

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

**SUBCHAPTER 1. INTRODUCTION**

Section

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

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

**252:690-1-3. Technical Acronyms**

The following technical acronyms, when used in this Chapter, shall have the following meaning:

" $\Delta T_{\max}$ " means the maximum temperature increase in °C at the edge of the temperature mixing zone.

"7Q2" means the 7 day low flow of a stream likely to occur with a 50% probability each year. The procedure for determining a site-specific 7Q2 is described at OAC 785:46.

"7T2" means the 7 day maximum temperature likely to occur with a 50% probability each year. The procedure for determining a site-specific 7T2 is described at OAC 785:46.

"ACD" means acute critical dilution.

"BOD<sub>5</sub>" means 5-day biochemical oxygen demand.

"BT/C ratio" means the ratio of trigger background concentration to associated water quality criterion.

"(BT/C)<sub>max</sub>" means the maximum BT/C ratio for a given criterion for which background monitoring is required as a permit condition.

"C<sub>95</sub>" means the 95<sup>th</sup> percentile maximum likelihood effluent concentration of a substance. It is the product of C<sub>E(mean)</sub> and RPF<sub>95</sub>.

"C<sub>95(M)</sub>" means the 95<sup>th</sup> percentile maximum likelihood effluent concentration of a substance, accounting for the size of the effluent data set. It is the product of C<sub>E(max)</sub> and RPF<sub>95(M)</sub>.

"C<sub>A</sub>" means the acute numerical criterion for toxic substances.

"C<sub>B</sub>" means background concentration.

"C<sub>C</sub>" means the chronic numerical criterion for toxic substances.

"C<sub>d</sub>" means the instream concentration of a substance resulting from a wastewater discharge.

"C<sub>d(A)</sub>" means the instream concentration of a substance as determined by the acute mixing equation.

"C<sub>d(c)</sub>" means the maximum instream concentration of a substance at the edge of the chronic mixing zone.

"C<sub>d(FF)</sub>" means the instream concentration of a substance after complete mixing, as applied to determination of reasonable potential to exceed a human health criterion for the consumption of fish flesh.

"C<sub>d(FFW)</sub>" means the instream concentration of a substance after complete mixing, as applied to determination of reasonable potential to exceed a human health criterion for the consumption of fish flesh and water.

"C<sub>d(NRWQC)</sub>" means the instream concentration of a substance after complete mixing, as applied to determination of reasonable potential to exceed an EPA human health criterion for the

consumption of fish flesh.

" $C_{d(RAW)}$ " means the instream concentration of a substance after complete mixing, as applied to determination of reasonable potential to exceed a raw water column criterion.

" $C_{d(SS)}$ " means the instream concentration of a substance after complete mixing, as applied to determination of reasonable potential to exceed an agriculture sample standard (SS).

" $C_{d(YMS)}$ " means the instream concentration of a substance after complete mixing, as applied to determination of reasonable potential to exceed an agriculture yearly mean standard (YMS).

" $C_{E(max)}$ " means the maximum concentration of a substance in an effluent data set.

" $C_{E(mean)}$ " means mean effluent concentration.

" $C_{FF}$ " means the numerical criterion for the protection of human health for the consumption of fish flesh.

" $C_{FFW}$ " means the numerical criterion for the protection of human health for the consumption of fish flesh and water.

" $C_{NRWQC}$ " means the EPA recommended national water quality criterion for the protection of human health for the consumption of fish flesh.

" $C_{RAW}$ " means the numerical criterion for protection of the raw water column.

" $C_{SS}$ " means agriculture sample standard numerical criterion, i.e., the historic segment averaged SS value from Appendix F of OAC 785:45, unless data more representative of the receiving stream are available.

" $C_{YMS}$ " means agriculture yearly mean standard numerical criterion, i.e., the historic segment averaged YMS value from Appendix F of OAC 785:45, unless data more representative of the receiving stream are available.

" $CBOD_5$ " means 5-day carbonaceous biochemical oxygen demand.

" $CCD$ " means chronic critical dilution.

" $CFU$ " means colony forming units.

