

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1033

By: Bice

6 AS INTRODUCED

7 An Act relating to department consolidation;
8 consolidating the Oklahoma Department of Mines with
9 the Department of Environmental Quality; renaming
10 consolidated agency; providing for interpretation of
11 certain statutory references; transferring certain
12 powers, duties, functions and responsibilities;
13 transferring certain funds, records, encumbrances,
14 equipment, and other items; transferring certain
15 accrued monies; providing for succession of certain
16 contractual rights and responsibilities; directing
17 certain coordination; providing requirements
18 pertaining to transfer of employees; directing
19 certain actions be taken; transferring certain rules;
20 directing promulgation of rules; amending 27A O.S.
21 2011, Section 1-3-101, as last amended by Section 1,
22 Chapter 129, O.S.L. 2017 (27A O.S. Supp. 2017,
23 Section 1-3-101), which relates to jurisdictional
24 areas of environmental responsibilities; amending
jurisdiction of Department of Environmental Quality;
deleting jurisdictional areas of Department of Mines;
providing for codification; providing for
noncodification; providing an effective date; and
declaring an emergency.

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

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

1 A. The Oklahoma Department of Mines is hereby consolidated with
2 the Department of Environmental Quality. The consolidated agency is
3 hereby named the Mining Safety Division of the Department of
4 Environmental Quality.

5 B. All powers, duties, functions, and responsibilities of the
6 Oklahoma Department of Mines are hereby transferred to the Mining
7 Safety Division of the Department of Environmental Quality.

8 C. All assets, funds, liabilities, allotments, purchase orders,
9 outstanding financial obligations, encumbrances, records, vehicles,
10 equipment, and other property of the Oklahoma Department of Mines
11 are hereby transferred to the Mining Safety Division of the
12 Department of Environmental Quality.

13 D. Any monies accruing to or in the name of the Oklahoma
14 Department of Mines on and after the effective date of this act, or
15 any monies that accrue in any funds or accounts or are maintained
16 for the benefit of the Oklahoma Department of Mines on and after the
17 effective date of this act are hereby transferred to the Mining
18 Safety Division of the Department of Environmental Quality.

19 E. The Mining Safety Division of the Department of
20 Environmental Quality shall succeed to any contractual rights and
21 responsibilities incurred by the Oklahoma Department of Mines.

22 F. The Director of the Office of Management and Enterprise
23 Services is hereby directed to coordinate the transfer of funds,
24

1 allotments, purchase orders, and outstanding financial obligations
2 or encumbrances as provided for in this section.

3 G. Personnel employed by the Oklahoma Department of Mines on
4 July 1, 2018, shall be transferred to the Mining Safety Division of
5 the Department of Environmental Quality and shall be subject to the
6 following provisions:

7 1. Classified employees shall remain subject to the provisions
8 of the Merit System of Personnel Administration, as provided in the
9 Oklahoma Personnel Act;

10 2. Unclassified employees transferred to the Mining Safety
11 Division shall remain in the unclassified service and shall serve at
12 the pleasure of the Director of the Department of Environmental
13 Quality;

14 3. All employees who are transferred pursuant to this act shall
15 retain leave, sick and annual time earned and any retirement and
16 longevity benefits which have accrued during their employment with
17 the state. The salaries of employees who are transferred shall not
18 be reduced as a direct and immediate result of the transfer;

19 4. If the Mining Safety Division of the Department of
20 Environmental Quality should implement a reduction in force, all
21 employees transferred pursuant to this act shall be credited for the
22 time they were employed by the Oklahoma Department of Mines; and

23 5. The transfer of personnel shall be coordinated with the
24 Office of Management and Enterprise Services.

1 SECTION 2. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 The Director of the Department of Environmental Quality and the
4 Director of the Oklahoma Department of Mines shall take all such
5 action as may be reasonably necessary and appropriate to achieve the
6 orderly transition of functions as provided by this act.

