

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE JOINT
RESOLUTION NO. _____

By: Gray of the House

and

Rozell of the Senate

AS INTRODUCED

A Joint Resolution relating to proposed rules of the Oklahoma Water Resources Board; disapproving proposed amendments to permanent rules OAC 785:20-1-2, OAC 785:20-3-9, OAC 785:20-5-5, OAC 785:45-1-2, OAC 785:45-3-2, OAC 785:45-5-12, OAC 785:45-5-25, OAC 785:45-5-26, OAC 785:45-7-3, OAC 785:46-1-2, OAC 785:46-3-2, OAC 785:46-5-3, OAC 785:46-5-4, OAC 785:46-5-5, OAC 785:46-11-6, OAC 785:46-11-7, OAC 785:46-13-3, and OAC 785:46-13-5; disapproving proposed permanent rules OAC 785:45, Appendix A, OAC 785:45, Appendix B, OAC 785:45, Appendix D, OAC 785:45, Appendix E, OAC 785:46-15-1, OAC 785:46-15-2, OAC 785:46-15-3, OAC 785:46-15-4, OAC 785:46-15-5, OAC 785:46-15-6, OAC 785:46-15-7, OAC 785:46-15-8, OAC 785:46-15-9, OAC 785:46-15-10, OAC 785:46-15-11, OAC 785:46, Appendix A, OAC 785:46, Appendix C, OAC 785:46, Appendix D, and OAC 785:46, Appendix E; disapproving proposed revocation of permanent rules OAC 785:45, Appendix A, OAC 785:45, Appendix B, OAC 785:45, Appendix D, OAC 785:45, Appendix E, and OAC 785:46, Appendix A, regarding appropriation and use of stream water, Oklahoma's water quality standards and implementation of Oklahoma's water quality standards; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, determine that a rule is not consistent with legislative intent and disapprove any rule or any portion thereof at any time; and

WHEREAS, on March 9, 1999, the Oklahoma Water Resources Board adopted proposed amendments to permanent rules, regarding appropriation and use of stream water, Oklahoma's water quality

standards and implementation of Oklahoma's water quality standards, relating to general provisions, application requirements and processing, notice, hearings and board action, antidegradation requirements, surface water quality standards, groundwater quality standards, designated beneficial uses for surface waters, areas with waters of recreational and/or ecological significance, classifications for groundwater in Oklahoma, requirements for development of site specific criteria for metals, implementation of narrative toxics criteria to protect aquatic life using whole effluent toxicity (wet) testing, implementation of numerical criteria to protect fish and wildlife from toxicity due to conservative substances, implementation of temperature criteria to protect fish and wildlife propagation, implementation of antidegradation policy, use support assessment protocols, dilutions for chronic toxicity testing, framework for evaluating use support, nutrient threatened watersheds and low turbidity reservoirs, and on March 15, 1999, the agency submitted the rule to the Legislature for its review; and

WHEREAS, the Legislature recognizes that proposed amendments to permanent rules are not consistent with legislative intent.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 47TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves proposed amendments to permanent rules OAC 785:20-1-2, OAC 785:20-3-9, OAC 785:20-5-5, OAC 785:45-1-2, OAC 785:45-3-2, OAC 785:45-5-12, OAC 785:45-5-25, OAC 785:45-5-26, OAC 785:45-7-3, OAC 785:46-1-2, OAC 785:46-3-2, OAC 785:46-5-3, OAC 785:46-5-4, OAC 785:46-5-5, OAC 785:46-11-6, OAC 785:46-11-7, OAC 785:46-13-3, OAC 785:46-13-5, proposed permanent rules OAC 785:45, Appendix A, OAC 785:45, Appendix B, OAC 785:45, Appendix D, OAC 785:45, Appendix E, OAC 785:46-15-1, OAC 785:46-15-2, OAC 785:46-15-3, OAC 785:46-15-4, OAC 785:46-15-5, OAC 785:46-15-6, OAC 785:46-15-7, OAC 785:46-15-8, OAC

785:46-15-9, OAC 785:46-15-10, OAC 785:46-15-11, OAC 785:46, Appendix A, OAC 785:46, Appendix C, OAC 785:46, Appendix D, OAC 785:46, Appendix E, and proposed revocation of permanent rules OAC 785:45, Appendix A, OAC 785:45, Appendix B, OAC 785:45, Appendix D, OAC 785:45, Appendix E, OAC 785:46, Appendix A, regarding appropriation and use of stream water, Oklahoma's water quality standards and implementation of Oklahoma's water quality standards.

SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive Director of the Oklahoma Water Resources Board and the Editor of "The Oklahoma Register".

SECTION 3. 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 resolution shall take effect and be in full force from and after its passage and approval.

47-1-6688 TK 6/12/15