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Mary Fallin, Governor
Chris Bengel,
Secretary of State
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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.

TITLE 330. OKLAHOMA HOUSING FINANCE AGENCY CHAPTER 75. NATIONAL HOUSING TRUST FUND RULES

[OAR Docket #16-210]

RULEMAKING ACTION:

Notice of proposed EMERGENCY rulemaking

PROPOSED RULES:

Chapter 75. National Housing Trust Fund Rules [NEW]

SUMMARY:

The Board of Trustees of the Oklahoma Housing Finance Agency (OHFA), a public trust, has adopted OHFA's Chapter 75: National Housing Trust Fund Rules (the "Rules") for use in considering applications for funding eligible program activities. The Rules provide guidelines which OHFA outlines in the Rules and are intended to describe eligibility criteria and the application and selection processes and criteria. In addition, the Rules further describe contractor responsibilities including responsibilities for maintaining records and accounts. The intent of the Rules is to administer the National Housing Trust Fund in such a way that it strengthens public and private partnerships to increase affordable housing opportunities for low income persons.

AUTHORITY:

These Chapter 75 Rules are authorized by the Board of Trustees of the Oklahoma Housing Finance Agency ("OHFA"), the amended trust indenture of OHFA, and the Bylaws of OHFA as established by the OHFA Board of Trustees.

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may submit written or oral comments to Darrell Beavers, Housing Development Program Supervisor, or Pamela Miller, Housing Finance Analyst, at Oklahoma Housing Finance

Agency by 4:00 PM on or before May 3, 2016. Written comments should be sent to Oklahoma Housing Finance Agency, Post Office Box 26720, Oklahoma City, Oklahoma 73126-0720, Attn: Pam Miller

PUBLIC HEARING:

A public hearing will be held: May 3, 2016 at 10:00 AM, at the offices of OHFA, 100 NW 63rd, Oklahoma City, OK 73126, in the Will Rogers Room. All interested persons are invited to attend and present their views.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OHFA requests that all business entities, developers, contractors, applicants, etc., provide OHFA on or before, May 6, 2016, in dollar amounts, if possible, the level of costs (indirect or direct including reporting, record keeping, etc.) expected to be incurred due to compliance with the proposed amendments.

COPIES OF PROPOSED RULES:

Copies of the Proposed Rules are available on the OHFA website located at ohfa.org or are available at the Oklahoma Housing Finance Agency, 100 Northwest 63rd, Post Office Box 26720, Oklahoma City, Oklahoma 73126-0720. Persons requesting more than one (1) copy of these proposed rules will be charged \$5.00 per copy.

RULE IMPACT STATEMENT:

A rule impact statement will be issued and made available on or before April 1, 2016 at the offices of OHFA.

CONTACT PERSON:

Darrell Beavers, Housing Development Program Supervisor, 1-(405)-419-8261 or Pamela Miller, Housing Finance Analyst, 1-(405)-419-8134.

[OAR Docket #16-210; filed 3-8-16]

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.

TITLE 90. COUNCIL OF BOND OVERSIGHT CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #16-198]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. General Operations of the Council

90:1-3-1 [AMENDED]

90:1-3-2 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-198; filed 3-4-16]

TITLE 90. COUNCIL OF BOND OVERSIGHT CHAPTER 10. ADMINISTRATION OF THE OKLAHOMA BOND OVERSIGHT AND REFORM ACT

[OAR Docket #16-199]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Fees

90:10-5-1 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-199; filed 3-4-16]

TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS CHAPTER 1. ADMINISTRATIVE ORGANIZATION AND OPERATIONS

[OAR Docket #16-211]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

140:1-1-2 [AMENDED] SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 1, 2016

[OAR Docket #16-211; filed 3-8-16]

TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS CHAPTER 3. DISCIPLINARY PROCEDURES

[OAR Docket #16-212]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Filing and Disposition of Complaints

140:3-3-2 [AMENDED]

140:3-3-9 [AMENDED]

140:3-3-10 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 1, 2016

[OAR Docket #16-212; filed 3-8-16]

TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS CHAPTER 10. LICENSURE OF CHIROPRACTIC PHYSICIANS

[OAR Docket #16-213]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Application, Examination and Licensing

140:10-3-1 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 1, 2016

[OAR Docket #16-213; filed 3-8-16]

