

RULE IMPACT STATEMENT

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

(A) **PURPOSE OF THE PROPOSED RULE:**

The proposed permanent rule amendments require registered poultry feeding operations to complete and implement nutrient management plans within one year of application to the Department, modify requirements for review and update of nutrient management plans, and provide an appendix with additional nutrient management requirements when using poultry litter and other nutrient resources. The Department promulgated emergency rules pursuant to the requirements of House Bill 2983 of the 2022 legislative session to effectuate the changes to nutrient management plans. The proposed permanent rule amendments will replace the emergency rules which were approved by the Governor and became effective on October 20, 2022.

(B) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rules will primarily affect owners and operators of poultry feeding operations.

(C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

The proposed rules will assist in ensuring beneficial use of poultry waste while preventing adverse effects to the waters of the state of Oklahoma and shall benefit all citizens of the state.

(D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**

Owners and operators of poultry feeding operations will benefit from new regulations relating to nutrient management plans.

(E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**

There is no increased cost to the agency.

(F) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No economic effect on any political subdivision is anticipated by the proposed rule amendments.

(G) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

No adverse impacts on small businesses are anticipated.

(H) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE:**

No less costly or non-regulatory method is available.

(I) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The proposed rules are consistent with the Oklahoma Registered Poultry Feeding Operations Act, Section 10-9.1 et seq. at Title 2 of the Oklahoma Statutes, which benefits the public health, safety, and environment. The proposed rules allow for the monitoring of poultry waste application to land or removal from these operations and assists in ensuring beneficial use of poultry waste while preventing adverse effects to the waters of the state of Oklahoma.

(J) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

No detrimental effect upon the public health, safety, or environment is anticipated with the implementation of the proposed rule amendments.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on November 21, 2022.