TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 631. PUBLIC WATER SUPPLY OPERATION

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. Introduction
252:631-1-1 [AMENDED]
252:631-1-2 [AMENDED]
252:631-1-3 [AMENDED]
252:631-1-4 [AMENDED]

Subchapter 3. Operations
252:631-3-2 [AMENDED]
252:631-3-3 [AMENDED]
252:631-3-6 [AMENDED]
252:631-3-10 [AMENDED]
252:631-3-11 [AMENDED]
252:631-3-12 [REVOKED]
252:631-3-13 [REVOKED]
252:631-3-17 [AMENDED]
252:631-3-19 [AMENDED]
252:631-3-20 [AMENDED]
252:631-3-21 [AMENDED]
252:631-3-23 [NEW]

Subchapter 5. Minor Water Systems [REVOKED]
252:631-5-1 [REVOKED]
252:631-5-2 [REVOKED]
252:631-5-3 [REVOKED]
252:631-5-4 [REVOKED]
252:631-5-5 [REVOKED]

SUMMARY:
The Department proposes to increase public water supply annual fees by the rate of inflation since the effective date of the last fee modification, which was on or about July 1, 1993 and the projected inflation rate over the next five years. Additionally, the Department proposes to have fees automatically increase every five years thereafter by the rate of inflation over the previous five years. Additionally, the Department proposes to update its rules concerning the date of the incorporation by reference of certain federal regulations, except for the new groundwater rule, which will not be adopted by reference. The change updates the publication date of the federal rules from July 1, 2006 to July 1, 2007. Other changes revoke Subchapter 5, as those requirements are proposed to be moved to OAC 252:624, update language to meet EPA requirements and rule reference changes by EPA, require 25 psi throughout the entire distribution system, and adopt new requirements for source water development. Finally, the remaining changes correct typographical errors, omissions of certain definitions and other construction requirements from the rules and recognize what kind of testing will be required for new disinfection treatment techniques.

AUTHORITY:
Environmental Quality Board powers and duties, 27A O.S. § 2-2-101; Water Quality Management Advisory Council powers and duties, 27A O.S. § 2-2-201; and Water Quality, 27A O.S. § 2-6-101 et seq.

COMMENT PERIOD:
Written comments may be submitted to the contact person from December 3, 2007, through January 14, 2008. Oral comments may be made at the Water Quality Management Advisory Council meeting on January 15, 2008, and at the Environmental Quality Board meeting on February 29, 2008.

PUBLIC HEARING:
Before the Water Quality Management Advisory Council on January 15, 2008, at 1:00 p.m. at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma.

Before the Environmental Quality Board on February 29, 2008, at 9:30 a.m. at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
The DEQ requests that business entities affected by these rules provide the DEQ, within the comment period, in dollar amounts if possible, the increase 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 rule.

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, or reviewed online at http://www.deq.state.ok.us/wqdnew/.

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/.

CONTACT PERSON:
The contact person is Donald D. Maisch. Mr. Maisch can be reached at don.maisch@deq.state.ok.us (e-mail), (405) 702-7189 (phone) or (405) 702-7199 (fax). The DEQ is located at 707 N. Robinson, Oklahoma City, Oklahoma 73102. The 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.