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# The Oklahoma Register

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Oklahoma  
Secretary of State  
Office of Administrative Rules



**Kevin Stitt, Governor**  
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# Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

*For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 1. ADMINISTRATIVE OPERATIONS

*[OAR Docket #25-763]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 9. Individual Procedures

35:1-9-17. Subpoenas [AMENDED]

### **SUMMARY:**

The proposed rule amendment removes the reference to the Oklahoma Pleading Code.

### **AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; and 2 O.S. § 2-4(A)(2).

### **COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

### **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

### **CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-763; filed 9-25-25]*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 2. FEES

*[OAR Docket #25-746]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 3. Fee Schedules

35:2-3-2.4. Schedule of microbiological testing fees [AMENDED]

### **SUMMARY:**

# Notices of Rulemaking Intent

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The proposed rule amendment creates fees for new microbiological testing by the lab to cover the Department's costs associated with testing.

**AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); and 2 O.S. § 14-81 et seq.

**COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

**PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

**CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: [at Kiersten.wormus@ag.ok.gov](mailto:at Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-746; filed 9-24-25]*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 10. AGRICULTURAL PRODUCTS

*[OAR Docket #25-747]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions

35:10-1-3. Handbook and publication editions [AMENDED]

Subchapter 5. Service Technicians and Service Agencies

35:10-5-4. Device Categories [AMENDED]

Subchapter 9. Packaging and Labeling of Products

35:10-9-1. Packaging and labeling of products [AMENDED]

Subchapter 11. Checking the Net Contents of Packaged Goods

35:10-11-1. Sampling procedures [AMENDED]

Subchapter 13. Method of Sale of Commodities

35:10-13-1. Method of Sale of food and non-food commodities [AMENDED]

Subchapter 15. National Type Evaluation Program

35:10-15-1. Definitions [AMENDED]

35:10-15-2. Application [AMENDED]

**SUMMARY:**

The proposed rule amendments update handbook and publication references; replaced conference with council to match the national standards; and corrected a misspelled word.

**AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2); and 2 O.S. § 14-31 et seq.

**COMMENT PERIOD:**

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# Notices of Rulemaking Intent

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## **CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-747; filed 9-24-25]*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY**

*[OAR Docket #25-751]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 13. Testing and Inspection for Disease and Release of Livestock at Auction Markets

35:15-13-3. General requirements for a livestock auction market [AMENDED]

Subchapter 15. Equine Infectious Anemia (EIA)

Part 7. REQUIREMENTS FOR APPROVED MARKETS

35:15-15-71. Movement of Equidae through approved markets [AMENDED]

Subchapter 19. Poultry Regulations

35:15-19-1. Definitions [AMENDED]

35:15-19-4. ~~Import and exhibition poultry~~ Poultry imports, exhibitions, and sales [AMENDED]

35:15-19-5. Live bird imports from Avian Influenza ~~quarantined~~ or Virulent Newcastle Disease affected states [AMENDED]

Subchapter 36. Scrapie

35:15-36-3. Requirements for identification [AMENDED]

Subchapter 44. Farmed Cervidae

35:15-44-3. Application for license [AMENDED]

35:15-44-22. Chronic Wasting Disease Genetic Improvement Program (CWDGIP) [AMENDED]

## **SUMMARY:**

The proposed rule amendment adds additional animals to the livestock auction market requirements; adds a requirement that blood samples reach an approved lab within 5 business days; adds definitions to poultry regulations; adds requirements for the sale of poultry at auctions; updates language for live bird imports from virulent Newcastle disease affected states; adds requirements for identification for sheep and goats; adds requirement for captive cervid species to be housed on licensed property; and exempts certain deer from record keeping.

## **AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (A)(7); 2 O.S. § 6-1 et seq., 2 O.S. § 6-91 et seq., 2 O.S. § 6-121 et seq., 2 O.S. § 6-131 et seq., 2 O.S. § 6-141 et seq., 2 O.S. § 6-281 et seq., 2 O.S. § 6-501 et seq., and 2 O.S. § 9-130 et seq.

# Notices of Rulemaking Intent

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## COMMENT PERIOD:

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## PUBLIC HEARING:

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## CONTACT PERSON:

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-751; filed 9-25-25]*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 17. WATER QUALITY

*[OAR Docket #25-761]*

## RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

## PROPOSED RULES:

Subchapter 4. Concentrated Animal Feeding Operations  
35:17-4-4. License application for new facilities or operations [AMENDED]  
35:17-4-6. Application for license renewal [AMENDED]  
35:17-4-11. Criteria for liners [AMENDED]  
35:17-4-13. Carcass disposal [AMENDED]  
35:17-4-16. Best Management Practices (BMPs) [AMENDED]  
Subchapter 5. Registered Poultry Feeding Operations  
35:17-5-2. Definitions [AMENDED]  
35:17-5-3. Registration, Nutrient Management Plan (NMP) required [AMENDED]  
35:17-5-3.1. Setbacks for new or expanding construction of poultry barns [AMENDED]  
35:17-5-4. Soil and litter tests required [REVOKED]  
35:17-5-5. Nutrient Management Plan [AMENDED]  
35:17-5-9.1. Biosecurity [AMENDED]  
35:17-5-11. Education [AMENDED]  
Subchapter 7. Poultry Waste Applicators Certification  
35:17-7-2. Definitions [AMENDED]  
35:17-7-3. Commercial poultry waste applicator's certificate [AMENDED]  
35:17-7-4. Private poultry waste applicators certificate [AMENDED]  
35:17-7-8. Education requirements [AMENDED]  
35:17-7-12. Land Application Sample Requirements [NEW]  
Subchapter 9. Agricultural Compost Facilities  
35:17-9-3. Permit provisions and application [AMENDED]  
35:17-9-6. Leachate and storm water control [AMENDED]  
35:17-9-8. Existing facilities [AMENDED]



**SUMMARY:**

The proposed rule amendments removes and revokes duplicate language from statutes; adds consultant utilizing soil testing and documentation to new facility minimum for CAFO; corrects spelling error; adds a late fee for CAFO license renewals; adds requirement for waste retention structure and sludge accumulation survey for CAFO liner criteria; adds alternative method process for carcass disposals for CAFOs; changes owner to PPP for best management practices for CAFOs; adds a late free for PFOs registration renewals; adds a requirement for PFO to maintain a current NMP and process of submitting one; adds a requirement for the Department to be notified of a transfer of ownership; adds alternative to barn requirements for structures of PFO; adds phosphate and nitrate to land application soil analysis; adds a requirement for an PFO owner to notify the Department of runoff that reaches waters of the State; updates reference to OSU extension service for education courses; updates the definition of private poultry waste applicator; adds a requirement for persons selling more than ten tons of waste a year to obtain an applicator's certificate; adds a new rule for land application sample requirements; adds a requirement for a fire prevention and control to composting plans; adds requirements for retention structure inspections and maintenance for composting facilities; and adds a requirement for a licensed compost facility to submit updated plans prior to changes to operation or source.

**AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2), 2 O.S. §10-9 et seq., 2 O.S. §10-9.17 et seq., and 2 O.S. § 20-40 et seq.

**COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

**PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

**CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-761; filed 9-25-25]*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 20. FORESTRY

*[OAR Docket #25-748]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Rural Fire Protection Program Fund Act

Part 3. FINANCIAL ASSISTANCE PROGRAM

35:20-3-8. Financial assistance certification of eligible fire departments [AMENDED]

Subchapter 19. Establishment and Expansion of Protection Areas [NEW]

35:40-19-1. Purpose [NEW]

35:40-19-2. Definitions [NEW]

35:40-19-3. Initial attack area requirements [NEW]

# Notices of Rulemaking Intent

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35:40-19-4. The process for the expansion and/or establishment of an initial attack area [NEW]

## **SUMMARY:**

The proposed rule amendment removes the requirement to submit a statement on fire runs for certification procedures and establishes rules for protection areas including initial attack and expansion requirement.

## **AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); 2 O.S. § 16-1 et seq., and 2 O.S. § 16-21 et seq.

## **COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## **CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-748; filed 9-24-25]*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 30. CONSUMER PROTECTION**

*[OAR Docket #25-752]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 17. Combined Pesticide

Part 1. COMMERCIAL, NON-COMMERCIAL, AND PRIVATE CATEGORIES OF PESTICIDE APPLICATION

35:30-17-1.2. Schedule of combined pesticide program fees [AMENDED]

35:30-17-1.3. Commercial ~~pesticide applicator~~ and non-commercial pesticide business license renewal [AMENDED]

35:30-17-2. Consultant license [AMENDED]

35:30-17-2.1. Sales apprenticeship [NEW]

Part 3. CERTIFICATION, CONDUCT OF EXAMINATIONS, AND RECERTIFICATION

35:30-17-6. Recertification [AMENDED]

Part 5. Prerequisites for Licensing

35:30-17-10. Application insurance requirements [AMENDED]

35:30-17-11. Application for license required [AMENDED]

Part 6. PESTICIDAL PRODUCT PRODUCING ESTABLISHMENTS

35:30-17-13. Incorporation by reference of federal pesticide producing establishment regulations [AMENDED]

Part 8. PESTICIDE REGISTRATIONS AND PERMITS

35:30-17-17.1. Registration and renewal options. [AMENDED]

Part 9. MINIMUM STANDARDS FOR CONTRACTS AND KEEPING OF RECORDS

35:30-17-20. Contract contents [AMENDED]

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# Notices of Rulemaking Intent

35:30-17-21. Records required for pesticide applications and restricted use pesticide sales [AMENDED]

Part 10. MINIMUM STANDARDS FOR PESTICIDES

35:30-17-22. Restricted use pesticide [AMENDED]

Part 11. STANDARDS FOR APPLICATION OF PESTICIDE

35:30-17-24. Approved chemicals and equipment [AMENDED]

35:30-17-24.1. Restricted use areas [AMENDED]

35:30-17-25. Pesticide application by certified applicators, noncertified applicators, service technicians, and private applicators [AMENDED]

Part 21. STANDARDS FOR DISPOSAL OF PESTICIDE AND PESTICIDE CONTAINERS

35:30-17-89.1. Incorporation by reference of federal pesticide management and disposal regulations [AMENDED]

35:30-17-93. Handling pesticide containers by commercial applicators, non-commercial applicators, private applicators, and restricted use pesticide dealers [AMENDED]

Subchapter 30. Soil Amendment

35:30-30-2. Registration and fees [AMENDED]

Subchapter 37. Nursery Stock Sales

35:30-37-10. Prohibited sales of aquatic plants [AMENDED]

## SUMMARY:

The proposed rule amendments updates language to add businesses for licenses and certifications; adds renewal dates for non-commercial licenses; adds a sales apprenticeship certification; adds a restriction for repeat CEUs per certification cycle; adds requirement for all applicators to be listed on a company's license prior to applications; updates references to federal code; removes the reference for the Kelly system; adds requirements for contracts to include a cancellation policy; adds a requirement that limits sales of restricted use pesticide being sold to licensed dealers or licensed individuals; adds requirements for unmanned aerial applications and applicators; adds additional types of applicators to the requirements for handling pesticide containers; and adds plants to the prohibited aquatic plants list.

## AUTHORITY:

Okla. Const., Art. 6, § 31; 2 O.S. § 2-4(A)(2); State Board of Agriculture; 2 O.S. § 3-81 et seq.; 2 O.S. § 8-85.1 et seq.; and 2 O.S. § 3-32.1 et seq.