" $CPP$ " means the Continuing Planning Process document required under Section 303(e) of the Clean Water Act.

" $CWAC$ " means cool water aquatic community.

" $D$ " means, in the context of a discharge to a lake through a pipe, the pipe diameter in feet.

" $DML$ " means daily maximum permit limitation.

" $DML_A$ " means the toxic substance acute criterion DML.

" $DML_C$ " means the toxic substance chronic criterion DML.

" $DML_{CL}$ " means agriculture criterion-based DML for chlorides.

" $DML_{FF}$ " means the human health/fish flesh DML.

" $DML_{FFW}$ " means the human health/fish flesh and water DML.

" $DML_{HH}$ " means human health-based DML.

" $DML_{RAW}$ " means the raw water column DML.

" $DML_{SO4}$ " means agriculture criterion-based DML for sulfates.

" $DML_T$ " means the temperature based DML.

" $DML_{TDS}$ " means agriculture criterion-based DML for total dissolved solids (dried at 180°C).

" $DML_{TOX}$ " means toxic substance-based DML.

" $DMR$ " means Discharge Monitoring Report.

"DO" means dissolved oxygen.

"gpd" means gallons per day.

"HLAC" means habitat-limited aquatic community.

"LTA" means long term average.

"LTA<sub>A</sub>" means the toxic substance acute numerical criterion LTA.

"LTA<sub>C</sub>" means the toxic substance chronic numerical criterion LTA.

"LTA<sub>FF</sub>" means the fish flesh human health criterion LTA.

"LTA<sub>FFW</sub>" means the fish flesh and water human health criterion LTA.

"LTA<sub>RAW</sub>" means the raw water column criterion LTA.

"LTA<sub>SS</sub>" means the agriculture sample standard LTA.

"LTA<sub>T</sub>" means the temperature criterion LTA.

"LTA<sub>TOX</sub>" means the limiting toxic substance-based LTA, i.e., the smallest of LTA<sub>A</sub> or LTA<sub>C</sub>, as applicable.

"LTA<sub>YMS</sub>" means the agriculture yearly mean standard LTA.

"MAL" means monthly average permit limitation.

"MAL<sub>A</sub>" means the toxic substance acute criterion MAL.

"MAL<sub>C</sub>" means the toxic substance chronic criterion MAL.

"MAL<sub>CL</sub>" means agriculture criterion-based MAL for chlorides.

"MAL<sub>FF</sub>" means the human health/fish flesh MAL.

"MAL<sub>FFW</sub>" means the human health/fish flesh and water MAL.

"MAL<sub>RAW</sub>" means the raw water column MAL.

"MCL" means maximum contaminant level (when used in the context of primary drinking water standards).

"MAL<sub>HH</sub>" means human health-based MAL.

"MAL<sub>SO4</sub>" means agriculture criterion-based MAL for sulfates.

"MAL<sub>T</sub>" means temperature MAL.

"MAL<sub>TDS</sub>" means agriculture criterion-based MAL for total dissolved solids (dried at 180°C).

"MAL<sub>TOX</sub>" means toxic substance-based MAL.

"mgd" means million gallons per day.

"mg/l" means milligrams per liter.

"MQL" means minimum quantifiable level, as established by EPA, Region 6.

"N" means the number of individual data points, collected over time, in an effluent or background data set.

"N<sub>m</sub>" means the per month monitoring frequency where a permit limitation is established. When used in the context of temperature limitations, N<sub>m</sub> is equal to four times N<sub>w</sub> (i.e., N<sub>m</sub> = 4 × N<sub>w</sub>).

"N<sub>w</sub>" means the per week monitoring frequency where a temperature permit limitation is established.

"NRWQC" means the National Recommended Water Quality Criteria, publication no. EPA 822-Z-99-001, April 1999.

"PBCR" means Primary Body Contact Recreation.

"PCS" means Permit Compliance System, an EPA database which tracks NPDES permit compliance.

"Q\*" means the ratio of the regulatory effluent flow to the regulatory receiving water

flow.

"**Q<sub>e</sub>**" means regulatory effluent flow.

