules are not implemented, the public may be unnecessarily exposed to PFAS and lead contamination.

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: October 25, 2025