## COMMENT PERIOD:

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## PUBLIC HEARING:

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## CONTACT PERSON:

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-752; filed 9-25-25]*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 50. AQUACULTURE

*[OAR Docket #25-750]*

# Notices of Rulemaking Intent

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## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. Private Commercial Production

Part 5. Unlicensed Importers and Sellers of Live Aquaculture Products [NEW]

35:50-1-45. Unlicensed importers [NEW]

## **SUMMARY:**

The proposed rule establishes requirements for unlicensed importers.

## **AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); 2 O.S. § 6-311 et seq.; and SB 777.

## **COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## **CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-750; filed 9-25-25]*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 55. COMMERCIAL PET BREEDERS AND ANIMAL SHELTERS**

*[OAR Docket #25-760]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. Licensing

35:55-1-2. Definitions [AMENDED]

35:55-1-3. License required [AMENDED]

35:55-1-4. License application [AMENDED]

35:55-1-5. Grounds for denial, suspension, or revocation of a license [REVOKED]

35:55-1-6. Inspections [AMENDED]

35:55-1-7. Changes of information [REVOKED]

35:55-1-8. Fees [AMENDED]

35:55-1-10. Renewals [REVOKED]

35:55-1-11. Complaints [AMENDED]

35:55-1-12. Display of license [REVOKED]

Subchapter 3. Standards of Care

35:55-3-1. Incorporation by reference [AMENDED]

35:55-3-3. Compatibility [REVOKED]

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# Notices of Rulemaking Intent

35:55-3-6.1. Canine brucellosis [AMENDED]

Subchapter 7. Recordkeeping and Sales

35:55-7-1. Records [AMENDED]

## **SUMMARY:**

The proposed rule amendments remove and revoke duplicate language from statutes; add the definition of a juvenile animal; adds requirement for submission of information on kennels and housing for animals; adds requirements for rescheduling inspections if cancelled by facility; adds the ability to do unannounced inspections and penalty for failure to schedule annual inspection; and updates references to the CFR.

## **AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2); and 4 O.S. § 30.1 et seq.

## **COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## **CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-760; filed 9-25-25]*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 56. EMERGENCY DROUGHT COMMITTEE [NEW]**

*[OAR Docket #25-757]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. GENERAL PROVISIONS [NEW]

35:56-1-1. Purpose [NEW]

35:56-1-2. Primary Agency [NEW]

35:56-1-3. Considerations to Convene a Meeting [NEW]

35:56-1-4. Meetings; When Convened [NEW]

35:56-1-5. Emergency Drought Programs [NEW]

## **SUMMARY:**

The Emergency Drought Commission, enabled through passage of Enrolled House Bill 1923 in 2013, provides funding for drought mitigation and related projects in Oklahoma in conjunction with a formal gubernatorial drought declaration. The Emergency Drought Commission determines the expenditures to be made from the Emergency Drought Relief Fund and the appropriate agency to expend the funds. The activities of the Emergency Drought Commission will continue until it is determined by the Governor that a drought emergency no longer exists in the state. Specific assistance projects are limited to the affected counties and must be approved by the Oklahoma Emergency Drought Commission. The Emergency Drought Commission also serves as a permanent drought advisory panel to the Governor and appropriate state agencies.

# Notices of Rulemaking Intent

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The Emergency Drought Commission has the authority to consider requests for use of Emergency Drought Relief Funds from proposed projects located, or operating, within one, or more, of Oklahoma's 77 counties. The new rules establish transparent criteria for determining drought conditions that prompt the Secretary of Agriculture to convene an Emergency Drought Committee Meeting, initiating emergency drought assistance programs, scheduling and conducting meetings, reviewing program actions, and presenting final reports. The rules also establish the Oklahoma Department of Agriculture, Food, and Forestry as the primary agency responsible for ensuring compliance with the Open Meetings and Open Records Acts.

## **AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); 27A O.S. 2250-52; E.O. 2022-23.

## **COMMENT PERIOD:**

Persons may submit written comments to Kiersten Wormus at [kiersten.wormus@ag.ok.gov](mailto:kiersten.wormus@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2025, and ending November 14, 2025.

## **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., November 17, 2025, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2025, and ending November 14, 2025.

## **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

## **CONTACT PERSON:**

Kiersten Wormus, (405) 522-5803, e-mail address: at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

*[OAR Docket #25-757; filed 9-25-25]*

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## **TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 40. ELECTRICAL INDUSTRY REGULATIONS**

*[OAR Docket #25-672]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. General Provisions

158:40-1-2. Definitions [AMENDED]

Subchapter 5. Licensing Requirements, Display of License, and Firm Name, and Bond Requirements

158:40-5-5. Bond and insurance requirements [AMENDED]

Subchapter 9. Examination Applications, Examinations and License and Registration Fees and Renewals

158:40-9-2. Examinations and licensure [AMENDED]

158:40-9-4. Continuing education [AMENDED]

Subchapter 11. License Revocation or Suspension and Prohibited Acts

158:40-11-2. Prohibited acts [AMENDED]

## **SUMMARY:**

The proposed amendments to 158:40-1-2 are to provide the public with better clarity on definitions as a result of HB3215[2024]; the proposed amendments to 158:40-5-5 are to clarify existing worker's compensation requirements; the proposed amendments to 158:40-9-2 and 158:40-9-4 are due to law changes as a result of HB3215[2024] and HB2084[2025]; the proposed amendments to 158:40-11-2 are to clarify existing worker's compensation and exemption requirements.

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# Notices of Rulemaking Intent

**AUTHORITY:**

Construction Industries Board; 59 O.S. §§ 1000.4(A)(1), 1000.5, and 1681

**COMMENT PERIOD:**

Written and oral comments will be accepted until 4:30 p.m. on November 17, 2025, at the following address: Construction Industries Board, ATTN: Administrative Rules Division, 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107. During the open public comment period, comments may be delivered during regular business hours or submitted via regular mail or email to [stephanieb@cib.ok.gov](mailto:stephanieb@cib.ok.gov).

**PUBLIC HEARING:**

A Public Hearing is scheduled for 1:30 p.m. on Wednesday, November 19, 2025, at the monthly meeting of the Construction Industries Board which will be held in the Construction Industries Board Conference Room at 2401 NW 23rd Street, Suite 2F, Oklahoma City, OK 73107. Anyone who wishes to make comments regarding the proposed rules at the public hearing must sign in by 1:30 p.m. If the monthly meeting of the Construction Industries Board scheduled for Wednesday, November 19, 2025, cannot be held due to inclement weather or lack of a quorum, the Public Hearing that would have occurred November 19, 2025, at that monthly meeting of the Construction Industries Board will be held instead at the monthly meeting scheduled for Wednesday, December 10, 2025, at 1:30 p.m., in the Construction Industries Board Conference Room at 2401 NW 23rd Street, Suite 2F, Oklahoma City, OK 73107. Anyone who wishes to make comments regarding the proposed rules at the public hearing must sign in by 1:30 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Construction Industries Board requests that business entities affected by these proposed rules provide the Construction Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to the Administrative Rules Division through the close of the comment period on November 17, 2025, at 2401 N.W. 23rd Street, Suite 2F, for obtaining copies of the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules are available at the Construction Industries Board, 2401 NW 23rd Street, Ste. 2F, Oklahoma City, OK 73107, or online at [www.cib.ok.gov](http://www.cib.ok.gov).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available beginning September 16, 2025, at 2401 N.W. 23rd Street, Suite 2F for obtaining copies of the proposed rules.

**CONTACT PERSON:**

Stephanie Brown, Board Secretary/Executive Assistant, 405-521-6550

*[OAR Docket #25-672; filed 9-19-25]*

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## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

*[OAR Docket #25-767]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 2. Incorporation by Reference

252:100-2-3. Incorporation by reference [AMENDED]

Appendix Q. Incorporation by Reference [AMENDED]

**SUMMARY:**

The Department of Environmental Quality (Department or DEQ) is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations. The Department is also proposing to update the content in OAC 252:100, Appendix Q, Incorporation By Reference, to incorporate the latest changes to EPA regulations. The gist of these rule proposals and the underlying reason for the rulemaking is to incorporate the latest changes or additions to 40 C.F.R. Part 60, New Source Performance Standards (NSPS), 40 C.F.R. Parts 61 and 63, National Emission Standards for Hazardous Air Pollutants (NESHAP), and other EPA regulations referenced in Chapter 100.

# Notices of Rulemaking Intent

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## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, 2-3-402, and 2-5-106. Air Quality Advisory Council; 27A O.S. §§ 2-2-201 and 2-5-107. Oklahoma Clean Air Act; 27A O.S. §§ 2-5-101 through 2-5-130. Oklahoma Uniform Permitting Act; 27A O.S. §§ 2-14-101 through 2-14-304.

## **COMMENT PERIOD:**

Oral comments may be made at the October 16, 2025 Air Quality Advisory Council meeting and at the January 21, 2026 Environmental Quality Board meeting. The written comment period was previously noticed on September 15, 2025, and was open through October 15, 2025. This notice was published at 43 Ok Reg 5.

## **PUBLIC HEARING:**

Before the Air Quality Advisory Council at 9:00 a.m. on Thursday, October 16, 2025, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. This hearing was previously noticed at 43 Ok Reg 5. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Wednesday, January 21, 2026, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Implementation Plan (SIP) under the requirements of 40 C.F.R. § 51.102 and 27A O.S. § 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 C.F.R. Part 70 and 27A O.S. § 2-5-112(B)(9). Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405) 702-4177. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, or reviewed online at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement was prepared and is available on the DEQ website at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>. Copies may also be obtained from the Department by calling the contact person listed below.

## **CONTACT PERSON:**

The contact person for this proposal is Melanie Foster, Environmental Programs Manager, who can be reached by phone at (405) 702-4100. Please email written comments to [AQDRuleComments@deq.ok.gov](mailto:AQDRuleComments@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Melanie Foster.

*[OAR Docket #25-767; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL**

*[OAR Docket #25-768]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 49. Oklahoma Emission Reduction Technology Rebate Program  
252:100-49-5. Program criteria and qualification determination [AMENDED]  
252:100-49-7. Sunset provision [AMENDED]

## **SUMMARY:**



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# Notices of Rulemaking Intent

The Department of Environmental Quality (Department or DEQ) is proposing to amend Subchapter 49, Oklahoma Emission Reduction Technology Rebate Program in OAC 252:100, to implement recent changes to applicable provisions of the Oklahoma Emission Reduction Technology Incentive Act, 68 O.S. § 55006, et seq. DEQ and the Oklahoma Tax Commission jointly administer the "Oklahoma Emission Reduction Technology Rebate Program" to provide an incentive for "Emission Reduction Projects" – implementation of new and innovative technologies to reduce air pollutant emissions from oil and gas facilities. The gist of this rule proposal and the underlying reason for the rulemaking is to implement the Department's continuing responsibilities under the Oklahoma Emission Reduction Technology Incentive Act as revised during the 2025 Oklahoma Legislative Session.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, 2-3-402, and 2-5-106. Air Quality Advisory Council; 27A O.S. §§ 2-2-201 and 2-5-107. Oklahoma Clean Air Act; 27A O.S. §§ 2-5-101 through 2-5-130. Oklahoma Uniform Permitting Act; 27A O.S. §§ 2-14-101 through 2-14-304. Oklahoma Emission Reduction Technology Incentive Act; 68 O.S. § 55011.

