

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

**RULE IMPACT STATEMENT**

**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. Applications 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 Submittals [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]**

**252:633 Appendix A. Funding Priority Formula [REVOKED]**

**252:633 Appendix A. Funding Priority Formula [NEW]**

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 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 (OWRB). The remaining changes correct typographical errors and make other language clarification changes.
2. **CLASSES OF PERSONS AFFECTED:** Municipalities and other public entities that seek funding for drinking water construction projects.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** Municipalities and other public entities that seek funding for drinking water construction projects.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** The cost impacts for private/public entities both currently and with the rule changes relate to the requirement for municipalities and other public entities that seek funding for drinking water construction projects to hire engineers, licensed in Oklahoma to draft reports and plans and specifications for all construction projects. Additionally, contractors will be hired to construct the project. Under the current program which these rules implement, the monies received by a municipality or other public entity must be paid back with interest.

5. **CLASSES OF PERSONS BENEFITTED:** Municipalities and other public entities that seek funding for drinking water construction projects.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The cost impacts for private/public entities both currently and with the rule changes relate to the requirement for municipalities and other public entities that seek funding for drinking water construction projects to hire engineers, licensed in Oklahoma to draft reports and plans and specifications for all construction projects. Additionally, contractors will be hired to construct the project. Under the current program which these rules implement, the monies received by a municipality or other public entity must be paid back with interest.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The cost impacts for private/public entities both currently and with the rule changes relate to the requirement for municipalities and other public entities that seek funding for drinking water construction projects to hire engineers, licensed in Oklahoma to draft reports and plans and specifications for all construction projects. Additionally, contractors will be hired to construct the project. Under the current program which these rules implement, the monies received by a municipality or other public entity must be paid back with interest.
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 make consistent the DEQ program with federal requirements and the requirements of a sister state agency (OWRB) thereby ensuring when a municipality or other public entity makes an application for the funds, the process to review and approve the application is consistent.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** The OWRB will benefit from these rule modifications as the changes make consistent the DEQ program with federal requirements and the requirements of the OWRB thereby ensuring the process to review and approve an application is consistent.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** 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:** There is ongoing cooperation between the OWRB and the DEQ to implement and enforce these rules. The OWRB has already reviewed the proposed rule modifications and any comments have been incorporated into this proposal.
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.