A. A BRIEF DESCRIPTION OF THE PURPOSE OF THE PROPOSED RULES.

Oklahoma Water Resources Board (OWRB) staff is proposing to amend provisions of the Oklahoma Water Quality Standards codified in Oklahoma Administrative Code (OAC) 785:45 as presented below.

Technical documentation supporting the proposed amendments/rules outlined below is posted on the OWRB website (http://www.owrb.ok.gov/util/rules/wqs_revisions.php). The OWRB hosted informal public meetings to discuss the proposed amendments on March 1, 2018, August 29, 2018, and October 10, 2018. During and since these meetings, OWRB staff received a limited amount of specific information/comments, from other agencies or interested parties, regarding the proposed rules and subjects B through J below. Staff worked to be responsive to the comments/information received in the draft proposed rules and in the absence of specific information from outside entities evaluated subjects B through J in a broad manner.

Proposed Selenium Aquatic Life Criterion

Amendments are proposed to update selenium aquatic life criterion for the protection of the Fish and Wildlife Propagation beneficial use. The proposed amendments revoke and reenact Appendix G (785:45 Appendix G) with revisions to the selenium criterion in Table 2. The proposed selenium criterion is a single chronic criterion composed of three elements. The three criterion elements are 1) dissolved total selenium in flowing waters, 2) fish tissue whole-body, and 3) fish tissue muscle. The water column value is the applicable criterion element in the absence of steady-state condition fish tissue date. Although, fish whole-body or muscle tissue supersedes the water column criterion element when both fish tissue and water concentrations are measured. The changes also include new footnotes, as part of Table 2, to describe the application of the selenium criterion.

The proposed updated selenium criterion is not applicable to reservoirs and certain rivers with average ambient conductivity greater than 2,000 µS/cm. The current selenium chronic criterion of 5 µg/L will remain applicable in these waterbodies.

Selenium, in small amounts, is an essential nutrient for animals; however, it is toxic at greater concentrations. Selenium bioaccumulates through the aquatic food chain and chronic exposure to fish and aquatic invertebrates results in reproductive injuries (e.g. larval mortality and deformities). Chronic selenium exposure also causes diminished growth and mortality in juvenile fish. The purpose of the proposed rule is to incorporate new scientific information regarding the toxicity and bioaccumulation of selenium in aquatic life and fully protect the Fish and Wildlife Propagation beneficial use.

Proposed Site-Specific Criteria and Variance Provisions

Amendments are proposed to revise two key provisions found in the water quality standards, site-specific criteria and water quality standards variance (new language, 785:45-5-5, & 785:45-
5-7). The site-specific criteria provision is a tool to accommodate particular conditions at a site while still providing the same level of beneficial use protection as the statewide criterion. Site-specific criteria are developed to address circumstances related to the site’s unique physical, chemical, or biological condition. A water quality standards variance is a time-limited beneficial use and criterion for a specific pollutant that reflects the highest attainable water quality condition during the term of the water quality standards variance. A water quality standards variance is a regulatory tool to guide and direct incremental improvements in water quality in situations where a waterbody’s beneficial use is not currently being met, but is attainable in the future.

Both of these provisions have long been included in Oklahoma’s water quality standards; however, the current regulatory language is awkward and unclear and in the case of variance the language is so restrictive that the provision is completely ineffective. The intent of the proposed revision for both site-specific criteria and variance is to provide clarification and make these provisions more accessible and functional as part of the water quality standards. The proposed amendments will not change the regulatory or technical process for development and adoption of individual site-specific criteria and variance in the future.

Proposed Appendix H Revision

Appendix H, Beneficial Use Designations for Certain Limited Areas of Groundwater, is proposed to be revoked and reenacted with two small revisions. The first revision is a correction for the Sand Springs Petrochemical Superfund Site overlying the Arkansas River Alluvium groundwater basin. The location legal description for this site is incorrect; the legal description will be corrected. The second revision provides the public additional information regarding the responsible agency when seeking information regarding this site.

