

**DEPARTMENT OF ENVIRONMENTAL QUALITY
RULES PROPOSED BY THE WATER QUALITY DIVISION
OFFICIAL PUBLIC COMMENT RESPONSE DOCUMENT**

Comment Period: December 1, 2017, through January 2, 2018, and January 11, 2018 WQMAC Meeting

OAC 252:628 Indirect Potable Reuse for Surface Water Augmentation

- a. **COMMENT:** Regarding Section 628-3-5(a)(2)(B) and (D), DEQ received similar comments from the City of Norman and Tetra Tech, Inc. indicating that modeling conservative parameters and referring to modeling a pollutant in the receiving waters during a 'drought of record' may not be necessary and will potentially add millions of dollars to an Indirect Potable Reuse (IPR) project.
-- *City of Norman and Tetra Tech, Inc.*

RESPONSE: In response to this comment, DEQ has changed the language in Section 628-3-5(a)(2)(B) to allow for the possibility of maintaining IPR primary benchmarks in the lake by using tiered permit limits based on reduced lake capacities in lieu of adding additional levels of treatment. The language in Section 628-3-5(a)(2)(D) was also changed to be consistent with proposed language in the Oklahoma Water Resources Board rules in 785 OAC 46-13-4(a)(2)(A). The modified language is as follows:

252:628-3-5. IPR primary benchmarks

(a) **Primary benchmarks.** IPR Source Water shall be treated to meet the primary benchmarks established in Appendix A of this Chapter in accordance with the following:

(1) **Non-conservative parameters.** Refer to Appendix A of this Chapter for the list of primary non-conservative parameters.

(A) Primary benchmarks shall apply at end of pipe.

(B) Effluent limitations and monitoring requirements shall be established in the permit for those parameters with primary benchmarks which are demonstrated or believed to be present in the IPR Source Water discharge based on information in the OPDES discharge permit application or other available data.

(C) The primary benchmarks for parameters identified in this paragraph shall be applied as daily maximum permit limits in the OPDES discharge permit. Monthly average permit limits shall be established as two-thirds times the daily maximum permit limits.

(2) **Conservative parameters.** Refer to Appendix A of this Chapter for the list of primary conservative parameters.

(A) Primary benchmarks shall apply at end of pipe.

(B) ~~Where an HMB model demonstrates that a pollutant will exceed a primary benchmark in the receiving water during drought of record conditions, as defined in this Chapter, the effluent concentration shall be reduced accordingly such that the drought of record concentration does not exceed the primary benchmark.~~ An HMB model or equivalent analysis covering the entire period of record may be performed in order to establish a tiered system for effluent loading that ensures the concentration of conservative parameters in the lake do not exceed the greater of the primary benchmark or the existing ambient concentrations absent the discharge.

(C) Effluent limitations and monitoring requirements shall be established in the permit

for those parameters with primary benchmarks which are demonstrated or believed to be present in the IPR Source Water discharge based on information in the OPDES discharge permit application or other available data.

~~(D) The primary benchmarks or drought of record concentrations, whichever are lower, for parameters identified in this paragraph shall be applied as daily maximum permit limits in the OPDES discharge permit. Monthly average permit limits shall be established as two thirds times the daily maximum permit limits. All beneficial uses in the receiving waterbody shall be maintained and protected during drought of record conditions.~~

(b) **No mixing zones.** No mixing zones or dilution factors shall be allowed for establishing effluent limitations based on IPR primary benchmarks.

(c) **Effluent monitoring requirements.** The following effluent monitoring requirements apply:

(1) Parameters with primary benchmarks which are included in the permit shall be monitored at the following minimum frequencies:

- (i) Disinfection Byproducts, Metals and Inorganics, Organics: Twice a month;
- (ii) Nutrients: Weekly during the period of May through October and twice a month during the period of November through April;
- (iii) Pesticides: Monthly; and
- (iv) Radionuclides: Every five (5) years upon permit renewal, in accordance with permit application requirements.

(2) DEQ may increase the monitoring frequencies listed in (c) of this Section for a period not to exceed two years during the initial permit cycle for the purpose of establishing the pattern and extent of variation for a given pollutant.

- b. **COMMENT:** Regarding the definition of Consumer Price Index (CPI) in Section 628-1-2, Tetra Tech, Inc. recommends adding a reference to Section 628-1-4(e).
-- *Tetra Tech, Inc.*

RESPONSE: DEQ concurs with this comment, and in response modified the definition to include a reference to Section 628-1-4(e).

- c. **COMMENT:** Regarding the definition of IPR Source Water Treatment Plant in Section 628-1-2, Tetra Tech, Inc. recommends adding the acronym "IPR SWTP."
-- *Tetra Tech, Inc.*

RESPONSE: DEQ concurs with this comment, and in response modified the definition by adding the acronym "IPR SWTP."

- d. **COMMENT:** Regarding Section 628-3-3 and Appendix A, Tetra Tech, Inc. recommends clarifying that the pathogen disinfection log removals are from the secondary treated effluent to IPR end of pipe discharge.
-- *Tetra Tech, Inc.*

RESPONSE: DEQ concurs with this comment, and in response modified Section 628-3-3(a) and Appendix A as suggested.

Formal Comment Received at the January 11, 2018 Water Quality Management Advisory Council Meeting

Mr. Ken Komiske, Director of Utilities, City of Norman addressed the Council. Mr. Komiske presented to the Council that the City of Norman had formed an ad hoc committee “from all walks of the community” to work on a strategic water supply plan. Mr. Komiske further stated that this was a two year process and that it had held six public meetings to make sure everyone’s concerns were considered. As a result, Norman chose water reuse as their solution. Mr. Komiske then presented a letter of support to the Council, along with a Resolution (No. R-1718-80) in support of OAC 252:628 Indirect Potable Reuse for Surface Water Augmentation (Attached).

RESPONSE: DEQ appreciates the continued support from the City of Norman.