

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 641. INDIVIDUAL AND SMALL PUBLIC ONSITE SEWAGE
TREATMENT SYSTEMS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1 General Provisions

252:641-1-1 [AMENDED]

252:641-1-2 [AMENDED]

252:641-1-3 [AMENDED]

252:641-1-4 [AMENDED]

252:641-1-5 [AMENDED]

Subchapter 3 Soil Tests

252:641-3-1 [AMENDED]

252:641-3-2 [AMENDED]

252:641-3-4 [AMENDED]

Subchapter 5 Building Sewer and Collections Systems

252:641-5-1 [AMENDED]

252:641-5-2 [REVOKED]

Subchapter 7 Septic Tanks

252:641-7-1 [AMENDED]

252:641-7-3 [AMENDED]

Subchapter 9 Pump Tanks

252:641-9-1 [AMENDED]

Subchapter 10 Aerobic Treatment Systems

252:641-10-1 [AMENDED]

252:641-10-2 [AMENDED]

252:641-10-3 [AMENDED]

Subchapter 12 Dispersal Fields

252:641-12-2 [AMENDED]

252:641-12-3 [AMENDED]

252:641-12-5 [AMENDED]

252:641-12-6 [AMENDED]

252:641-12-7 [AMENDED]

Subchapter 15 Lagoons

252:641-15-1 [AMENDED]

252:641-15-5 [AMENDED]

252:641-15-6 [AMENDED]

Subchapter 21 Certification for On-site Sewage Treatment System Installers

252:641-21-2.1 [AMENDED]

252:641-21-3 [AMENDED]

252:641-21-12 [AMENDED]

Subchapter 22 Certification for ~~Persons who Perform~~ Soil Profilers ~~Descriptions~~

252:641-22-2 [AMENDED]

252:641-22-3 [AMENDED]

252:641-22-4 [AMENDED]

252:641-22-5 [AMENDED]

Subchapter 23 Fees

252:641-23-2 [AMENDED]

252:641-23-3 [AMENDED]

252:641-23-4 [AMENDED]

252:641-23-5 [NEW]

Appendix C. Pipe Specifications for On-site Sewage Treatment Systems [REVOKED]

Appendix C. Pipe Specifications for On-site Sewage Treatment Systems [NEW]

Appendix E Horizontal Separation Distance Requirements for On-site Sewage Treatment Systems [REVOKED]

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Appendix F Estimated Average Daily Flow for Small Public On-site Sewage Treatment Systems [REVOKED]

Appendix F Estimated Average Daily Flow for Small Public On-site Sewage Treatment Systems [NEW]

Appendix M Examples of Trench Installation [REVOKED]

Appendix M Examples of Trench Installation [NEW]

SUMMARY:

The gist of the rule that the Department is proposing is to: (1) clarify the definitions of “Sewage”, (2) clarify ownership as it applies to on-site systems, (3) establish a date that the percolation test method will no longer be accepted for the design and sizing of on-site sewage treatment system, (4) remove the building sewer construction requirements and reference the most current adoption of the Oklahoma Plumbing Code, (5) require the installation of an access manhole over the septic tank inlet baffle, (6) include language to allow the use of aerobic treatment systems for commercial small public facilities, increase the overall installation depth of the systems, and clarify the maintenance requirements, (7) amend the construction requirements for ET/A system to allow for a depth of installation range from 18-24 inches, (8) amend the drip installation requirements to include a daily pumping timeframe, clarify the drip pipe spacing requirements, and require the installation of a flow meter in the dispersal field, (9) add closure requirements for lagoons and require signage for all small public lagoons, (10) add language that defines the timeframe a passing test score is valid as it applies to Certified Installers and Certified Soil Profilers and define the timeframe records are to be retained, (11) include language that references OAC 252:4-7 that addresses the refunding of permit fees, and (12) make other minor clarifications and corrections.

AUTHORITY:

Environmental Quality Board, 27A O.S §§ 2-2-101, 2-2-201, 2-6-402, and 2-6-403; and 59 O.S. § 1158.

COMMENT PERIOD:

Written comments may be submitted to the contact person from November 15, 2019, through December 15, 2019. Oral comments may be made at the Water Quality Advisory Council meeting on January 7, 2020, and at the Environmental Quality Board meeting at the regularly scheduled meeting to be held in February 2020.

PUBLIC HEARING:

Before the Water Quality Advisory Council on January 7, 2020 at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73101. Before the Environmental Quality Board at the regularly scheduled meeting to be held in February 2020 at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73101.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The DEQ requests that business entities affected by the proposed rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred 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, Oklahoma, during normal business hours (8:00 am – 4:30 pm Monday through Friday) or reviewed online at https://www.deq.ok.gov/wp-content/uploads/deqmainresources/252641_IndividualandSmallPublicOn-SiteSewageTreatmentSystems2019DRAFT.pdf

RULE IMPACT STATEMENT:

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at https://www.deq.ok.gov/wp-content/uploads/deqmainresources/641-RIS_Final_19-10-07.pdf

CONTACT PERSON:

The contact person is Nicholas Huber. Nicholas may be contacted at: nicholas.huber@deq.ok.gov (e-mail) or (405) 702-6100 (phone). The DEQ is located at 707 N. Robinson, Oklahoma City, Oklahoma 73102. The DEQ's mailing address is P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677.

ADDITIONAL INFORMATION:

Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-722-0353, for TDD machine use only.