B. A DESCRIPTION OF THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULES, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULES, AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES.

Proposed Selenium Aquatic Life Criterion

The classes of persons most likely to be affected by the proposed rules are Oklahoma Pollutant Discharge Elimination System (OPDES) permittees. Currently, about 23 facilities have a limit for selenium. It is likely that as part of their next permit renewal cycle these facilities will need to conduct additional selenium monitoring and potentially a fish tissue special study to determine if revised permit limits are necessary. Additionally, it is expected that some facilities that do not currently have a selenium permit limit may receive a limit under the updated criterion. At this time, it is not possible to estimate the number of facilities that may receive a new limit because that will only become known based on facility specific screening data at the time of permit renewal.

A fish tissue special study is not a requirement of the proposed criterion revision. The fish tissue special study is included as an option to provide regulatory flexibility and links selenium measurements between wastewater discharge and instream biota. Selenium is a bioaccumulative pollutant and its bioaccumulation and transfer through the aquatic food web depends on several factors specific to each aquatic system. Thus, it is not a foregone
conclusion that selenium discharged via wastewater will result in detrimental selenium concentrations in fish. A permittee however, may choose to conduct only selenium water chemistry monitoring and receive permit limits (if necessary) based on water chemistry results.

The proposed amendments have cost implications. The anticipated cost implications are generally associated with chemical screening, monitoring, a fish tissue special study, and with the additional treatment of wastewater that may be needed to meet the updated criterion. In general, any costs associated with compliance for the updated criterion for selenium will be determined by the size and current condition of a treatment facility, the extent of current controls, and the nature of the wastewater and receiving waters. The variability of factors associated with any facility or process changes required to comply with the proposed rules precludes the calculation of specific costs associated with attaining the proposed selenium criterion.

The impact of the proposed updated selenium criterion will be beneficial because it will fully protect the Fish and Wildlife Propagation beneficial use and supports flexibility in wastewater permitting.

OWRB did not receive any cost information from any private or public entity.

Proposed Site-Specific Criteria and Variance Provisions

The proposed action works to clarify and improve the functionality of two key water quality standards tools. No class of persons will be required to bear a cost due to OWRB clarifying and improving the functionality of the state’s site-specific criteria and variance provisions.

OWRB did not receive any cost information from any private or public entity.

Proposed Appendix H Revision

The proposed action corrects an error regarding the site location and specifies the Oklahoma Department of Environmental Quality (ODEQ) Land Protection Division as the responsible agency for any party seeking additional information. No class of person will be required to bear a cost due to this correction and additional information.

OWRB did not receive any cost information from any private or public entity.

C. A DESCRIPTION OF THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES.

Proposed Selenium Aquatic Life Criterion

OPDES permittees will benefit from the regulatory flexibility provided as part of the updated selenium criterion. Selenium is a bioaccumulative pollutant and its bioaccumulation and transfer through the aquatic food web depends on several factors specific to each aquatic system. Thus, it is not a foregone conclusion that selenium discharged via wastewater will result in detrimental selenium concentrations in fish. Permittees may choose to conduct a fish tissue special study in order to confirm the need for a permit limit. It is likely that there will be cases
where even though selenium is present in the wastewater discharge, permit limits are not necessary to protect the Fish and Wildlife Propagation beneficial use.

There will be considerable public benefit as a direct result of implementing the proposed updated aquatic life criterion for selenium. Oklahoma residents and recreational visitors will benefit from the protection of aquatic life resources and improved condition of surface waters around the state.

**Proposed Site-Specific Criteria and Variance Provisions**

The class of persons mostly likely to benefit from the proposed rule would be OPDES permittees if they seek to utilize the site-specific criteria and or variance provisions in order to accommodate specific water quality related circumstances. The proposed action works to clarify and improve the functionality of two key water quality standards tools. This promotes transparency and effectiveness for any party utilizing Oklahoma's Water Quality Standards.