Submissions to Governor and Legislature

TITLE 165. CORPORATION COMMISSION CHAPTER 30. MOTOR CARRIERS, PRIVATE CARRIERS AND TRANSPORTATION NETWORK COMPANIES

[OAR Docket #16-197]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
165:30-1-1. Purpose [AMENDED]
165:30-1-2. Definitions [AMENDED]
Subchapter 6. Transportation Network Companies [NEW]
Part 1. Applying for a Permit [NEW]
165:30-6-1. Obtaining a permit [NEW]
165:30-6-3. TNC Permit renewals [NEW]
165:30-6-5. Insurance [NEW]
165:30-6-7. Name changes [NEW]
Part 3. Conducting Operations [NEW]
165:30-6-17. Current address requirement [NEW]
165:30-6-19. Compliance with laws and regulations [NEW]
165:30-6-21. Records [NEW]
Part 5. Violations [NEW]
165:30-6-33. Leasing of TNC Permit [NEW]
165:30-6-35. Operating or Advertising to Operate without a Permit [NEW]
165:30-6-37. Violations [NEW]
Part 7. Suspension or Cancellation of Permit [NEW]
165:30-6-47. Voluntary cancellation of permit [NEW]
165:30-6-49. Involuntary suspension or revocation of permit [NEW]
165:30-6-51. Reinstatement of TNC Permit [NEW]
Subchapter 7. Procedural Rules
165:30-7-5. Forms [AMENDED]
165:30-7-6. Applications and requests [AMENDED]
165:30-7-12. Revocation, suspension or denial of issuance of motor carrier license, permit, certificate or registration [AMENDED]
165:30-7-17. Insurance Filing Replacement [NEW]
Part 3. Electronic Filings [NEW]
165:30-7-27. Definitions [NEW]
165:30-7-29. Registration and signatures [NEW]
165:30-7-31. Electronic System Usage [NEW]
165:30-7-33. Technical failure [NEW]
Subchapter 12. Unified Carrier Registration
165:30-12-1. Unified Carrier Registration [AMENDED]
Subchapter 18. Overweight Variance Permits [REVOKED]
165:30-18-1. Overweight Variance Permits [REVOKED]
Subchapter 19. Registration Pursuant to the International Registration Plan
165:30-19-3. Registration [AMENDED]
165:30-19-6. Registration as a resident [AMENDED]
165:30-19-12. Supplemental application [AMENDED]

165:30-19-17. Temporary registration [AMENDED]
165:30-19-18. Compliance confirmation [AMENDED]
Subchapter 21. International Fuel Tax Agreement
165:30-21-4. Trip Fuel permits [AMENDED]
165:30-21-9. Bond requirement [AMENDED]
Subchapter 23. Motor License Agents
165:30-23-5. Motor License Agent Conduct [NEW]
Subchapter 26. Nonconsensual Wrecker and Towing Services
Part 3. Response to Nonconsensual Towing Rate Complaints
165:30-26-16. Nonconsensual Towing Assessment [NEW]
165:30-26-18. Display of Nonconsensual Towing Rates [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 3, 2016

[OAR Docket #16-197; filed 3-3-16]

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

[OAR Docket #16-187]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 9. Excess Emission Reporting Requirements
252:100-9-1. [AMENDED]
252:100-9-1.1. [AMENDED]
252:100-9-2. [AMENDED]
252:100-9-8. [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 24, 2016

[OAR Docket #16-187; filed 2-29-16]

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

[OAR Docket #16-188]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Appendix E. Primary Ambient Air Quality Standards [REVOKED]
Appendix E. Primary Ambient Air Quality Standards [NEW]
Appendix F. Secondary Ambient Air Quality Standards [REVOKED]

Appendix F. Secondary Ambient Air Quality Standards [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 24, 2016

[OAR Docket #16-188; filed 2-29-16]

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 515. MANAGEMENT OF SOLID WASTE**

[OAR Docket #16-189]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

252:515-1-1. Authority and applicability [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 24, 2016

[OAR Docket #16-189; filed 2-29-16]

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 517. DISPOSAL OF COAL COMBUSTION RESIDUALS FROM ELECTRIC UTILITIES**

[OAR Docket #16-190]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions [NEW]

- 252:517-1-1. Scope and purpose [NEW]
- 252:517-1-2. Applicability of other regulations [NEW]
- 252:517-1-3. Definitions [NEW]
- 252:517-1-4. Terms not defined by Act or rule [NEW]
- 252:517-1-5. Test methods and map scales [NEW]
- 252:517-1-6. Severability [NEW]
- 252:517-1-7. Permits [NEW]

Subchapter 3. Permit Provisions and Applications [NEW]

- Part 1. General Provisions [NEW]
- 252:517-3-1. Duration of permit [NEW]
- 252:517-3-2. Permit transfer [NEW]
- 252:517-3-3. General requirements [NEW]
- 252:517-3-4. Oath required [NEW]
- 252:517-3-5. Legal right to property [NEW]
- 252:517-3-6. Permit applications [NEW]
- 252:517-3-7. Aesthetic enhancement [NEW]
- Part 3. Required Maps and Drawings [NEW]

