

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

RULE IMPACT STATEMENT

Subchapter 7. Environmental Permitting 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]

Before the Water Quality Management Advisory Council Meeting on October 2, 2007, and before the Environmental Quality Board at 9:30 a.m. on November 15, 2007.

1. **DESCRIPTION:** The proposed changes to the Water Quality Application Tier rules clean up language to make the classifications of Tier I permits consistent, clarify that modifications to or the addition of impoundments to an existing permitted industrial wastewater system is a Tier I application, and add language to clarify that a new industrial wastewater treatment system application is classified as a Tier II.
2. **CLASSES OF PERSONS AFFECTED:** Individuals, facilities and entities that seek permits from the Water Quality Division of the Oklahoma Department of Environmental Quality.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Individuals, facilities and entities that seek permits from the Water Quality Division of the Oklahoma Department of Environmental Quality.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** None.
5. **CLASSES OF PERSONS BENEFITTED:** Individuals, facilities and entities that seek permits from the Water Quality Division of the Oklahoma Department of Environmental Quality.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** Individuals, facilities and entities that seek permits from the Water Quality Division of the Oklahoma Department of Environmental Quality will pay permit application fees for permits they seek.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** None.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** None.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** No fee changes are included in the proposed revision.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** The DEQ will benefit when implementing and enforcing these rule changes as the changes clarify that when an individual, a facility or an entity applies to modify an existing industrial impoundment or add impoundments to a facility with an existing permit, that the additions or modifications will be treated as Tier I permit applications. The remaining changes benefit the DEQ by making the classifications consistent.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** No other state agencies will be required to implement and enforce.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Permit

application fees, state and federal appropriations.

13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** The proposed revision will have no effect on revenues for DEQ and/or other agencies.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** None.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** Not applicable.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** There are no less costly or non-regulatory methods of achieving the purpose of the proposed revision to the rule.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** None.
18. **IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** See item 17 above.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** See Items 17 & 18.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** None.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: August 10, 2007.