**Proposed Appendix H Revision**

The proposed action corrects an error regarding the site location and specifies the ODEQ Land Protection Division as the responsible agency for any party seeking additional information. The class of person mostly likely to benefit from the proposed rule would include the public and well drillers interested in groundwater quality.

**D. A DESCRIPTION OF THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDING A LISTING OF ALL FEE CHANGES AND, WHENEVER POSSIBLE, A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE.**

**Proposed Selenium Aquatic Life Criterion**

The proposed amendment has cost implications. The affected classes of persons include OPDES permittees, which can include political subdivisions. Currently, about 23 facilities have a permit limit for selenium. It is likely that as part of their next permit renewal cycle these facilities will need to conduct additional selenium monitoring and potentially a fish tissue special study to determine if revised permit limits are necessary. A fish tissue special study is not a requirement of the proposed criterion revision. The fish tissue special study is included as an option to provide regulatory flexibility.

Additionally, it is expected that some facilities that do not currently have a selenium permit limit may receive a limit under the updated the criterion. At this time, it is not possible to estimate the number of facilities that may receive a new limit because it will only become known based on facility specific screening data at the time of permit renewal.

The anticipated cost implications are generally associated with chemical screening, monitoring, a fish tissue special study, and with the additional treatment of wastewater that may be needed to meet the updated criterion. In general, any costs associated with compliance for the updated criterion for selenium will be determined by the size and current condition of a treatment facility, the extent of current controls, and the nature of the wastewater and receiving waters. The variability of factors associated with any facility or process changes required to comply with the
proposed rules precludes the calculation of specific costs associated with attaining the proposed selenium criterion.

OWRB staff did not receive any information from affected persons, political subdivisions, or other state agencies regarding the probable economic impact of the proposed rules.

There are no fee changes included in the proposed rules.

Proposed Site-Specific Criteria and Variance Provisions

The proposed action works to clarify and improve the functionality of two key water quality standards tools. The site-specific criteria and or variance provisions work to accommodate specific water quality related circumstances and are optional water quality standards tools. This action does not create a new regulatory obligation for any class of persons or political subdivision. The proposed action is not expected to cause an economic impact.

OWRB staff did not receive any information from affected persons or political subdivisions regarding the probable economic impact of the proposed rules.

There are no fee changes included in the proposed rules.

Proposed Appendix H Revision

The proposed action simply provides corrected and updated information. The proposed rule is not expected to cause an economic impact on affected persons or political subdivisions.

OWRB staff did not receive any information from affected persons, political subdivisions, or other state agencies regarding the probable economic impact of the proposed rules.

There are no fee changes included in the proposed rules.

E. THE PROBABLE COSTS AND BENEFITS TO THE AGENCY AND TO ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULES, THE SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULES, AND ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN STATE REVENUES IF IT CAN BE PROJECTED BY THE AGENCY.

Proposed Selenium Aquatic Life Criterion

Oklahoma’s state environmental agencies, including OWRB, currently implement and/or enforce water quality standards through existing programs under their respective jurisdictions. The proposed rules do not create any new implementation programs. This proposed action will update the selenium aquatic life criterion in the water quality standards. The proposed selenium criterion is a single chronic criterion composed of three elements. The three criterion elements are 1) dissolved total selenium in flowing waters, 2) fish tissue whole-body, and 3) fish tissue muscle. This is the first time tissue criterion elements are being incorporated into Oklahoma’s water quality standards and the first time fish tissue is being included as part of OPDES permits.
This will likely require ODEQ staff to spend additional time working with permittees on fish tissue special studies and may prolong the development/adoption of permits. However, it is not expected that ODEQ will be required to modify implementation and or enforcement activities. Moreover, OWRB staff expects to invest additional staff time to assist and cooperate with ODEQ staff on the development and review of fish tissue special studies. OWRB staff also plan to develop a technical guidance document on the subject of fish tissue monitoring. This guidance document will support both stakeholders and sister agency staff in the development and review of fish tissue special studies.