## **COMMENT PERIOD:**

Oral comments may be made at the October 16, 2025 Air Quality Advisory Council meeting and at the January 21, 2026 Environmental Quality Board meeting. The written comment period was previously noticed on September 15, 2025, and was open through October 15, 2025. This notice was published at 43 Ok Reg 6.

## **PUBLIC HEARING:**

Before the Air Quality Advisory Council at 9:00 a.m. on Thursday, October 16, 2025, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. This hearing was previously noticed at 43 Ok Reg 6. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Wednesday, January 21, 2026, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405) 702-4177. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, or reviewed online at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement was prepared and is available on the DEQ website at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>. Copies may also be obtained from the Department by calling the contact person listed below.

## **CONTACT PERSON:**

The contact person for this proposal is Melanie Foster, Environmental Programs Manager, who can be reached by phone at (405) 702-4100. Please email written comments to [AQDRuleComments@deq.ok.gov](mailto:AQDRuleComments@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Melanie Foster.

*[OAR Docket #25-768; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL**

*[OAR Docket #25-769]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 11. Alternative Emissions Reduction Plans and Authorizations [REVOKED]

# Notices of Rulemaking Intent

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252:100-11-1. Purpose [REVOKED]  
252:100-11-2. Definitions [REVOKED]  
252:100-11-3. Applicability [REVOKED]  
252:100-11-4. Application for alternative emissions reduction plan authorizations [REVOKED]  
252:100-11-5. Emissions reduction plan requirements and limitations [REVOKED]  
252:100-11-6. Authorization procedures [REVOKED]  
252:100-11-7. Duty to comply [REVOKED]  
Subchapter 33. Control of Emission of Nitrogen Oxides [REVOKED]  
252:100-33-1. Purpose [REVOKED]  
252:100-33-1.1. Definitions [REVOKED]  
252:100-33-1.2. Applicability [REVOKED]  
252:100-33-2. Emission limits [REVOKED]

## **SUMMARY:**

The Department of Environmental Quality (Department or DEQ) is proposing to revoke Subchapter 11. Alternative Emissions Reduction Plans and Authorizations and Subchapter 33. Control of Emission of Nitrogen Oxides as they have been identified as outdated and ineffective. On February 3, 2020, Governor Stitt signed Executive Order 2020-03, which directed all state agencies to review “agency’s administrative rules to identify costly, ineffective, duplicative, and outdated regulations.” During DEQ’s comprehensive rule review, Subchapter 11 and Subchapter 33 were both identified as being potentially obsolete and ineffective. The gist of this rule proposal and the underlying reason for the rulemaking is to implement the Executive Order by “streamlining state government” through revocation of unnecessary rules.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, 2-3-402, and 2-5-106. Air Quality Advisory Council; 27A O.S. §§ 2-2-201 and 2-5-107. Oklahoma Clean Air Act; 27A O.S. §§ 2-5-101 through 2-5-130. Oklahoma Uniform Permitting Act; 27A O.S. §§ 2-14-101 through 2-14-304.

## **COMMENT PERIOD:**

Oral comments may be made at the October 16, 2025 Air Quality Advisory Council meeting and at the January 21, 2026 Environmental Quality Board meeting. The written comment period was previously noticed on September 15, 2025, and was open through October 15, 2025. This notice was published at 43 Ok Reg 7.

## **PUBLIC HEARING:**

Before the Air Quality Advisory Council at 9:00 a.m. on Thursday, October 16, 2025, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. This hearing was previously noticed at 43 Ok Reg 7. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Wednesday, January 21, 2026, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102. These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Title V (Part 70) Implementation Plan under the requirements of 40 C.F.R. Part 70 and 27A O.S. § 2-5-112(B)(9). Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405) 702-4177. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, or reviewed online at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement was prepared and is available on the DEQ website at <https://oklahoma.gov/deq/about/advisory-councils/air-quality-advisory-council.html>. Copies may also be obtained from the Department by calling the contact person listed below.

## **CONTACT PERSON:**

The contact person for this proposal is Melanie Foster, Environmental Programs Manager, who can be reached by phone at (405) 702-4100. Please email written comments to [AQDRuleComments@deq.ok.gov](mailto:AQDRuleComments@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Melanie Foster.

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# Notices of Rulemaking Intent

*[OAR Docket #25-769; filed 9-25-25]*

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## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 301. STATE OF OKLAHOMA LABORATORY ACCREDITATION [AMENDED]

*[OAR Docket #25-770]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions

252:301-1-2. Accreditation exception [AMENDED]

252:301-1-3. Definitions [AMENDED]

252:301-1-4. Terms [REVOKED]

252:301-1-5. Accreditation ~~matrices~~groups and types [AMENDED]

252:301-1-7. General ~~water quality~~environmental laboratory [AMENDED]

252:301-1-8. Petroleum hydrocarbon laboratory [REVOKED]

252:301-1-9. Fees [AMENDED]

252:301-1-10. Accreditation period [NEW]

Subchapter 3. Laboratory Accreditation Process

Part 1. APPLICATION

252:301-3-1. Application required [AMENDED]

252:301-3-2. Contact information [AMENDED]

252:301-3-3. Operational information [AMENDED]

252:301-3-4. Renewals and expiration [AMENDED]

Part 3. CONDITIONS OF ACCREDITATION

252:301-3-31. Conditions applicable to all accreditations [AMENDED]

252:301-3-32. Amendments to accreditations [AMENDED]

252:301-3-33. Self-reporting [AMENDED]

Part 5. GROUNDS TO REVOKE

252:301-3-51. Grounds to take enforcement action [AMENDED]

252:301-3-52. Notice [AMENDED]

Subchapter 5. General Operations

252:301-5-3. Facilities, equipment and supplies [AMENDED]

252:301-5-4. On-site ~~evaluation~~assessment [AMENDED]

252:301-5-5. Recordkeeping and reporting [AMENDED]

Subchapter 7. Proficiency Testing

252:301-7-2. Participation required [AMENDED]

252:301-7-3. PT sample treatment [AMENDED]

252:301-7-4. Initial accreditation [AMENDED]

252:301-7-5. General requirements [AMENDED]

252:301-7-6. Cost responsibility [AMENDED]

252:301-7-7. Alternate program [AMENDED]

252:301-7-8. DEQ PT samples [AMENDED]

252:301-7-12. PT report [AMENDED]

252:301-7-13. PT report deadline [REVOKED]

252:301-7-14. PT criteria for laboratory accreditation [AMENDED]

252:301-7-15. Failure to perform [AMENDED]

252:301-7-16. Analyte absence [AMENDED]

252:301-7-17. Supplemental studies [AMENDED]

252:301-7-18. Corrective action [AMENDED]

Subchapter 9. Quality Assurance/Quality Control

Part 3. STANDARD OPERATING PROCEDURES AND METHODS MANUAL

252:301-9-37. Methodology incorporated by reference [AMENDED]

# Notices of Rulemaking Intent

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252:301-9-38. DEQ approved methodologies [AMENDED]

## **SUMMARY:**

This Chapter contains rules about the accreditation of privately-owned and publicly-owned laboratories by the Department. The proposed rule changes intend to clarify program definitions, correct incorrect references, standardize language between OK DEQ Lab Accreditation Program (LAP) rules where feasible, simplify the renewal and application processes, fee calculations, and reset the yearly accreditation period to run from January through December. Additional proposed changes will serve to update incorporations by reference for EPA methodologies, and to make other amendments for conformity with past, present, and future method requirements under the following national programs: EPA Primary Drinking Water Regulations, National Standards for Solid Waste Test Methods, and EPA Test Procedures for the Analysis of Pollutants. One significant result of these proposed changes is that they will give additional flexibility to labs in the program to select from methods that are both historically and most recently approved for use in the programs mentioned above and allow LAP to offer accreditation for these methods. The Department is proposing to modify the title of Chapter 301 to be more descriptive of the accreditation program and to improve clarity and understanding of differences among the three accreditation program chapters. Specifically, the Department is proposing to create a new section 252:301-1-10, to establish a new accreditation period that runs from January through December. This change to a calendar year will allow program labs to better manage their finances and renewal applications. This change will also allow for more fluid and timely processing of applications and invoices by LAP staff. The Department is proposing to amend 252:301-1-9, "Fees," to accommodate the new section above. This amendment will simplify the calculation of accreditation application and renewal fees and eliminate a fee for late applications. There are no new fee increases or new fees. This change will make it easier for the program labs to determine the fee for participation in the program. This change will also make the rule language more consistent with other LAP rules. The Department is proposing the clarification and specification of certain requirements in 252:301-1-5, 252:301-3-3, 252:301-5-4, and 252:301-7 for laboratories applying and maintaining accreditation regarding accreditation type, performance of proficiency tests (PTs), and assessments. Further, the Department is proposing to amend 252:301-3-4, "Renewals," to establish a new September 15 deadline for submitting renewal documentation and PT provider reports along with a December 15 deadline to pay renewal invoices to allow for continued participation in the program. Additional information has been added to better define the renewal process and make it more consistent with other LAP rules.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, and 2-4-302. Water Quality Advisory Management Council; 27A O.S. §§ 2-2-201 and 2-4-302. Laboratory Certification Services; 27A O.S. §§ 2-4-301 through 2-4-306.

## **COMMENT PERIOD:**

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## **PUBLIC HEARING:**

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102. Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

**CONTACT PERSON:**

The contact person is Taryn Hurley, Environmental Programs Manager, who can be reached by phone at (405) 702-1000 or by fax at (405) 702-7102. Email comments may be directed to [taryn.hurley@deq.ok.gov](mailto:taryn.hurley@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, State Environmental Laboratory Services Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Taryn Hurley.

