

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 49. Oklahoma Emission Reduction Technology Rebate Program

252:100-49-5 [AMENDED]

252:100-49-7 [AMENDED]

SUMMARY:

The Department of Environmental Quality (Department or DEQ) is proposing to amend Subchapter 49, Oklahoma Emission Reduction Technology Rebate Program in OAC 252:100, to implement recent changes to applicable provisions of the Oklahoma Emission Reduction Technology Incentive Act, 68 O.S. § 55006, et seq. DEQ and the Oklahoma Tax Commission jointly administer the "Oklahoma Emission Reduction Technology Rebate Program" to provide an incentive for "Emission Reduction Projects" – implementation of new and innovative technologies to reduce air pollutant emissions from oil and gas facilities. The gist of this rule proposal and the underlying reason for the rulemaking is to implement the Department's continuing responsibilities under the Oklahoma Emission Reduction Technology Incentive Act as revised during the 2025 Oklahoma Legislative Session.

AUTHORITY:

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, 2-3-402, and 2-5-106.

Air Quality Advisory Council; 27A O.S. §§ 2-2-201 and 2-5-107.

Oklahoma Clean Air Act; 27A O.S. §§ 2-5-101 through 2-5-130.

Oklahoma Uniform Permitting Act; 27A O.S. §§ 2-14-101 through 2-14-304.

Oklahoma Emission Reduction Technology Incentive Act; 68 O.S. § 55011.

COMMENT PERIOD:

Oral comments may be made at the October 16, 2025 Air Quality Advisory Council meeting and at the January 21, 2026 Environmental Quality Board meeting. The written comment period was previously noticed on September 15, 2025, and was open through October 15, 2025. This notice was published at 43 Ok Reg 6.

PUBLIC HEARINGS:

Before the Air Quality Advisory Council at 9:00 a.m. on Thursday, October 16, 2025, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. This hearing was previously noticed at 43 Ok Reg 6.

If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Wednesday, January 21, 2026, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the 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.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, or reviewed online at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>.

RULE IMPACT STATEMENTS:

Pursuant to 75 O.S. § 303(D), a rule impact statement was prepared and is available on the DEQ website at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>. Copies may also be obtained from the Department by calling the contact person listed below.

CONTACT PERSON:

The contact person for this proposal is Melanie Foster, Environmental Programs Manager, who can be reached by phone at (405) 702-4100. Please email written comments to AQDRuleComments@deq.ok.gov. Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Melanie Foster.

PERSONS WITH DISABILITIES:

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405) 702-4177. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.