

OKLAHOMA WATER QUALITY STANDARDS 2015-2016 TRIENNIAL RULEMAKING

Oklahoma Water Resources Board
2nd Informal Public Meeting
October 1, 2015

Today's Meeting

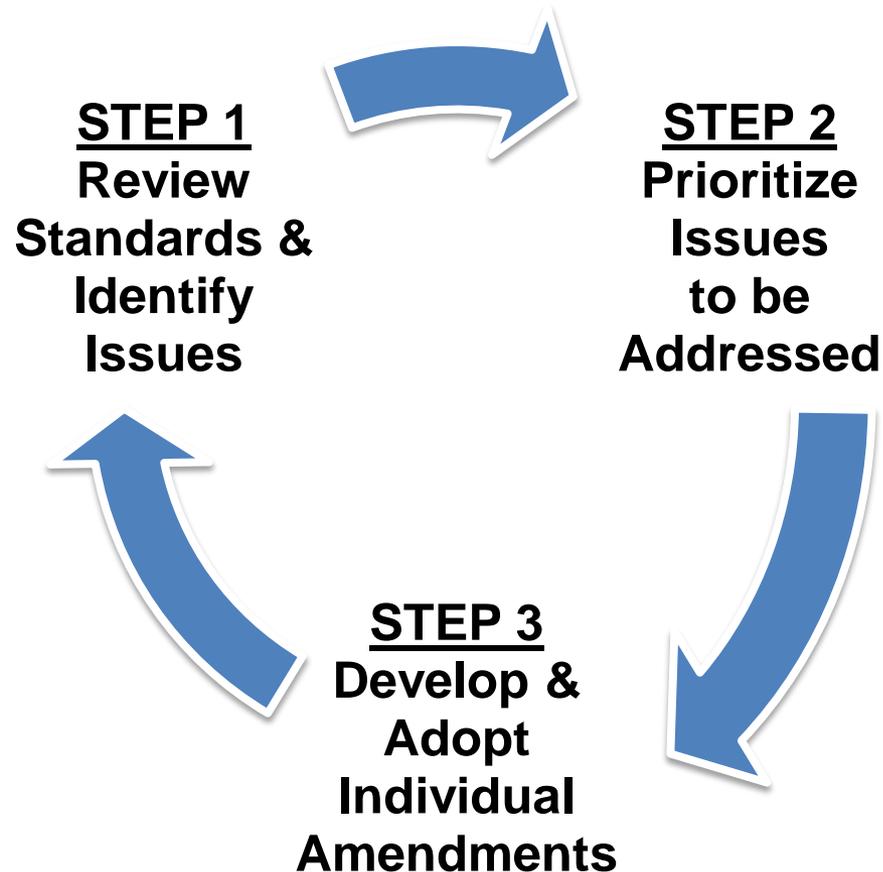
- Actions planned for the 2015-16 Triennial Rulemaking
 - Aquatic Life Criteria Updates (August 26)
 - Appendix B Updates (August 26)
 - Appendix A Updates (Today)
 - Sensitive Water Supply – Reuse (Today)
- Discuss Future Standards Work
- Opportunity for Public Solicitation of Revision Topics

Triennial Review

Review of Standards - Federal Requirement

- Federal Clean Water Act Section 303(c)(1)
 - Review water quality standards every three years
 - Modify or adopt standards, where appropriate
 - New scientific information
 - Follow EPA recommendations or guidelines
 - Consider public concerns

Triennial Review Planning Process



2015-2017 Triennial Review Planning

- Step 1 - Identify standards related issues
(Summer/Fall 2015)
 - Internal review & stakeholder solicitation
- Step 2 - Prioritization/selection of projects (Winter 2016)
- Step 3 - Develop individual Amendments
over ~ 3 year period

Potential Projects

- Methylmercury Human Health Criterion
- Ammonia Aquatic Life Criteria
- Minerals Criteria Revision
- Human Health Criteria updates
- Reformat Appendix A

All projects expected to have technical workgroup & stakeholder participation



Potential Projects

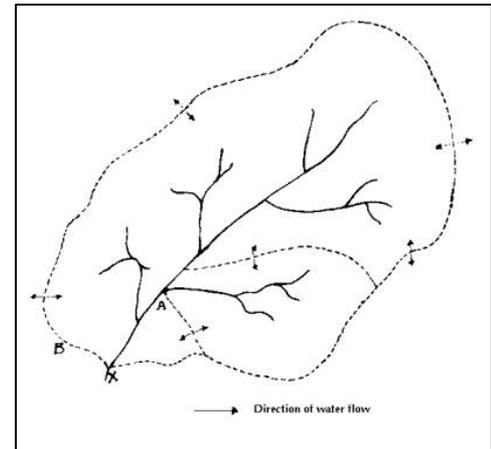
- Methylmercury Human Health Criterion
 - 2001 nationally recommended 304(a) criterion
 - In the U.S. the most common exposure pathway is by eating contaminated fish
 - Current criterion for inorganic mercury adopted in 1995 and does not reflected updated science and methods
 - Update needed to protect human health

Potential Projects

- Ammonia Aquatic Life Criteria
 - Ammonia causes direct toxic effects on aquatic life
 - Currently no numeric ammonia criteria in OK WQS
 - 2001 Oklahoma interim permitting strategy to mitigate risk of ammonia toxicity until numeric criteria adopted
 - 2013 nationally recommend 304(a) criteria for ammonia
 - Need to evaluate effectiveness of interim strategy & update criteria to protect aquatic life

Potential Projects

- Minerals Criteria Revision
 - Minerals Criteria
 - General narrative criteria applicable to all waters
 - General criteria for protection of irrigation agriculture beneficial use
 - Narrative criteria translated to numeric values based on historic data, Appendix F
 - Challenges due to applying Appendix F values by WQ management segment
 - Comprehensive review of minerals criteria needed



Potential Projects

- Human Health Criteria updates
 - 2015 nationally recommend human health criteria updated for 94 chemical pollutants
 - Updated criteria reflects latest science on key factors:
 - Body weight
 - Drinking water & fish consumption rates
 - Health toxicity values
 - Source contributions
 - Update to OK criteria needed to fully protect human health

Potential Projects

- Reformat WQS - Appendix A
 - Appendix A, list the designated beneficial use of surface waters in Oklahoma
 - Administrative update (not regulatory) to make Appendix A more user friendly
 - Need to update waterbody ID numbers
 - Reconcile waterbody ID numbers with Attains database
 - Consider organizing appendix by watershed
 - Overall goal to update all WQS sections to user friendly format

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

Questions / Open Discussion

Contact Information

Monty Porter

Phone: 405-530-8933

Monty.porter@owrb.ok.gov

Rebecca Veiga Nascimento

Phone: 405-530-8952

Rebecca.veiga@owrb.ok.gov

Lynda Williamson

Phone: 405-530-8923

Lynda.williamson@owrb.ok.gov

[ov](#)

