

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 690. WATER QUALITY STANDARDS IMPLEMENTATION**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULES:

Subchapter 1. Introduction

252:690-1-3 Technical Acronyms [AMENDED]

252:690-1-4 Incorporation of EPA regulations by reference [AMENDED]

252:690-3-78 Implementation of bacteriological criteria to protect the Public and Private Water Supply beneficial use [AMENDED]

252:690-3-86 Implementation of bacteriological criteria to protect the Primary Body Contact Recreation (PBCR) and the Secondary Body Contact Recreation (SBCR) beneficial use [AMENDED]

252:690-5-2 Discharge Standards [AMENDED]

Appendix B. Priority and Nonpriority Pollutants with Numerical Criteria Requiring Reasonable Potential Screening [REVOKED]

Appendix B. Priority and Nonpriority Pollutants with Numerical Criteria Requiring Reasonable Potential Screening [NEW]

SUMMARY:

The Department proposes to update its rules concerning the date of the incorporation by reference for federal regulations from July 1, 2013, to July 1, 2015. The most significant federal regulation updates being incorporated are an update regarding cooling water intake structures and an update to the sufficiently sensitive method rule (SSMR), which affects the testing methodology laboratories must use when testing water samples. The update to the SSMR requires the Department to update Appendix B, Priority and Nonpriority Pollutants with Numerical Criteria Requiring Reasonable Potential Screening. The Department is updating Appendix B by revoking it and re-enacting Appendix B with the necessary updates. Additionally, the Department is deleting the term “CFU,” colony forming units, from this rule in accordance with changes made by the Oklahoma Water Resources Board. Lastly, the Department is updating references to previously revoked rules.

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, 2-6-203, 2-6-402 and 2-6-501.

COMMENT PERIOD:

Written comments may be submitted to the contact person from December 1, 2015, through December 31, 2015.

Oral comments may be made at the Water Quality Management Advisory Council meeting on January 12, 2016, and at the Environmental Quality Board meeting on February 19, 2016.

PUBLIC HEARING:

Before the Water Quality Management Advisory Council on January 12, 2016, at 2:00 p.m. in the Multi-Purpose Room on the first floor of the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma 73102.

Before the Environmental Quality Board on February 19, 2016, at 9:30 a.m. in the Multi-Purpose Room on the first floor of the Department of Environmental Quality, 707 North Robinson, Oklahoma City, Oklahoma 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.

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 am - 4:30 pm 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 (e-mail), (405) 702-8100 (phone) or (405) 702-8101 (fax). The DEQ is located at 707 N. Robinson, Oklahoma City, Oklahoma 73102. The 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.