TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 515. MANAGEMENT OF SOLID WASTE

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 21. Used Tire Processing, Certification, Permits and Compensation [NEW]
Part 7. Compensation from the Used Tire Indemnity Fund
252:515-21-73 [AMENDED]

SUMMARY:

The Environmental Quality Board (EQB), at its September 9, 2026 meeting, voted to approve a Petition for Rulemaking that proposed the Department of Environmental Quality (DEQ) amend Oklahoma Administrative Code (OAC) 252:515-21-73, Used Tire Processing, Certification, Permits, and Compensation. The gist of this rulemaking is to allow a tire processor that owns more than one facility to combine the eligible capital investment amounts from both facilities into one total. This rule change impacts the speed at which a lower volume facility can receive full reimbursement for their capital investment if it is associated with another facility. This change may encourage investment into tire processing equipment and creation of improved products, further enabling the processors to accomplish the Tire Recycling Program's mission of remediation of existing tire dumps and prevention of new dumps.

AUTHORITY:

Environmental Quality Board; 27A O.S., §§ 2-2-101, 2-10-201, 27A O.S., § 2-11-401.6: authorizes DEQ to (1) promulgate rules for the permitting of used tire recycling facilities, and (2) promulgate rules for the certification for entities to receive compensation, and 27A O.S., § 401.4(E): the Used Tire Recycling Act does not prohibit DEQ from allowing aggregated compensation requests.

COMMENT PERIOD:

Written comments may be submitted to the contact person from November 2, 2026, through December 11, 2026. Oral comments may be made at the December 8, 2026, Formal Rules Hearing at 10:00 am at the offices of the Department of Environmental Quality, 707 North Robinson Ave, Oklahoma City, OK 73102, and at the January 20, 2027, Environmental Quality Board meeting at 9:30 a.m. at the Department of Environmental Quality, 707 North Robinson Ave, Oklahoma City, OK 73102.

PUBLIC HEARINGS:

Oral comments may be made at the December 8, 2026 Formal Rules Hearing at 10:00 am at the offices of the Department of Environmental Quality, 707 North Robinson Ave, Oklahoma City, OK 73102. The proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on January 20, 2027 at the offices of the Department of Environmental Quality, 707 North Robinson Ave, Oklahoma City, OK 73102. Persons with disabilities who desire to attend a public hearing and need assistance should notify the contact person three days in advance of the meeting during business hours at 405-702- 5226 or by using TDD relay number 1-800-522-8506.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

DEQ requests that business entities affected by these proposed rules provide DEQ, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, record keeping, 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.

PROPOSED RULES:

Copies of the proposed rules may be obtained from the contact person and may be viewed on the DEQ website at https://oklahoma.gov/deq/rules-and-regulations/proposed-rules-regulations.html .

RULE IMPACT STATEMENT:

The Rule Impact Statement for the proposed rules will be on file at DEQ and may be requested from the contact person or viewed on the DEQ website at https://oklahoma.gov/deq/rules-and-regulations/proposed-rules-regulations.html .

CONTACT PERSON:

Patrick Riley, Land Protection Division, Solid Waste and Sustainability Unit, P.O. Box 1677, Oklahoma City, OK 73101-1677, e-mail at public.comments@deq.ok.gov, phone 405-702-5100, or fax 405-702-5101.

ADDITIONAL INFORMATION:

Persons with disabilities who desire to attend the public hearing and need assistance should notify the contact person three days in advance of the meeting during business hours at 405-702-5100 or by using TDD relay number 1-800-522-8506.