

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 606.**

RULE IMPACT STATEMENT

A. Statement of need for the rule change and legal basis supporting it.

The gist of the proposed rules is to add and modify definitions to Subchapter 1. INTRODUCTION, as well as adding language to SUBCHAPTER 6. POINT SOURCE DISCHARGES for determination of reasonable potential for selenium and changing language to disallow monitoring frequency reductions for a parameter when the receiving water is impaired for that parameter. New equations are proposed to be added to Appendix L consistent with the proposed changes to sections in Subchapters 1 and 6.

B. Classification of rule change (major/non-major), justification for that classification, and business cost estimate over the first five (5) years.

This rulemaking is anticipated to be a non-major rule change because there is no anticipated increase in business costs over the first five years. Adding new definitions and the incorporation of the 30Q2 that are intended to be used along with other proposed changes in Chapters 730 and 740 are not expected to increase or add new business costs. The addition of additional equations to Appendix L is similarly not expected to increase or add new business costs. Disallowing monitoring frequency reductions for a parameter already required to be monitored is not expected to increase or add new business costs. The rule changes in Chapters 730 and 740, including those that involve regulatory low flow and selenium limits, will be evaluated independently for compliance costs.

C. Description of the purpose of the proposed rule change, whether the change is mandated by federal law or is required to participate in or implement a federal program, and whether the change exceeds the requirements of the federal law.

The rulemaking aims to add definitions and other provisions for the determination of reasonable potential for selenium. It will disallow reduction of monitoring frequency for a parameter when the receiving stream is impaired for that parameter, and add an equation for selenium LTA to Appendix L.

D. Description of the classes of persons who most likely will be affected by the proposed rule(s), including classes that will bear the costs of the proposed rule(s), and any information on cost impacts received by the agency from any private or public entities.

DEQ has solicited affected businesses and the public to provide information concerning the cost impacts of the proposed regulations, and will update this response as such information is received. Classes of the persons affected are those who own, operate, or plan to operate municipal or industrial wastewater treatment facilities and those who must obtain permits to treat, dispose of, and reuse municipal and industrial wastewater. This will also affect customers of those systems, incarcerated persons, and any other persons who recreate in the waters of the state. These same owners and operators are the class of persons who will bear any costs associated with the rules.

E. Description of the classes of persons who will benefit from the proposed rule(s).

Classes of persons benefited are those who own, operate, or plan to operate municipal and industrial wastewater treatment facilities, as well as those who must obtain permits to treat, dispose of, and reuse municipal and industrial wastewater. This will also affect customers of those systems, incarcerated persons, any other person who recreates in Oklahoma's waters, and those who consume drinking water in Oklahoma.

F. Comprehensive analysis of the rule change's economic impact, including impacts to the full-time-employee count of the agency, costs or benefits, a quantification of implementation and compliance costs on the affected businesses, business sectors, public utility ratepayers, individuals, state or local governments, and on the state as a whole, with a listing of all fee changes and justification for each fee change.

DEQ expects no significant economic impact on the affected classes of persons (including businesses, business sectors, public utility ratepayers, individuals, state or local governments, and the state as a whole) from this rulemaking activity. DEQ anticipates no changes to full-time employee counts. However, DEQ continues to examine this matter and will amend the Rule Impact Statement as needed.

G. Detailed explanation of methodology and assumptions used to determine the economic impact, including dollar amounts calculated.

DEQ has solicited affected businesses and the public seeking information about compliance costs of the proposed rules, and will update this response as such information is received.

H. Determination of whether implementation of the proposed rule(s) will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule(s).

DEQ anticipates no economic impact on political subdivisions. No cooperation from political subdivisions is required to implement or enforce the rule.

I. Determination of whether implementation of the proposed rule(s) may have an adverse economic effect on small businesses as provided by the Oklahoma Small Business Regulatory Flexibility Act.

DEQ has not identified any foreseeable adverse effect on small businesses (defined in 75 O.S. § 502). However, DEQ has solicited affected businesses and the public seeking information about compliance costs of the proposed rules, and will update this response as such information is received.

J. Any measures taken by the agency to minimize cost and impact of the proposed rule change on business and economic development in the state, local governmental units, and for individuals.

DEQ has solicited affected businesses and the public seeking information about compliance costs of the proposed rules, and will update this response as such information is received.

K. Determination of the effect of the proposed rule(s) on the public health, safety and environment and, if the proposed rule(s) is/are designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk.

Disallowing monitoring frequency reductions for a parameter when the receiving waterbody is already impaired for that same parameter is expected to enhance public health, safety and the environment by reducing the risk that waters of the state will become degraded.

L. Determination of any detrimental effect on the public health, safety, and environment if the proposed rule(s) is/are not implemented.

There has been no determination of any detrimental effect on public health, safety, and the environment.

M. Analysis of alternatives to adopting the rule.

There is no reasonable alternative means to achieve the goals of updating Oklahoma Water Quality Standards without adopting the proposed rules in this chapter which complement those proposed changes. Failure to adopt the proposed rules will likely leave certain water quality issues that were raised during the triennial review, such as naturally high selenium concentrations and confusion about site-specific criteria requirements, unaddressed until the next review period.

N. Estimates of the amount of time that would be spent by state employees to develop the rule and of the amount of other resources that would be utilized to develop the rule.

DEQ estimates that it has spent less than 120 hours and minimal resources meeting with industry partners, the Environmental Protection Agency (EPA), and internally in the development of these proposed rules.

O. Summary and preliminary comparison of any existing or proposed federal regulations that are intended to address the activities to be regulated by the proposed rule.

Oklahoma has been delegated the exclusive authority to develop and maintain water quality standards for the state under the Clean Water Act; therefore, there are no applicable federal regulations. However, the proposed rules are largely consistent with EPA recommendations, as modified for local conditions.

**P. This rule impact statement was prepared on: 9/1/2026
Modified on:**