

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

Before the Water Quality Management Advisory Council on January 13, 2015
Before the Environmental Quality Board on February 20, 2015

RULE IMPACT STATEMENT

DESCRIPTION: The proposed rulemaking is to amend section 76 UIC applications-Tier I, section 77 UIC applications-Tier II, and section 78 UIC applications-Tier III of subchapter 7 Water Quality Division Tiers and Time Lines, which describes underground injection control authorizations requiring Tier I, Tier II and Tier III applications. The proposed rulemaking will make it possible to apply for a Class V injection well permit for disposal of drinking water treatment residuals into a Class II-D well, permitted by OCC by submitting a Tier I application. The proposed rulemaking is intended to reduce the burden of drinking water treatment residuals management for communities that are faced with increasing water demands and have difficulties meeting surface water discharge standards for the disposal of the drinking water treatment residuals.

CLASSES OF PERSONS AFFECTED: Entities who wish to dispose of drinking water treatment residuals.

CLASSES OF PERSONS WHO WILL BEAR COSTS: No costs are associated with this rulemaking.

INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES: No information is available for cost impacts for this proposed rulemaking.

CLASSES OF PERSONS BENEFITTED: Entities wanting to inject drinking water treatment residuals into an injection well.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: There is no economic impact on affected classes of persons with the proposed rulemaking.

PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS: There is no economic impact on political subdivisions with the proposed rulemaking.

POTENTIAL ADVERSE EFFECT OF SMALL BUSINESS: No adverse effects on small businesses is anticipated with this proposed rulemaking.

LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE: None.

PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE: DEQ will incur the cost of reviewing permit applications and site compliance checks.

PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE: No new costs or benefits to other agencies is anticipated with the proposed rulemaking.

SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE: Existing Underground Injection Control fees and EPA grant monies will be the source of revenue used to implement and enforce the proposed rule.

PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED: No net loss or gain in revenues are anticipated with this proposed rulemaking.

COOPERATION OF POLITICAL SUBDIVISION REQUIRED TO IMPLEMENT OR ENFORCE RULE: No cooperation of political subdivision is required for this proposed rulemaking.

EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS: No new compliance measures are to be instituted at this time with the proposed rulemaking.

DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE: There are no less costly or nonregulatory methods of achieving the purpose of the proposed rule.

DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT: The proposed rule has no effect on public health, safety and the environment as it is administrative in nature.

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: Not applicable.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED: No detrimental effect on the public health, safety and the environment will occur with the proposed rule.

PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE): The only business entities affected by the proposed rulemaking are ones that generate drinking water treatment residuals.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: October 17, 2014.