

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

RULEMAKING ACTION:

Notice of proposed **PERMANENT** rulemaking

PROPOSED RULES:

Subchapter 11. Eucha-Spavinaw Management Act [NEW]

35:17-11-1 [NEW]

35:17-11-2 [RESERVED]

35:17-11-3 [NEW]

Appendix A. Eucha-Spavinaw Phosphorus Index [NEW]

SUMMARY:

These rules fulfill the requirements of House Bill 1490 of the 2007 legislative session by promulgating rules to implement the provisions of the Eucha-Spavinaw Management Act. These rules were previously approved as emergency rules. The rules apply to all persons utilizing poultry waste for land application purposes in the Eucha-Spavinaw Watershed. Specifically, these rules incorporate the Eucha-Spavinaw phosphorus index that is currently in use in that watershed into state law and makes the index enforceable by the Department.

AUTHORITY:

State Board of Agriculture and the Oklahoma Agricultural Code; 2 O.S. §§ 2-4(2), (7), (16), and (29); 10-10.1 et seq.; and Article 6, Section 31, Constitution of the State of Oklahoma.

COMMENT PERIOD:

Persons may submit written and oral comments to Teena Gunter at 2800 North Lincoln Boulevard, P. O. Box 528804, Oklahoma City, Oklahoma 73152-8804, teena.gunter@oda.state.ok.us during the period from December 3, 2007 through January 3, 2008.

PUBLIC HEARING:

A public hearing will be held at 10:30 a.m., January 3, 2008, in the Consumer Protection Services conference room on the second floor of 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 Teena Gunter at the above address during the period from December 3, 2007 through January 3, 2008.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting www.oda.state.ok.us or by contacting Teena Gunter, Oklahoma Department of Agriculture, Food, and Forestry, P. O. Box 528804, Oklahoma City, Oklahoma 73152-8804, teena.gunter@oda.state.ok.us.

RULE IMPACT STATEMENT:

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

CONTACT PERSON:

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