

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

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 8. Permits for Part 70 Sources and Major New Source Review (NSR) Sources  
252:100-8-6 [AMENDED]

**SUMMARY:**

The Department of Environmental Quality (Department or DEQ) is proposing to amend Subchapter 8, Permits for Part 70 Sources and Major New Source Review (NSR) Sources, in OAC 252:100, to improve language at OAC 252:100-8-6(f). The gist of this rule proposal is to provide greater clarity to permitted facilities on the subject of operational flexibility.

**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.

**COMMENT PERIOD:**

Written comments may be submitted to the contact person from March 16, 2026, through April 16, 2026. Oral comments may be made at the April 22, 2026, Air Quality Advisory Council meeting and at the June 9, 2026, Environmental Quality Board meeting.

**PUBLIC HEARINGS:**

Before the Air Quality Advisory Council at 9:30 a.m. on April 22, 2026, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102.

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 June 9, 2026, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102.

These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Implementation Plan (SIP) under the requirements of 40 C.F.R. § 51.102 and 27A O.S. § 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 C.F.R. Part 70 and 27A O.S. § 2-5-112(B)(9).

**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/divisions/executive-offices/office-of-communication-and-education/events/2026/april/aqac-4-22-26.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/divisions/executive-offices/office-of-communication-and-education/events/2026/april/aqac-4-22-26.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](mailto: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.