

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 504

By: (Paddack) of the Senate

and

(Hilliard and DeWitt) of
the House

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to environment and natural resources;
11 amending 27A O.S. 2001, Section 2-6-201, which
12 relates to the Oklahoma Pollutant Discharge
13 Elimination System Act; updating statutory reference;
14 amending 27A O.S. 2001, Section 2-6-205, which
15 relates to permits for stormwater discharges;
16 specifying authority for determination of the need
17 for stormwater permits; and declaring an emergency.

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

19 SECTION 1. AMENDATORY 27A O.S. 2001, Section 2-6-201, is
20 amended to read as follows:

21 Section 2-6-201. A. This part shall be known and may be cited
22 as the "Oklahoma Pollutant Discharge Elimination System Act".

23 B. Nothing contained in the Oklahoma Pollutant Discharge
24 Elimination System Act shall expand the authority of the Department
of Environmental Quality beyond jurisdictional areas specified in

1 the Oklahoma Environmental Quality Act. Agricultural and oil and
2 gas activities shall not be subject to the Oklahoma Pollutant
3 Discharge Elimination System Act except as specifically provided in
4 ~~Section 11 of this act~~ 1-3-101 of this title.

5 SECTION 2. AMENDATORY 27A O.S. 2001, Section 2-6-205, is
6 amended to read as follows:

7 Section 2-6-205. A. Except as otherwise provided in subsection
8 B of this section, it shall be unlawful for any facility, activity
9 or entity regulated by the Department of Environmental Quality
10 pursuant to the Oklahoma Pollutant Discharge Elimination System Act
11 to discharge any pollutant into waters of the state or elsewhere
12 without first obtaining a permit from the Executive Director.

13 B. The Environmental Quality Board shall promulgate rules which
14 prescribe permit requirements applicable to discharges composed
15 entirely of stormwater. Such rules may require permits on a case-by-
16 case basis, exempt categories of discharges, or provide a schedule
17 for obtaining such permit, provided however, that no later than the
18 date that the Department is to receive authorization to administer a
19 state National Pollutant Discharge Elimination Systems program, the
20 Board shall have promulgated rules for stormwater discharges which
21 comply with Environmental Protection Agency requirements for
22 approval of the state National Pollutant Discharge Elimination
23 Systems program.

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1 C. The Department shall have the authority to determine whether
2 a facility, activity or entity regulated by the Department pursuant
3 to the Oklahoma Pollutant Discharge Elimination System Act is
4 required to obtain a stormwater permit. No other state agency shall
5 condition any license, permit or other form of authorization issued
6 by that agency upon applicant's obtaining a stormwater permit from
7 the Department if the applicant is not required to obtain a
8 stormwater permit pursuant to Department statutes and rules.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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