

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 653. AQUIFER STORAGE AND RECOVERY**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions

252:653-1-5 Definitions [AMENDED]

252:653-1-10 [REVOKED]

252:653-1-12 Fees [NEW]

Subchapter 5. ~~ASR~~ Aquifer Storage and Recovery Treatment Plant Construction

252:653-5-1.1 Notification [NEW]

Subchapter 7. ~~ASR~~ Aquifer Storage and Recovery Water Delivery Construction

252:653-7-5.1 Notification [NEW]

252:653-7-7 Aquifer testing [AMENDED]

**SUMMARY:**

The gist of the proposed rulemaking is that the Department is updating the Aquifer Storage and Recovery rules. These updates include changes for clarity, reinserting the fee provision that was removed from the original proposed rules prior to submittal to the legislature, and to provide notification provisions.

**AUTHORITY:**

Environmental Quality Board, 27A O.S. §§ 1-3-101(B)(4), 1-1-202(C)(4), 1-3-101(B)(7), 2-6-701, 2-6-110, and 2-6-310.1; Water Quality Management Advisory Council, 27A O.S. § 2-2-201.

**COMMENT PERIOD:**

Deliver or mail written comments on the proposed rules to the contact person from December 3, 2018 through January 8, 2019. Oral comments may be made at the Water Quality Management Advisory Council meeting at 2:00 p.m. on January 8, 2019 and at the Environmental Quality Board meeting at 9:30 a.m. on February 15, 2019.

**PUBLIC HEARINGS:**

Before the Water Quality Management Advisory Council at 2:00 p.m. on January 8, 2019, in the Multi-Purpose Room, first floor of the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102.

Before the Environmental Quality Board at 9:30 a.m. on February 15, 2019, in the Multi-Purpose Room, first floor of the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities affected by these proposed rules provide the Department, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

**PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, may be viewed on the DEQ website at [www.deq.state.ok.us/LPDnew/LPPProprules.htm](http://www.deq.state.ok.us/LPDnew/LPPProprules.htm), or may be reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma 73102.

**RULE IMPACT STATEMENT:**

The Rule Impact Statement for the proposed rules will be on file at the Department of Environmental Quality and may be requested from the contact person, or viewed on the DEQ website at [www.deq.state.ok.us/LPDnew/LPProprules.htm](http://www.deq.state.ok.us/LPDnew/LPProprules.htm).

**CONTACT PERSON:**

Hillary Young, Land Protection Division, Chief Engineer, P.O. Box 1677, Oklahoma City, OK 73101-1677, e-mail at [Hillary.Young@deq.ok.gov](mailto:Hillary.Young@deq.ok.gov), phone 405-702-5100, or fax 405-702-5101.

**ADDITIONAL INFORMATION:**

Persons with disabilities who desire to attend the public hearing and need assistance should notify the contact person three days in advance of the meeting during business hours at 405-702-5100 or by using TDD relay number 1-800-522-8506.