7 SECTION 3. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1-3-111 of Title 27A, unless
9 there is created a duplication in numbering, reads as follows:

10 A. Effective July 1, 2018, all administrative rules promulgated
11 by the Oklahoma Department of Mines shall be transferred to and
12 become a part of the administrative rules of the Mining Safety
13 Division of the Department of Environmental Quality. The Office of
14 Administrative Rules in the Secretary of State's office shall
15 provide adequate notice in the Oklahoma Register of the transfer of
16 such rules, and shall place the transferred rules under the
17 Administrative Code section of the Department of Environmental
18 Quality. Such rules shall continue in force and effect as rules of
19 the office of the Mining Safety Division from and after July 1,
20 2018, and any amendment, repeal or addition to the transferred rules
21 shall be under the jurisdiction of the Department of Environmental
22 Quality.

23 B. The Department of Environmental Quality shall promulgate
24 rules to implement the provisions of this act.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-3-112 of Title 27A, unless
3 there is created a duplication in numbering, reads as follows:

4 Whenever the terms "Oklahoma Department of Mines", "Department
5 of Mines" or "Department", when used in reference to the Oklahoma
6 Department of Mines, appear in the Oklahoma Statutes, such terms
7 shall mean the Mining Safety Division of the Department of
8 Environmental Quality.

9 SECTION 5. AMENDATORY 27A O.S. 2011, Section 1-3-101, as
10 last amended by Section 1, Chapter 129, O.S.L. 2017 (27A O.S. Supp.
11 2017, Section 1-3-101), is amended to read as follows:

12 Section 1-3-101. A. The provisions of this section specify the
13 jurisdictional areas of responsibility for each state environmental
14 agency and state agencies with limited environmental responsibility.
15 The jurisdictional areas of environmental responsibility specified
16 in this section shall be in addition to those otherwise provided by
17 law and assigned to the specific state environmental agency;
18 provided that any rule, interagency agreement or executive order
19 enacted or entered into prior to the effective date of this section
20 which conflicts with the assignment of jurisdictional environmental
21 responsibilities specified by this section is hereby superseded.
22 The provisions of this subsection shall not nullify any financial
23 obligation arising from services rendered pursuant to any
24 interagency agreement or executive order entered into prior to July

1 1, 1993, nor nullify any obligations or agreements with private
2 persons or parties entered into with any state environmental agency
3 before July 1, 1993.

4 B. Department of Environmental Quality. The Department of
5 Environmental Quality shall have the following jurisdictional areas
6 of environmental responsibility:

7 1. All point source discharges of pollutants and storm water to
8 waters of the state which originate from municipal, industrial,
9 commercial, mining, transportation and utilities, construction,
10 trade, real estate and finance, services, public administration,
11 manufacturing and other sources, facilities and activities, except
12 as provided in subsections D and E of this section;

13 2. All nonpoint source discharges and pollution except as
14 provided in subsections D, E and F of this section;

15 3. Technical lead agency for point source, nonpoint source and
16 storm water pollution control programs funded under Section 106 of
17 the federal Clean Water Act, for areas within the Department's
18 jurisdiction as provided in this subsection;

19 4. Surface water and groundwater quality and protection and
20 water quality certifications;

21 5. Waterworks and wastewater works operator certification;

22 6. Public and private water supplies;

23 7. Underground injection control pursuant to the federal Safe
24 Drinking Water Act and 40 CFR Parts 144 through 148, except for:

- a. Class II injection wells,
- b. Class V injection wells utilized in the remediation of groundwater associated with underground or aboveground storage tanks regulated by the Corporation Commission,
- c. those wells used for the recovery, injection or disposal of mineral brines as defined in the Oklahoma Brine Development Act regulated by the Commission, and
- d. any aspect of any CO₂ sequestration facility, including any associated CO₂ injection well, over which the Commission is given jurisdiction pursuant to the Oklahoma Carbon Capture and Geologic Sequestration Act;

