

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE JOINT
RESOLUTION NO. 1039

By: Blackburn

AS INTRODUCED

A Joint Resolution relating to certain rules adopted by the Department of Environmental Quality regarding municipal solid waste landfills, solid waste management, public water supply construction standards, public water supply operation, and septage tank cleaners; approving proposed permanent rule amendments to OAC 252:510-3-10, OAC 252:520-3-9, OAC 252:625-17-4, OAC 252:630-1-2, OAC 252:630-1-3, OAC 252:630-1-4, OAC 252:630-1-5, OAC 252:630-1-6, OAC 252:630-1-7, OAC 252:630-1-8, OAC 252:630-1-9, OAC 252:630-1-10, OAC 252:630-1-13, OAC 252:630-1-16, OAC 252:630-1-17, and OAC 252:645-1-4 and proposed permanent rule revocations of OAC 252:510-3-5, OAC 252:520-3-5, and OAC 252:625-19-4; waiving thirty-legislative-day review period; directing distribution; and declaring an emergency.

WHEREAS, pursuant to subsection G of Section 308 of Title 75 of the Oklahoma Statutes, the Legislature may approve any rule and waive the thirty-legislative-day review period for any rule which has been transmitted for legislative review; and

WHEREAS, on August 30, 1996, pursuant to Article I of the Oklahoma Administrative Procedures Act, the Department of Environmental Quality submitted to the Legislature for review proposed emergency and permanent rule amendments to OAC 252:510-3-10, OAC 252:520-3-9, OAC 252:625-17-4, OAC 252:630-1-2, OAC 252:630-1-3, OAC 252:630-1-4, OAC 252:630-1-5, OAC 252:630-1-6, OAC 252:630-1-7, OAC 252:630-1-8, OAC 252:630-1-9, OAC 252:630-1-10, OAC 252:630-1-13, OAC 252:630-1-16, OAC 252:630-1-17, and OAC 252:645-1-4 and proposed emergency and permanent rule revocations of OAC

252:510-3-5, OAC 252:520-3-5, and OAC 252:625-19-4 regarding municipal solid waste landfills relating to permit fees and permit transfers; solid waste management relating to permit fees and permit transfers; public water supply construction relating to installation of mains and public water system connection evaluation fee; public water supply operation relating to definitions, standards of inorganic and organic chemical, physical, radio-chemical, and microbiological quality, analytical methods for assessing compliance with maximum allowable levels, laboratory checks, public notification, control tests, operating records and reports, determining necessity of full-time disinfection, operation of equipment and facilities, permit requirements for water systems extensions, operator certification, and wastewater; and septage tank cleaners relating to vehicle registration; and

WHEREAS, on October 10, 1996 the Governor approved proposed permanent rule amendments to OAC 252:510-3-10, OAC 252:520-3-9, OAC 252:630-1-2, OAC 252:630-1-3, OAC 252:630-1-4, OAC 252:630-1-5, OAC 252:630-1-6, OAC 252:630-1-7, OAC 252:630-1-8, OAC 252:630-1-9, OAC 252:630-1-10, OAC 252:630-1-16, OAC 252:630-1-17, and OAC 252:645-1-4 and proposed permanent rule revocations of OAC 252:510-3-5 and OAC 252:520-3-5, but disapproved proposed permanent rule amendments to OAC 252:625-17-4 and OAC 252:630-1-13 and proposed permanent rule revocation of OAC 252:625-19-4; and

WHEREAS, pursuant to subsection D of Section 253 of Title 75 of the Oklahoma Statutes, failure of the Governor to approve emergency rules within the specified period shall constitute disapproval of the emergency rules; and

WHEREAS, the Governor failed to approve proposed emergency rule amendments to OAC 252:510-3-10, OAC 252:520-3-9, OAC 252:625-17-4, OAC 252:630-1-2, OAC 252:630-1-3, OAC 252:630-1-4, OAC 252:630-1-5, OAC 252:630-1-6, OAC 252:630-1-7, OAC 252:630-1-8, OAC 252:630-1-9, OAC 252:630-1-10, OAC 252:630-1-13, OAC 252:630-1-16, OAC 252:630-1-

17, and OAC 252:645-1-4 and proposed emergency rule revocations of OAC 252:510-3-5, OAC 252:520-3-5, and OAC 252:625-19-4 within forty-five (45) calendar days; and

WHEREAS, the proposed emergency and permanent rule revocation of OAC 252:510-3-5 and the proposed emergency and permanent rule amendments to OAC 252:510-3-10 regarding municipal solid waste landfills relating to permit fees and permit transfers, revoke fees paid by individuals seeking new solid waste permits and transfer of solid waste permits and have been estimated to save these individuals approximately Four Thousand Dollars (\$4,000.00) per year; and

