

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 1485, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Griffin

Griffin-CB-FS-Req#1760
4/25/2017 4:41 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

FLOOR SUBSTITUTE
FOR ENGROSSED

HOUSE BILL NO. 1485

By: Watson of the Senate

and

Griffin of the House

FLOOR SUBSTITUTE

[environment and natural resources - environmental
agencies - water quality - codification -
~~emergency~~]

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

SECTION 1. AMENDATORY 27A O.S. 2011, Section 2-6-101, is
amended to read as follows:

Section 2-6-101. For purposes of this article:

1. "Aquifer storage and recovery (ASR)" means delivery of water
into an aquifer for later recovery and use;

2. "Disposal system" means pipelines or conduits, pumping
stations and force mains and all other devices, construction,
appurtenances and facilities used for collecting, conducting or
disposing of wastewater, including treatment systems;

1 ~~2.~~ 3. "Drainage basin" means all of the water collection area
2 adjacent to the highest water line of a reservoir which may be
3 considered by the Department to be necessary to protect adequately
4 the waters of the reservoir. The area may extend upstream on any
5 watercourse to any point within six hundred (600) feet of the
6 highest water line of the reservoir;

7 ~~3.~~ 4. "Indirect discharge" means the introduction of pollutants
8 to a publicly owned treatment works from a nondomestic source;

9 ~~4.~~ 5. "Pollutant" means dredged spoil, solid waste, incinerator
10 residue, sewage, garbage, sewage sludge, munitions, chemical wastes,
11 biological materials, radioactive materials, heat, wrecked or
12 discarded equipment, rock, sand, cellar dirt and industrial,
13 municipal, and agribusiness waste discharged into waters of the
14 state;

15 ~~5.~~ 6. "Public water supply" means water supplied to the public
16 for domestic or drinking purposes;

17 ~~6.~~ 7. "Reservoir" means any reservoir, whether completed or in
18 the process of construction, whether or not used as a water supply,
19 and whether or not constructed by any recipient of water therefrom;

20 ~~7.~~ 8. "Sludge" means nonhazardous solid, semi-solid, or liquid
21 residue generated by the treatment of domestic sewage or wastewater
22 by a treatment works, or water by a water supply system, or manure,
23 or such residue, treated or untreated, which results from
24 industrial, nonindustrial, commercial, or agribusiness activities or

1 industrial or manufacturing processes and which is within the
2 jurisdiction of the Department;

3 ~~8.~~ 9. "Small public sewage system" means a nonindustrial
4 wastewater treatment system which has an average flow of five
5 thousand (5,000) gallons per day or less;

6 ~~9.~~ 10. "Treatment works" means any facility used for the
7 purpose of treating or stabilizing wastes or wastewater. "Treatment
8 works" shall be synonymous with "wastewater works"; and

9 ~~10.~~ 11. "Water supply system" means a water treatment plant,
10 water wells, and all related pipelines or conduits, pumping stations
11 and mains and all other appurtenances and devices used for
12 distributing drinking water to the public and, as such, shall be
13 synonymous with waterworks.

14 SECTION 2. AMENDATORY 27A O.S. 2011, Section 2-6-401, is
15 amended to read as follows:

16 Section 2-6-401. A. No person shall ~~construct or let a~~
17 ~~contract for~~ begin any construction work of any nature for a
18 municipal treatment works, nonindustrial wastewater treatment
19 system, sanitary sewer system or other sewage treatment works, or
20 for any extension thereof, or make any change in the manner of
21 nonindustrial wastewater treatment or make any change in the
22 treatment, storage, use or disposal of sewage sludge without a
23 written permit to construct issued by the Executive Director of the
24 Department of Environmental Quality. Such permit may only be issued

1 to a public entity unless all components of the proposed system,
2 including the service lines, are or will be located on property that
3 is owned by the owner of the system or dedicated to the owner of the
4 system in a recorded easement for the installation and operation of
5 the system.

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

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

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

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

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

21 C. Upon the Department's approval of the engineering report,
22 the applicant shall submit plans and specifications for the proposed
23 system or the proposed extension or change of an existing system to
24 the Department for review. Such plans and specifications shall be

1 prepared by a professional engineer registered in the State of
2 Oklahoma.

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

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

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

20 3. A statement from the owner of the facility that should the
21 facility subsequently fail to meet any federal or state discharge or
22 land application requirement that the owner of the facility will
23 immediately take all necessary action to install a recognized
24 treatment technique.

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 2-6-110 of Title 27A, unless
3 there is created a duplication in numbering, reads as follows:

4 The Department of Environmental Quality is authorized to issue
5 permits for limited-scale pilot projects for the purpose of aquifer
6 storage and recovery. The applications for such projects shall be
7 Tier II applications under the Oklahoma Uniform Environmental
8 Permitting Act. The Department shall determine pilot project
9 criteria and establish a process for the consideration of
10 applications. Each permit shall include any permit conditions the
11 Department deems necessary or appropriate for protection of the
12 aquifer quality. At a minimum these permits must meet the
13 provisions of paragraph 21 of subsection B of Section 1-3-101 of
14 Title 27A of the Oklahoma Statutes.

15 ~~SECTION 4. It being immediately necessary for the preservation~~
16 ~~of the public peace, health or safety, an emergency is hereby~~
17 ~~declared to exist, by reason whereof this act shall take effect and~~
18 ~~be in full force from and after its passage and approval.~~

19
20 56-1-1760 CB 4/25/2017 4:41:06 PM
21
22
23
24