8. Notwithstanding any other provision in this section or other environmental jurisdiction statute, sole and exclusive jurisdiction for air quality under the federal Clean Air Act and applicable state law, except for indoor air quality and asbestos as regulated for worker safety by the federal Occupational Safety and Health Act and by Chapter 11 of Title 40 of the Oklahoma Statutes;

9. Hazardous waste and solid waste, including industrial, commercial and municipal waste;

10. Superfund responsibilities of the state under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 and amendments thereto, except the planning requirements of

1 Title III of the Superfund Amendment and Reauthorization Act of
2 1986;

3 11. Radioactive waste and all regulatory activities for the use
4 of atomic energy and sources of radiation except for electronic
5 products used for diagnosis by diagnostic x-ray facilities and
6 electronic products used for bomb detection by public safety bomb
7 squads within law enforcement agencies of this state or within law
8 enforcement agencies of any political subdivision of this state;

9 12. Water, waste, and wastewater treatment systems including,
10 but not limited to, septic tanks or other public or private waste
11 disposal systems;

12 13. Emergency response as specified by law;

13 14. Environmental laboratory services and laboratory
14 certification;

15 15. Hazardous substances other than branding, package and
16 labeling requirements;

17 16. Freshwater wellhead protection;

18 17. Groundwater protection for activities subject to the
19 jurisdictional areas of environmental responsibility of the
20 Department;

21 18. Utilization and enforcement of Oklahoma Water Quality
22 Standards and implementation documents;

23 19. Environmental regulation of any entity or activity, and the
24 prevention, control and abatement of any pollution, not subject to

1 the specific statutory authority of another state environmental
2 agency;

3 20. Development and maintenance of a computerized information
4 system relating to water quality pursuant to Section 1-4-107 of this
5 title; ~~and~~

6 21. Development and promulgation of a Water Quality Standards
7 Implementation Plan pursuant to Section 1-1-202 of this title for
8 its jurisdictional area of environmental responsibility; and

9 22. Mining regulation, mining reclamation of active mines,
10 groundwater protection for activities subject to the jurisdictional
11 areas of environmental responsibility of the Oklahoma Conservation
12 Commission, and development and promulgation of a Water Quality
13 Standards Implementation Plan pursuant to Section 1-1-202 of this
14 title for its jurisdictional areas of responsibility.

15 C. Oklahoma Water Resources Board. The Oklahoma Water
16 Resources Board shall have the following jurisdictional areas of
17 environmental responsibility:

18 1. Water quantity including, but not limited to, water rights,
19 surface water and underground water, planning, and interstate stream
20 compacts;

21 2. Weather modification;

22 3. Dam safety;

23 4. Flood plain management;

24

1 5. State water/wastewater loans and grants revolving fund and
2 other related financial aid programs;

3 6. Administration of the federal State Revolving Fund Program
4 including, but not limited to, making application for and receiving
5 capitalization grant awards, wastewater prioritization for funding,
6 technical project reviews, environmental review process, and
7 financial review and administration;

8 7. Water well drillers/pump installers licensing;

9 8. Technical lead agency for clean lakes eligible for funding
10 under Section 314 of the federal Clean Water Act or other applicable
11 sections of the federal Clean Water Act or other subsequent state
12 and federal clean lakes programs; administration of a state program
13 for assessing, monitoring, studying and restoring Oklahoma lakes
14 with administration to include, but not be limited to, receipt and
15 expenditure of funds from federal, state and private sources for
16 clean lakes and implementation of a volunteer monitoring program to
17 assess and monitor state water resources, provided such funds from
18 federal Clean Water Act sources are administered and disbursed by
19 the Office of the Secretary of Environment;

20 9. Statewide water quality standards and their accompanying use
21 support assessment protocols, anti-degradation policy and
22 implementation, and policies generally affecting Oklahoma Water
23 Quality Standards application and implementation including but not
24 limited to mixing zones, low flows and variances or any modification

1 or change thereof pursuant to Section 1085.30 of Title 82 of the
2 Oklahoma Statutes;

3 10. Groundwater protection for activities subject to the
4 jurisdictional areas of environmental responsibility of the Board;