*[OAR Docket #25-770; filed 9-25-25]*

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**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**CHAPTER 302. ~~FIELD~~ INDUSTRIAL DISCHARGE LABORATORY ACCREDITATION [AMENDED]**

*[OAR Docket #25-771]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions

252:302-1-1. Purpose, basis, authority, applicability [AMENDED]

252:302-1-2. Field laboratory category [REVOKED]

252:302-1-3. Terms [REVOKED]

252:302-1-4. Definitions [AMENDED]

252:302-1-5. Fees [AMENDED]

252:302-1-6. Accreditation period [NEW]

Subchapter 3. Field Laboratory Accreditation Process

Part 1. APPLICATION

252:302-3-1. Accreditation [AMENDED]

252:302-3-2. Application required [AMENDED]

252:302-3-3. Contact information [AMENDED]

252:302-3-4. Operational information [AMENDED]

252:302-3-5. Reasons to deny an initial application [AMENDED]

252:302-3-6. Renewals [AMENDED]

Part 3. CONDITIONS OF ACCREDITATION

252:302-3-21. Conditions applicable to all accreditations [AMENDED]

252:302-3-22. Amendments to accreditations [AMENDED]

252:302-3-23. Self-reporting [AMENDED]

Part 5. GROUNDS TO SUSPEND OR REVOKE

252:302-3-31. Grounds to take enforcement action [AMENDED]

252:302-3-32. Notice [AMENDED]

Subchapter 5. General Operations

252:302-5-1. Posting of accreditation [AMENDED]

252:302-5-2. Laboratory technician [AMENDED]

252:302-5-3. Data produced while in training [AMENDED]

252:302-5-6. On-site evaluations [AMENDED]

252:302-5-7. Recordkeeping and reporting [AMENDED]

Subchapter 7. Proficiency Testing

252:302-7-1. Participation required [AMENDED]

252:302-7-2. PT sample treatment [AMENDED]

252:302-7-3. Initial accreditation [AMENDED]

252:302-7-4. PT ~~Requirements~~ requirements [AMENDED]

252:302-7-5. Maintenance of PT records [AMENDED]

252:302-7-7. PT criteria for laboratory accreditation [AMENDED]

252:302-7-8. Failure to perform [AMENDED]

252:302-7-9. Supplemental studies [AMENDED]

252:302-7-10. Corrective action [AMENDED]

Subchapter 9. Quality Assurance/Quality Control

# Notices of Rulemaking Intent

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## Part 1. QUALITY ASSURANCE/QUALITY CONTROL GENERAL CRITERIA

252:302-9-4. Procedures required for QA Planplan [AMENDED]

252:302-9-5. References included in QA Planplan [AMENDED]

## Part 3. STANDARD OPERATING PROCEDURES AND METHODS MANUAL

252:302-9-24. Selection of methods [AMENDED]

252:302-9-25. Methodology incorporated by reference [AMENDED]

## Part 5. QA/QC PROGRAM REQUIREMENTS

252:302-9-31. QA/QC program required [AMENDED]

252:302-9-32. QA/QC documentation [AMENDED]

### SUMMARY:

This Chapter contains rules about the accreditation of privately-owned and publicly-owned laboratories by the agency. The proposed rule changes intend to clarify program definitions, correct incorrect references, standardize language between OK DEQ Lab Accreditation Program (LAP) rules where feasible, simplify the renewal and application processes, fee calculations, and reset the yearly accreditation period to run from January through December. Additional proposed changes will serve to update incorporations by reference for EPA methodologies, and to make other amendments for conformity with past, present, and future method requirements under the national program for EPA Test Procedures for the Analysis of Pollutants. One significant result of these proposed changes is that they will give additional flexibility to labs in the program to select from methods that are both historically and most recently approved for use in the programs mentioned above and allow LAP to offer accreditation for these methods. The Department is proposing to modify the title of Chapter 302 to be more descriptive of the accreditation program to improve clarity and understanding of differences among the three accreditation program chapters. Specifically, the Department is proposing to amend 252:302-1-5, "Fees," to simplify the calculation of accreditation application and renewal fees and eliminate a fee for late applications. This change will make it easier for the program labs to determine the fee for participation in the program. This change will also make the rule language more consistent with other LAP rules. There are no fee increases or new fees. Further, The Department is proposing to amend 252:302-3-6, "Renewals," to establish a new September 15 deadline for submitting renewal documentation and proficiency test (PT) provider reports along with a December 15 deadline to pay renewal invoices to allow for continued participation in the program. The proposed changes include additional information intended to better define the renewal process and make it more consistent with other LAP rules.

### AUTHORITY:

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, and 2-4-302. Water Quality Advisory Management Council; 27A O.S. §§ 2-2-201 and 2-4-302. Laboratory Certification Services; 27A O.S. §§ 2-4-301 through 2-4-306.

### COMMENT PERIOD:

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

### PUBLIC HEARING:

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102. Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

### RULE IMPACT STATEMENT:

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# Notices of Rulemaking Intent

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

The contact person is Taryn Hurley, Environmental Programs Manager, who can be reached by phone at (405) 702-1000 or by fax at (405) 702-7102. Email comments may be directed to [taryn.hurley@deq.ok.gov](mailto:taryn.hurley@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, State Environmental Laboratory Services Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Taryn Hurley.

*[OAR Docket #25-771; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 307. NATIONAL TNI LABORATORY ACCREDITATION [AMENDED]**

*[OAR Docket #25-772]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. Introduction

252:307-1-3. Definitions [AMENDED]

252:307-1-4. Incorporation by reference [AMENDED]

252:307-1-6. Annual accreditation [AMENDED]

252:307-1-7. Annual fees [AMENDED]

Subchapter 3. Laboratory Accreditation Process

252:307-3-1. Application requirements [AMENDED]

252:307-3-3. Operational information [AMENDED]

252:307-3-6. Renewal and expiration [AMENDED]

Subchapter 5. Conditions of Accreditation

252:307-5-1. Conditions applicable to all accreditations [AMENDED]

252:307-5-2. Amendments to accreditations [AMENDED]

252:307-5-3. Self-reporting [AMENDED]

252:307-5-4. Failure to comply [AMENDED]

252:307-5-5. Notice [AMENDED]

252:307-5-6. Individual proceedings [AMENDED]

Subchapter 7. Onsite Assessment Requirements

252:307-7-2. Conduct of onsite assessments [AMENDED]

Subchapter 9. Management and Technical Requirements

Part 1. PROFICIENCY TESTING

252:307-9-2. Participation required [AMENDED]

252:307-9-3. Initial and continuing PT studies evaluation [AMENDED]

252:307-9-4. Cost responsibility [AMENDED]

252:307-9-5. DEQ PT samples [AMENDED]

252:307-9-8. Failure to perform PT [AMENDED]

252:307-9-9. Supplemental PT testing [AMENDED]

252:307-9-10. Corrective action [AMENDED]

252:307-9-11. Alternate PT provider [AMENDED]

252:307-9-12. Analyte absence [NEW]

Part 7. RECORD KEEPING AND REPORTING

252:307-9-60. Required records [AMENDED]

Subchapter 11. Secondary Accreditation

252:307-11-1. DEQ as a secondary accreditation body [AMENDED]

252:307-11-2. Potential noncompliance when DEQ is secondary AB [AMENDED]

252:307-11-3. Potential noncompliance when DEQ is primary AB [AMENDED]

## **SUMMARY:**

# Notices of Rulemaking Intent

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This Chapter contains rules about the accreditation of privately-owned and publicly-owned laboratories by the Department. The proposed rule changes intend to clarify program definitions, correct incorrect references, standardize language between OK DEQ Lab Accreditation Program (LAP) rules where feasible, simplify the renewal and application processes, fee calculations, and reset the yearly accreditation period to run January through December. Additional proposed changes will serve to update incorporations by reference for EPA methodologies, and to make other amendments for conformity with past, present, and future method requirements under the following national programs: EPA Primary Drinking Water Regulations, National Standards for Solid Waste Test Methods, and EPA Test Procedures for the Analysis of Pollutants. One significant result of these proposed changes is that they will give additional flexibility to labs in the program to select from methods that are both historically and most recently approved for use in the programs mentioned above and allow the LAP to offer accreditation for these methods. The Department is proposing to modify the title of Chapter 307 to be more descriptive of the accreditation program to improve clarity and understanding of differences among the three accreditation program chapters. Specifically, the Department is proposing to amend 252:307-1-7, "Annual fees," to simplify the calculation of accreditation applications and renewal fees and eliminate a fee for late applications. There are no fee increases or new fees. Additionally, the Department is proposing to amend 252:307-3-6, "Renewal and expiration," to establish a new September 15 deadline for submitting renewal documentation and proficiency test (PT) provider reports along with a December 15 deadline to pay renewal invoice to allow for continued participation in the program. Further, the Department is proposing to add a new section, 252:307-9-12, to clarify procedure for accreditation of parameters that do not have proficiency tests available to perform.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, and 2-4-302. Water Quality Advisory Management Council; 27A O.S. §§ 2-2-201 and 2-4-302. Laboratory Certification Services; 27A O.S. §§ 2-4-301 through 2-4-306.

## **COMMENT PERIOD:**

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## **PUBLIC HEARING:**

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102. Person with disabilities who desire to attend the public hearing and need accommodation, should notify the contact person three (3) working days in advance at (405) 702- 1000. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

The contact person is Taryn Hurley, Environmental Programs Manager, who can be reached by phone at (405) 702-1000 or by fax at (405) 702-7102. Email comments may be directed to [taryn.hurley@deq.ok.gov](mailto:taryn.hurley@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, State Environmental Laboratory Services Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Taryn Hurley.

*[OAR Docket #25-772; filed 9-25-25]*

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# Notices of Rulemaking Intent

## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 606. OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS

[OAR Docket #25-753]

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. Introduction

252:606-1-2. Definitions [AMENDED]

252:606-1-2.1. Technical Definitions [AMENDED]

252:606-1-4. Date of federal regulations incorporated [AMENDED]

Subchapter 3. Discharge Permitting Process for Individual and General Discharge Permits

252:606-3-4. Fees [AMENDED]

Subchapter 6. Point Source Discharges

252:606-6-11. Receiving water background characterization requirements [AMENDED]

252:606-6-14. Requirements specific to numeric criteria for toxic substances for the Fish and Wildlife Propagation beneficial use [AMENDED]

252:606-6-31. WET test requirements [AMENDED]

252:606-6-52. Effluent regulatory flows for the implementation of numerical criteria for toxic substances to protect the Fish and Wildlife Propagation beneficial use [AMENDED]

252:606-6-53. Q\* ratio for the implementation of numerical criteria for toxic substances to protect the Fish and Wildlife Propagation beneficial use [AMENDED]

252:606-6-55. Wasteload allocations for the implementation of numerical criteria for toxic substances to protect the Fish and Wildlife Propagation beneficial use [AMENDED]

252:606-6-56. Criteria long-term averages for the implementation of numerical criteria for toxic substances to protect the Fish and Wildlife Propagation beneficial use

252:606-6-91. Performance-based monitoring frequency reductions and increases [AMENDED]

Appendix L. Equations for Implementation of Numerical Criteria for Toxic Substances to Protect the Fish and Wildlife Propagation Beneficial Use [AMENDED]

### **SUMMARY:**

The gist of this rule and the underlying reason for the rulemaking is to update the date of incorporation by reference for the Code of Federal Regulations from July 8, 2024, to January 17, 2025. DEQ will also be proposing updating the section on fees. Currently, Consumer Price Index (CPI) adjustments are made on July 1st every year for individual discharge permit fees and individual permit fees for industrial users. The proposed update is to apply the CPI to stormwater and other general discharge permit fees. DEQ will be proposing adding and modifying definitions to Subchapter 1.

INTRODUCTION, as well as adding language to SUBCHAPTER 6. POINT SOURCE DISCHARGES for determination of reasonable potential for selenium and changing language to disallow monitoring frequency reductions for a parameter when the receiving water is impaired for that parameter. An equation is proposed to be added to Appendix L.

### **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203; Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

### **COMMENT PERIOD:**

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026. Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

### **PUBLIC HEARING:**

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

# Notices of Rulemaking Intent

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DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [brian.clagg@deq.ok.gov](mailto:brian.clagg@deq.ok.gov), phone (405) 702-8100, or fax (405) 702-8101.