"**Q<sub>e(30)</sub>**" means the Q<sub>e</sub> which is the highest monthly average flow over the two year period of record for an industrial facility.

"**Q<sub>e(D)</sub>**" means the Q<sub>e</sub> which is the design flow for a municipal POTW.

"**Q<sub>e(LTA)</sub>**" means the Q<sub>e</sub> which is the arithmetic (long term) average flow over the two year period of record for an industrial facility.

"**Q<sub>u</sub>**" means regulatory receiving water flow upstream of a point of wastewater discharge.

"**Q<sub>u(7Q2)</sub>**" means the same as 7Q2.

"**Q<sub>u(LTA)</sub>**" means the Q<sub>u</sub> which is the mean annual (long term) receiving water flow.

"**Q<sub>u(STA)</sub>**" means the Q<sub>u</sub> which is the short term average receiving water flow and is equal to  $Q_{u(LTA)} \times 0.68$ .

"**SBCR**" means Secondary Body Contact Recreation

"**SNC**" means significant noncompliance, a PCS term used to indicate significant permit violations, which may be either permit limit violations, non-reporting violations or compliance schedule violations.

"**SS**" means sample standard.

"**s.u.**" means standard units for the measurement of pH.

"**T<sub>95</sub>**" means 95<sup>th</sup> percentile effluent temperature in °C.

"**T<sub>a</sub>**" means regulatory ambient temperature in °C.

"**TBLL**" means technically based local limits

"**TDS**" means total dissolved solids.

"**TIE**" means toxicity identification evaluation.

"**TMDL**" means total maximum daily load.

"**TRC**" means total residual chlorine.

"**TRE**" means toxicity reduction evaluation.

"**TRO**" means total residual (halogenated) oxidants.

"**µg/l**" means micrograms per liter.

"**W**" means, in the context of a discharge to a lake through an open channel (i.e., canal), the channel width in feet.

"**WAL**" means weekly average permit limitation.

"**WAL<sub>T</sub>**" means temperature WAL.

"**WET**" means whole effluent toxicity.

"**WLA**" means waste load allocation.

"**WLA<sub>A</sub>**" means a toxic substance acute criterion WLA.

"**WLA<sub>C</sub>**" means a toxic substance chronic criterion WLA.

"**WLA<sub>FF</sub>**" means a human health/fish flesh criterion WLA.

"**WLA<sub>FFW</sub>**" means a human health/fish flesh and water criterion WLA.

"**WLA<sub>RAW</sub>**" means a raw water column criterion WLA.

"**WLA<sub>SS</sub>**" means an agriculture sample standard WLA.

"**WLA<sub>T</sub>**" means a temperature criterion WLA.

"**WLA<sub>YMS</sub>**" means an agriculture yearly mean standard WLA.

"**WQMP**" means the statewide Section 208 Water Quality Management Plan.

"**WWAC**" means warm water aquatic community.

"**YMS**" means yearly mean standard.

#### **252:690-1-4. Incorporation of USEPA regulations by reference**

The following federal regulations at 40 CFR, as published on ~~July 1, 2008~~ July 1, 2009 are incorporated by reference and applicable to this Chapter:

- (1) **OAC 252:205 (Hazardous Waste Management)**. 124.31, 124.32, & 124.33, substituting DEQ for EPA, and deleting the following sentence from each section: For the purposes of this section only, "Hazardous waste management units over which EPA has permit issuance authority" refers to hazardous waste management units for which the State where the units are located has not been authorized to issue RCRA permits pursuant to 40 CFR part 271.
  - ~~(A) **Part 260**. Hazardous Waste Management System: General, except 260.20 through 260.22.~~
  - ~~(B) **Part 261**. Identification and Listing of Hazardous Waste. In 261.5(f)(3)(iv), and (v), and in 261.5(g)(3)(iv), and (v) add "other than Oklahoma" after the word "State".~~
  - ~~(C) 262.42(a)(2)(e).~~
  - ~~(D) **Part 263**. Standards Applicable to Transporters of Hazardous Waste.~~
  - ~~(E) **Part 264**. Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities except:
    - ~~(i) 264.1(f)~~
    - ~~(ii) 264.149~~
    - ~~(iii) 264.150~~
    - ~~(iv) 264.301(f)~~
    - ~~(v) Part 264 Appendix VI~~~~
  - ~~(F) **Part 265**. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities except:
    - ~~(i) 265.1(c)(4)~~
    - ~~(ii) 265.149~~
    - ~~(iii) 265.150~~~~
  - ~~(G) **Part 266**. Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities.~~
  - ~~(H) **Part 268**. Land Disposal Restrictions, except:
    - ~~(i) 268.5~~
    - ~~(ii) 268.6~~
    - ~~(iii) 268.10~~
    - ~~(iv) 268.11~~
    - ~~(v) 268.12~~
    - ~~(vi) 268.13~~
    - ~~(vii) 268.42(b)~~
    - ~~(viii) 268.44(a) through (g)~~
    - ~~(ix) 268.44(m) through (p).~~~~
  - ~~(I) **Part 270**. Permit Programs, except 270.14(b)(18).~~
  - ~~(J) **Part 273**. Universal Waste Rule.~~
  - ~~(K) **Part 279**. Used Oil Management Standards. The only portion of 279.82 which is adopted by reference is "The use of used oil as a dust suppressant is prohibited."~~

(A) **Part 260**. Hazardous Waste Management System: General, except 260.21.

- (i) In 260.20, "Federal Register" is synonymous with "The Oklahoma Register."
  - (ii) In 260.20(e), strike the words "or a denial."
  - (iii) In 260.22, references to the lists in Subpart D of Part 261 and the reference to § 261.3(a)(2)(ii) or (c) shall mean the lists in Subpart D of Part 261 and §261.3(a)(2)(ii) or (c) as adopted by reference and applicable in Oklahoma.
  - (iv) In the 260.10 definitions of "new tank system" and "existing tank system", the reference to "July 14, 1986" for commencement of tank installation applies only to tank regulations promulgated pursuant to the federal Hazardous and Solid Waste Amendment ("HSWA") requirements. The following categories outline HSWA requirements:
    - (a) interim status and permitting requirements applicable to tank systems owned and operated by small quantity generators [3001(d)];
    - (b) leak detection requirements for all new underground tank systems [3004(o)(4)]; and
    - (c) permitting standards for underground tanks that cannot be entered for inspection [3004(w)]. For tank regulations promulgated pursuant to statutory authority other than HSWA, the date relative to the commencement of installation is November 2, 1987.
- (B) Part 261. Identification and Listing of Hazardous Waste except 261.4(b)(18) which pertains to Utah only, thus should be excluded.**
- (i) In 261.4(e)(3)(iii) delete "in the Region where the sample is collected".
  - (ii) In 261.5(f)(3)(iv), and (v), and in 261.5(g)(3)(iv), and (v) add "other than Oklahoma" after the word "State".
  - (iii) In 261.31(a), the listing for F019, add at the end: "Zinc phosphate sludges meeting exemption conditions remain subject to regulation as hazardous waste if the waste exhibits a hazardous waste characteristic."
- (C) Part 262. Standards Applicable to Generators of Hazardous Waste except Subpart E and Subpart H. In 262.42(a)(2) and 262.42(b) delete "for the Region in which the generator is located".**
- (D) Part 263. Standards Applicable to Transporters of Hazardous Waste.**
- (E) Part 264. Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities. The following sections and subsections are not adopted by reference: 264.1(f), 264.1(g)(12), 264.149, 264.150, 264.301(l), 264.1030(d), 264.1050(g), 264.1080(e), 264.1080(f), and 264.1080(g).**
- (i) In 264.191(a), the compliance date of January 12, 1988 applies only for HSWA tanks. For non-HSWA tanks the compliance date is November 2, 1988.
  - (ii) In 264.191(c), the reference to July 14, 1986 applies only to HSWA tanks. For non-HSWA tanks the applicable date is November 2, 1987.
  - (iii) In 264.193, the Federal effective dates apply to HSWA tanks only. For non-HSWA tanks January 12, 1987 is replaced with November 2, 1987.
  - (iv) In 264.570(a) the dates December 6, 1990 and December 24, 1992 apply only to drip pads where F032 waste is handled. The dates June 22, 1992 and August 15, 1994 respectively, replace the dates December 6, 1990 and December 24, 1992 for drip pads where F034 or F035 wastes are handled.
- (F) Part 265. Interim Status Standards for Owners and Operators of Hazardous Waste**

