

**OKLAHOMA CONSERVATION COMMISSION
CHAPTER 40. WATER QUALITY PROGRAMS**

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[**Authority:** 27A O.S. , ' 1-3-101 and 1-1-202]

[Source:]

155:40-1-1. Purpose

This chapter was adopted for three purposes. The first and primary reason is to formally meet the statutory requirement for Water Quality Standards Implementation Plan development. The second reason is to formally declare the general plan whereby the Commission will conduct its assigned responsibilities for the state's Nonpoint Source Management Program. And finally, the Commission wishes to formally convey general programmatic policies regarding the Water Quality Division's Nonpoint Source Education and Outreach Program referred to as Blue Thumb.

155:40-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"319" or **"319 program"** or **"Section 319"** or **"Section 319(h)"** means that section of the federal Clean Water Act dealing with nonpoint source pollution. Administered by the EPA, this section assists state and tribal nonpoint source programs with funding, technical support and programmatic guidance.

"Beneficial Uses" means a classification of the waters of the state, according to their best uses in the interest of the public; these are assigned in OAC Title 785, Chapter 45, Oklahoma Water Quality Standards.

"Blue Thumb" or **"BT"** means the Blue Thumb program.

"CWA" or **"Clean Water Act"** means that section of the U.S. Federal Law known in familiar terms as the Clean Water Act.

"EPA" means the Environmental Protection Agency.

"Nonpoint Source" or **"NPS"** means nonpoint source pollution or a source of pollution without a well defined point of origin.

"OCC" or **"Commission"** means the Oklahoma Conservation Commission.

"OWRB" means the Oklahoma Water Resources Board.

"Water Quality Standards", when capitalized, means Chapter 45 of OAC Title 785, Oklahoma Water Quality Standards. Whenever this term is not capitalized or is singular, it means the most stringent of the criteria assigned to protect the beneficial uses designated for a specified water of the State.

"Water Quality Standards Implementation Plan" or **"WQSIP"** means a Water Quality Standards Implementation Plan developed and promulgated by a state environmental agency as required by 27A O.S. ' 1-1-202.

155:40-1-3. Water Quality Standards Implementation Plan

Subsection B of Section 1-1-202 of Title 27A of the Oklahoma Statutes specifies that each state environmental agency shall promulgate a Water Quality Standards Implementation Plan (WQSIP) for its jurisdictional areas of environmental responsibility. The rules in this chapter are in direct fulfillment of this requirement.

(1) In fulfillment of the statutory mandate for a WQSIP, the OCC hereby adopts by reference a WQSIP policy document (dated December 22, 2008) on file and available via the OCC website, the OCC office, and the OCC Water Quality Division office. This document has undergone extensive review and comment by the Commission, OWRB, and the WQSIP working group comprised of members of other agencies required to produce the document.

(2) In accordance with the statutory mandate for WQSIP, the OCC will review the WQSIP

policy document at least every three years from the promulgation of this rule to determine whether revisions are necessary. The OCC WQSIP policy document review will comprise both an intra-agency review and edit (as necessary), which will be followed by a peer review and comment process through the WQSIP working group or similar review panel.

(3) As a general statement of agency policy, programs and activities within the Oklahoma Conservation Commission (OCC) will be managed and conducted to protect the beneficial uses of the state's waters and to maintain water quality standards, including enforcement of the anti-degradation clause specified therein.

155:40-1-4. Nonpoint Source Management Plan

Oklahoma Statutes, '27A-1-3-101, Subsection F assigns to the Oklahoma Conservation Commission (OCC) multiple jurisdictional areas of environmental responsibility. Several of these delegations deal with nonpoint source pollution (NPS). The purpose of this chapter is to declare the plan whereby the OCC will conduct its assigned responsibilities for the state's NPS program.

(1) The OCC is declared the state's technical lead agency for NPS categories as defined in Section 319 of the Federal Clean Water Act (319 program) or other subsequent federal or state nonpoint source programs, except for activities related to industrial and municipal stormwater or as otherwise provided by state law. As such, the OCC is responsible to monitor, evaluate, and assess waters to determine the condition of streams and rivers being impacted by NPS pollution and conduct NPS management programs and activities to abate it.

(2) Section 319(h) of the CWA authorizes funding support to implement an NPS program. States must have an EPA approved NPS Management Program Document to receive this funding, and this document must clearly describe the elements and activities of the NPS Program. Pursuant to its statutory assignments and in accordance with the 319 program mandate, the OCC drafted and hereby adopts by reference Oklahoma's Nonpoint Source Management Program and Nonpoint Source Assessment Report which describes the processes by which the State addresses NPS pollution in its waters. This document is on file and available via the OCC website, the OCC office, and the OCC Water Quality Division office.

(3) Oklahoma's Nonpoint Source Management Program document is amended periodically as needed and includes participation and review by the State NPS Working Group, a broader instate review and comment period by state environmental agencies, a public review and comment period, and a final review and approval by EPA necessary to obtain 319 funding.

155:40-1-5. Blue Thumb Program

Oklahoma Statutes, '27A-1-3-101, Subsection F assigns to the Oklahoma Conservation Commission (OCC) multiple jurisdictional areas of environmental responsibility. Several of these delegations deal with nonpoint source pollution (NPS). The purpose of this chapter is to convey programmatic policies of the OCC Water Quality Division's NPS Education and Outreach Program formally referred to as the Blue Thumb Program.

(1) The OCC is the technical lead for the state's NPS Management Program. This program is non regulatory and based on voluntary participation of landowners in cost share programs to implement land management practices to abate NPS pollution. Water quality and environmental education is an integral component of OCC programs and a critical driver of the state's NPS Management Program. To this end, the OCC developed the Blue Thumb

program.

(2) Blue Thumb is the water pollution education program of the OCC's Water Quality Division. The primary goal of this program is to educate Oklahoma citizens about NPS pollution, pollution prevention, and stream health.

(3) Blue Thumb program staff work directly with citizens in school, civic, work, and private contexts. The program is designed to recruit, educate, train, and equip volunteer groups across the state to monitor streams of local interest. The program works primarily through local conservation districts, municipalities, schools, and civic organizations.

(4) The Blue Thumb program coordinates with and provides support for other environmental and resource education programs.

(5) Foundational BT Program maintenance and promotion activities include volunteer monitor training sessions, data management, analysis and presentation, maintenance and distribution of water quality monitoring kits and supplies, quality assurance sessions, provision of educational materials for loan, and distribution of curb-marking supplies.

(6) Blue Thumb personnel work with local sponsors and volunteers to plan watershed education events in areas with strong local interest and/or where volunteer data indicate a need. These events feature information booths, volunteer activities, conservation opportunities and assistance available through local agencies, and data interpretation sessions.

(7) The Blue Thumb program provides support to cities to help meet the requirements of their Phase II stormwater permits and to help improve stormwater quality through education of its citizens. These education programs involve curbsmarking, water quality training, and other education events.

(8) The Blue Thumb program conducts a groundwater education and well water screening program to promote interest and expand the educational platform. Staff conduct these activities through local conservation districts. Groundwater samples submitted by citizens during screening events are analyzed for alkalinity, sulfate, chloride, nitrate and pH. The results are presented as an initial screen for educational purposes only and are not intended to replace certified, lab based tests for potability.