

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE JOINT
RESOLUTION 18

By: Lerblance

AS INTRODUCED

A Joint Resolution relating to a finally adopted permanent rule of the Department of Environmental Quality; disapproving final adopted rules OAC 252:616-5-1 and OAC 252:616-7-1, which relate to industrial wastewater systems; declaring legislative finding; 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 portion thereof at any time; and

WHEREAS, pursuant to the provisions of Sections 2-6-101, 2-6-103 and 2-6-501 et seq. of Title 27A of the Oklahoma Statutes, the Department of Environmental Quality is responsible for regulating industrial wastewater systems; and

WHEREAS, permanent rules adopted by the Department of Environmental Quality governing the regulation of industrial wastewater systems do not reflect the intent of the Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves the following sections in Chapter 616 of Title 252 of the Oklahoma Administrative Code (OAC):

OAC 252:616-5-1 last amended at 21 Oklahoma Register number 1616, effective June 11, 2004, which relates to the location, construction, and protection of industrial wastewater systems; and

OAC 252:616-7-1 added at 17 Oklahoma Register number 1925, effective June 12, 2000, which relates to construction and maintenance of industrial surface impoundments.

SECTION 2. Copies of this resolution shall be distributed to the Governor, the Executive Director of the Department of Environmental Quality, 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 act shall take effect and be in full force from and after its passage and approval.

50-1-768

MJM

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