

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

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

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]

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

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

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

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

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

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

SUMMARY:

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.

AUTHORITY:

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203.

Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

COMMENT PERIOD:

Written comments may be submitted to the contact person from December 1, 2023, through January 9, 2024. Oral comments may be made at the Water Quality Management Advisory Council meeting on January 9, 2024, and at the Environmental Quality Board meeting on February 13, 2024.

PUBLIC HEARINGS:

Oral comments will be heard before the Water Quality Management Advisory Council on January 9, 2024, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, additional oral comments will be considered by the Environmental Quality Board at its meeting scheduled on Tuesday, February 13, 2024, at 9:30 a.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ, within the comment period, comments about any increase in the level of costs, such as fees, and also including indirect costs, such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred due to compliance with the proposed rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://www.deq.ok.gov/council-meetings/water-quality-management-advisory-council/>.

RULE IMPACT STATEMENT:

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://www.deq.ok.gov/council-meetings/water-quality-management-advisory-council/>.

CONTACT PERSON:

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email brian.clagg@deq.ok.gov, phone (405) 702-8100, or fax (405) 702-8101.

PERSONS WITH DISABILITIES:

Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.