*[OAR Docket #25-753; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 626. PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS**

*[OAR Docket #25-754]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 3. Permit Procedures

252:626-3-2. Applications [AMENDED]

252:626-3-6. Engineering report [AMENDED]

252:626-3-7. Plans and specifications [AMENDED]

Subchapter 9. Treatment

252:626-9-2. Pretreatment [AMENDED]

252:626-9-8. Clarification [AMENDED]

252:626-9-10. Softening [AMENDED]

252:626-9-11. Disinfection [AMENDED]

Subchapter 17. Finished Water Storage

252:626-17-1. General [AMENDED]

Subchapter 19. Distribution System

252:626-19-3. Water main design for all systems providing fire protection [AMENDED]

Appendix E. Gravel Support for Rapid Rate ~~Slow~~ Sand Filters [AMENDED]

## **SUMMARY:**

The gist of this rule and the underlying reason for the rulemaking is to allow electronic submittal of plans and specifications and engineering reports; update references to International Fire Code (IFC) and American Water Works Association (AWWA); correct typographical errors and update other incorrect references; provide specific reference to the sedimentation portion of the clarification section; remove “the maximum detention time of the rapid mix basin, at design flow is 30 seconds” and replace with “provide good mixing of the raw water with the chemicals applied and prevent deposition of solids in the mixing zone[;]” add language noting a rapid mix detention time of not more than 30 seconds; and remove “Cathodic protection shall be provided for all steel tanks to prevent under bottom corrosion”. For Appendix E, DEQ is proposing to amend the name of the Appendix. There are no substantive changes to the Appendix.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203; Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

## **COMMENT PERIOD:**

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# Notices of Rulemaking Intent

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## **PUBLIC HEARING:**

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102. Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [brian.clagg@deq.ok.gov](mailto:brian.clagg@deq.ok.gov), phone (405) 702-8100, or fax (405) 702-8101.

*[OAR Docket #25-754; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 627. OPERATION AND MAINTENANCE OF WATER REUSE SYSTEMS**

*[OAR Docket #25-755]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. General Provisions

252:627-1-7. Annual fees for water reuse systems [AMENDED]

## **SUMMARY:**

The gist of this rule and the underlying reason for the rulemaking is to update the rule to include Consumer Price Index (CPI) language allowing for the annual adjustment of fees based on the CPI. This will ensure consistently amongst the rules that require annual fees.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203; Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

## **COMMENT PERIOD:**

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## **PUBLIC HEARING:**

# Notices of Rulemaking Intent

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The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102. Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [brian.clagg@deq.ok.gov](mailto:brian.clagg@deq.ok.gov), phone (405) 702-8100, or fax (405) 702-8101.

*[OAR Docket #25-755; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 656. WATER POLLUTION CONTROL FACILITY CONSTRUCTION STANDARDS**

*[OAR Docket #25-756]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 3. Permit Procedures  
252:656-3-1. Permitting process [AMENDED]  
252:656-3-2. Applications [AMENDED]  
252:656-3-4. Engineering report [AMENDED]  
Subchapter 11. Lagoon Standards  
252:656-11-2. Basis of design [AMENDED]  
Subchapter 13. Preliminary Treatment Standards  
252:656-13-2. Grit chambers [AMENDED]  
252:656-13-4. Wet weather flow equalization basins [AMENDED]  
Subchapter 16. Biological Treatment Standards  
252:656-16-1. Suspended growth systems [AMENDED]  
252:656-16-3. Biological nutrient removal [AMENDED]  
Subchapter 17. Clarifier Standards  
252:656-17-2. Clarifier design considerations [AMENDED]  
Subchapter 27. Water reuse [AMENDED]  
252:656-27-1. Categories of reclaimed water [AMENDED]

## **SUMMARY:**

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# Notices of Rulemaking Intent

The gist of this rule and the underlying reason for the rulemaking is to allow electronic submittal of plans and specifications and engineering reports; update references to Metcalf & Eddy; update Vortex-type grit chamber detention times language to allow other designs that may be authorized with engineering justification; update wet weather flow equalization basin construction to require wet weather Flow Equalization Basins (FEBs) be located with the same requirements as lagoons to provide for groundwater protection; update return sludge piping language to specify that 4-inch piping is a minimum requirement; and, specify that Category 6 reclaimed water must be drawn from the effluent of the final treatment process unit, with the intake located within or immediately downstream of the disinfection unit where disinfection is provided.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203; Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

## **COMMENT PERIOD:**

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## **PUBLIC HEARING:**

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102. Persons with disabilities who desire to attend the rulemaking hearing and need an accommodation should notify the contact person three (3) days in advance of the hearing. For hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [brian.clagg@deq.ok.gov](mailto:brian.clagg@deq.ok.gov), phone (405) 702-8100, or fax (405) 702-8101.

*[OAR Docket #25-756; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 730. OKLAHOMA'S WATER QUALITY STANDARDS**

*[OAR Docket #25-758]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. General Provisions

252:730-1-2. Definitions [AMENDED]

Subchapter 3. Antidegradation Requirements

252:730-3-2. Applications of antidegradation policy [AMENDED]

# Notices of Rulemaking Intent

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## Subchapter 5. Surface Water Quality Standards

### Part 1. GENERAL PROVISIONS

252:730-5-2. Beneficial uses: existing and designated [AMENDED]

252:730-5-4. Applicability of narrative and numerical criteria [AMENDED]

### Part 3. BENEFICIAL USES AND CRITERIA TO PROTECT USES

252:730-5-9. General narrative criteria [AMENDED]

252:730-5-10. Public and private water supplies [AMENDED]

252:730-5-12. Fish and wildlife propagation [AMENDED]

252:730-5-13. Agriculture [AMENDED]

252:730-5-16. Primary Body Contact Recreation [AMENDED]

252:730-5-17. Secondary Body Contact Recreation [AMENDED]

### Part 5. SPECIAL PROVISIONS

252:730-5-25. Implementation policies for the antidegradation policy statement [AMENDED]

252:730-5-26. Mixing zones and zones of passage [AMENDED]

## Subchapter 7. Groundwater Quality Standards

252:730-7-3. Groundwater classifications, beneficial uses and vulnerability levels [AMENDED]

252:730-7-4. Criteria for groundwater quality protection [AMENDED]

Appendix A. Designated Beneficial Uses of Surface Waters [AMENDED]

Appendix E. Requirements for Development of Site Specific Criteria for Certain Parameters [AMENDED]

Appendix F. Statistical Values of the Historical Data for Mineral Constituents of Water Quality (Beginning October 1976 Ending September 1983, Except as Indicated) [AMENDED]

Appendix G. Numerical Criteria to Protect Beneficial Uses [AMENDED]

Appendix H. Beneficial Use Designations for Certain Limited Areas of Groundwater [AMENDED]

## SUMMARY:

The gist of this rule and the underlying reason for the rulemaking is to comply with the Water Quality Standards Triennial Review and includes the following updates: add, remove and/or modify certain definitions; update Primary Body Contact Recreation by replacing confidence intervals with geometric mean and statistical threshold values, applicable to both *E. coli* and *Enterococci*; updating Secondary Body Contact Recreation to add numeric criteria for *E. coli* and *enterococci* based on EPA's water ingestion formula; adding the designation of Culturally Significant Waters to 5 waterbodies at the request of the Quapaw Nation; adding language requiring the use of the copper biotic ligand model for development of copper site-specific criteria; requiring the use of a fish tissue study for selenium site-specific criteria; removal of the option for WER for site-specific criteria for copper; removal of site-specific metals criteria that were not approved by EPA; removal of segment averages that were not approved by EPA; recalculation of certain criteria and the addition of Aquatic Life and Human Health criteria values based on EPA's recommended values; and, including an updated version of Appendix H that was missing in the most recent version of Chapter 730.

## AUTHORITY:

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203; Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

## COMMENT PERIOD:

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## PUBLIC HEARING:

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102.

## REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## COPIES OF PROPOSED RULES:

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# Notices of Rulemaking Intent

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [brian.clagg@deq.ok.gov](mailto:brian.clagg@deq.ok.gov), phone (405) 702-8100, or fax (405) 702-8101.

*[OAR Docket #25-758; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 740. IMPLEMENTATION OF OKLAHOMA'S WATER QUALITY STANDARDS**

*[OAR Docket #25-759]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. General Provisions

252:740-1-2. Definitions [AMENDED]

252:740-1-6. Determination of regulatory low flow [AMENDED]

Subchapter 3. Implementation of Narrative Toxics Criteria to Protect Aquatic Life Using Whole Effluent Toxicity (WET) Testing

252:740-3-2. Dilutions for whole effluent toxicity testing [AMENDED]

Subchapter 5. Implementation of Numerical Criteria to Protect Fish and Wildlife From Toxicity Due to Conservative Substances

252:740-5-2. Regulatory flow determination [AMENDED]

252:740-5-3. Reasonable potential [AMENDED]

Subchapter 11. Implementation of Temperature Criteria to Protect Fish and Wildlife Propagation Beneficial Use

252:740-11-3. Regulatory flows [AMENDED]

Subchapter 13. Implementation of Antidegradation Policy

252:740-13-4. Tier 2 protection; maintenance and protection of sensitive water supply-reuse and other tier 2 waterbodies [AMENDED]

252:740-13-5. Tier 2.5 protection; maintenance and protection of ~~high quality waters, sensitive water supplies, and other tier~~ High Quality Waters, Sensitive Water Supplies, and other Tier 2.5 waterbodies [AMENDED]

252:740-13-6. Tier 3 protection; prohibition against degradation of water quality in ~~outstanding resource waters~~ Outstanding Resource Waters [AMENDED]

252:740-13-8. Antidegradation review in surface waters [AMENDED]

Subchapter 15. Use Support Assessment Protocols

252:740-15-2. Definitions [AMENDED]

252:740-15-5. Assessment of Fish and Wildlife Propagation support [AMENDED]

252:740-15-6. Assessment of Primary Body Contact Recreation support [AMENDED]

252:740-15-7. Assessment of Public and Private Water Supply support [AMENDED]

252:740-15-13. Assessment of Secondary Body Contact Recreation support [NEW]

Subchapter 17. Implementation of Dissolved Oxygen Criteria to Protect Fish and Wildlife Propagation

252:740-17-2. Regulatory flows [AMENDED]

## **SUMMARY:**

The gist of this rule and the underlying reason for the rulemaking is to comply with the Water Quality Standards Triennial Review and includes the following updates: add, remove and/or modify certain definitions; update reasonable potential to allow the use of a fish tissues study to confirm the need for a WQBEL; update Assessment of Fish and Wildlife Propagation support to add fish tissue criteria as the preferred method for assessing waterbodies for selenium,

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with water column criteria being used if fish tissue is unavailable; and, adding Assessment of Secondary Body Contact Recreation support to add criteria values for assessment.

## **AUTHORITY:**

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-6-103, and 2-6-203; Water Quality Management Advisory Council; 27A O.S. § 2-2-201.

## **COMMENT PERIOD:**

Written comments may be submitted to the contact person from October 15, 2025, through December 2, 2025. Oral comments may be made at the Water Quality Management Advisory Council meeting on December 2, 2025, and at the Environmental Quality Board meeting on January 21, 2026.

## **PUBLIC HEARING:**

The proposed rules will be considered by the Water Quality Management Advisory Council on December 2, 2025, at 2:00 p.m. at the Department of Environmental Quality offices, First Floor, 707 N. Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled on Wednesday, January 21, 2026, at 9:30 a.m. at the DEQ Headquarters, First Floor, 707 N. Robinson Avenue, Oklahoma City, OK 73102.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

DEQ requests that business entities or any other members of the public affected by these rules provide to DEQ (during the comment period) the increase (in dollar amounts if possible) in the level of direct costs (e.g., fees) and indirect costs (e.g., reporting, record keeping, equipment, construction, labor, professional services, revenue loss), or other costs expected to be incurred due to compliance with the proposed rules.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or may be reviewed online at <https://oklahoma.gov/deq/divisions/executive-offices/office-of-communication-and-education/events/2025/december/wqmac-dec-2025.html>.

