

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**CHAPTER 628. INDIRECT POTABLE REUSE FOR SURFACE WATER**  
**AUGMENTATION**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions [NEW]
  - 252:628-1-1 Purpose and authority [NEW]
  - 252:628-1-2 Definitions [NEW]
  - 252:628-1-3 Applicability and general requirements [NEW]
  - 252:628-1-4 Fees [NEW]
- Subchapter 3. Benchmarks and Implementation for IPR Source Water Discharges [NEW]
  - 252:628-3-1 General provisions [NEW]
  - 252:628-3-2 Other rules apply [NEW]
  - 252:628-3-3 IPR benchmarks for pathogens [NEW]
  - 252:628-3-4 General IPR benchmarks [NEW]
  - 252:628-3-5 IPR primary benchmarks [NEW]
  - 252:628-3-6 IPR benchmarks for additional conservative parameters [NEW]
  - 252:628-3-7 IPR benchmarks for nutrients, chlorophyll-a and algal biomass [NEW]
  - 252:628-3-8 IPR benchmarks for Constituents of Emerging Concern [NEW]
  - 252:628-3-9 Monitoring frequency reductions [NEW]
  - 252:628-3-10 Reduction or cessation of discharge [NEW]
- Subchapter 5. Treatment Standards for IPR Source Water [NEW]
  - 252:628-5-1 IPR Source Water Treatment Plant [NEW]
  - 252:628-5-2 Source control [NEW]
  - 252:628-5-3 Reliability, redundancy, robustness, and resilience [NEW]
  - 252:628-5-4 General Standards, Preliminary Treatment Standards, and Sludge Facility Standards [NEW]
  - 252:628-5-5 Nutrient removal requirements [NEW]
  - 252:628-5-6 Filtration requirements [NEW]
  - 252:628-5-7 Disinfection requirements [NEW]
  - 252:628-5-8 Constituents of Emerging Concern requirements [NEW]
- Subchapter 7. Operation and Maintenance for IPR Source Water Treatment Plants [NEW]
  - 252:628-7-1 General provisions [NEW]
  - 252:628-7-2 Compliance required [NEW]
  - 252:628-7-3 DEQ's right to inspect [NEW]
  - 252:628-7-4 Security [NEW]
  - 252:628-7-5 Operation and maintenance for IPR Source Water Treatment Plants [NEW]
  - 252:628-7-6 Laboratory accreditation [NEW]
  - 252:628-7-7 Validation of data [NEW]
  - 252:628-7-8 Operator requirements [NEW]
  - 252:628-7-9 Sampling, recordkeeping and reporting requirements [NEW]
- Subchapter 9. Permitting Requirements for IPR Source Water [NEW]
  - 252:628-9-1 General [NEW]

- 252:628-9-2 Permitting process [NEW]
- 252:628-9-3 Applications [NEW]
- 252:628-9-4 Feasibility study [NEW]
- 252:628-9-5 Pilot study [NEW]
- 252:628-9-6 Engineering report [NEW]
- 252:628-9-7 Plans and specifications [NEW]
- 252:628-9-8 Revisions [NEW]
- 252:628-9-9 Variances from construction standards [NEW]
- 252:628-9-10 Operation and maintenance [NEW]
- Subchapter 11. IPR Receiving Waterbody Monitoring [NEW]
- 252:628-11-1 General provisions [NEW]
- 252:628-11-2 Sampling plans [NEW]
- 252:628-11-3 Data requirements [NEW]
- 252:628-11-4 SWS-R requirements [NEW]
- 252:628-11-5 Action levels [NEW]
- 252:628-11-6 Trend monitoring [NEW]
- 252:628-11-7 Developing parameter monitoring lists [NEW]
- Appendix A. IPR Source Water Benchmarks [NEW]

**SUMMARY:**

The Department is proposing to create a new Chapter, OAC 252:628 (Indirect Potable Reuse for Surface Water Augmentation), to allow for a regulatory structure for an indirect potable reuse (IPR) program. This Chapter addresses surface water augmentation affecting Public Water Supply Systems. The purpose of the Chapter is to enable DEQ to issue permits to those who wish to undertake an IPR project. The Chapter establishes a multi-step permitting process and requirements for the construction and operation of an IPR project. The Chapter requires appropriate testing and modeling to ensure a project is feasible and that the waterbody is not harmed. In addition, the Chapter establishes the fees associated with IPR permitting and operations.

**AUTHORITY:**

Environmental Quality Board, 27A O.S. § 2-2-101; Water Quality Management Advisory Council, 27A O.S. § 2-2-201; and 27A O.S. §§ 2-6-103, 2-6-303 and 2-6-306.

**COMMENT PERIOD:**

Written comments may be submitted to the contact person from December 1, 2017, through January 2, 2018.

Oral comments may be made at the Water Quality Management Advisory Council meeting on January 11, 2018, and at the Environmental Quality Board meeting on February 16, 2018.

**PUBLIC HEARINGS:**

A public hearing will be held at 2:00 p.m. on Thursday, January 11, 2018, in the Multi-Purpose Room, first floor of the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102.

A public hearing will be held at 9:30 a.m. on Friday, February 16, 2018, in the Multi-Purpose Room, first floor of the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The DEQ requests that business entities affected by the proposed rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

**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 <http://www.deq.state.ok.us/wqdnew/index.htm>.

**RULE IMPACT STATEMENT:**

The Rule Impact Statement for the proposed rules will be on file at the Department of Environmental Quality and may be requested from the contact person, or viewed on the DEQ website at <http://www.deq.state.ok.us/wqdnew/index.htm>.

**CONTACT PERSON:**

Gregory Carr, Water Quality Division, Chief Engineer, P.O. Box 1677, Oklahoma City, OK 73101-1677, e-mail at [Gregory.Carr@deq.ok.gov](mailto:Gregory.Carr@deq.ok.gov), phone 405-702-8100, or fax 405-702-8101.

**ADDITIONAL INFORMATION:**

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.