

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL NO. 1043

6 By: Marlatt

7 COMMITTEE SUBSTITUTE

8 An Act relating to water quality; amending 27A O.S.
9 2011, Section 2-6-501, which relates to water
10 discharge permits; authorizing certain permit holders
11 to modify water discharge locations; requiring
12 certain notification and information; requiring
13 certain disinfection methods; requiring certain
14 testing and reporting; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 27A O.S. 2011, Section 2-6-501, is
18 amended to read as follows:

19 Section 2-6-501. A. It shall be unlawful for any person to
20 carry on any of the following activities with regard to wastewater
21 or sludge without first securing a water quality permit from the
22 Department unless such activity is approved in a permit issued by
23 the Executive Director under Part 2, Article VI, Chapter 2 of this
24 Code:

1. The construction, installation, operation and closure of any
industrial surface impoundment, industrial septic tank or treatment

1 system, or the use of any existing unpermitted surface impoundment,
2 septic tank or treatment system that is within the jurisdiction of
3 the Department and which is proposed to be used for the containment
4 or treatment of industrial wastewater or sludge;

5 2. The construction, installation or operation of any
6 industrial or commercial facility subject to the permitting
7 authority of the Department, the operation of which would cause an
8 increase in the discharge of waste into the waters of the state or
9 would otherwise alter the physical, chemical or biological
10 properties of any waters of the state in any manner not already
11 lawfully authorized;

12 3. The construction or use of any new outfall for the discharge
13 of any waste or pollutants into the waters of the state; or

14 4. The land application of any nonindustrial or industrial
15 wastewater and the land application of sludge.

16 B. Any major addition, extension, operational change or other
17 change proposed for a facility permitted pursuant to subsection A of
18 this section shall require the approval of the Department through
19 the major modification of the facility's permit prior to
20 construction or implementation of such addition, extension or
21 change.

22 C. A permit for activities specified in paragraph A of this
23 section shall be issued by the Executive Director for no more than
24 five (5) years and may be renewed pursuant to rules of the Board.

1 D. The discharge of domestic sewage except to a public or
2 private disposal system approved or authorized by the Department or
3 the surfacing of effluent from any domestic septic system shall be
4 deemed pollution for purposes of the provisions of Section 2-6-105
5 of this title.

6 E. The Board may promulgate rules for the implementation ~~of the~~
7 of this part, including but not limited to the submission of
8 applications, plans, specifications and other necessary information,
9 and requirements for monitoring, reporting, operation and
10 maintenance, corrective action, construction and closure. Such
11 rules may incorporate by reference any applicable federal
12 regulations.

13 F. 1. Once a permit for discharge into the waters of the state
14 has been obtained, pursuant to paragraph A of this section, the
15 permitted entity has the option of changing the point of discharge
16 from a designated stream to a designated lake, wetlands or other
17 impoundment and back again.

18 2. The permit holder shall notify the Department of the intent
19 to discharge into a lake, wetlands or other impoundment within one
20 hundred twenty (120) days prior to the change. The notification
21 shall include an engineering report describing the beneficial uses
22 of the discharges to the lake, wetlands or impoundment and will
23 certify that the discharge is suitable for the intended beneficial
24 uses.

1 3. For discharges in a lake, wetlands or other impoundment, the
2 permit holder shall install redundant disinfection consisting of
3 ozonation, UV, chlorination or other disinfection methods commonly
4 in use in this state. The system shall be so operated that a
5 chlorine residual of 0.01 mg/1 is maintained at the point of use.

6 4. Testing and reporting shall be administered in the same
7 manner required in the permit for discharge into the stream waters
8 of the state.

9 SECTION 2. This act shall become effective November 1, 2012.

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