## **CONTACT PERSON:**

Brian Clagg, Water Quality Division, 707 N. Robinson, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [brian.clagg@deq.ok.gov](mailto:brian.clagg@deq.ok.gov), phone (405) 702-8100, or fax (405) 702-8101.

*[OAR Docket #25-759; filed 9-25-25]*

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## **TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION CHAPTER 15. PHYSICIAN ASSISTANTS**

*[OAR Docket #25-736]*

## **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## **PROPOSED RULES:**

Subchapter 1. General Provisions

435:15-1-1.1. Definitions [AMENDED]

Subchapter 3. Licensure of Physician Assistants

435:15-3-1. Qualification; application [AMENDED]

435:15-3-1.1. Physician Assistant with 6,240 hours of postgraduate clinical practice experience [NEW]

435:15-3-12. Review; Temporary authorization to practice [AMENDED]

435:15-3-13. Delegating physician [AMENDED]

Subchapter 5. Regulation of Practice

435:15-5-10. Prescriptions [REVOKED]

435:15-5-11. Discipline [AMENDED]

Subchapter 11. Prescriptive and Dispensing Authority

435:15-11-1. Prescriptive and dispensing authority [AMENDED]



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# Notices of Rulemaking Intent

435:15-11-2. Drug formulary [REVOKED]

**SUMMARY:**

The proposed permanent rule amendments are necessary to comply with current law, specifically the provisions of HB 2584, which became effective on August 29, 2025. The amendments include certain definitions, requirements for reporting of clinical hours, prescribing authority (with or without a practice agreement), and acts of unprofessional conduct. References to the drug formulary are revoked to comply with current law.

**AUTHORITY:**

59 O.S. § 519, et seq.; Oklahoma Board of Medical Licensure and Supervision

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by 5:00 p.m. on November 14, 2025, via email at bsmith@okmedicalboard.org. or at the following address during normal business hours: Attn: Barbara Smith, Oklahoma Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma 73105. No written comments will be accepted after the conclusion of the written comment period.

**PUBLIC HEARING:**

A public hearing will be held on November 17, 2025, at 9:00 a.m. at the Oklahoma State Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma 73105. All persons wishing to speak must be present and signed in by 9:05 a.m. Designees will not be allowed to sign in for those wishing to speak.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Oklahoma State Board of Medical Licensure and Supervision website at [www.okmedicalboard.org](http://www.okmedicalboard.org) under the Physician Assistant tab or you may request a copy in person at 101 NE 51st Street, Oklahoma City, Oklahoma.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Board of Medical Licensure and Supervision office at the address listed above and on the Board's website at [www.okmedicalboard.org](http://www.okmedicalboard.org) under the Physician Assistant tab no later than October 30, 2025.

**CONTACT PERSON:**

Sandra Harrison, JD, Executive Director, (405) 962-1400 or [sandra-harrison@okmedicalboard.org](mailto:sandra-harrison@okmedicalboard.org).

*[OAR Docket #25-736; filed 9-12-25]*

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## TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY CHAPTER 15. PHARMACIES

*[OAR Docket #25-735]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Pharmacies

535:15-3-2. Pharmacy responsibilities [AMENDED]

Subchapter 5. Hospital Pharmacies

535:15-5-7.1. Pharmacy technician qualifications and training [AMENDED]

Subchapter 13. Pharmacy Supportive Personnel

535:15-13-3. Definitions [AMENDED]

535:15-13-4. Pharmacy technician qualifications and training [AMENDED]

535:15-13-5. Supervision of pharmacy technicians [AMENDED]

Subchapter 17. Nuclear Pharmacy

535:15-17-11. Supervision of licensed pharmacy technicians in a licensed nuclear pharmacy [AMENDED]

**SUMMARY:**

The revision to 535:15-3-2 adds to (b)(3) "Remote Medication Order Processing (RMOP) pharmacies" as a type of pharmacy that is exempt from the rule that requires a pharmacist-in-charge ("PIC") to serve in no more than one pharmacy at a time. The revision to 535:15-13-5: replaces, in (c), the word "two" with the word "four" to now require a ratio of no more than four pharmacy technicians to one supervising pharmacist on duty for a pharmacy; removes (d) (the rule

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allowing a licensed pharmacy that conducts significant compounding to utilize up to two pharmacy technicians specifically trained in compounding who shall, only while performing compounding duties, not be counted for the purposes of the pharmacy technician to pharmacist ratio of two pharmacy technicians to one supervising pharmacist); and then reorganizes the current (e) to (d), and the current (f) to (e) since (d) will be removed. As a result of removing (d) in 535:15-13-5, the revision in 535:15-13-3 removes the “Significant Compounding” definition from the pharmacy supportive personnel rules since the phrase appears only in (d) of 535:15-13-5 which will be removed. The revision to 535:15-17-11 replaces, in (b), the word “three” with the word “four” to now require a ratio of no more than four pharmacy technicians to one supervising pharmacist in a nuclear pharmacy. The revision to 535:15-13-4 (which relates to all types of pharmacy supportive personnel except hospital pharmacy supportive personnel) adds, to (a), parts (1), (2), and (3) to: allow, at (1), pharmacy technician applicants, who are seventeen-years of age or older and enrolled in an approved youth apprenticeship program or pharmacy technician training program through the Oklahoma Department of Career and Technology Education, to complete their Phase II pharmacy technician training in a pharmacy without being employed at the pharmacy; require, at (1), that all such programs receive initial and annual approval from the Oklahoma State Board of Pharmacy; require, at (1), that the training permits of such pharmacy technician applicants only be used for educational purposes within a Board-approved program; require, at (2), all approved youth apprenticeship and pharmacy technician training programs to carry liability insurance covering students at all pharmacy training sites; and require, at (3), all pharmacy technician trainees in approved programs to be directly supervised by a pharmacist in the same manner as any other pharmacy employee. Similarly, the revision to 535:15-5-7.1 (which relates to hospital pharmacy supportive personnel) adds, to (a), parts (1), (2), and (3) to: allow, at (1), pharmacy technician applicants, who are seventeen-years of age or older and enrolled in an approved youth apprenticeship program or pharmacy technician training program through the Oklahoma Department of Career and Technology Education, to complete their Phase II pharmacy technician training in a pharmacy without being employed at the pharmacy; require, at (1), that all such programs receive initial and annual approval from the Oklahoma State Board of Pharmacy; require, at (1), that the training permits of such pharmacy technician applicants only be used for educational purposes within a Board-approved program; require, at (2), all approved youth apprenticeship and pharmacy technician training programs to carry liability insurance covering students at all pharmacy training sites; and require, at (3), all pharmacy technician trainees in approved programs to be directly supervised by a pharmacist in the same manner as any other pharmacy employee.

## **AUTHORITY:**

Oklahoma State Board of Pharmacy; Oklahoma Pharmacy Act, 59 O.S., § 353 et seq., specifically including 59 O.S., §§ 353.7, 353.18A, 353.18B, and 353.24

## **COMMENT PERIOD:**

Written and oral comments will be accepted from October 15, 2025, until 4:30 p.m. on November 14, 2025, at the Oklahoma State Pharmacy Board office, 2920 N Lincoln Blvd., STE A, Oklahoma City, Oklahoma 73105, Attn: Melissa Jones, Pharm.D., D.Ph., or by email to [mjones@pharmacy.ok.gov](mailto:mjones@pharmacy.ok.gov).

## **PUBLIC HEARING:**

A public hearing will be held to provide an opportunity for persons to orally present their views on November 18, 2025, at 1:30 p.m. at the Oklahoma State Pharmacy Board office, 2920 N Lincoln Blvd., STE A, Oklahoma City, Oklahoma 73105. Each person wishing to speak must sign in at the door by 1:30 p.m.

## **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Oklahoma State Pharmacy Board with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to the Oklahoma State Pharmacy Board office, 2920 N Lincoln Blvd., STE A, Oklahoma City, Oklahoma 73105, Attn: Melissa Jones, Pharm.D., D.Ph., or by email to [mjones@pharmacy.ok.gov](mailto:mjones@pharmacy.ok.gov) before the close of the public comment period, at 4:30 p.m., on November 14, 2025.

## **COPIES OF PROPOSED RULES:**

Copies of the proposed changes may be obtained from the Oklahoma State Pharmacy Board office, 2920 N Lincoln Blvd., STE A, Oklahoma City, Oklahoma 73105, Attn: Melissa Jones, Pharm.D., D.Ph., or by email to [mjones@pharmacy.ok.gov](mailto:mjones@pharmacy.ok.gov). The proposed rules may also be viewed on the agency’s website at <https://oklahoma.gov/pharmacy/laws-rules.html>.

## **RULE IMPACT STATEMENT:**

A copy of the rule impact statement will be prepared and may be obtained from the Oklahoma State Pharmacy Board office, 2920 N Lincoln Blvd., STE A, Oklahoma City, Oklahoma 73105, Attn: Melissa Jones, Pharm.D., D.Ph., or by email to [mjones@pharmacy.ok.gov](mailto:mjones@pharmacy.ok.gov). The rule impact statement may also be viewed on the agency’s website at <https://oklahoma.gov/pharmacy/laws-rules.html>. The rule impact statement will be available as described above beginning October 15, 2025.

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# Notices of Rulemaking Intent

**CONTACT PERSON:**

Melissa Jones, Pharm.D., D.Ph., Senior Pharmacist Compliance Officer of the Oklahoma State Board of Pharmacy, 405-521-3815, [mjones@pharmacy.ok.gov](mailto:mjones@pharmacy.ok.gov). For legal questions, contact Kristin Bugg, Assistant Attorney General, 405-522-1961, [kristin.bugg@oag.ok.gov](mailto:kristin.bugg@oag.ok.gov).

*[OAR Docket #25-735; filed 9-11-25]*

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## **TITLE 777. STATEWIDE CHARTER SCHOOL BOARD CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #25-709]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions

777:1-1-4. Organization [AMENDED]

777:1-1-7. Procedures for declaratory rulings [AMENDED]

777:1-1-9. Individual proceedings [AMENDED]

**SUMMARY:**

The intent of these rule changes are to fulfill the requirements of the Board under the Oklahoma Charter Schools Act, 70 O.S.Supp.2023, §§ 3-130–3-167. These permanent rules ensure that the rule language refers to the Statewide Charter School Board. The permanent rules also amend language to include charter schools along with virtual charter schools to be reflective of the broadened authority delegated to the Board by the Legislature in 2023.

**AUTHORITY:**

Oklahoma Statewide Charter School Board; 70 O.S.Supp.2024, § 3-132.1(I)(5)

**COMMENT PERIOD:**

Written comments will be accepted from the date of publication of this notice in the Oklahoma Register through November 17, 2025, by email to [info@scsb.ok.gov](mailto:info@scsb.ok.gov) or my mail to the Statewide Charter School Board, M.C. Connors Bldg., Attn: Skyler H. Lusnia, Rulemaking Liaison, 2501 N. Lincoln Blvd. Ste. 301, Oklahoma City OK 73105.

