

OKLAHOMA WATER QUALITY STANDARDS 2015-2016 TRIENNIAL RULEMAKING

Oklahoma Water Resources Board
1st Informal Public Meeting
August 26, 2015

Today's Meeting

- Provide brief overview of Water Quality Standards (WQS)
- Provide briefing on several actions planned for the 2015-16 Rulemaking
 - Aquatic Life Criteria Updates (today)
 - Appendix B Updates (today)
 - Appendix A Updates (October 1)
 - Sensitive Water Supply – Reuse (October 1)
- Opportunity for Public Solicitation of Revision Topics

Overview of Water Quality Standards

What Are Water Quality Standards?

“Maintain and improve the chemical, physical and biological integrity of the nation’s waters”

- WQS are a set of rules, with the force and effect of law, adopted by states in accordance with the Federal Clean Water Act and other federal regulations



Statutes & Administrative Rules Providing WQS Framework

- Federal Law
 - Clean Water Act (CWA) §303(a)
- Federal Regulation
 - CFR Title 40 Part 131
- State Law
 - Title 82
 - Title 27(A)
- State Regulation
 - OAC 785:45
 - OAC 785:46



How Do WQS Work?

Three Basic Components



How Do WQS Work?

Beneficial Uses Describe the Kind of Purposes a Waterbody Is Used For



How Do WQS Work?

Numeric or Narrative Criteria Protect the Beneficial Uses



How Do WQS Work?

Antidegradation Policies to Protect Uses and Maintain Water Quality



How Do WQS Work?

Implementation - Putting WQS Into Action



Triennial Planning and Review Process

- Under the Federal Clean Water Act, 303(c)(1), all States and Tribes are required every three years to conduct a comprehensive review of their surface water quality standards and modify, if appropriate.
- Rulemaking is not the only task
- Triennial Planning Process allows for a Measured Approach to Standards, Including
 - Enhances the Technical Review and Participation Process
 - Review and Incorporation of New Federally Recommended Criteria
 - Analysis of Environmental and Social/Economic Impacts
 - Consideration of Implementation Strategies
 - Periodic Review of Assigned and Existing Uses and Potential Need for Additional Protection

Public Solicitation

- Part of the triennial revision is to more fully engage the public in the revision process
- Staff actively solicit public concerns with and needed revisions to the WQS through mail, meetings, and at each informal stakeholder meeting
- Topics may or may not be fully reviewed and added for the 2015 revision but will be considered for future interim revisions

REVISION TIMELINE

Preparatory Activities for Standards Revisions	Dates
→ Stakeholder meetings	August 26 & October 1, 2015
→ Informal public meeting	October 27, 2015
Notice of Rulemaking Intent (NRI) submitted to Office of Administrative Rules	November 25, 2015
NRI & proposed text submitted to Governor & Cabinet Secretary	November 25, 2015
NRI published in the Oklahoma Register & draft text available for review	December 15, 2015
Rule Impact Statement (RIS) published on web page	December 15, 2015
→ Draft Proposed Rules for Public Inspection	December 15, 2015
Notice distribution to stakeholders	"On or around " December 15, 2015
→ Comment period – minimum 45 days	December 15, 2015–January 31, 2016
→ Formal Hearing at OWRB Board meeting to receive public comments	January 19 or February 16, 2016
Comment Responsiveness Summary prepared for Board	February – March, 2016
→ Final Proposed Rules Prepared for Board Vote	February – March 2016
Board Action to Adopt revised OWQS	February or March 2016
Agency Rule Report submitted to Legislature and Governor	February or March 2016
Legislative review & approval	Spring 2016
Gubernatorial review	Spring 2016
→ Final State Rule Promulgated & Published	September 2016
Attorney General Certification	September – November 2016
→ Submittal to EPA Region 6 (within 30 days of Attorney General Certification)	September – November 2016
→ EPA Review & Approval: 60-90 days	November 2016 – January 2017

IF YOU HAVE ANY QUESTIONS OR WOULD JUST LIKE TO DISCUSS WQS...

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