WHEREAS, the proposed emergency and permanent rule revocation of OAC 252:520-3-5 and the proposed emergency and permanent rule amendments to OAC 252:520-3-9 regarding solid waste management relating to permit fees and permit transfers, revoke fees paid by citizens seeking new solid waste permits and transfer of solid waste permits and have been estimated to save these individuals approximately Six Thousand Dollars (\$6,000.00) per year; and

WHEREAS, the proposed emergency and permanent rule amendments to OAC 252:625-17-4 and OAC 252:630-1-13 and the proposed emergency and permanent rule revocation of OAC 252:625-19-4 regarding public water supply construction relating to installation of mains and public water system connection evaluation fee, and public water supply operation relating to permit requirements for water systems extensions, streamline the process required for water main installation, remove the duplicative inspection requirement and revoke the unnecessary inspection fee of Fifty Dollars (\$50.00), saving those citizens that need public water connections an estimated Fourteen Thousand Dollars (\$14,000.00) per year, without jeopardizing the safety of their drinking water; and

WHEREAS, the proposed emergency and permanent rule amendments to OAC 252:645:1-4 regarding septic tank cleaners relating to vehicle

registration, revoke the vacuum truck registration fee of Ten Dollars (\$10.00), saving licensed tank cleaners an estimated One Thousand Eight Hundred Forty Dollars (\$1840.00) per year; and

WHEREAS, the Oklahoma State Legislature recognizes that the proposed emergency rule amendments and revocations which were disapproved by the Governor could have been effective upon his signature and as a result, could have immediately began saving certain citizens of Oklahoma thousands of dollars; and

WHEREAS, the Oklahoma State Legislature recognizes that the Governor disapproved proposed permanent rule amendments and revocations regarding public water supply construction relating to installation of mains and public water system connection evaluation fee, and public water supply operation relating to permit requirements for water systems extensions, which would have eliminated a burdensome inspection that no longer provides protection, and would have revoked an unnecessary fee imposed upon certain homeowners; and

WHEREAS, in the true spirit of governmental reform, it is the intent of the Legislature to eliminate all unnecessary fees charged to Oklahoma citizens and to do so as quickly as possible.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby approves proposed permanent rule amendments to OAC 252:510-3-10, OAC 252:520-3-9, OAC 252:625-17-4, OAC 252:630-1-2, OAC 252:630-1-3, OAC 252:630-1-4, OAC 252:630-1-5, OAC 252:630-1-6, OAC 252:630-1-7, OAC 252:630-1-8, OAC 252:630-1-9, OAC 252:630-1-10, OAC 252:630-1-13, OAC 252:630-1-16, OAC 252:630-1-17, and OAC 252:645-1-4 and permanent rule revocations of OAC 252:510-3-5, OAC 252:520-3-5, and OAC 252:625-19-4 regarding municipal solid waste landfills relating to permit fees and permit transfers; solid waste management relating to permit fees and permit transfers; public water supply construction relating to installation

of mains and public water system connection evaluation fee; public water supply operation relating to definitions, standards of inorganic and organic chemical, physical, radio-chemical, and microbiological quality, analytical methods for assessing compliance with maximum allowable levels, laboratory checks, public notification, control tests, operating records and reports, determining necessity of full-time disinfection, operation of equipment and facilities, permit requirements for water systems extensions, operator certification, and wastewater; and septage tank cleaners relating to vehicle registration.

SECTION 2. The Oklahoma State Legislature hereby waives the thirty-legislative-day review period for proposed permanent rule amendments to OAC 252:510-3-10, OAC 252:520-3-9, OAC 252:625-17-4, OAC 252:630-1-2, OAC 252:630-1-3, OAC 252:630-1-4, OAC 252:630-1-5, OAC 252:630-1-6, OAC 252:630-1-7, OAC 252:630-1-8, OAC 252:630-1-9, OAC 252:630-1-10, OAC 252:630-1-13, OAC 252:630-1-16, OAC 252:630-1-17, and OAC 252:645-1-4 and permanent rule revocations of OAC 252:510-3-5, OAC 252:520-3-5, and OAC 252:625-19-4 regarding municipal solid waste landfills relating to permit fees and permit transfers; solid waste management relating to permit fees and permit transfers; public water supply construction relating to installation of mains and public water system connection evaluation fee; public water supply operation relating to definitions, standards of inorganic and organic chemical, physical, radio-chemical, and microbiological quality, analytical methods for assessing compliance with maximum allowable levels, laboratory checks, public notification, control tests, operating records and reports, determining necessity of full-time disinfection, operation of equipment and facilities, permit requirements for water systems extensions, operator certification, and wastewater; and septage tank cleaners relating to vehicle registration.

SECTION 3. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive Director of the Department of Environmental Quality and the Editor of "The Oklahoma Register".

SECTION 4. 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.

46-1-6385

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