

Project 4

Title: 2008 –2009 Revision Of Oklahoma’s Water Quality Standards And Associated Implementation Documents.

Agency: Oklahoma Water Resources Board (OWRB)

Project Location: Statewide

Background

In order to produce a comprehensive program to assist in the prevention, control and abatement of pollution of the Waters of the State of Oklahoma, and in order to establish state standards which comply with the Federal Water Pollution Control Act, the Oklahoma Water Resources Board is authorized to promulgate rules to be known as "Oklahoma Water Quality Standards", which establish classifications of uses of waters of the state, criteria to maintain and protect such classifications, and other standards or policies pertaining to the quality of such waters. The Oklahoma Water Quality Standards program is continuing in a period of unprecedented growth and development. Major strides have been made toward the promulgation of new or evolution of existing narrative and numeric nutrient criteria, use support assessment protocols, anti-degradation language, water-effect-ratio studies and a host of other high profile issues that contribute to water quality management in this state. Many new issues dealing with creation of specific criteria or implementation strategies for existing criteria continue to arise and require immediate attention.

Objectives

The objective of this project will be to meet the requirements of a water quality standards revision outlined in the CWA, CFR, Oklahoma Administrative Procedures Act, and other applicable statutes and rules governing how water quality standards are revised and submitted. An additional objective of this project is to exceed the federal and state requirements for public participation and review of the standards with the informal public participation process traditionally implemented by the OWRB prior to the required formal steps.

The outcome of this project will be the 2009 interim revision of the Water Quality Standards, which meets outcome codes 40,41, and 43 as listed in the U.S. EPA Region VI FY 05 National Water Program Guidance for Oklahoma. The true environmental result of this project will be increased protection of water quality.

Project Tasks

Task 1. Identification of revision topics and replacement language.

Revision topics will be compiled from EPA suggestions and requirements, from environmental agency input and from the public. Proposed revisions will be developed as needed with interagency consultation or with topic specific working groups. Topics for the 2008-2009 rule making will potentially include new nutrient criteria, aquatic life criteria recalculations human health criteria recalculations, and potentially some new

site specific criteria for copper and lead based upon the biotic ligand model. The 2008-2009 rulemaking may also include additional implementation language concerning dilution and mixing zones for whole effluent toxicity implementation.

Time frame: April to December 2008

Deliverables: none

Task 2. Public participation

Public participation element including at least 3 informal meetings to discuss topics with the public, maintain all pertinent mailing lists including but not limited to those related to tribal interests, special interest groups, local government associations, discharger permit holders, newspapers and other interested parties and 1 formal hearing for the public to present comments.

Time frame: August to January 2009

Deliverables: none

Task 3. Development of procedural record

Development of documents to comply with the Oklahoma Administrative Procedures Act and comparable federal rule)

Time frame: December to March 2009

Deliverables: none

Task 4. Completion of Legislative process

Completion of the Legislative process including finalization/promulgation of rules by OWRB, Attorney General certification, and Legislature and Governors review and approval.

Time frame: March to July 2009

Deliverables: none

Task 5. EPA submission

Final submission of draft language revisions to EPA Region VI for review and approval. Submittal packet including justification documents and draft revision language, Notice of Rulemaking Intent, Rule Impact Statement, comment response summary, small business impact assessment, Attorney General certification and Gubernatorial approval

Time frame: August 2009

Deliverables: submittal packet with draft language revisions

TASK	MILESTONE DATES	EXPENDITURE
Task 1	Nov-08	35,000
Task 2	Dec-08	12,000
Task 3	Mar-09	5,000
Task 4	Jul-09	4,000
Task 5	Aug-09	4,000
TOTAL =		\$60,000

Project Management

The Oklahoma Water Resources Board will be the lead agency for all project activities.

Project Duration

The project will be approximately 16 months in duration.

Budget Summary

A detailed budget for work to be performed as part of this project is included as Table 2.

Table 3. Allocation of Funds for Project

Allocation of Funds	Monies
Environmental Protection Agency (100% of Total Cost)	\$60,000
TOTAL PROJECT COST =	\$60,000

Table 4. Proposed budget for Triennial Revision. *Indirect 71.18%, Fringes 56.68%*

Personell			Man Years	Expenditure
	Environmental Specialist		0.24	\$6,480
	Sr. Environmental Specialist		0.23	\$10,580
	Environmental Program Manager		0.1	\$5,600
	Environmental Program Division Chief		0.05	\$3,500
Indirect and Fringe Costs				
	Indirect Costs	FY 07	74.83% of Personnel Costs	\$18,621
	Fringe Benefits	FY 07	44.86% of Personnel Costs	\$14,827
Supplies				
	Supplies			\$392
TOTAL PROJECT COST				\$60,000