

**TITLE 785. OKLAHOMA WATER RESOURCES BOARD
CHAPTER 1. ORGANIZATION AND PROCEDURE OF OKLAHOMA WATER
RESOURCES BOARD**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Organization, meetings and Comprehensive Water Plan

785:1-3-2. Purpose of the Board [AMENDED]

Subchapter 11. Complaints and complaints resolution

785:1-11-1 Complaint evaluation and resolution procedures [AMENDED]

SUMMARY:

The Oklahoma Water Resources Board ("OWRB") proposes to amend this Chapter of the Oklahoma Administrative Code ("OAC") as follows:

A section describing the purpose of the Board is proposed to be amended to delete inapplicable language about the Board being able to review, reject, modify and approve all local, state and federal water plans. The circumstances creating the need for the rule include staff's review of rules for consistency with statutes. The intended purpose of the rule is to remove obsolete or superfluous language from the rule.

Another section on complaints evaluation and resolution procedures is proposed to be amended to delete the specific time period within which an initial response and close out are required to be entered, to allow more flexibility depending on the circumstances. The circumstances creating the need for the rule include staff's review of rules for consistency with statutes and the extremely short time frame for responding compared to the need for more time to even start an initial investigation. The intended purpose of the rule is to provide flexibility to staff relative to providing an initial response to a complaint.

Other amendments may be considered as a result of public comments.

AUTHORITY:

Oklahoma Water Resources Board general authority and duties in 82 O.S. Section 1085.2; Administrative Procedures Act requirement to describe organization and procedure of agency in 75 O.S. Section 302; and Oklahoma Environmental Quality Act, 27A O.S. Section 1-1-204 concerning complaints procedure

COMMENT PERIOD:

Persons wishing to present data, views, or arguments orally or in writing may do so at 3800 North Classen, Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 7, 2008.

PUBLIC HEARING:

A public hearing is scheduled for January 8, 2008, beginning at 9:30 A.M. in the Board Room of the OWRB's offices located at 3800 North Classen, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The OWRB requests that any business entities affected by these proposed rules provide to the OWRB, within the Comment Period from November 15, 2007 through January 7, 2008, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment,

construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Dean Couch at 3800 North Classen, Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 7, 2008.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Water Resources Board, 3800 North Classen Boulevard, Oklahoma City, Oklahoma 73118, upon prepayment of the copying charge, or on the Board's web site, www.owrb.state.ok.us.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review at the OWRB's office, 3800 North Classen, Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at www.owrb.state.ok.us.

CONTACT PERSON:

Dean A. Couch, General Counsel, 405-530-8800 or dacouch@owrb.state.ok.us.