

**TITLE 785. OKLAHOMA WATER RESOURCES BOARD
CHAPTER 50. FINANCIAL ASSISTANCE**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 15. Waste and Wastewater American Rescue Plan Act (ARPA) Grant Program Requirements and Procedures

785: 50-15-6. Disbursement of funds [AMENDED]

Subchapter 17. Oklahoma Dam Rehabilitation (OKDR) Grant Program Requirements and Procedures

785: 50-17-8. Disbursements of funds [AMENDED]

Subchapter 19. American Rescue Plan Act Tribal Cooperation Grant Program Requirements and Procedures

785: 50-19-6. Disbursement of funds [AMENDED]

SUMMARY:

Subchapter 15, Subchapter 17, and Subchapter 19 are proposed to be amended to remove from the American Rescue Plan Act (ARPA) grant language the section requiring an acceptable bid filed with the Oklahoma Water Resources Board (OWRB) within ninety (90) days of approval by the OWRB and language that allows for a bid exception up to a certain amount of time. The language will now allow for acceptable bids to be submitted as they are created without a delay to ARPA grantees. The intended effect of the rule change is to help alleviate time delays on projects and construction costs for grantees.

AUTHORITY:

Oklahoma Water Resources Board, 82 O.S., § 1085.2.; Senate Bills 1325 (2022); Senate Bill 429, 4xx, 13xx (2022)

COMMENT PERIOD:

Persons wishing to present written comments may do so at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 16, 2024. Written comments may also be submitted via e-mail to Cris.Krittenbrink@owrb.ok.gov before 5:00 PM on January 16, 2024. Persons wishing to present oral comments to the Board may do so at the public hearing on January 16, 2024.

PUBLIC HEARING:

A public hearing will be held January 16, 2024, during the monthly meeting of the Board which will begin at 9:30 a.m. in the Board Room of the Board's offices located at 3800 North Classen Blvd., Oklahoma City, Oklahoma, 73118.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Board requests that any business entities affected by these proposed rules provide, within the Comment Period from December 1, 2023 through January 16, 2024, in dollar amounts if possible, the increase in the level of direct costs such as fees, and 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. Business entities may submit this information in writing to Chrystal Krittenbrink at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 16, 2024 or Cris.Krittenbrink@owrb.ok.gov.

COPIES OF PROPOSED RULES:

Copies of the proposed amendments may be reviewed by appointment at the Board's office location at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, or may be obtained from the Chrystal Krittenbrink, Legal Assistant, at Cris.Krittenbrink@owrb.ok.gov. The proposed amendments may also be viewed on the Board's web site at <http://www.oklahoma.gov/owrb>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review by appointment at the OWRB's office, 3800 North Classen Blvd., Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at <http://www.oklahoma.gov/owrb>.

CONTACT PERSON:

Sara D. Gibson, General Counsel, 405-530-8800, Sara.Gibson@owrb.ok.gov.