

ENGROSSED HOUSE
BILL NO. 2227

BY: HUDSON and McCORKEILL of
the HOUSE

and

HOBSON of the SENATE

(VARIOUS STATE ENVIRONMENTAL AGENCIES -
ENVIRONMENTAL QUALITY ACT - CODIFICATION -
EFFECTIVE DATES -
EMERGENCY)

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1 of Title 27A, unless there is
created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma
Environmental Quality Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2 of Title 27A, unless there is
created a duplication in numbering, reads as follows:

The purpose of the Oklahoma Environmental Quality Act is to
provide for the orderly transfer and transition of environmental
functions between the various state environmental agencies, the
consolidation of certain regulatory programs, the reorganization of
the Department of Pollution Control and the establishment of a
statewide environmental agency structure which will:

1. Eliminate agency jurisdictional overlap and duplication of
effort;

2. Provide that environmental regulatory concerns of industry and the public shall be addressed in an expedient manner;

3. Improve the manner in which citizen complaints are tracked and resolved; and

4. Better utilize state financial resources for environmental regulatory services.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 1992, the Director of the State Department of Pollution Control shall:

1. Insofar as authorized and provided by the Oklahoma Environmental Quality Act, provide and promulgate rules for the orderly transfer of responsibility, liabilities, property, records, personnel and any outstanding financial obligations or encumbrances from or to the Department of Environmental Equality, Oklahoma State Department of Health, the State Board of Agriculture, the Oklahoma Water Resources Board, the Corporation Commission, the Department of Labor, the Conservation Commission and the State Mining Board;

2. Lease office space as needed for purposes of implementing the Oklahoma Environmental Quality Act;

3. Make a report by January 1, 1993, to the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Senate concerning the transfer and transition required by the Oklahoma Environmental Quality Act and make such other recommendations as the Director deems necessary which will assist the transfer and transitions and implementation of the Oklahoma Environmental Quality Act;

4. During the transition period, investigate and review programs currently assigned or managed by each environmental agency to determine if such program is effective and necessary, whether the program is duplicative of or overlapping other programs and whether

such program should be abolished, or combined or coordinated with other programs;

5. Whenever it deems appropriate, confer with the Attorney General or his assistants in connection with all legal matters and questions;

6. During the transition period, review statutory provisions for each environmental agency to determine if such provisions need to be amended, repealed, or recodified to implement the provisions of the Oklahoma Environmental Quality Act; and

7. Take such other actions as may be reasonably necessary and appropriate to effectuate the orderly transition of the agencies specified by the provisions of the Oklahoma Environmental Quality Act.

B. Each environmental agency transferring or receiving program functions pursuant to the Oklahoma Environmental Quality Act shall designate at least one full-time employee from their agency to assist the Director of the Department of Pollution Control for the orderly transfer of duties and responsibilities pursuant to this section.

C. Final authority for decisions relating to the transfer or receipt of duties and responsibilities pursuant to the Oklahoma Environmental Quality Act shall reside solely with the Director of the Department of Pollution Control.

D. As applicable, each environmental agency shall contract and otherwise cooperate with the Director of the Department of Pollution Control in providing information and other assistance as may be requested in the orderly transition and transfers required by the provisions of the Oklahoma Environmental Quality Act.

E. For purposes of this section the state environmental regulatory agencies shall include:

1. The Oklahoma State Department of Health;
2. The Oklahoma Water Resources Board;

3. The Corporation Commission;
4. The State Board of Agriculture;
5. The Conservation Commission;
6. The Department of Wildlife;
7. The Department of Mining and the Mining Commission;
8. The Department of Public Safety;
9. The Department of Labor; and
10. The Pollution Control Coordinating Board.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Through June 30, 1993, the Pollution Control Coordinating Board shall continue to be responsible for implementation of the Pollution Control Coordinating Act of 1968. Effective July 1, 1993, the Pollution Control Coordinating Board shall be abolished.

B. In addition to powers and duties specified by law, the Pollution Control Coordinating Board shall develop by January 1, 1993, a standardized complaint resolution system with regards to classifications of complaints, timely response and procedure mechanisms for resolving pollution complaints received by the various environmental agencies.

