

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 730. OKLAHOMA'S WATER QUALITY STANDARDS**

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

252:730-1-1 [AMENDED]

252:730-1-2 [AMENDED]

252:730-1-4 [AMENDED]

Subchapter 5. Surface Water Quality Standards

252:730-5-4 [AMENDED]

252:730-5-5 [AMENDED]

252:730-5-10 [AMENDED]

252:730-5-12 [AMENDED]

252:730-5-25 [AMENDED]

Subchapter 7. Groundwater Quality Standards

252:730-7-4 [AMENDED]

Appendix A. Designated Beneficial Uses of Surface Waters [REVOKED]

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Appendix B. Areas with Waters of Recreational and/or Ecological Significance
[REVOKED]

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Appendix E. Requirements for Development of Site-Specific Criteria for Certain
Parameters [REVOKED]

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Parameters [NEW]

Appendix F. Statistical Values of the Historical Data for Mineral Constituents of Water
Quality (Beginning October 1976 Ending September 1983, Except as Indicated) [REVOKED]

Appendix F. Statistical Values of the Historical Data for Mineral Constituents of Water
Quality (Beginning October 1976 Ending September 1983, Except as Indicated) [NEW]

Appendix H. Beneficial Use Designations for Certain Limited Areas of Groundwater
[REVOKED]

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[NEW]

DESCRIPTION:

The rules in this chapter make up the Oklahoma Water Quality Standards, which were recently enacted following a transfer in authority to the agency from the Oklahoma Water Resources Board. Proposed revisions to Section 252:730-1-1 will update statutory references to the agency's legal authority over water quality standards. Proposed revisions to this Section 252:730-1-2 will combine or eliminate duplicative definitions. Other proposed revisions will correct formatting and typographical errors throughout the chapter, and will replace references to OAC 252:690 with references to OAC 252:606 as part of a plan to streamline and consolidate rules that will result in OAC 252:690 being revoked.

The agency proposes to revoke and re-enact revised versions of Appendices A, B, E, F, and H. The proposed changes to Appendix A include the modification of certain waterbody names, descriptions, and Waterbody ID Numbers in the existing version, but the proposed changes do not add, change or remove any beneficial uses for said waterbodies. A proposed change to Appendix B gives a different WQM Segment number for the Blue River Wildlife Management Area. Proposed changes to Appendix E include the addition of identification numbers for the existing site-specific criteria listed in the existing version. Proposed changes to Appendix F correct a single citation error in the existing version. The proposed new Appendix H will contain new groundwater beneficial use designations associated with roughly nine new remediation sites regulated by DEQ's Land Protection Division since the last major Water Quality Standards revision.

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 and those that consume drinking water in Oklahoma.

CLASSES OF PERSONS WHO WILL BEAR COSTS: There is no anticipated increase in costs because 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 and those that consume drinking water in Oklahoma.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: There is no anticipated increase in costs because 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

