

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

**RULEMAKING ACTION:**

Notice of proposed EMERGENCY rulemaking

**PROPOSED RULES:**

Subchapter 15. American Rescue Plan Act (ARPA) Water and Wastewater Infrastructure Grant Program Requirements [NEW]

785:50-15-1. Program description

785:50-15-2. Definitions

785:50-15-3. Application review and disposition

785:50-15-4. Applicable law; deadline for applications; eligible project costs

785:50-15-5. ARPA grant priority points system

785:50-15-6. Disbursement of funds

Subchapter 17. Oklahoma Dam Rehabilitation (OKDR) Grant Program Requirements and Procedures [NEW]

785:50-17-1. Program description

785:50-17-2. Definitions

785:50-17-3. Application review and disposition

785:50-17-4. Applicable law; deadline for applications; eligible project costs

785: 50-17-5. Period of performance.

785:50-17-7. OKDR grant priority system

785:50-17-8. Disbursement of funds.

**SUMMARY:**

The Oklahoma Water Resources Board ("Board") proposes to amend this Chapter of the Oklahoma Administrative Code ("OAC") as follows:

Emergency rules are proposed to implement provisions of Senate Bill 429 (2022). This measure allocates funds to the Board for water and wastewater infrastructure as authorized by the American Rescue Plan Act ("ARPA"). The legislation proposes creating three programs: a water and wastewater infrastructure grant program for communities 7,000 or less, a water and wastewater infrastructure grant program for communities 7,001 or more, and a publicly owned deficient dams grant program from funds available from the American Rescue Plan Act.

Emergency rules are necessary in this instance to comply with deadlines of the federal programs. To meet ARPA requirements, funds must be obligated for a project by December 31, 2024 and expended by December 31, 2026.

**AUTHORITY:**

Oklahoma Water Resources Board; 82 O.S. § 1085.2; 82 O.S. §§ 1085.31 et seq.; 82 O.S. §§ 1085.51 et seq.; 62 O.S. § 2003; 82 O.S. § 110.1 and following; 82 O.S. § 105.20 and 105.27; Senate Bill 429 (2022).

**COMMENT PERIOD:**

Persons wishing to present data, views, or arguments orally or in writing may do so to Chrystal Krittenbrink at 3800 North Classen, Oklahoma City, Oklahoma 73118, or by email to [Cris.Krittenbrink@owrb.ok.gov](mailto:Cris.Krittenbrink@owrb.ok.gov). Comments must be received by the OWRB no later than the close of business on August 12, 2022.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

The OWRB requests that any business entities affected by these proposed rules provide the OWRB, 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 Chrystal Krittenbrink at 3800 North Classen, Oklahoma City, Oklahoma 73118, during the comment period from July 15, 2022 to the close of business on August 12, 2022.

**COPIES OF PROPOSED RULES:**

Copies of the proposed amendments may be reviewed at the OWRB's office location at 3800 North Classen, Oklahoma City, Oklahoma 73118, or may be obtained from the "Contact Person" identified below upon prepayment of the copying charge. The proposed amendments may also be viewed on the OWRB web site at <http://www.owrb.ok.gov>.

**RULE IMPACT STATEMENT:**

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

**CONTACT PERSON:**

Chrystal Krittenbrink, Legal Secretary, 405-530-8800 or [Cris.Krittenbrink@owrb.ok.gov](mailto:Cris.Krittenbrink@owrb.ok.gov).