

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 626. PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS**

**RULE IMPACT STATEMENT**

Before the Water Quality Management Advisory Council on January 12, 2016  
Before the Environmental Quality Board on February 19, 2016

1. **DESCRIPTION:** The Department is proposing to: (1) add definitions for “25-year flood” and "100-year flood"; (2) clarify the definitions for “CT,” “Community water system,” "Minor water system” and “Public Water Supply system,” to be consistent with other DEQ and federal regulations; (3) add language requiring maps, site plans, and schematic layout of treatment facilities with engineering reports; (4) clarify the requirement for standby power and elevated storage to be based off peak hourly demand; (5) add a requirement for a concrete splash pad outside the wellhouse where blow-off valve discharges; (6) add a requirement that filters be equipped to indicate or otherwise measure head loss; (7) add a requirement that each filter unit indicate the instantaneous rate of flow; (8) clarify the requirement that mechanical dewatering of residuals be constructed in accordance with OAC 252:656-19-5(3)(4) and (5); (9) clarify the requirements for residual lagoons; (10) add a requirement that plant outfalls be designed and constructed in accordance with OAC 252:656-9-3 when wastewater is discharged; and (11) other minor clarifications. The proposed amendments are primarily intended to improve the operation and maintenance of all public water systems in the state and to improve the safety of drinking water provided to the citizens of Oklahoma.
2. **CLASSES OF PERSONS AFFECTED:** Classes of persons affected are those who construct, operate or plan to construct or operate a public water supply system.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Classes of persons who will bear the costs are those that construct and/or operate a public water supply. It is anticipated that any increase in costs will be passed along to the consumer.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** DEQ has not received any information from other public or private entities concerning the cost impacts of the proposed regulations.
5. **CLASSES OF PERSONS BENEFITTED:** All citizens of Oklahoma will be benefitted, particularly those members of the public who consume drinking water from a public water supply. The DEQ anticipates that these proposed rules will result in safer drinking water across the State.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** DEQ anticipates a small economic impact to owners of public water supply systems that are not already implementing the proposed measures. However, some of the proposed

requirements should allow public water supply systems to better operate and maintain the water treatment plant, which may result in overall economic savings to the systems.

7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** DEQ anticipates a small economic impact to political subdivisions (e.g., municipalities and rural water associations). However, some public water supply systems operated by political subdivisions across the State have already implemented some or all of these measures. Once implemented, it is anticipated that these measures could result in an overall reduction of operation and maintenance costs.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** DEQ anticipates a small economic impact to small businesses (e.g., commercial entities that provide drinking water from their own public water supply system) that are not already implementing the proposed measures.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** There are no proposed fee changes associated with this rulemaking.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** There are no anticipated additional costs to the DEQ to implement and enforce the proposed rules. Implementing the proposed rule modifications will help DEQ continue to ensure the safety of the public drinking water supply in Oklahoma consistent with the federal program.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** DEQ anticipates a small economic impact to state agencies that construct, operate or plan to construct or operate a public water supply system (e.g., Department of Corrections). However, some public water supply systems operated by state agencies may have already implemented some or all of these measures. Once implemented, it is anticipated that these measures could result in an overall reduction of operation and maintenance costs.
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:** There are neither projected net losses nor gains in revenue associated with this rulemaking.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** DEQ anticipates some additional cooperation with political subdivisions that are not already implementing the provisions of this rulemaking.

15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** No measures were identified that might minimize compliance costs. However, compliance should generally result in lower operational and maintenance costs to public water supply systems.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** DEQ has determined there are no less costly or non-regulatory methods of achieving the purpose of the proposed regulations.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed changes will reduce the likelihood of the presence of bacteria in drinking water from public water supplies.
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:** The proposed minor modifications to public water supply construction standards will aid in preventing illnesses caused by bacteria. Due to under reporting of illnesses, it is not possible to quantify the reduction of the risk.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** If the proposed regulations are not promulgated, then consumers of water from public water systems will continue to be more at risk for contracting bacteria-related illnesses.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** DEQ has not identified any substantive quantitative or qualitative impact on business entities as a result of this rulemaking.

**THIS RULE IMPACT STATEMENT WAS PREPARED ON:** December 15, 2015

**AMENDED ON:** January 12, 2016