

Overview of Proposed Changes to Air Quality Rules
Subchapter 49
Oklahoma Emission Reduction Technology Rebate Program

Air Quality Advisory Council Meeting
October 16, 2025



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Introduction

Summary of topics for today's meeting:

- Legislation
- Proposed changes to rule language
- Recommendation

An Act

ENROLLED SENATE
BILL NO. 469

By: Woods of the Senate

and

Boles and Adams of the
House

An Act relating to the Oklahoma Emission Reduction Technology Rebate Program; amending Section 4, Chapter 346, O.S.L. 2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section 55009), which relates to the Oklahoma Emission Reduction Technology Incentive Act; modifying eligibility requirements for rebate payment; clarifying statutory language; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Emission Reduction Technology Rebate Program

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 4, Chapter 346, O.S.L. 2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section 55009), is amended to read as follows:

Section 55009. A. Upon July 1, 2022, there is hereby created the Oklahoma Emission Reduction Technology Rebate Program. There is hereby created a rebate in the amount of up to twenty-five percent (25%) of documented expenditures made in this state directly attributable to the implementation of a qualified Emission Reduction Project.

B. The rebate program shall be administered by the Department of Environmental Quality and the Oklahoma Tax Commission, as provided in the Oklahoma Emission Reduction Technology Incentive Act.

Legislation

Revisions to the Oklahoma Emission Reduction Technology Rebate Program

Enrolled Senate Bill No. 469 was passed by the Oklahoma Legislature and signed by the Governor on April 28, 2025.

The bill amended the language authorizing rebates for eligible projects to state that

- All applications for rebates shall be submitted no later than six months after the end of the fiscal year in which the project was completed, and
- All applications for rebates shall be submitted no later than six months prior to the date of cessation of the program.

Chapter 100 Changes

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY

CHAPTER 100. AIR POLLUTION CONTROL

SUBCHAPTER 49. OKLAHOMA EMISSION REDUCTION TECHNOLOGY REBATE PROGRAM

A notice of proposed permanent rulemaking was published on September 15, 2025; a revised version of the notice was published on October 15 to state that, if approved by the Air Quality Advisory Council (AQAC), the proposed rule changes would be presented to the Environmental Quality Board (EQB) at the meeting on January 21, 2026.

Please turn in your packet to the proposed amendments to rule text in Chapter 100, Subchapter 49.

Chapter 100, Subchapter 49 Changes

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

SUBCHAPTER 49. OKLAHOMA EMISSION REDUCTION TECHNOLOGY REBATE PROGRAM

252:100-49-5. Program criteria and qualification determination

(a) **Applying for rebate eligibility.** An applicant responsible for the implementation of a qualified Emission Reduction Project may submit a rebate claim to DEQ for review and determination whether the project qualifies under the program.

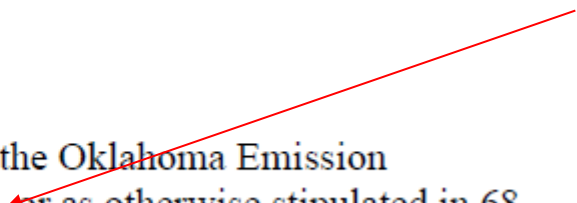
(1) The rebate claim shall be submitted on forms provided for this purpose, or as otherwise specified by DEQ.

(2) The rebate claim shall be submitted to DEQ no later than six (6) months after the end of the fiscal year in which the ~~expenditures were made~~ implementation of the qualified Emission Reduction Project was completed. The fiscal year ends on June 30 each year.

To mirror the legislation adopted this year, the language in the rule will be amended to clarify that the application for a rebate must be submitted no later than six months after the end of the fiscal year in which the project was completed.

Chapter 100, Subchapter 49 Changes

252:100-49-7. Sunset provision

This Subchapter shall cease to be in effect if and when the Oklahoma Emission Reduction Technology Rebate Program ceases on July 1, 2027,  or as otherwise stipulated in 68 O.S. § 55012 or its successor. All applications for rebate payment shall be submitted to the Department no later than six (6) months prior to the date of cessation.

Again, to mirror the legislation, the language in the section addressing sunseting of the program has been amended to state that all applications must be submitted no later than six months prior to the date of cessation of the program.

Summary of Comments and DEQ Responses

The DEQ received no written comments addressing the proposed changes to Subchapter 49.

Chapter 100, Subchapter 49 Changes

Staff requests that the AQAC recommend the proposed rule revisions to Subchapter 49 as presented today to the EQB (during the January meeting) for adoption as a permanent rule.

Thank you!