SECTION 5. Effective July 1, 1993, the following agencies shall have the specified jurisdictional areas of environmental responsibilities:

SECRETARY OF ENVIRONMENT

The Secretary of Environment or successor cabinet position shall have the following jurisdictional areas of environmental responsibilities;

1. Powers and duties designated to such position by the Governor; and

2. Disbursement of federal environmental funds. It is the intent of the Legislature that such funds shall be disbursed to the

appropriate state environmental agency based upon statutory duties and responsibilities relating to environmental areas.

DEPARTMENT OF ENVIRONMENTAL QUALITY

The Department of Pollution Control, hereinafter named the Department of Environmental Quality, shall have the following jurisdictional areas of environmental responsibility:

1. All point source discharges requiring a federal National Pollutant Discharge Elimination Systems Permit;
2. Non-point-source discharges for industrial and municipal facilities;
3. Groundwater quality and protection;
4. Operator certification (wastewater/waste treatment plants);
5. Wastewater prioritization and engineering;
6. Underground injection control for other than saltwater disposal or secondary or tertiary oil recovery;
7. Air quality;
8. Controlled industrial waste and solid waste;
9. Superfund;
10. Radioactive waste;
11. Sewage treatment;
12. Emergency response except for authority granted to the Department of Civil Defense;
13. Environmental planning; and
14. Hazardous substances.

OKLAHOMA STATE DEPARTMENT OF HEALTH

A. The Oklahoma State Department of Health shall have the following jurisdictional areas of environmental responsibility:

1. Occupational licensing services functions;
2. Environmental laboratory services;
3. Food protection services; and
4. Radiation and special hazards services.

B. The Oklahoma State Department of Health shall contract with the Department of Environmental Quality for the performance of local services necessary and required by the retained jurisdictional environmental responsibilities.

C. Any existing jurisdiction of the Oklahoma State Department of Health over point source and non-point-source discharges, underground injection, air quality, sewage, hazardous substances, emergency response, solid waste, controlled industrial waste, operator certification of waste/wastewater treatment, Superfund and wastewater prioritization and engineering shall be transferred to the Department of Environmental Quality.

D. Any existing jurisdiction of the Oklahoma State Department of Health over public water supplies shall be transferred to the Oklahoma Water Resources Board.

E. Any existing jurisdiction of the Oklahoma State Department of Health over asbestos monitoring of public buildings shall be transferred to the Department of Labor.

OKLAHOMA WATER RESOURCES BOARD

A. The Oklahoma Water Resources Board shall have the following jurisdictional areas of environmental responsibility:

1. Water quantity including, but not limited to, water rights, surface water and underground water, planning, and interstate stream compacts;
2. Weather modification;
3. Dam safety;
4. Flood plain management;
5. State water/wastewater loans and grants revolving fund;
6. Public water supplies, including water lines and water treatment plants;
7. Water quality standards;
8. Well drillers/pump installers licensing; and
9. Clean lakes.

B. Any existing jurisdiction of the Oklahoma Water Resources Board over point source and non-point-source pollution and groundwater quality including, but not limited to, wellhead protection programs shall be transferred to the Department of Environmental Quality.

C. Any existing jurisdiction of the Oklahoma Water Resources Board over underground storage tanks shall be transferred to the Corporation Commission.

STATE DEPARTMENT OF AGRICULTURE

A. The Department of Agriculture shall have the following jurisdictional areas of environmental responsibility:

1. Non-point-source management for agriculture, silviculture, feed yards and animal waste;
2. Pesticide control; and
3. Forestry.

B. Any existing jurisdiction of the Department of Agriculture over point source discharges requiring a federal National Pollutant Discharge Elimination Systems Permit shall be transferred to the Department of Environmental Quality.

CORPORATION COMMISSION

A. The Corporation Commission shall have the following jurisdictional areas of environmental responsibility:

1. Non-point-source management of oil and gas drilling, development, production, and processing except for facilities requiring a federal National Pollutant Discharge Elimination Systems Permit;
2. Transportation (motor and pipeline);
3. Saltwater injection;
4. Brine production;
5. Underground storage tanks (L.U.S.T. Trust Fund, Indemnity Program, and Regulation);
6. Aboveground storage tanks (commercial);

7. Oil and gas regulation except for facilities requiring a federal National Pollutant Discharge Elimination Systems Permit.

