

1 Section 2-6-304. A. ~~1.~~ No Except as otherwise provided for in
2 this section, no person shall supply water, or do any construction
3 work of any nature for supplying water, to the public from or by a
4 public water supply system by means of any waterworks without a
5 written permit to construct issued by the Executive Director.

6 B. 1. The Department may grant an exception to a public water
7 supply system from the review and permit requirement for
8 construction of a water line extension.

9 2. The Board shall promulgate rules setting forth conditions
10 for ~~such~~ the exceptions including but not limited to a certification
11 by the system, upon application for ~~such~~ an exception, that the
12 proposed design and construction of the extension meets or exceeds
13 Board standards and, after the completion of construction but prior
14 to the commencement of service by ~~such~~ the extension, a sufficiency
15 certification by a professional engineer licensed to practice in the
16 State of Oklahoma, that the extension as constructed meets or
17 exceeds Board standards. ~~Such~~ The certifications shall provide
18 assurances, respectively, that the integrity and capacity of the
19 existing system will not or have not been compromised. ~~Such~~ The
20 rules shall allow a rural water district or nonprofit rural water
21 corporation to submit in lieu of a sufficiency certification by a
22 professional engineer, ~~such~~ certification by a certified waterworks
23 operator employed by the district, provided that the line extension

1 is not larger than the existing line, that no part of the existing
2 water line was previously extended pursuant to this paragraph, that
3 the extension does not add more than one (1) service connection to
4 the existing line, and that the line has not been extended through,
5 over or under any stream, lake, pond or marsh or any existing sewage
6 or wastewater collection lines.

7 3. The Department may disallow any exception application which
8 does not comply with this section or rules promulgated by the Board,
9 or which does not assure protection of the existing system or public
10 health and the environment.

11 4. Failure of a system to meet the terms of a granted exception
12 may result in the termination of the exception, the denial of future
13 exceptions or the imposition of permit or corrective action
14 requirements by the Department, or a combination thereof. No
15 exception shall be terminated until the Department has advised the
16 owner or operator of the excepted system and ~~such person or persons~~
17 are given an opportunity to show compliance with all exception
18 requirements.

19 ~~B.~~ C. An application for ~~such a permit~~ to construct shall be
20 accompanied by maps, plans and specifications, prepared by a
21 professional engineer registered in the State of Oklahoma. ~~Such~~ The
22 application shall include but not be limited to:

23 1. A description of the design of the system;

1 2. Identification of the system's source;

2 3. A description of the manner of storage and distribution and
3 purification of the water proposed for the supply previous to its
4 delivery to consumers; and

5 4. Any other data and information required by the Department.

6 D. Any person serving water to the public from a system that
7 was constructed without a permit to construct and was being used to
8 serve water to the public prior to June 1, 2011, may meet the
9 requirements of subsection A of this section by obtaining a permit
10 to supply issued by the Executive Director on or before December 31,
11 2012. Applications for the permits shall be accepted only if they
12 are complete and submitted to the Department prior to July 1, 2012.
13 The Department may deny any application that fails to establish that
14 the water supply meets and can continue to meet the drinking water
15 standards. In order to be considered complete, applications shall
16 include, at a minimum:

17 1. A description of the design of the system;

18 2. The identification of the source of water for the system;

19 3. A description of the manner of storage, distribution and
20 purification of the water prior to delivery to consumers;

21 4. A description of the additional testing and source water
22 protection measures the system will implement to assure continued
23 compliance with drinking water standards; and

1 5. Any other data and information requested by the Department.

2 E. Permits issued under subsection D of this section:

3 1. Shall be classified as Tier 1 permits pursuant to the

4 Oklahoma Uniform Environmental Permitting Act;

5 2. Shall be subject to additional monitoring requirements when
6 determined necessary by the Department; and

7 3. May include other permit conditions necessary to assure
8 continued compliance with drinking water standards.

9 SECTION 2. 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.

13 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, WILDLIFE AND
14 ENVIRONMENT, dated 02-16-2011 - DO PASS, As Coauthored.