5 11. Development and promulgation of a Water Quality Standards
6 Implementation Plan pursuant to Section 1-1-202 of this title for
7 its jurisdictional area of environmental responsibility;

8 12. Development of classifications and identification of
9 permitted uses of groundwater, in recognized water rights, and
10 associated groundwater recharge areas;

11 13. Establishment and implementation of a statewide beneficial
12 use monitoring program for waters of the state in coordination with
13 the other state environmental agencies;

14 14. Coordination with other state environmental agencies and
15 other public entities of water resource investigations conducted by
16 the federal United States Geological Survey for water quality and
17 quantity monitoring in the state; and

18 15. Development and submission of a report concerning the
19 status of water quality monitoring in this state pursuant to Section
20 1-1-202 of this title.

21 D. Oklahoma Department of Agriculture, Food, and Forestry.

22 1. The Oklahoma Department of Agriculture, Food, and Forestry
23 shall have the following jurisdictional areas of environmental
24 responsibility except as provided in paragraph 2 of this subsection:

- a. point source discharges and nonpoint source runoff from agricultural crop production, agricultural services, livestock production, silviculture, feed yards, livestock markets and animal waste,
- b. pesticide control,
- c. forestry and nurseries,
- d. fertilizer,
- e. facilities which store grain, feed, seed, fertilizer and agricultural chemicals,
- f. dairy waste and wastewater associated with milk production facilities,
- g. groundwater protection for activities subject to the jurisdictional areas of environmental responsibility of the Department,
- h. utilization and enforcement of Oklahoma Water Quality Standards and implementation documents,
- i. development and promulgation of a Water Quality Standards Implementation Plan pursuant to Section 1-1-202 of this title for its jurisdictional areas of environmental responsibility, and
- j. storm water discharges for activities subject to the jurisdictional areas of environmental responsibility of the Department.

1 2. In addition to the jurisdictional areas of environmental
2 responsibility specified in subsection B of this section, the
3 Department of Environmental Quality shall have environmental
4 jurisdiction over:

- 5 a. (1) commercial manufacturers of fertilizers, grain
6 and feed products, and chemicals, and over
7 manufacturing of food and kindred products,
8 tobacco, paper, lumber, wood, textile mill and
9 other agricultural products,
10 (2) slaughterhouses, but not including feedlots at
11 these facilities, and
12 (3) aquaculture and fish hatcheries,
13 including, but not limited to, discharges of pollutants
14 and storm water to waters of the state, surface
15 impoundments and land application of wastes and
16 sludge, and other pollution originating at these
17 facilities, and
18 b. facilities which store grain, feed, seed, fertilizer,
19 and agricultural chemicals that are required by
20 federal NPDES regulations to obtain a permit for storm
21 water discharges shall only be subject to the
22 jurisdiction of the Department of Environmental
23 Quality with respect to such storm water discharges.

24 E. Corporation Commission.

1 1. The Corporation Commission is hereby vested with exclusive
2 jurisdiction, power and authority, and it shall be its duty to
3 promulgate and enforce rules, and issue and enforce orders governing
4 and regulating:

5 a. the conservation of oil and gas,

6 b. field operations for geologic and geophysical
7 exploration for oil, gas and brine, including seismic
8 survey wells, stratigraphic test wells and core test
9 wells,

10 c. the exploration, drilling, development, producing or
11 processing for oil and gas on the lease site,

12 d. the exploration, drilling, development, production and
13 operation of wells used in connection with the
14 recovery, injection or disposal of mineral brines,

15 e. reclaiming facilities only for the processing of salt
16 water, crude oil, natural gas condensate and tank
17 bottoms or basic sediment from crude oil tanks,
18 pipelines, pits and equipment associated with the
19 exploration, drilling, development, producing or
20 transportation of oil or gas,

21 f. underground injection control pursuant to the federal
22 Safe Drinking Water Act and 40 CFR Parts 144 through
23 148, of:

24 (1) Class II injection wells,

- 1 (2) Class V injection wells utilized in the
2 remediation of groundwater associated with
3 underground or aboveground storage tanks
4 regulated by the Commission,
5 (3) those wells used for the recovery, injection or
6 disposal of mineral brines as defined in the
7 Oklahoma Brine Development Act, and
8 (4) any aspect of any CO₂ sequestration facility,
9 including any associated CO₂ injection well, over
10 which the Commission is given jurisdiction
11 pursuant to the Oklahoma Carbon Capture and
12 Geologic Sequestration Act.