B. Any existing jurisdiction of the Corporation Commission over point source discharges requiring a federal National Pollutant Discharge Elimination Systems Permit shall be transferred to the Department of Environmental Quality.

CONSERVATION COMMISSION

The Conservation Commission shall have the following jurisdictional areas of environmental responsibility:

1. Non-point-source pollution for areas outside the jurisdiction or control of cities or towns in this state other than silviculture, urban stormwater runoff and industrial stormwater runoff;

2. Wetland strategy;

3. Abandoned mine reclamation;

4. Cost share program for land use activities;

5. Clean lakes;

6. Complaint data management;

7. Dam safety; and

8. Environmental and natural resources education.

DEPARTMENT OF MINES

A. The Department of Mines shall have the following jurisdictional areas of environmental responsibility:

1. Mining regulation; and

2. Mining reclamation of active mines.

B. Any existing jurisdiction of the Department of Mines over non-point-source discharges shall be transferred to the Conservation Commission.

C. Any existing jurisdiction of the Department of Mines over point source discharges requiring a federal National Pollutant Discharge Elimination Systems permit shall be transferred to the Department of Environmental Quality.

DEPARTMENT OF WILDLIFE CONSERVATION

The Department of Wildlife Conservation shall have the following jurisdictional areas of environmental responsibilities:

1. Existing authority relating to investigating fish kills; and
2. Wildlife protection.

DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety shall have the following jurisdictional areas of environmental responsibilities:

1. Vehicle inspection for air quality; and
2. Hazardous waste transportation inspections.

DEPARTMENT OF LABOR

The Department of Labor shall have the following jurisdictional area of environmental responsibility:

Asbestos monitoring of public buildings.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. On or before July 1, 1993, the Governor shall appoint the Executive Director of the Department of Environmental Quality. The current Director of the Department of Pollution Control may be appointed as the Executive Director of the Department of Environmental Quality and shall continue to serve until an Executive Director is duly appointed and qualified.

B. The Executive Director shall be qualified for such position by character, personality, ability, education, training and successful administrative experience in the public or private sector. The Executive Director shall have experience in industry, conservation, environmental sciences or such other areas as may be required by the Governor.

C. The Executive Director shall provide for the administrative organization of the Department and shall:

1. Be the executive officer and supervise the activities of the Department of Environmental Quality;

2. Employ, appoint and contract with, and fix the qualifications, duties and compensation of such assistants, engineers, sanitarians, administrative, clerical and technical help, investigators, aides and other personnel and help, either on a full-time, part-time, fee or contractual basis, as in his judgment and discretion shall be deemed necessary, expedient, convenient or appropriate to the performance or carrying out of any of the purposes, objectives or provisions of the Oklahoma Environmental Quality Act, or to assist him in the performance of his official duties and functions; and

3. Exercise all incidental powers which are necessary and proper to implement the purposes of the Oklahoma Environmental Quality Act.

D. 1. The Executive Director may contract with the local conservation districts to operate as an administrative arm of the Department with regards to providing environmental services to the local communities to the maximum extent possible. It is the intent of the Legislature that the use of local conservation districts include, in addition to investigatory responsibilities, duties related to providing information to the public regarding state environmental services, resources, permitting requirements and procedures.

2. The Executive Director, in conjunction with the Conservation Commission, shall develop a program for purposes of training local soil conservation district employees in providing such environmental services.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Within its jurisdictional areas of environmental responsibility, the Department of Environmental Quality, subject to the direction of the Executive Director, shall have the power and duty to:

1. Issue, renew, deny or suspend, revoke or refuse to renew licenses or permits pursuant to the provisions of the Oklahoma Environmental Quality Act;

2. Assess administrative penalties against any person or entity who shall violate any of the provisions of the Oklahoma Environmental Quality Act or any rule or regulation promulgated thereto;

3. Obtain an office, secure such facilities, and employ, direct, discharge and define the duties and set the salaries of such office personnel as deemed necessary by the Executive Director;

4. Request criminal prosecution proceedings against any person or entity who has violated any of the provisions of the Oklahoma Environmental Quality Act or any rule or regulation promulgated pursuant thereto;

5. Investigate alleged violations of the Oklahoma Environmental Quality Act or of the rules and regulations, or orders of the Executive Director;