State agencies that conduct water quality assessments to determine the attainment or nonattainment of beneficial uses will utilize the updated criterion to determine if a waterbody is impaired. If a waterbody is found to be impaired (not attaining its beneficial uses) it will be necessary for agency(s) to develop plans such as, a watershed based plan or Total Maximum Daily Load to improve water quality. These plans and subsequent implementation actions are part of existing programs and do not create new responsibilities for any agency.

OWRB did not receive any information on probable costs and benefits to implement and enforce the proposed rules from any agency. The proposed rules are not expected to have any effect on state revenues.

Proposed Site-Specific Criteria and Variance Provisions

Oklahoma’s state environmental agencies, including OWRB, currently implement and/or enforce water quality standards through existing programs under their respective jurisdictions. The proposed rules do not create any new implementation programs. The site-specific criteria and variance provisions already exist in Oklahoma’s water quality standards and the proposed action works to clarify and improve the functionality of these provisions. It is anticipated that this rulemaking action would provide an overall benefit to OWRB, other state agencies, and the regulated community by promoting clarity and effectiveness for any state agency and/or party utilizing the water quality standards.

OWRB did not receive any information on probable costs and benefits to implement and enforce the proposed rules from any agency. The proposed rules are not expected to have any effect on state revenues.

Proposed Appendix H Revision

Oklahoma’s state environmental agencies, including OWRB, currently implement and/or enforce water quality standards under their respective jurisdictions. The proposed rules do not create any new implementation programs. The proposed action corrects an error regarding the site location and specifies the ODEQ Land Protection Division as the responsible agency for any party seeking additional information. This amendment is not expected to result in any additional costs for other state agencies.

OWRB did not receive any information on probable costs and benefits to implement and enforce the proposed rules from any agency. The proposed rules are not expected to have any effect on state revenues.
F. A DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULES WILL HAVE AN ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISIONS OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE RULES.

Proposed Selenium Aquatic Life Criterion

Political subdivisions are not expected to have implementation or enforcement responsibilities associated with the proposed rules. However, political subdivisions such as, counties and/or municipalities that are required to obtain an OPDES permit for discharges may have compliance responsibilities and cooperation would be beneficial.

The anticipated cost implications are generally associated with chemical screening, monitoring, a fish tissue special study, and with the additional treatment of wastewater that may be needed to meet the updated criterion. In general, any costs associated with compliance for the updated criterion for selenium will be determined by the size and current condition of a treatment facility, the extent of current controls, and the nature of the wastewater and receiving waters. The variability of factors associated with any facility or process changes required to comply with the proposed rules precludes the calculation of specific costs associated with attaining the proposed selenium criterion.

Proposed Site-Specific Criteria and Variance Provisions

Political subdivisions are not expected to have implementation or enforcement responsibilities associated with the proposed rules. The proposed action works to clarify and improve the functionality of two key water quality standards tools. The site-specific criteria and or variance provisions work to accommodate specific water quality related circumstances and are optional water quality standards tools. The proposed updates do not create any new regulatory obligations or change the framework of water quality standards protection. If a political subdivision has seeks to utilize either a site-specific criterion or variance provision this amendment would prove beneficial.

The proposed rule is not expected to cause an economic impact on political subdivisions.

Proposed Appendix H Revision

The proposed action simply provides corrected and updated information. Political subdivisions are not expected to have implementation or enforcement responsibilities associated with the proposed rules. The proposed updates do not create any new regulatory obligations or change the framework of water quality standards protection. The proposed rule is not expected to cause an economic impact on political subdivisions.

G. A DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULES MAY HAVE AN ADVERSE ECONOMIC EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT.
Proposed Selenium Aquatic Life Criterion

It is possible that there may be an economic effect on small businesses (defined in 75 O.S. § 502) if the small business is required to obtain an OPDES permit for discharge of wastewater. The proposed updated selenium criterion for the protection of the Fish and Wildlife Propagation beneficial use will be implemented through the OPDES program and it is reasonable to expect compliance responsibilities.

