

1 ENGROSSED SENATE
2 BILL NO. 1695

By: Wyrick of the Senate

3 and

4 Cox of the House

5
6 An Act relating to environment and natural resources;
7 amending 27A O.S. 2001, Section 2-6-401, which
8 relates to wastewater treatment systems; modifying
9 requirements for permitting certain wastewater
10 treatment systems; stating exemption; and declaring
11 an emergency.

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

13 SECTION 1. AMENDATORY 27A O.S. 2001, Section 2-6-401, is
14 amended to read as follows:

15 Section 2-6-401. A. No person shall construct or let a
16 contract for any construction work of any nature for a municipal
17 treatment works, nonindustrial wastewater treatment system, sanitary
18 sewer system or other sewage treatment works, or for any extension
19 thereof, or make any change in the manner of nonindustrial
20 wastewater treatment or make any change in the treatment, storage,
21 use or disposal of sewage sludge without a permit issued by the
22 Executive Director. ~~No such permit shall be required for the~~
23 ~~construction or modification of a private individual sewage disposal~~
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1 ~~system or a small public sewage system provided that such system is~~
2 ~~constructed or modified in accordance with the requirements of~~
3 ~~Section 2-6-403 of this title and rules promulgated under Article VI~~
4 ~~of the Code.~~ Such permit may only be issued to a public entity
5 unless all components of the proposed system, including the service
6 lines, are or will be located on property that is owned by the owner
7 of the system or dedicated to the owner of the system in a recorded
8 easement for the installation and operation of the system.

9 The requirements of subsections B, C and D of this section shall
10 not apply to individual and small public sewage treatment systems
11 that are constructed or modified in accordance with the requirements
12 of Section 2-6-403 of this title.

13 B. An application for such permit shall include but not be
14 limited to:

15 1. An engineering report, prepared by a professional engineer
16 registered in the State of Oklahoma, which includes a complete
17 description of the existing and proposed system or treatment works
18 and the wastewater outfall, if any, and any other data or
19 information required by the Department;

20 2. A legal description of the site where the treatment works or
21 the wastewater treatment system is or is proposed to be located; and

22 3. A legal description of the site where any discharge point is
23 or is proposed to be located.

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1 C. Upon the Department's approval of the engineering report,
2 the applicant shall submit plans and specifications for the proposed
3 system or the proposed extension or change of an existing system to
4 the Department for review. Such plans and specifications shall be
5 prepared by a professional engineer registered in the State of
6 Oklahoma.

7 D. Any facility within the jurisdiction of the Department and
8 required to obtain a permit by subsection A of this section may
9 elect to utilize an innovative treatment technique in accordance
10 with this subsection. An innovative treatment technique is a
11 treatment technique not currently recognized by the Department nor
12 found in the regulations governing construction of such facilities.
13 Upon compliance with the requirements of this subsection the
14 requirements in subsection A will not apply. A facility that elects
15 to utilize an innovative treatment technique shall first submit the
16 following documentation to the Department:

17 1. An engineering report, prepared by a professional engineer
18 registered in the State of Oklahoma, which includes a complete
19 description of the proposed innovative treatment technique;

20 2. A certification from a professional engineer registered in
21 the State of Oklahoma that the innovative treatment technique will
22 allow the facility to meet applicable federal and state discharge
23 and land application requirements; and

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