

ESB 1695

THE HOUSE OF REPRESENTATIVES
Tuesday, April 6, 2010

ENGROSSED
Senate Bill No. 1695

ENGROSSED SENATE BILL NO. 1695 - By: WYRICK of the Senate and COX of the House.

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

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

1 SECTION 1. AMENDATORY 27A O.S. 2001, Section 2-6-401, is amended to
2 read as follows:
3 Section 2-6-401. A. No person shall construct or let a contract for any construction
4 work of any nature for a municipal treatment works, nonindustrial wastewater
5 treatment system, sanitary sewer system or other sewage treatment works, or for any
6 extension thereof, or make any change in the manner of nonindustrial wastewater
7 treatment or make any change in the treatment, storage, use or disposal of sewage
8 sludge without a permit issued by the Executive Director. ~~No such permit shall be~~
9 ~~required for the construction or modification of a private individual sewage disposal~~
10 ~~system or a small public sewage system provided that such system is constructed or~~
11 ~~modified in accordance with the requirements of Section 2-6-403 of this title and rules~~

1 ~~promulgated under Article VI of the Code.~~ Such permit may only be issued to a public
2 entity unless all components of the proposed system, including the service lines, are or
3 will be located on property that is owned by the owner of the system or dedicated to the
4 owner of the system in a recorded easement for the installation and operation of the
5 system.

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

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

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

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

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

18 C. Upon the Department's approval of the engineering report, the applicant shall
19 submit plans and specifications for the proposed system or the proposed extension or
20 change of an existing system to the Department for review. Such plans and
21 specifications shall be prepared by a professional engineer registered in the State of
22 Oklahoma.

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

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

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

15 3. A statement from the owner of the facility that should the facility subsequently
16 fail to meet any federal or state discharge or land application requirement that the owner
17 of the facility will immediately take all necessary action to install a recognized treatment
18 technique.

19 SECTION 2. It being immediately necessary for the preservation of the public
20 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
21 this act shall take effect and be in full force from and after its passage and approval.

1 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
2 dated 04-05-10 - DO PASS.