6. Advise, consult and cooperate with other agencies of the state, towns, cities and counties, industries, other states and the federal government, and with affected groups;

7. Encourage and conduct studies, investigations and research relating to pollution and its causes, effects, prevention, control and abatement;

8. Collect and disseminate information relating to pollution, its prevention and control;

9. Enter into agreements for, accept, use, disburse and administer grants of money, personnel and property from the federal government or any department or agency thereof, or from any state or

state agency, or from any other source, to promote and carry on in this state any program relating to environmental services and pollution control;

10. Determine, charge and receive fees to be collected for permits, to file other papers, to make copies of documents, to make prints of maps and drawings, and to certify copies of documents, maps and drawings required pursuant to the Oklahoma Environmental Quality Act;

11. Be the official agency of the State of Oklahoma to cooperate with federal agencies for point source pollution, solid waste, hazardous materials and wastes, pollution, Superfund, water quality, controlled industrial waste, radioactive waste, air quality and sewage and any other program authorized by law;

12. Provide a toll-free hot line for environmental complaints;

13. Contract with soil conservation districts for investigation of complaints, inspections and other services; and

14. Exercise all incidental powers which are necessary and proper to implement the purposes of the Oklahoma Environmental Quality Act.

C. There is hereby created within the Department of Environmental Quality:

1. The Division of Air Quality which shall be responsible for air quality and such other areas designated to it by the Executive Director;

2. The Division of Water Quality which shall be responsible for water quality, including, but not limited to point source and non-point-source pollution within the jurisdiction of the Department, permitting, water protection, industrial and municipal discharges and such other areas designated to it by the Executive Director;

3. The Division of Waste Management which shall be responsible for controlled industrial waste, solid waste, recycling, hazardous

substances regulation and such other areas designated to it by the Executive Director;

4. The Administration Division which shall be responsible for interagency coordination, emergency response and such other areas designated to it by the Executive Director. Within the Division there is hereby created:

- a. the Office of Complaints, Investigation and Mediation which shall be responsible for intake processing, investigation, mediation and conciliation of inquiries and complaints received by the Department. The Office shall provide for the expedient resolution of complaints and shall provide a written response to each complainant,
- b. the Office of Business Advocate which will be responsible for advising and providing licensees, or permittees or those persons desiring to obtain a license or permit the necessary forms and the information necessary to comply with the Oklahoma Environmental Quality Act. The Office of Business Advocate shall intercede with other divisions of the department to assist businesses in complying with state statutes and rules governing environmental areas, and
- c. the Office of Local Government Advocate which will be responsible for advising and providing licensees or permittees, or those persons associated with and representing local political subdivisions desiring a license or permit, the necessary forms and the information necessary to comply with the Oklahoma Environmental Quality Act. The Office of Local Government Advocate shall intercede with other divisions of the Department to assist business in

complying with state statutes and rules governing environmental areas; and

5. Such other divisions and offices as the Executive Director may determine necessary to implement the Oklahoma Environmental Quality Act.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 1993, there is hereby created the Environmental Quality Policy and Appeals Board which shall consist of eleven (11) members appointed by the Governor.

B. To be eligible for appointment to the Board a person shall:

1. Be a citizen of the United States;

2. Have been a resident of this state for five (5) years immediately preceding the appointment;

3. Not have been convicted of a felony pursuant to the laws of this state, the laws of any other state or the laws of the United States; and

4. Be a qualified elector of this state.

C. The Board shall be composed of:

1. a. one member who shall be selected from the engineering profession. Such member shall be a professional engineer and experienced in matters of pollution equipment and control, who shall not be an employee of any unit of government;

b. one member who shall be selected from industry in general. Such member shall be employed as a manufacturing executive carrying on a manufacturing business within the state;

c. one member who shall be selected from a faculty of an institution of higher learning of university status and shall be experienced in matters of scientific

knowledge and competent in matters of pollution and evaluation;

- d. one member who shall be well versed in recreational, irrigational, municipal or residential water usage;
- e. one member who shall be selected from the petroleum industry. Such member shall be employed by a petroleum company carrying on a petroleum refining business within the state, and, as such, shall be trained and experienced in matters of scientific knowledge of causes as well as effects of pollution;
- f. one member who shall be selected from agriculture and shall be engaged in the production of agricultural products;
- g. one member who shall be selected from the conservation districts of the state;
- h. one member who shall be an attorney who specializes in environmental law;
- i. one member who shall be a member of a statewide environmental group;
- j. one member who shall be a member of the local government body of a city or town; and
- k. one member who shall be appointed from the public at large.

