

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 633. DRINKING WATER STATE REVOLVING FUND**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
 - 252:633-1-1. Purpose [AMENDED]
 - 252:633-1-4. Authority [AMENDED]
 - 252:633-1-5. Definitions [AMENDED]
- Subchapter 3. General Program Requirements
 - 252:633-3-3. Revenue program [AMENDED]
 - 252:633-3-4. DWSRF Project Priority System [AMENDED]
 - 252:633-3-8. Types of assistance [AMENDED]
 - 252:633-3-9. Pre-application for funding [AMENDED]
 - 252:633-3-13. ~~Submittals Plans and specifications~~ [AMENDED]
 - 252:633-3-14. Application for financial assistance [AMENDED]
 - 252:633-3-16. Loan closing [AMENDED]
 - 252:633-3-17. Refinancing construction loans [AMENDED]
 - 252:633-3-19. Construction phase [AMENDED]
 - 252:633-3-20. Project changes [AMENDED]
 - 252:633-3-21. Building phase submittal [AMENDED]
 - 252:633-3-22. Progress payments. [AMENDED]
 - 252:633-3-25. Accounting [AMENDED]
- Subchapter 5. Miscellaneous Provisions
 - 252:633-5-5. Project or water project completion, inspection and audit [AMENDED]
- Subchapter 7. Environmental Review Process
 - 252:633-7-1. Requirement of environmental review [AMENDED]
- Appendix A. Funding Priority Formula [REVOKED]
- Appendix A. Funding Priority Formula [NEW]

SUMMARY:

The proposed changes to the DEQ's Drinking Water State Revolving Fund (DWSRF) rules implement changes to the Priority Project System and the Finding Priority Formula necessary to meet federal and state requirements. Additionally, some of the proposed changes to this chapter reconcile the requirements in Chapter 633 of the DEQ rules with the DWSRF requirements of the Oklahoma Water Resources Board. The remaining changes correct typographical errors and make other language clarification changes.

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 73102.

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/wgdnew/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.