13 Any substance that the United States Environmental
14 Protection Agency allows to be injected into a Class
15 II well may continue to be so injected,

- 16 g. tank farms for storage of crude oil and petroleum
17 products which are located outside the boundaries of
18 refineries, petrochemical manufacturing plants,
19 natural gas liquid extraction plants, or other
20 facilities which are subject to the jurisdiction of
21 the Department of Environmental Quality with regard to
22 point source discharges,
23 h. the construction and operation of pipelines and
24 associated rights-of-way, equipment, facilities or

1 buildings used in the transportation of oil, gas,
2 petroleum, petroleum products, anhydrous ammonia or
3 mineral brine, or in the treatment of oil, gas or
4 mineral brine during the course of transportation but
5 not including line pipes in any:

6 (1) natural gas liquids extraction plant,

7 (2) refinery,

8 (3) reclaiming facility other than for those
9 specified within subparagraph e of this
10 subsection,

11 (4) mineral brine processing plant, and

12 (5) petrochemical manufacturing plant,

13 i. the handling, transportation, storage and disposition
14 of saltwater, mineral brines, waste oil and other
15 deleterious substances produced from or obtained or
16 used in connection with the drilling, development,
17 producing and operating of oil and gas wells, at:

18 (1) any facility or activity specifically listed in
19 paragraphs 1 and 2 of this subsection as being
20 subject to the jurisdiction of the Commission,
21 and

22 (2) other oil and gas extraction facilities and
23 activities,
24

- j. spills of deleterious substances associated with facilities and activities specified in paragraph 1 of this subsection or associated with other oil and gas extraction facilities and activities,
- k. subsurface storage of oil, natural gas and liquefied petroleum gas in geologic strata,
- l. groundwater protection for activities subject to the jurisdictional areas of environmental responsibility of the Commission,
- m. utilization and enforcement of Oklahoma Water Quality Standards and implementation documents, and
- n. development and promulgation of a Water Quality Standards Implementation Plan pursuant to Section 1-1-202 of this title for its jurisdictional areas of environmental responsibility.

2. The exclusive jurisdiction, power and authority of the Commission shall also extend to the construction, operation, maintenance, site remediation, closure and abandonment of the facilities and activities described in paragraph 1 of this subsection.

3. When a deleterious substance from a Commission-regulated facility or activity enters a point source discharge of pollutants or storm water from a facility or activity regulated by the Department of Environmental Quality, the Department shall have sole

1 jurisdiction over the point source discharge of the commingled
2 pollutants and storm water from the two facilities or activities
3 insofar as Department-regulated facilities and activities are
4 concerned.

5 4. The Commission and the Department of Environmental Quality
6 are hereby authorized to obtain authorization from the Environmental
7 Protection Agency to administer, within their respective
8 jurisdictions, any and all programs regulating oil and gas
9 discharges into the waters of this state. For purposes of the
10 federal Clean Water Act, any facility or activity which is subject
11 to the jurisdiction of the Commission pursuant to paragraph 1 of
12 this subsection and any other oil and gas extraction facility or
13 activity which requires a permit for the discharge of a pollutant or
14 storm water to waters of the United States shall be subject to the
15 direct jurisdiction and permitting authority of the Oklahoma agency
16 having received delegation of this program from the Environmental
17 Protection Agency.