2. In appointing the Board members, the Governor shall comply with the federal laws and rules regulating board appointments concerning conflict of interest.

C. The initial terms of office of:

- 1. Four members shall expire on June 30, 1996;
- 2. Four members shall expire on June 30, 1998; and
- 3. Three members shall expire on June 30, 2000.

Thereafter, the term of office of a member of the Board shall be for five (5) years and until a successor is appointed and qualified.

D. 1. An appointment shall be made by the Governor within ninety (90) days after the expiration of the term of any member due to resignation, death, or any cause resulting in an unexpired term. In the event of a vacancy on the Board due to resignation, death, or for any cause resulting in an unexpired term, if not filled within ninety (90) days following such vacancy, the Board may appoint a provisional member to serve in the interim until the Governor acts.

2. A member may be reappointed to succeed himself for one additional term.

E. 1. The Board shall hold meetings as necessary at a place and time to be fixed by the Board. The Board shall select, at its first meeting following the passage of the Oklahoma Environmental Quality Act, one of its members to serve as chairman and another of its members to serve as vice-chairman. At the first meeting in each calendar year thereafter, the chairman and vice-chairman for the ensuing year shall be elected. Special meetings may be called by the chairman or by three members of the Board by delivery of written notice to each member of the Board.

2. Members of the Board shall receive necessary travel expenses according to the provisions of the State Travel Reimbursement Act.

F. 1. The Board shall be the rulemaking body for the Department of Environmental Quality. Such rules shall be adopted with advice of the advisory councils created in Section 9 of this act. By January 1, 1994, the Board shall have promulgated permanent rules for implementation of the Oklahoma Environmental Quality Act.

2. Effective July 1, 1993, the current rules and regulations of:

- a. the State Board of Health regarding controlled industrial waste, radioactive waste, hazardous materials, public water supplies, sewage treatment, asbestos, solid waste, air quality, emergency response, underground injection control, point source

and non-point-source pollution, and underground storage tanks,

- b. the Oklahoma Water Resources Board regarding point source and non-point-source discharges and pollution, groundwater protection and underground tanks,
- c. the Corporation Commission regarding point source discharges,
- d. the Board of Agriculture concerning point source discharges, and
- e. the Board of Pollution Control

shall remain effective until the promulgation of rules and regulations by the Department of Environmental Quality or other applicable agency.

G. 1. The Board shall sit as a board of appeals for orders or decisions of the Department of Environmental Quality which are adverse to any party to an individual proceeding. In any proceeding for the review of an order or decision, the Board, as the case may be, may:

- a. affirm the order and decision of the Department of Environmental Quality, or
- b. reject the order or decision of the Department of Environmental Quality and remand the case to the Department for the taking and consideration of further evidence.

2. An appeal to the Board is not necessary for a final determination of a particular issue but such issue may be appealed to the district court by the party adversely affected after receipt of a final order by the Department of Environmental Quality.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 1993, there is hereby created:

1. The Water Quality Management Advisory Council;
2. The Air Quality Management Advisory Council; and
3. The Controlled Industrial and Solid Waste Management Advisory Council.

B. 1. Each Council shall consist of nine (9) members. Three members shall be appointed by the Governor, three members shall be appointed by the Speaker of the House of Representatives and three members shall be appointed by the President Pro Tempore of the Senate. The initial appointments for each gubernatorial and legislative member shall be for progressive terms of one (1) through three (3) years so that only one term expires each calendar year; subsequent appointments shall be for three-year terms. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled in the same manner as the original appointments. Five members shall constitute a quorum.

2. Each Council shall elect a chairman and a vice-chairman from among its members and establish its methods of procedure. Each Council shall meet as required for rule development. Special meetings may be called by the chairman or by the concurrence of any three members.

