

**TITLE 252. OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 616. INDUSTRIAL WASTEWATER SYSTEMS**

RULE IMPACT STATEMENT

Before the Water Quality Management Advisory Council on January 8, 2013

Before the Environmental Quality Board on February 22, 2013

1. **DESCRIPTION:** The purpose for this rulemaking is to update the definitions; clarify that the application fees and annual fees for Class III systems apply to applications for coverage under general permits; change the term “flexible membrane liner” to the appropriate technical term “synthetic liner;” eliminate the use of lateral lines for new industrial tank systems; and update Appendix C with the latest rainfall and evaporation data.
2. **CLASSES OF PERSONS AFFECTED:** Current and future holders of general permits; future owners or operators of industrial facilities that use a tank system to store wastewater; all future owners or operators of new wastewater surface impoundments and current owners or operators of industrial wastewater facilities that expand or upgrade their wastewater treatment system.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** No anticipated increased costs.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** None submitted as of this date.
5. **CLASSES OF PERSONS BENEFITTED:** The citizens of Oklahoma benefit from the added protection of the state’s waters and soils by the prohibition of new industrial tank systems with lateral lines. Also, all industrial facilities that need to build or expand existing surface impoundments benefit from having up to date rainfall and evaporation data to use in the design of the wastewater treatment facilities.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** There is no anticipated economic impact on industrial wastewater treatment facilities.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** None anticipated.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** None anticipated.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** This is not a new fee rule nor is it a change in General Permit fee amounts. General Permit fees are currently listed in OAC 252:606. The General Permit fee for industrial wastewater systems is being moved from Chapter 606 to this Chapter.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** None anticipated.

11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** None.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** There is no new funding necessary to implement and enforce this rule. Current funding sources include federal grant funds, user fees, and general revenue appropriations.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** None.
14. **COOPERATION OF POLITICAL SUBDIVISION REQUIRED TO IMPLEMENT OR ENFORCE RULE:** None.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** Changes to tank systems apply only to new facilities. Existing facilities can continue to operate as they did prior to the passage of this rule.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** None.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** There will be improved protection of public health by prohibiting the disposal of industrial wastewater through lateral lines which can impact the quality of drinking water.
18. **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:** There will be improved protection of public health by prohibiting the disposal of industrial wastewater through lateral lines which can impact the quality of drinking water. Industrial wastewater can contain a wide array of chemicals that can contaminate drinking water and lead to serious health impacts to those that consume the water. The proposed changes will lessen the likelihood of such contamination.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** It is possible that ground water used for drinking water could become polluted if the change is not adopted.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** None.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: December 12, 2012