

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 4. RULES OF PRACTICE AND PROCEDURE**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. Environmental Permit Process

Part 7. Water Quality Division Tiers and Timelines

252:4-7-73. Water quality applications - Tier I [AMENDED]

252:4-7-74. Water quality applications - Tier II [AMENDED]

SUMMARY:

The proposed changes to the Water Quality Application Tier rules cleans up language to make the classifications of Tier I permits consistent, clarifies that modifications to or the addition of impoundments to an existing permitted industrial wastewater system is a Tier I application, and adds language to clarify that a new industrial wastewater treatment system application is classified as a Tier II.

AUTHORITY:

Environmental Quality Board and Water Quality Management Advisory Council powers and duties, 27A O.S. §§ 2-2-101, 2-2-104, 2-2-201, 2-6-101 *et seq.*

COMMENT PERIOD:

Oral comments may be made at the meeting of the Water Quality Management Advisory Council to be held on October 2, 2007, and at the Environmental Quality Board on November 15, 2007. Written comments may be delivered or mailed to the contact person from August 15, 2007, through October 2, 2007.

PUBLIC HEARING:

Before the Water Quality Management Advisory Council at 1:00 p.m. on October 2, 2007, at the offices of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma.

Before the Environmental Quality Board at 9:30 a.m. on November 15, 2007, at Southwestern Oklahoma State University, Student Union Building, 800 North Custer, Weatherford, Oklahoma 73096.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The DEQ requests that business entities affected by this rule 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 RULE:

The proposed rule may be may be obtained from the contact person or reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, 73102. Additionally, the proposed rules are available on-line at www.deq.state.ok.us/wqdnew/index.html under "what's new".

RULE IMPACT STATEMENT:

The rule impact statement for the proposed rule will be on file at the Department of Environmental Quality and may be requested from the contact person.

CONTACT PERSON:

Contact Donald D. Maisch at don.maisch@deq.state.ok.us or (405) 702-7189 (phone) or 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, TDD Relay Number 1-800-522-8506.