

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

Appendix A Revisions

Sources of Appendix A Updates

- Non-substantive revisions
 - Standardization of nomenclature
 - Editorial correction of errors and oversights
 - Structural changes
- Substantive revisions
 - Addition of newly numbered waterbodies
 - Addition of non-default beneficial uses
 - Change of a beneficial use
 - Inclusion of a limitation or remark

Saline and Little Saline Creek

- Non-substantive, editorial addition of High Quality Water (HQW) antidegradation classification
- Originally placed into rule during 2010-2011 interim revision
- Inadvertently removed during the 2012 triennial revision
- Supporting documentation includes:
 - Original staff report (Attachment B)
 - Oklahoma Register Final Rule Publication, Volume 28, Number 17, page 1007 (Attachment C)
- Revision to Appendix A.1 of OWQS
 - Inclusion of “HQW” in Limitations

Great Salt Plains Reservoir

- Non-substantive addition of an additional waterbody identification number (WBID)
- Additional WBID segmented by the Oklahoma Department of Environmental Quality for inclusion in Oklahoma's Integrated Report of Water Quality
- Revision to Appendix A.6 of OWQS
 - Inclusion of WBID "621010010020_00"

Hefner Lake

- Included in 2007-2008 interim revision but not in final rule
- Is a listed waterbody and a regionally important reservoir
- Assignment of default beneficial uses of warm water aquatic community, primary body contact recreation, agriculture, and aesthetics
- Proposed assignment of the existing public and private water supply beneficial use
 - City of OKC public water supply reservoir
- Revision to Appendix A.6,
 - Inclusion of name “**Hefner Lake**”
 - WBID “**620910040200 00**”
 - Uses listed above

Arkansas River

- Brought by Indian Nations Council of Governments (Attachment D)
- Arkansas River from Keystone Dam to confluence with Verdigris River
 - Segments: 120410010010, 120410010080_00, 120410010080_10, 120420010010_00, 120420010010_10, and 120420010130
- Currently assigned Secondary Body Contact Recreation Beneficial use
 - In remarks, carries a (2), which is defined in Appendix A Preamble (d) as: “indicates that criteria for the beneficial use of PBCR apply regardless of the recreation use designated”
 - Original intent was to restrict recreation use
 - All regulatory and non-regulatory implementation programs use the Primary Body Contact Recreation (PBCR) criteria

Arkansas River

- Existing use of waterbody segments is PBCR
 - Clean Water Act 101(a)(2) use
 - River segments are accessible and used for recreation
 - River has adequate depth for full body submersion
- Proposed Revisions to Appendix A :
 - Preamble (d)(2)—strike all language
 - Table A.1, “~~SBCR~~”, “PBCR”, and “~~(2)~~”

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

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