**PUBLIC HEARING:**

A public hearing will be held on Monday, November 17, 2025, at 1:00 p.m., at the Oklahoma History Center, Classroom B, 800 Nazih Zuhdi Dr., Oklahoma City OK 73105, to provide an opportunity for persons to orally present their views related to the proposed permanent rules. Each person will be allowed a maximum of five (5) minutes to speak and must sign in at the door by 1:15 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to the SCSB at the contact information listed below during the comment period from the date of publication to November 17, 2025.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by corresponding to the SCSB using the contact information below or by visiting the Statewide Charter School Board website, <https://oklahoma.gov/scsb/resources.html>. A written request may be mailed to the Statewide Charter School Board, M.C. Connors Bldg., 2501 N Lincoln Blvd., Ste. 301, Oklahoma City OK 73105.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review on or before October 30, 2025. A copy of the rule impact statement will be available online at <https://oklahoma.gov/scsb/resources.html>, or may be requested via email at [info@SCSB.ok.gov](mailto:info@SCSB.ok.gov).

**CONTACT PERSON:**

Skyler H. Lusnia, Director (405) 521-2480, [Skyler.Lusnia@SCSB.ok.gov](mailto:Skyler.Lusnia@SCSB.ok.gov); Dr. Rebecca Wilkinson, Executive Director, (405) 522-0717, [Rebecca.Wilkinson@SCSB.ok.gov](mailto:Rebecca.Wilkinson@SCSB.ok.gov).

*[OAR Docket #25-709; filed 9-11-25]*

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# Notices of Rulemaking Intent

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## TITLE 777. STATEWIDE CHARTER SCHOOL BOARD CHAPTER 10. ~~STATEWIDE~~ CHARTER SCHOOLS AND STATEWIDE VIRTUAL CHARTER SCHOOLS

[OAR Docket #25-729]

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions

777:10-1-2. Definitions [AMENDED]

777:10-1-3. School establishment requirements [AMENDED]

777:10-1-4. Educational Management Organizations [AMENDED]

Subchapter 3. Charter School and Virtual Charter School Sponsorship

777:10-3-3. Applications to sponsor charter schools and virtual charter schools; renewal and termination of contracts for sponsorship of charter schools and virtual charter schools [AMENDED]

777:10-3-4. Oversight and evaluation of charter schools and virtual charter schools by the Statewide Charter School Board [AMENDED]

### **SUMMARY:**

The intent of these rule changes are to fulfill the requirements of the Board under the Oklahoma Charter Schools Act, 70 O.S.Supp.2024, §§ 3-130–3-167. These amendments to the permanent rules add clarifying language for governing boards regarding when Open Meeting Act compliance is required for governing boards of new school applicants, and require educational management organization contracts to be coterminous with the term of the charter contract. The proposed, amended permanent rules add, amend, and modify sponsorship cycles and timelines, application requirements, and adds a ready-to-open phase. The proposed, amended permanent rules add, amend, and modify the oversight and evaluation of charter schools and virtual charter schools by the SCSB including updates to the performance framework, adjustment of the overall score indexes weights, and adding required plans for improvement for underperforming schools. Additional changes were limited to format and spelling corrections.

### **AUTHORITY:**

Oklahoma Statewide Charter School Board; 70 O.S.Supp.2024, § 3-132.1(I)(5)

### **COMMENT PERIOD:**

Written comments will be accepted from the date of publication of this notice in the Oklahoma Register through November 17, 2025, by email to [info@scsb.ok.gov](mailto:info@scsb.ok.gov) or my mail to the Statewide Charter School Board, M.C. Connors Bldg., Attn: Skyler H. Lusnia, Rulemaking Liaison, 2501 N. Lincoln Blvd. Ste. 301, Oklahoma City OK 73105.

### **PUBLIC HEARING:**

A public hearing will be held on Monday, November 17, 2025, at 1:00 p.m., at the Oklahoma History Center, Classroom B, 800 Nazih Zuhdi Dr., Oklahoma City OK 73105, to provide an opportunity for persons to orally present their views related to the proposed permanent rules. Each person will be allowed a maximum of five (5) minutes to speak and must sign in at the door by 1:15 p.m.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to the SCSB at the contact information listed below during the comment period from the date of publication in the Oklahoma Register to November 17, 2025.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by corresponding to the SCSB using the contact information below or by visiting the Statewide Charter School Board website, <https://oklahoma.gov/scsb/resources.html>. A written request may be mailed to the Statewide Charter School Board, M.C. Connors Bldg., 2501 N Lincoln Blvd., Ste. 301, Oklahoma City OK 73105.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review on or before October 30, 2025. A copy of the rule impact statement will be available online at <https://oklahoma.gov/scsb/resources.html>, or may be requested via email at [info@SCSB.ok.gov](mailto:info@SCSB.ok.gov).

### **CONTACT PERSON:**

Skyler H. Lusnia, Director (405) 521-2480, [Skyler.Lusnia@SCSB.ok.gov](mailto:Skyler.Lusnia@SCSB.ok.gov); Dr. Rebecca Wilkinson, Executive Director, (405) 522-0717, [Rebecca.Wilkinson@SCSB.ok.gov](mailto:Rebecca.Wilkinson@SCSB.ok.gov).

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# Notices of Rulemaking Intent

[OAR Docket #25-729; filed 9-11-25]

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## TITLE 785. OKLAHOMA WATER RESOURCES BOARD CHAPTER 4. RULES OF PRACTICE AND HEARINGS

[OAR Docket #25-743]

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions

785:4-1-2. Definitions [AMENDED]

Subchapter 3. Board Hearings

785:4-3-4. Hearing Examiners [AMENDED]

Subchapter 5. Pre-Hearing Actions and Proceedings

785:4-5-4. Application protests; comments and objections [AMENDED]

785:4-5-5. Pre-hearing continuances, informal disposition by stipulation, agreed settlement or consent order [AMENDED]

785:4-5-6. Electronic mail notice [AMENDED]

785:4-5-7. Motions, requests and orders [AMENDED]

785:4-5-8. Electronic ~~Filing, Service, and Signature~~ filing, service, and signature [NEW]

785:4-5-9. Documents ~~Filed Electronically~~ filed electronically [NEW]

785:4-5-10. Electronic filing and delivery [NEW]

785:4-5-11. Hearing materials kept and provided, fees and costs [NEW]

### **SUMMARY:**

Title 785, Chapter 4 of the Board's rules is being amended to clarify existing hearing procedures and implement new procedures to streamline the hearing process and reduce agency expense while providing for more consistent communication between parties. The proposed rules will require any protestant to an application to provide a copy of the protest to the applicant via certified mail, return receipt requested. The proposed rules also created an on-line filing system to reduce mailing costs for all parties. Finally, the proposed rules describe the process for assessing and collecting a hearing fee (amount described in Title 785:5-1-16).

### **AUTHORITY:**

Oklahoma Water Resources Board; 82 O.S., § 1085.2

### **COMMENT PERIOD:**

Persons wishing to present written comments may do so at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on November 17, 2025. Written comments may also be submitted via e-mail to [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov) by November 17, 2025. Persons wishing to present oral comments to the Board may do so at the public hearing on November 18, 2025.

### **PUBLIC HEARING:**

A public hearing will be held November 18, 2025, during the monthly meeting of the Board which will begin at 9:30 a.m. in the Board Room of the Board's offices located at 3800 North Classen Blvd., Oklahoma City, Oklahoma, 73118.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Board requests that any business entities affected by these proposed rules provide, within the Comment Period from October 15, 2025 through November 17, 2025, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Angela Rodriguez at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 16, 2024 or [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov).

### **COPIES OF PROPOSED RULES:**

Copies of the proposed amendments may be reviewed by appointment at the Board's office location at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, or may be obtained from Angela Rodriguez, Legal Assistant, at [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov). The proposed amendments may also be viewed on the Board's web site at <http://www.oklahoma.gov/owrb>.

### **RULE IMPACT STATEMENT:**

# Notices of Rulemaking Intent

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Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review by appointment at the OWRB's office, 3800 North Classen Blvd., Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at <http://www.oklahoma.gov/owrb>.

## CONTACT PERSON:

For copies of any documents or to submit comments, please contact Angela Rodriguez, Legal Assistant, 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, (405) 530-8801, or by email at [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov). For questions regarding the content of the rules, please contact Sara D. Gibson, General Counsel, 405-530-8800, [Sara.Gibson@owrb.ok.gov](mailto:Sara.Gibson@owrb.ok.gov).

*[OAR Docket #25-743; filed 9-19-25]*

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## TITLE 785. OKLAHOMA WATER RESOURCES BOARD CHAPTER 5. FEES

*[OAR Docket #25-744]*

## RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

## PROPOSED RULES:

Subchapter 1. General Provisions

785:5-1-9. Dam safety and inspection fees [AMENDED]

785:5-1-16. Fees required in other matters [AMENDED]

## SUMMARY:

The proposed rules implement a hearing fee to be charged to the permit applicant when an individual proceeding (hearing) is required. It is a reasonable and proportionate measure to recover ever-increasing costs directly associated with the hearing process, including mailing and substantial staff time. This change will help the Board maintain its operational efficiency and continue to provide effective and timely services to the public. The Board is taking steps to reduce some costs by implementing other changes to the hearing process. Additionally, the dam safety fee rule is being amended to correct a scrivener's error from a previous amendment.

## AUTHORITY:

Oklahoma Water Resources Board; 82 O.S., § 1085.2

## COMMENT PERIOD:

Persons wishing to present written comments may do so at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on November 17, 2025. Written comments may also be submitted via e-mail to [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov) by November 17, 2025. Persons wishing to present oral comments to the Board may do so at the public hearing on November 18, 2025.

## PUBLIC HEARING:

A public hearing will be held November 18, 2025, during the monthly meeting of the Board which will begin at 9:30 a.m. in the Board Room of the Board's offices located at 3800 North Classen Blvd., Oklahoma City, Oklahoma, 73118.

## REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Board requests that any business entities affected by these proposed rules provide, within the Comment Period from October 15, 2025 through November 17, 2025, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Angela Rodriguez at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on November 17, 2025 or [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov).

## COPIES OF PROPOSED RULES:

Copies of the proposed amendments may be reviewed by appointment at the Board's office location at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, or may be obtained from Angela Rodriguez, Legal Assistant, at [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov). The proposed amendments may also be viewed on the Board's web site at <http://www.oklahoma.gov/owrb>.

## RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review by appointment at the OWRB's office, 3800 North Classen Blvd., Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at <http://www.oklahoma.gov/owrb>.

**CONTACT PERSON:**

For copies of any documents or to submit comments, please contact Angela Rodriguez, Legal Assistant, 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, (405) 530-8801, or by email at [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov). For questions regarding the content of the rules, please contact Sara D. Gibson, General Counsel, 405-530-8800, [Sara.Gibson@owrb.ok.gov](mailto:Sara.Gibson@owrb.ok.gov).