3. Members of the Councils shall serve without compensation but may be reimbursed expenses incurred in the performance of their duties, as provided in the State Travel Reimbursement Act. The Councils are authorized to utilize the conference rooms of the Department of Environmental Quality and obtain administrative assistance from the Department, as required.

C. 1. All members of the Water Quality Management Advisory Council shall be knowledgeable of water quality and of the environment. One member shall be from an Oklahoma industry, one from an oil field related industry, one from an established environmental organization, one from a political subdivision of the state and shall be a member of the local governmental body of a city

or town and one each from the fields of agriculture, rural water engineering and water quality, and one from the public at large.

2. All members of the Air Quality Management Advisory Council shall be knowledgeable of air quality and of the environment. Two members shall be from Oklahoma industries, one from an established environmental organization, and one each from the fields of agriculture and engineering, one from the transportation industry, two from political subdivisions of the state and shall be members of the local governmental body of a city or town, and one member of the general public.

3. All members of the Controlled Industrial and Solid Waste Management Advisory Council shall be knowledgeable of solid and controlled industrial waste and of the environment. One member each shall be from the solid waste industry in Oklahoma and the controlled industrial waste industry in Oklahoma, one from an established environmental organization, and one each from an Oklahoma Industry producing solid waste or controlled industrial waste, one from the field of engineering, one member each from political subdivisions of the state and as such shall be a member of the local governmental body of a city or town and a member of one of the boards of county commissioners, and one member of the general public.

D. The powers and duties of each Council shall be to recommend to the Board rules and regulations or amendments thereto, as applicable, for controlled industrial waste, radioactive waste, environmental health, hazardous materials, solid waste, sewerage systems, air quality, emergency response, underground injection control, point source pollution, pollution abatement, industrial wastes, groundwater protection, Superfund, recycling, water quality, pollution, and such other areas and responsibilities specified by the Oklahoma Environmental Quality Act.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Each environmental agency, as applicable, shall establish by rule, time periods for issuance or denial of permits and licenses required by law. The rules shall provide that such time periods may only be extended by agreement with the licensee or permittee or if circumstances outside the agency's control prevent that agency from meeting its time periods. If the agency fails to issue or deny a permit or license within the required time periods, the agency shall state in writing the reasons such licensing or permitting is not ready for issuance or denial.

B. Each environmental agency shall establish by rule, time periods for complaint resolution subject to the Pollution Control Coordinating Board's standardized complaint resolution system.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1501-450 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. The Conservation Commission shall establish and maintain an environmental and natural resources geographic data base system. Such system shall include but not be limited to pollution complaints filed with the environmental agencies, resolutions of complaints, permit approvals, and such other data as funds become available and as may be desirable and necessary to provide public access to specific site information.

B. At least monthly, each state environmental regulatory agency shall submit to the Conservation Commission a detailed report listing the environmental pollution complaints received during the previous month. The report shall include the name of the complainant, if known, the address of the complainant, details and such other information concerning the complaint as may be obtained, the name of the person or company and address thereof alleged to be

responsible for the pollution, the classification of the complaint, and how the complaint was resolved. The report shall be in such form and made in such manner as is required by the Commission and may include such additional information as deemed necessary by the Commission. The report shall be in writing or may be submitted in electronic data or machine-readable form at the discretion of the Commission.

C. The Commission shall annually submit a report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor containing the total number of pollution complaints filed, the total number of complaints and type of complaints addressed by each state agency, the total number of such complaints resolved, the total number of complaints remaining to be resolved, the average time frame for resolving such complaints, and the historical comparison of complaint resolution in previous years, and any other information which the Commission believes is pertinent in regard to pollution complaints.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 57 of Title 17, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Corporation Commission, to be designated the "Oil and Gas Division Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Corporation Commission from appropriations, and any other source designated for deposit to said fund. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and shall be expended by the Corporation Commission for the purpose of improving response to oil and gas pollution. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment. No money

shall be transferred or expended by the Corporation Commission for any other purpose than that authorized by this section.

SECTION 13. Section 5 of this act shall not be codified in the Oklahoma Statutes.

SECTION 14. Sections 1, 2, 3, 4, 6, 10 and 12 of this act shall become effective July 1, 1992.

SECTION 15. Sections 5, 7, 8, 9 and 11 of this act shall become effective July 1, 1993.

SECTION 16. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 12th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate