

Oklahoma's 2022-2032 Prioritization Framework

Introduction

The regulations implementing Section 303(d) of the Clean Water Act require states to develop a list of waterbodies that do not meet Water Quality Standards and to submit updated lists to the U.S. Environmental Protection Agency (EPA) every two years. For waterbodies on the 303(d) list, the Clean Water Act requires that a TMDL be developed to correct each cause of impairment. TMDLs must document the nature of the water quality impairment, determine the maximum amount of a pollutant which can be discharged and still meet water quality standards, and identify allowable loads from the contributing sources. States assign a priority for development of TMDLs based on the severity of the pollution as it relates to a waterbody's designated uses.

Background

2013 Program Vision

In December 2013, EPA announced a new framework for implementing the Clean Water Act (CWA) Section 303(d) program – *A Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program*. Under the guidance of this Vision, states were tasked with developing a list of priority waters to be addressed through TMDL development or protection plans by 2022.

As the agency responsible for administering the CWA 303(d) program in Oklahoma, the Oklahoma Department of Environmental Quality (DEQ) coordinated the development of the State's list of priority waterbodies for the TMDL Vision. DEQ hosted meetings and discussions with personnel from the Oklahoma Water Resources Board (OWRB) and the Oklahoma Conservation Commission (OCC) to review the 2014 Oklahoma 303(d) list and develop the list of priorities. OWRB and OCC were selected for this workgroup as they are the two state agencies responsible for collecting the majority of water quality data in Oklahoma.

2022 Program Vision

In 2022, EPA released the *2022 - 2032 Vision for the Clean Water Act Section 303(d) Program*. The 2022 Vision articulates a renewal of the initial 2013 long-term vision and associated goals and introduces new focus areas for the CWA Section 303(d) program. Oklahoma has developed a revised priority framework to help reach the goals of the 303(d) program and the new 2022 Vision.

Goals

Oklahoma has the following goals for the 2022-2032 long-term planning period:

- Identify pollutants and watersheds requiring TMDLs
- Identify pollutants and watersheds requiring alternative pollution control measures
- Prioritize waterbodies for TMDL development
- Determine additional monitoring needs

Planning and Prioritization

Oklahoma's priorities for the 2022-2032 long-term planning period are as follows:

- Develop TMDLs for lakes with a chlorophyll- α impairment
 - Include SWS lakes with both chlorophyll- α and dissolved oxygen impairments
- Develop TMDLs for metals
- Develop TMDLs for bacteria and turbidity impairments

Metals and chlorophyll- α were selected as priority pollutants due to the possible detrimental effects on water supplies.

For metals, the first factor used for prioritization was magnitude of exceedance. Lead was used as the primary impairment for this process as it is the most commonly listed metal impairment and is often listed for more than one beneficial use impairment. Monitoring sites with values well over the 5 ppb level were given the highest priority. Additional emphasis was placed on waterbodies with multiple metals listings. The final step in the process was to add waterbodies based on their proximity to those identified in the watershed by magnitude and multiple causes.

Sensitive Water Supply (SWS) lakes were chosen as another area of emphasis. Higher priority was given to SWS lakes that serve smaller communities and those lakes that have both chlorophyll- α and dissolved oxygen impairments. SWS lakes will also be prioritized based on the magnitude of water quality criterion exceedance for chlorophyll- α .

Bacteria and turbidity impairments were chosen since the data are readily available for development of a TMDL. TMDL reports with an existing draft were prioritized first and added to the metric priorities in ATTAINS. Waterbodies with a bacteria or turbidity impairment in the same study area were also incorporated into these TMDLs.

DEQ reserves the right to change priorities for the 2022-2032 long-term planning period as necessary due to factors such as staff and budget constraints and as additional information is acquired throughout the process.

Restoration and Protection

Oklahoma will continue to develop TMDLs to establish the pollutant reductions needed to bring waterbodies back into compliance with water quality standards. Each point source discharger contributing a pollutant to a waterbody is given a wasteload allocation, which is incorporated into the facility's discharge permit. The Oklahoma Conservation Commission works with land owners to implement best management practices to reduce non-point source pollutant loads.

DEQ is responsible for 208 Plans (Clean Water Act Section 208). Water quality modeling is utilized to calculate wasteload allocations for facilities to ensure that the receiving water will continue to meet water quality standards for dissolved oxygen. The 208 Plan is updated when a facility's wasteload allocation is developed or revised and appropriate limits subsequently incorporated in a discharge permit.

Future opportunities for Advance Restoration Plans (ARPs) will be explored. An ARP can be used in advance of developing a TMDL and may provide a more immediately beneficial or practicable path to restoring water quality.

Additionally, Oklahoma will continue to expand modeling expertise among staff to support future development of TMDLs.

Data and Analysis

DEQ works closely with other state, federal, local agencies, and tribes to compile and assess water quality data for development of the 303(d) and 305(b) lists.

Oklahoma will continue to consider other available sources of data and explore special monitoring projects to fill data gaps.

Public Participation

DEQ plans to include the draft Prioritization Framework in the draft 2024 Integrated Report, which will be available for the public to view online during the public comment period. Responses to comments will be included in the final 2024 Integrated Report.