

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 4. RULES OF PRACTICE AND PROCEDURE**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 7. Environmental Permit Process

252:4-7-73 Water quality applications - Tier I [AMENDED]

252:4-7-74 Water quality applications - Tier I [AMENDED]

**SUMMARY:**

The changes being proposed are to correct unintended consequences from the amendments made during last year's rulemaking effort to include reclaimed water permits in the Tier classifications. By replacing "wastewater" with "reclaimed water" the Department inadvertently caused the land application of "biosolids" and "industrial wastewater" to be omitted from the Tier classifications.

**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. §§ 1-3-101, 2-3-202, 2-3-402, 2-3-501, 2-6-103, 2-6-203, 2-6-402 and 2-6-501.

**COMMENT PERIOD:**

Written comments may be made, delivered or mailed to the contact person from December 1, 2012, through December 31, 2012. Oral comments may be made at the Water Quality Management Advisory Council meeting on January 8, 2013, and at the Environmental Quality Board meeting on February 22, 2013.

**PUBLIC HEARING:**

Before the Water Quality Management Advisory Council on January 8, 2013, at 1:00 p.m. in the multi-purpose room on the first floor of the Department of Environmental Quality at 707 N. Robinson, Oklahoma City, Oklahoma 73102.

Before the Environmental Quality Board on February 22, 2013, at 9:30 a.m. in the multi-purpose room on the first floor of the Department of Environmental Quality at 707 N. Robinson, Oklahoma City, Oklahoma 73102.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

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

**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 a.m. - 4:30 p.m. Monday through Friday) or reviewed online at <http://www.deq.state.ok.us/wqdnew/index.htm>.

**RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed

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

**CONTACT PERSON:**

The contact person is Mark Hildebrand. Mark may be contacted at: [mark.hildebrand@deq.ok.gov](mailto:mark.hildebrand@deq.ok.gov) (e-mail), (405) 702-8100 (phone) or (405) 702-8101 (fax). DEQ is located at 707 N. Robinson, Oklahoma City, Oklahoma 73102. DEQ's mailing address is P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677.

**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.