Treatment, Storage, and Disposal Facilities except 265.1(c)(4), 265.1(g)(12), 265.149, 265.150, 265.1030(c), 265.1050(f), 265.1080(e), 265.1080(f), and 265.1080(g).

(i) In 265.191(a), the compliance date of January 12, 1988 applies only for HSWA tanks. For non-HSWA tanks the compliance date is November 2, 1988.

(ii) In 265.191(c), the reference to July 14, 1986 applies only to HSWA tanks. For non-HSWA tanks the applicable date is November 2, 1987.

(iii) In 265.193, the Federal effective dates apply to HSWA tanks only. For non-HSWA tanks January 12, 1987 is replaced with November 2, 1987.

(iv) In 265.440(a) the dates December 6, 1990 and December 24, 1992 apply only to drip pads where F032 waste is handled. The dates June 22, 1992 and August 15, 1994 respectively, replace the dates December 6, 1990 and December 24, 1992 for drip pads where F034 or F035 wastes are handled.

(G) **Part 266.** Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities. Due to an early incorporation by reference, for purposes of Part 266 only, HSWA and non-HSWA dates are the same. In 266.325, the reference to 10 CFR 1.5 is changed to 10 CFR 71.5.

(H) **Part 267.** Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a Standardized Permit. This permit option shall only be available to:

(i) those persons who generate hazardous waste on-site through, or as a result of, industrial production processes;

(ii) wholly owned subsidiaries, owners, or sister companies of those persons specified in paragraph (1); and

(iii) agencies, departments, or units of the federal government or the State of Oklahoma.

(I) **Part 268.** Land Disposal Restrictions, except 268.5, 268.6, 268.13, 268.42(b) and 268.44(a) through (g). In 268.7 (a)(9)(iii) exclude D009 from the list of alternative treatment standards for lab packs.

(J) **Part 270.** The Hazardous Waste Permit Program, except 270.1(c)(2)(ix), and 270.14(b)(18).

(K) **Part 273.** Standards for Universal Waste Management.

(L) **Part 279.** Standards for the Management of Used Oil, except that 279.82 is revised to read in its entirety, "The use of used oil as a dust suppressant is prohibited."

**(2) OAC 252:606 (Discharge Standards).**

(A) Part 116 (Hazardous Substances List)

(B) Part 117 (Reportable Quantities for Hazardous Substances)

(C) The following from PART 122 (NPDES PERMIT REGULATIONS):

(i) 122.2 - (definitions)

(ii) 122.24 - (concentrated aquatic animal production facilities)

(iii) 122.25 - (aquaculture projects)

(iv) 122.26 - (stormwater discharges)

(v) 122.27 - (silviculture)

(vi) 122.28(a) and (b) - (general permits)

(vii) 122.29 - (new sources and new dischargers)

(viii) 122.32 - As an operator of a small MS4, am I regulated under the NPDES storm water program?