*[OAR Docket #25-744; filed 9-19-25]*

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**TITLE 785. OKLAHOMA WATER RESOURCES BOARD  
CHAPTER 50. FINANCIAL ASSISTANCE**

*[OAR Docket #25-742]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 6. Water and Sewer Program Emergency Grants Requirements and Procedures  
785:50-6-2. Evaluation procedures for grant applications [AMENDED]  
785:50-6-3. Emergency grant priority point system [AMENDED]  
Subchapter 8. Rural Economic Action Plan (REAP) Grant Program Requirements and Procedures  
785:50-8-3. Application review and disposition [AMENDED]  
785:50-8-5. REAP grant priority point system [AMENDED]  
Subchapter 20. Safeguarding Tomorrow Revolving Loan Program Regulations  
785:50-20-1. General program description and procedures [AMENDED]

**SUMMARY:**

The proposed rule changes in Subchapters 6 and 8 are intended to encourage communities to adopt a more forward-thinking and proactive approach to long-term planning and financial sustainability when addressing water and wastewater infrastructure issues. These changes aim to support communities in aligning with the eligibility criteria required to access State Revolving Fund (SRF) financing in the future. While grant funding has historically been a key resource, it is not guaranteed to remain available indefinitely. As such, the Oklahoma Water Resources Board (OWRB) staff is committed to assisting communities in building the capacity to maintain and operate their water and wastewater systems without incurring unsustainable financial deficits. By implementing these rule changes, the goal is to foster resilience, improve access to critical funding mechanisms, and promote responsible fiscal and infrastructure planning at the local level. The amendments to Subchapter 20 are intended to clarify the purpose of the program and its funding mechanism.

**AUTHORITY:**

Oklahoma Water Resources Board; 82 O.S., § 1085.2

**COMMENT PERIOD:**

Persons wishing to present written comments may do so at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on November 17, 2025. Written comments may also be submitted via e-mail to [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov) before 5:00 PM on November 17, 2025. Persons wishing to present oral comments to the Board may do so at the public hearing on November 18, 2025.

**PUBLIC HEARING:**

A public hearing will be held November 18, 2025, during the monthly meeting of the Board which will begin at 9:30 a.m. in the Board Room of the Board's offices located at 3800 North Classen Blvd., Oklahoma City, Oklahoma, 73118.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Board requests that any business entities affected by these proposed rules provide, within the Comment Period from October 15, 2025 through November 17, 2025, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Angela Rodriguez at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 by November 17, 2025 or [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov).

**COPIES OF PROPOSED RULES:**

# Notices of Rulemaking Intent

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Copies of the proposed amendments may be reviewed by appointment at the Board's office location at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, or may be obtained from Angela Rodriguez, Legal Assistant, at [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov). The proposed amendments may also be viewed on the Board's web site at <http://www.oklahoma.gov/owrb>.

## **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review by appointment at the OWRB's office, 3800 North Classen Blvd., Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at <http://www.oklahoma.gov/owrb>.

## **CONTACT PERSON:**

For copies of any documents or to submit comments, please contact Angela Rodriguez, Legal Assistant, 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, (405) 530-8801, or by email at [Angela.Rodriguez@owrb.ok.gov](mailto:Angela.Rodriguez@owrb.ok.gov). For questions regarding the content of the rules, please contact Sara D. Gibson, General Counsel, 405-530-8800, [Sara.Gibson@owrb.ok.gov](mailto:Sara.Gibson@owrb.ok.gov).

*[OAR Docket #25-742; filed 9-19-25]*



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## Cancelled Hearings/Comment Periods

If an agency cancels a hearing or comment period announced in a published Notice of Rulemaking Intent, the agency must submit a notice of such cancellation to the Office of Administrative Rules (OAR). The OAR publishes the cancellation notice in the next possible issue of the *Register*.

*For additional information on cancelled hearings and comment periods, see OAC 655:10-7-27.*

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### TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

*[OAR Docket #25-764]*

**RULEMAKING ACTION:**

Cancelled comment period and/or public hearing relating to a proposed PERMANENT rulemaking action

**PROPOSED RULES:**

Subchapter 2. Incorporation by Reference

252:100-2-3. Incorporation by reference [AMENDED]

Appendix Q. Incorporation by Reference [AMENDED]

**REGISTER PUBLICATION OF NOTICE:**

The Notice of Rulemaking Intent for this action was published at 43 Ok Reg 5.

**CANCELLED COMMENT PERIOD:**

September 25, 2025 through September 25, 2025

**CANCELLED PUBLIC HEARING:**

One of the public hearings for this rulemaking, which was set to take place during the Environmental Quality Board meeting at 9:30 a.m. on Thursday, November 6, 2025, at the Northeastern State University Event Center, Community Room, 600 N. Grand Ave. Tahlequah, OK 74464, is cancelled.

**ADDITIONAL INFORMATION:**

The November 6, 2025 Environmental Quality Board ("EQB") meeting is still taking place as scheduled, but this rulemaking will not be a component of it. Instead, this rulemaking will be heard at the EQB meeting scheduled for January 21, 2026. Formal notice for this new public hearing date is published concurrently in the Oklahoma Register.

*[OAR Docket #25-764; filed 9-25-25]*

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### TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

*[OAR Docket #25-765]*

**RULEMAKING ACTION:**

Cancelled comment period and/or public hearing relating to a proposed PERMANENT rulemaking action

**PROPOSED RULES:**

Subchapter 11. Alternative Emissions Reduction Plans and Authorizations [REVOKED]

252:100-11-1. Purpose [REVOKED]

252:100-11-2. Definitions [REVOKED]

252:100-11-3. Applicability [REVOKED]

252:100-11-4. Application for alternative emissions reduction plan authorizations [REVOKED]

252:100-11-5. Emissions reduction plan requirements and limitations [REVOKED]

252:100-11-6. Authorization procedures [REVOKED]

252:100-11-7. Duty to comply [REVOKED]

Subchapter 33. Control of Emission of Nitrogen Oxides [REVOKED]

252:100-33-1. Purpose [REVOKED]

252:100-33-1.1. Definitions [REVOKED]

252:100-33-1.2. Applicability [REVOKED]

252:100-33-2. Emission limits [REVOKED]

**REGISTER PUBLICATION OF NOTICE:**

The Notice of Rulemaking Intent for this action was published at 43 Ok Reg 7.

**CANCELLED COMMENT PERIOD:**

## Cancelled Hearings/Comment Periods

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September 25, 2025 through September 25, 2025

### **CANCELLED PUBLIC HEARING:**

One of the public hearings for this rulemaking, which was set to take place during the Environmental Quality Board meeting at 9:30 a.m. on Thursday, November 6, 2025, at the Northeastern State University Event Center, Community Room, 600 N. Grand Ave. Tahlequah, OK 74464, is cancelled.

### **ADDITIONAL INFORMATION:**

The November 6, 2025 Environmental Quality Board ("EQB") meeting is still taking place as scheduled, but this rulemaking will not be a component of it. Instead, this rulemaking will be heard at the EQB meeting scheduled for January 21, 2026. Formal notice for this new public hearing date is published concurrently in the Oklahoma Register.

*[OAR Docket #25-765; filed 9-25-25]*

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL**

*[OAR Docket #25-766]*

### **RULEMAKING ACTION:**

Cancelled comment period and/or public hearing relating to a proposed PERMANENT rulemaking action

### **PROPOSED RULES:**

Subchapter 49. Oklahoma Emission Reduction Technology Rebate Program

252:100-49-5. Program criteria and qualification determination [AMENDED]

252:100-49-7. Sunset provision [AMENDED]

### **REGISTER PUBLICATION OF NOTICE:**

The Notice of Rulemaking Intent for this action was published at 43 Ok Reg 6.

### **CANCELLED COMMENT PERIOD:**

September 25, 2025 through September 25, 2025

### **CANCELLED PUBLIC HEARING:**

One of the public hearings for this rulemaking, which was set to take place during the Environmental Quality Board meeting at 9:30 a.m. on Thursday, November 6, 2025, at the Northeastern State University Event Center, Community Room, 600 N. Grand Ave. Tahlequah, OK 74464, is cancelled.

### **ADDITIONAL INFORMATION:**

The November 6, 2025 Environmental Quality Board ("EQB") meeting is still taking place as scheduled, but this rulemaking will not be a component of it. Instead, this rulemaking will be heard at the EQB meeting scheduled for January 21, 2026. Formal notice for this new public hearing date is published concurrently in the Oklahoma Register.

*[OAR Docket #25-766; filed 9-25-25]*

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# Submissions to Governor and Legislature

Within 10 calendar days after adoption by an agency of proposed PERMANENT rules, the agency must submit the rules to the Governor and the Legislature. A "statement" of such submission must subsequently be published by the agency in the *Register*

For additional information on submissions to the Governor/Legislature, see 75 O.S., Section 303.1 and 308.

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## **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 110. LEAD-BASED PAINT MANAGEMENT**

*[OAR Docket #25-739]*

### **RULEMAKING ACTION:**

Submission to Governor and Legislature

### **RULES:**

Subchapter 3. Definitions

252:110-3-1. Definitions [AMENDED]

252:110-3-2. Terminology related to 40 CFR [AMENDED]

Subchapter 5. Incorporation by Reference

252:110-5-1. Incorporation by reference [AMENDED]

Subchapter 13. Additional Work Practice Standards

252:110-13-2. Conflict of interest prohibited [AMENDED]

252:110-13-7. Clearance levels [REVOKED]

Subchapter 15. Additional Renovation, Repair, and Painting (RRP) Requirements

252:110-15-1. Definitions [AMENDED]

### **SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:**

September 15, 2025

*[OAR Docket #25-739; filed 9-15-25]*

# Executive Orders

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As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) alendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

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## TITLE 1. EXECUTIVE ORDERS

1:2025-18.

### EXECUTIVE ORDER 2025-18

I, J. Kevin Stitt, Governor of the State of Oklahoma, hereby direct the appropriate steps to be taken to fly all American and Oklahoma flags on State property at half-staff from the time this order is filed through 5:00pm on Sunday, September 14, 2025, to honor the extraordinary life and legacy of Charlie Kirk.

Charlie Kirk was one of the most courageous and outspoken defenders of the United States and the principles that make America great. His life exemplified a fearless courage to protect and preserve the freedoms that we cherish as Oklahomans. We pray for the Lord's protection of Charlie's wife and two young children. Charlie Kirk's legacy and memory, that of a tireless champion for freedom, shall never die.

This Executive Order shall be forwarded to the Director of the Office of Management and Enterprise Services and all chief executives who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 10th day of September, 2025.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA**

J. KEVIN STITT

ATTEST:

Josh Cockroft

SECRETARY OF STATE

*[OAR Docket #25-730; filed 9-11-25]*

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## TITLE 1. EXECUTIVE ORDERS

1:2025-19.

### EXECUTIVE ORDER 2025-19

I, J. Kevin Stitt, Governor of the State of Oklahoma, hereby direct the appropriate steps be taken to fly all American, Oklahoma, and Freedom flags on State property at half-staff on Thursday, September 11, 2025, to honor the victims of the September 11, 2001, terrorist attacks on America.

On this solemn 24th anniversary of September 11th, we continue to remember those who perished, and we honor the heroic sacrifices and deeds of service from our nation's firefighters, law enforcement, military service members, rescue teams, and other Americans, who showed great courage and love of country that fateful September morning. With continued gratitude, the nation remembers our armed forces who have made the ultimate sacrifice in defense of our freedom and security, and honor those who continue to serve.

This executive order shall be forwarded to the Division of Capital Assets Management, who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 11th day of September, 2025.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA**  
J. KEVIN STITT

ATTEST:  
Josh Cockroft  
SECRETARY OF STATE

*[OAR Docket #25-731; filed 9-11-25]*