The anticipated cost implications are generally associated with chemical screening, monitoring, a fish tissue special study, and with the additional treatment of wastewater that may be needed to meet the updated criterion. In general, any costs associated with compliance for the updated criterion for selenium will be determined by the size and current condition of a treatment facility, the extent of current controls, and the nature of the wastewater and receiving waters. The variability of factors associated with any facility or process changes required to comply with the proposed rules precludes the calculation of specific costs associated with attaining the proposed selenium criterion.

Proposed Site-Specific Criteria and Variance Provisions

The proposed rule works to clarify and improve the functionality of two key water quality standards tools. The site-specific criteria and or variance provisions work to accommodate specific water quality related circumstances and are optional water quality standards tools. The proposed updates do not create any new regulatory obligations or change the framework of water quality standards protection and will not create any additional cost for small business (defined in 75 O.S. § 502). The proposed rule is not expected to have an adverse economic impact on any small business.

Proposed Appendix H Revision

The proposed action simply provides corrected and updated information and will not create any additional cost for small business (defined in 75 O.S. § 502). The proposed rule is not expected to have an adverse economic impact on any small business.

H. AN EXPLANATION OF THE MEASURES THE AGENCY HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES.

Proposed Selenium Aquatic Life Criterion

In accordance with the Clean Water Act, states have an obligation to adopt water quality criteria for toxic substances and ensure protection of aquatic life beneficial uses. The proposed updated selenium criterion, which protects the Fish and Wildlife Propagation beneficial use, fulfills this requirement. The selenium criterion is based on updated bioaccumulation and toxicological information and this information was rigorously evaluated to ensure applicability to Oklahoma’s waterbodies. Additionally, it is Oklahoma’s desire to ensure protection of our aquatic resources. Recreation in and on Oklahoma’s waters substantially contributes to the state’s economy. This proposed rule will benefit Oklahoma residents and recreational visitors
through protection of aquatic life resources and improved condition of surface waters around the state.

Moreover, the fish tissue special study is included as an implementation option to provide regulatory flexibility and links selenium measurements between wastewater discharge and instream biota. Selenium is a bioaccumulative pollutant and its bioaccumulation and transfer through the aquatic food web depends on several factors specific to each aquatic system. Thus, it is not a foregone conclusion that selenium discharged via wastewater will result in detrimental selenium concentrations in fish. Permittees may choose to conduct a fish tissue special study in order to confirm the need for a permit limit. It is likely that there will be cases where even though selenium is present in the wastewater discharge permit limits are not necessary to protect the Fish and Wildlife Propagation beneficial use. This approach will help to minimize compliance costs.

The proposed updated selenium criterion is not applicable to reservoirs and certain rivers with average ambient conductivity greater than 2,000 µS/cm. The current selenium chronic criterion of 5 µg/L will remain applicable in these waterbodies. This approach targets the updated criterion to the most pertinent waterbodies.

The impact of the proposed updated selenium criterion will be beneficial because it will fully protect the Fish and Wildlife Propagation beneficial use and supports flexibility in wastewater permitting.

OWRB staff did not receive any expected compliance cost information from other state agencies and/or interested parties.

**Proposed Site-Specific Criteria and Variance Provisions**

The proposed rule works to clarify and improve the functionality of two key water quality standards tools. The site-specific criteria and or variance provisions work to accommodate specific water quality related circumstances and are optional water quality standards tools. The proposed updates do not create any new regulatory obligations or change the framework of water quality standards protection. Thus, there are not expected to be compliance costs associated with clarifying the language and making these provisions more accessible and functional as part of the water quality standards.

**Proposed Appendix H Revision**

The proposed action simply provides corrected and updated information and does not require any compliance responsibilities.

OWRB staff did not receive any expected compliance cost information from other state agencies and/or interested parties.