- 252:517-3-31. General requirements [NEW]
- 252:517-3-32. General location map [NEW]
- 252:517-3-33. Flood plain map [NEW]
- 252:517-3-34. Quadrangle topographic map [NEW]
- 252:517-3-35. Existing contour map [NEW]
- 252:517-3-36. Site map [NEW]
- 252:517-3-37. Design drawings [NEW]
- 252:517-3-38. Groundwater resource and usage map [NEW]
- 252:517-3-39. Surface geologic map [NEW]
- 252:517-3-40. Highest groundwater contour map [NEW]
- 252:517-3-41. Potentiometric surface map [NEW]
- 252:517-3-42. Site-specific cross sections [NEW]
- 252:517-3-43. Fill cross section map [NEW]
- 252:517-3-44. Excavation contour map [NEW]
- 252:517-3-45. Top of liner contour map [NEW]
- 252:517-3-46. Completion map [NEW]
- Subchapter 5. Location Restrictions [NEW]
- 252:517-5-1. Placement above the uppermost aquifer [NEW]
- 252:517-5-2. Wetlands [NEW]
- 252:517-5-3. Fault areas [NEW]
- 252:517-5-4. Seismic impact zones [NEW]
- 252:517-5-5. Unstable areas [NEW]
- 252:517-5-6. Scenic rivers [NEW]
- 252:517-5-7. Recreation/preservation areas [NEW]
- 252:517-5-8. Endangered or threatened species [NEW]
- 252:517-5-9. 100-year floodplain [NEW]
- 252:517-5-10. Public water supply [NEW]
- 252:517-5-11. Wellhead protection area [NEW]
- Subchapter 7. Subsurface Investigation [NEW]
- Part 1. General Provisions [NEW]
- 252:517-7-1. Applicability [NEW]
- 252:517-7-2. General [NEW]
- 252:517-7-3. Compliance with OWRB rules [NEW]
- 252:517-7-4. Drilling plan [NEW]
- 252:517-7-5. Drilling [NEW]
- Part 3. Data Collection [NEW]
- 252:517-7-31. Data collection [NEW]
- 252:517-7-32. Borehole logs [NEW]
- 252:517-7-33. Lithologic sample logs [NEW]
- 252:517-7-34. Geophysical logs [NEW]
- 252:517-7-35. Soil and rock sampling [NEW]
- 252:517-7-36. Soil tests [NEW]
- 252:517-7-37. Soils report [NEW]
- 252:517-7-38. Regional hydrogeologic study [NEW]
- Part 5. Groundwater Study [NEW]
- 252:517-7-51. General [NEW]
- 252:517-7-52. Piezometers required [NEW]
- 252:517-7-53. Piezometer details [NEW]
- 252:517-7-54. Groundwater elevation measurements [NEW]
- 252:517-7-55. Area rainfall [NEW]
- 252:517-7-56. Shallow saturated zone investigation [NEW]
- Part 7. Surface Penetration Plugging [NEW]
- 252:517-7-71. Plugging requirements [NEW]

Submissions to Governor and Legislature

Subchapter 9. Groundwater Monitoring/Corrective Action [NEW]

- 252:517-9-1. General provisions [NEW]
- 252:517-9-2. Groundwater monitoring systems [NEW]
- 252:517-9-3. Reserved [NEW]
- 252:517-9-4. Groundwater sampling and analysis requirements [NEW]
- 252:517-9-5. Detection monitoring program [NEW]
- 252:517-9-6. Assessment monitoring program [NEW]
- 252:517-9-7. Assessment of corrective measures [NEW]
- 252:517-9-8. Selection of remedy [NEW]
- 252:517-9-9. Implementation of the corrective action program [NEW]

Subchapter 11. Design Criteria [NEW]

- 252:517-11-1. Design criteria for new CCR landfills and any lateral expansion of a CCR landfill [NEW]
- 252:517-11-2. Liner design criteria for existing CCR surface impoundments [NEW]
- 252:517-11-3. Liner design criteria for new CCR surface impoundments and any lateral expansion of a CCR surface impoundment [NEW]
- 252:517-11-4. Structural integrity criteria for existing CCR surface impoundments [NEW]
- 252:517-11-5. Structural integrity criteria for new CCR surface impoundments and any lateral expansion of a CCR surface impoundment [NEW]

Subchapter 13. Operational Requirements [NEW]

- 252:517-13-1. Air criteria [NEW]
- 252:517-13-2. Run-on and run-off controls for CCR landfills [NEW]
- 252:517-13-3. Hydrologic and hydraulic capacity requirements for CCR surface impoundments [NEW]
- 252:517-13-4. Inspection requirements for CCR surface impoundments [NEW]
- 252:517-13-5. Inspection requirements for CCR landfills [NEW]
- 252:517-13-6. Discharges [NEW]
- 252:517-13-7. Leachate collection and management for CCR landfills [NEW]