18 5. The Commission shall have jurisdiction over:

- 19 a. underground storage tanks that contain antifreeze,
20 motor oil, motor fuel, gasoline, kerosene, diesel, or
21 aviation fuel and that are not located at refineries
22 or at the upstream or intermediate shipment points of
23 pipeline operations, including, but not limited to,
24 tanks from which these materials are dispensed into

1 vehicles, or tanks used in wholesale or bulk
2 distribution activities, as well as leaks from pumps,
3 hoses, dispensers, and other ancillary equipment
4 associated with the tanks, whether above the ground or
5 below; provided, that any point source discharge of a
6 pollutant to waters of the United States during site
7 remediation or the off-site disposal of contaminated
8 soil, media, or debris shall be regulated by the
9 Department of Environmental Quality,

10 b. aboveground storage tanks that contain antifreeze,
11 motor oil, motor fuel, gasoline, kerosene, diesel, or
12 aviation fuel and that are not located at refineries
13 or at the upstream or intermediate shipment points of
14 pipeline operations, including, but not limited to,
15 tanks from which these materials are dispensed into
16 vehicles, or tanks used in wholesale or bulk
17 distribution activities, as well as leaks from pumps,
18 hoses, dispensers, and other ancillary equipment
19 associated with the tanks, whether above the ground or
20 below; provided, that any point source discharge of a
21 pollutant to waters of the United States during site
22 remediation or the off-site disposal of contaminated
23 soil, media, or debris shall be regulated by the
24 Department of Environmental Quality, and

1 c. the Petroleum Storage Tank Release Environmental
2 Cleanup Indemnity Fund, the Oklahoma Petroleum Storage
3 Tank Release Indemnity Program, and the Oklahoma
4 Leaking Underground Storage Tank Trust Fund.

5 6. The Department of Environmental Quality shall have sole
6 jurisdiction to regulate the transportation, discharge or release of
7 deleterious substances or solid or hazardous waste or other
8 pollutants from rolling stock and rail facilities. The Department
9 of Environmental Quality shall not have any jurisdiction with
10 respect to pipeline transportation of carbon dioxide.

11 7. The Department of Environmental Quality shall have sole
12 environmental jurisdiction for point and nonpoint source discharges
13 of pollutants and storm water to waters of the state from:

- 14 a. refineries, petrochemical manufacturing plants and
15 natural gas liquid extraction plants,
- 16 b. manufacturing of equipment and products related to oil
17 and gas,
- 18 c. bulk terminals, aboveground and underground storage
19 tanks not subject to the jurisdiction of the
20 Commission pursuant to this subsection, and
- 21 d. other facilities, activities and sources not subject
22 to the jurisdiction of the Commission or the Oklahoma
23 Department of Agriculture, Food, and Forestry as
24 specified by this section.

1 8. The Department of Environmental Quality shall have sole
2 environmental jurisdiction to regulate air emissions from all
3 facilities and sources subject to operating permit requirements
4 under Title V of the federal Clean Air Act as amended.

5 F. Oklahoma Conservation Commission. The Oklahoma Conservation
6 Commission shall have the following jurisdictional areas of
7 environmental responsibility:

8 1. Soil conservation, erosion control and nonpoint source
9 management except as otherwise provided by law;

10 2. Monitoring, evaluation and assessment of waters to determine
11 the condition of streams and rivers being impacted by nonpoint
12 source pollution. In carrying out this area of responsibility, the
13 Oklahoma Conservation Commission shall serve as the technical lead
14 agency for nonpoint source categories as defined in Section 319 of
15 the federal Clean Water Act or other subsequent federal or state
16 nonpoint source programs, except for activities related to
17 industrial and municipal storm water or as otherwise provided by
18 state law;

19 3. Wetlands strategy;

20 4. Abandoned mine reclamation;

21 5. Cost-share program for land use activities;

22 6. Assessment and conservation plan development and
23 implementation in watersheds of clean lakes, as specified by law;

24 7. Complaint data management;

1 8. Coordination of environmental and natural resources
2 education;

3 9. Federal upstream flood control program;

4 10. Groundwater protection for activities subject to the
5 jurisdictional areas of environmental responsibility of the
6 Commission;

7 11. Development and promulgation of a Water Quality Standards
8 Implementation Plan pursuant to Section 1-1-202 of this title for
9 its jurisdictional areas of environmental responsibility;

10 12. Utilization of Oklahoma Water Quality Standards and
11 Implementation documents; and

12 13. Verification and certification of carbon sequestration
13 pursuant to the Oklahoma Carbon Sequestration Enhancement Act. This
14 responsibility shall not be superseded by the Oklahoma Carbon
15 Capture and Geologic Sequestration Act.