I. **A DETERMINATION OF THE EFFECT OF THE PROPOSED RULES ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULES 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 RULES WILL REDUCE THE RISK.

Proposed Selenium Aquatic Life Criterion

The proposed selenium criterion is an aquatic life criterion. Aquatic life criteria address the state’s water quality goal of providing for the protection and propagation of fish and wildlife. Selenium, in small amounts, is an essential nutrient for animals; however, it is toxic at greater concentrations. Selenium bioaccumulates through the aquatic food chain and chronic exposure to fish and aquatic invertebrates results in reproductive injuries (e.g. larval mortality and deformities). Chronic selenium exposure also causes diminished growth and mortality in juvenile fish. Fish are the most sensitive taxa within the aquatic community to selenium toxicity. The criterion was developed based on fish tissue toxicity data, including concentration ratios among different tissue types, and translators to relate tissue and water selenium concentrations. The combination of three criterion elements (water, fish whole-body, & fish muscle tissue) provides protection against the chronic effects of selenium exposure.

The purpose of the proposed rule is to incorporate new scientific information regarding the toxicity and bioaccumulation of selenium in aquatic life and fully protect the Fish and Wildlife Propagation beneficial use. The updated selenium criterion will benefit Oklahoma residents and recreational visitors through protection of aquatic life resources and improved condition of surface waters around the state.

Proposed Site-Specific Criteria and Variance Provisions

The proposed rule works to clarify and improve the functionality of two key water quality standards tools. The site-specific criteria and or variance provisions work to accommodate specific water quality related circumstances and are optional water quality standards tools. The proposed updates do not create any new regulatory obligations or change the framework of water quality standards protection. This proposed action promotes transparency and effectiveness for any party utilizing Oklahoma’s Water Quality Standards.

Proposed Appendix H Revision

The proposed action corrects an error regarding the site location and specifies the Oklahoma Department of Environmental Quality (ODEQ) Land Protection Division as the responsible agency for any party seeking additional information. This action will benefit the public and well drillers concerned with groundwater quality by providing correct site location and a direction for additional information.
J. A DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULES ARE NOT IMPLEMENTED.

Proposed Selenium Aquatic Life Criterion

Oklahoma’s existing selenium aquatic life numeric criteria are based upon science and information from 1987. Since 1987, there has been substantial scientific progress related to selenium; particularly on the toxic nature of selenium, its fate and transport in aquatic systems, and bioaccumulation. All of the new scientific information resulted in a significant shift in the technical approach (namely the use of fish tissue elements) to the selenium aquatic life criterion. OWRB needs to update the state’s selenium aquatic life criterion in order to ensure regulations are aligned with current and best available science and to fully protect the Fish and Wildlife Propagation beneficial use.

Recreation in and on Oklahoma’s waters substantially contributes to the state’s economy. This proposed rule will benefit Oklahoma residents and recreational visitors through protection of aquatic life resources and improved condition of surface waters around the state.

Proposed Site-Specific Criteria and Variance Provisions

The site-specific criteria and or variance provisions work to accommodate specific water quality related circumstances and are optional water quality standards tools. The site-specific criteria and variance provisions already exist in Oklahoma’s water quality standards and the proposed action works to clarify and improve the functionality of these provisions. There are no anticipated adverse effects to public health, safety or the environment if these proposals are not implemented.

Proposed Appendix H Revision

The proposed action corrects an error regarding the site location and specifies the ODEQ Land Protection Division as the responsible agency for any party seeking additional information. This action will benefit the public and well drillers concerned with groundwater quality by providing correct site location and a direction for additional information. It is a risk to the public and the environment if polluted sites are incorrectly identified; accurately identifying polluted sites is critical for public transparency and regulatory responsibility.

K. THE DATE THE RULE IMPACT STATEMENT WAS PREPARED AND IF MODIFIED, THE DATE MODIFIED:

This rule impact statement was prepared and approved on December 3, 2018, Monty Porter, Assistant Chief of Water Quality Programs Division, Oklahoma Water Resources Board.