- (ix) 122.34 - As an operator of a regulated small MS4, what will my NPDES MS4 storm water permit require?
- (x) 122.35 - As an operator of a regulated small MS4, may I share the responsibility to implement the minimum control measures with other entities?
- (xi) 122.41 - (permit conditions)
- (xii) 122.42 - (conditions for specified categories of permits)
- (xiii) 122.43 - (establishing permit conditions)
- (xiv) 122.44 - (establishing permit limitations, standards and other conditions)
- (xv) 122.45 - (calculating permit conditions)
- (xvi) 122.46 - (permit duration)
- (xvii) 122.47(a) - (schedules of compliance)
- (xviii) 122.48 - (monitoring requirements)
- (xix) 122.50 - (disposal into wells)
- (xx) 122.61 - (permit transfer)
- (xxi) 122.62 - (permit modification)
- (xxii) 122.63 - (minor modifications of permits)
- (xxiii) 122.64 - (permit termination)
- (xxiv) Appendices A through J
- (D) The following from PART 125 (criteria and standards for NPDES):
  - (i) Subpart A (technology-based treatment),
  - (ii) Subpart B (criteria for aquaculture projects),
  - (iii) Subpart D (fundamentally different factors),
  - (iv) Subpart H (alternative effluent limitations),
  - (v) Subpart I (new cooling water intakes),
  - (vi) Subpart J (existing cooling water intakes), and
  - (vii) Subpart L (disposal of sewage sludge under CWA 405)
- (E) Part 129 (Toxic Pollutant Effluent Standards)
- (F) Part 136 (testing and laboratory)
- (G) Sections 401-471 (Effluent Guidelines 7 and Standards)
- (H) Section 110.6 (notice of oil discharge)
- (I) Part 302 (CERCLA exemption from NPDES permits)
- (J) The following Sections from Part 503, Subpart A (General Provisions):
  - (i) 503.1 (Purpose and applicability)
  - (ii) 503.2 (Compliance period)
  - (iii) 503.3 (Permits and direct enforceability)
  - (iv) 503.4 (Relationship to other regulations)
  - (v) 503.5 (Additional or more stringent requirements)
  - (vi) 503.6(a)-(e),(g)-(j) (Exclusions)
  - (vii) 503.7 (Requirement for a person who prepares biosolids)
  - (viii) 503.8 (Sampling and analysis)
  - (ix) 503.9 (General definitions)
- (K) The following Sections from Part 503, Subpart B (Land Application):
  - (i) 503.10(a),(b)(1)&(2),(e),(f),(g) (Applicability)
  - (ii) 503.11 (Special definitions)
  - (iii) 503.12 (General requirements)

- (iv) 503.13 (Pollutant limits)
  - (v) 503.14 (Management practices)
  - (vi) 503.15 (Operational standards - pathogens and vector attraction reduction)
  - (vii) 503.16(a) (Frequency of monitoring)
  - (viii) 503.17(a) (Recordkeeping)
  - (ix) 503.18 (Reporting)
- (L) The following Sections from Part 503, Subpart D (Pathogens and Vector Attraction Reduction):
- (i) 503.30 (Scope)
  - (ii) 503.31 (Special definitions)
  - (iii) 503.32(a), (b) (Pathogens)
  - (iv) 503.33(a), (b)(1)-(11) (Vector attraction reduction)
- (M) The following Sections from Part 503 Subpart E (Incineration)
- (i) 503.40 (Applicability)
  - (ii) 503.41 (Special definitions)
  - (iii) 503.42 (General requirements)
  - (iv) 503.43 (Pollutant (Metal) limits)
  - (v) 503.44 (Operational standard - total hydrocarbons)
  - (vi) 503.45 (Management practices)
  - (vii) 503.46 (Frequency of monitoring)
  - (viii) 503.47 (Recordkeeping)
  - (ix) 503.48 (Reporting)
- (N) The following Appendices from Part 503:
- (i) Appendix A (Procedure to determine the annual whole sludge application rate for a sludge)
  - (ii) Appendix B (Pathogen treatment processes)
- (O) Provisions of 40 CFR relating to CAFOs are excluded because they are beyond the jurisdiction of this Chapter.
- (3) **OAC 252:611 (General Water Quality)** Part 130 (Water Quality Planning and Management)
- (4) **OAC 252:652 (Underground Injection Control)**. The following apply in their entirety as they apply to the underground injection control program:
- (A) Part 144 (Underground Injection Control Program)
  - (B) Part 145 (State UIC Program Requirements)
  - (C) Part 146 (Underground Injection Control Program: Criteria and Standards)
  - (D) Part 147 (State Underground Injection Control Programs)
  - (E) Part 148 (Hazardous Waste Injection Restrictions)
- (5) In all cases where these rules conflict with or are less stringent than federal regulations, the federal regulations apply.