16 G. ~~Department of Mines. The Department of Mines shall have the~~
17 ~~following jurisdictional areas of environmental responsibility:~~

18 ~~1. Mining regulation;~~

19 ~~2. Mining reclamation of active mines;~~

20 ~~3. Groundwater protection for activities subject to the~~
21 ~~jurisdictional areas of environmental responsibility of the~~
22 ~~Commission; and~~

1 ~~4. Development and promulgation of a Water Quality Standards~~
2 ~~Implementation Plan pursuant to Section 1-1-202 of this title for~~
3 ~~its jurisdictional areas of responsibility.~~

4 ~~H.~~ Department of Wildlife Conservation. The Department of
5 Wildlife Conservation shall have the following jurisdictional areas
6 of environmental responsibilities:

- 7 1. Investigating wildlife kills;
 - 8 2. Wildlife protection and seeking wildlife damage claims; and
 - 9 3. Development and promulgation of a Water Quality Standards
- 10 Implementation Plan pursuant to Section 1-1-202 of this title for
11 its jurisdictional areas of environmental responsibility.

12 ~~I.~~ H. Department of Public Safety. The Department of Public
13 Safety shall have the following jurisdictional areas of
14 environmental responsibilities:

- 15 1. Hazardous waste, substances and material transportation
- 16 inspections as authorized by the Hazardous Materials Transportation
- 17 Act; and
- 18 2. Inspection and audit activities of hazardous waste and
- 19 materials carriers and handlers as authorized by the Hazardous
- 20 Materials Transportation Act.

21 ~~J.~~ I. Department of Labor. The Department of Labor shall have
22 the following jurisdictional areas of environmental responsibility:

- 23 1. Regulation of asbestos in the workplace pursuant to Chapter
- 24 11 of Title 40 of the Oklahoma Statutes;

1 2. Asbestos monitoring in public and private buildings; and

2 3. Indoor air quality as regulated under the authority of the
3 Oklahoma Occupational Health and Safety Standards Act, except for
4 those indoor air quality issues specifically authorized to be
5 regulated by another agency.

6 Such programs shall be a function of the Department's
7 occupational safety and health jurisdiction.

8 ~~K.~~ J. Oklahoma Department of Emergency Management. The
9 Oklahoma Department of Emergency Management shall have the following
10 jurisdictional areas of environmental responsibilities:

11 1. Coordination of all emergency resources and activities
12 relating to threats to citizens' lives and property pursuant to the
13 Oklahoma Emergency Resources Management Act of 1967;

14 2. Administer and enforce the planning requirements of Title
15 III of the Superfund Amendments and Reauthorization Act of 1986 and
16 develop such other emergency operations plans that will enable the
17 state to prepare for, respond to, recover from and mitigate
18 potential environmental emergencies and disasters pursuant to the
19 Oklahoma Hazardous Materials Planning and Notification Act;

20 3. Administer and conduct periodic exercises of emergency
21 operations plans provided for in this subsection pursuant to the
22 Oklahoma Emergency Resources Management Act of 1967;

1 4. Administer and facilitate hazardous materials training for
2 state and local emergency planners and first responders pursuant to
3 the Oklahoma Emergency Resources Management Act of 1967; and

4 5. Maintain a computerized emergency information system
5 allowing state and local access to information regarding hazardous
6 materials' location, quantity and potential threat.

7 SECTION 6. This act shall become effective July 1, 2018.

8 SECTION 7. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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