Subchapter 15. Closure and Post-closure Care [NEW]

- 252:517-15-1. Performance standard [NEW]
- 252:517-15-2. DEQ Notification [NEW]
- 252:517-15-3. Certification of final closure [NEW]
- 252:517-15-4. Final closure [NEW]
- 252:517-15-5. Inactive CCR surface impoundments [NEW]
- 252:517-15-6. Closure or retrofit of CCR units [NEW]
- 252:517-15-7. Criteria for conducting the closure or retrofit of CCR units [NEW]
- 252:517-15-8. Alternative closure requirements [NEW]
- 252:517-15-9. Post-closure care requirements [NEW]
- 252:517-15-10. Post-closure use of property [NEW]
- 252:517-15-11. Certification of post-closure performance [NEW]
- 252:517-15-12. Land use restrictions [NEW]

Subchapter 17. Cost Estimates and Financial Assurance [NEW]

- Part 1. General Provisions [NEW]
 - 252:517-17-1. Applicability [NEW]
 - 252:517-17-2. Effective date [NEW]
 - 252:517-17-3. Duty to maintain financial assurance [NEW]
 - 252:517-17-4. Updating [NEW]
 - 252:517-17-5. Permit transfers [NEW]
 - 252:517-17-6. Effect of non-renewal of, or failure to maintain or provide financial assurance [NEW]
 - 252:517-17-7. Substitute financial assurance [NEW]
 - 252:517-17-8. Economic life of CCR unit [NEW]
- Part 3. Cost Estimates [NEW]
 - 252:517-17-31. Cost estimates for closure [NEW]
 - 252:517-17-32. Cost estimates for post-closure care [NEW]
 - 252:517-17-33. Cost estimates for corrective action [NEW]
 - 252:517-17-34. Annual adjustments to cost estimates [NEW]
- Part 5. Determination of Cost Estimates [NEW]
 - 252:517-17-51. Cost estimates for closure and post-closure [NEW]
 - 252:517-17-52. Cost estimates for corrective action [NEW]
- Part 7. Financial Assurance Mechanisms [NEW]
 - 252:517-17-71. General requirements for financial assurance mechanisms [NEW]
 - 252:517-17-72. Use of multiple mechanisms [NEW]
 - 252:517-17-73. Allowable financial assurance mechanisms [NEW]
 - 252:517-17-74. Cash [NEW]
 - 252:517-17-75. Certificate of deposit [NEW]
 - 252:517-17-76. Trust fund [NEW]
 - 252:517-17-77. Escrow account [NEW]
 - 252:517-17-78. Surety bond [NEW]
 - 252:517-17-79. Letter of credit [NEW]
 - 252:517-17-80. Insurance [NEW]
 - 252:517-17-81. Corporate financial test [NEW]
 - 252:517-17-82. Corporate guarantee [NEW]
 - 252:517-17-83. State approved mechanism [NEW]
- Subchapter 19. Record Keeping, Notification, and Posting of Information to the Internet [NEW]
 - 252:517-19-1. Recordkeeping requirements [NEW]
 - 252:517-19-2. Notification requirements [NEW]
 - 252:517-19-3. Publicly accessible internet site requirements [NEW]
- Appendix A. Constituents for Detection Monitoring [NEW]
- Appendix B. Constituents for Assessment Monitoring [NEW]
- Appendix C. Borings in Drilling Plan [NEW]
- Appendix D. Borehole Depth Calculation Table [NEW]
- Appendix E. Procedure for Calculating Closure Cost Estimates for Financial Assurance [NEW]
- Appendix F. Procedure for Calculating Post-closure Cost Estimates for Financial Assurance [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 24, 2016

[OAR Docket #16-190; filed 2-29-16]

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

[OAR Docket #16-191]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Introduction

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

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 24, 2016

[OAR Docket #16-191; filed 2-29-16]

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

[OAR Docket #16-192]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Introduction

252:626-1-2 [AMENDED]

Subchapter 3. Permit Procedures

252:626-3-6 [AMENDED]

Subchapter 5. General design

252:626-5-5 [AMENDED]

Subchapter 7. Source Development

252:626-7-4 [AMENDED]

Subchapter 9. Treatment

252:626-9-9 [AMENDED]

252:626-9-14 [AMENDED]

Subchapter 13. Residuals and Decant Water Measurement

252:626-13-2 [AMENDED]

252:626-13-4 [AMENDED]

Subchapter 19. Distribution System

252:626-19-2 [AMENDED]

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

Appendix E. Gravel Support for Rapid Rate and Slow Sand Filters [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 24, 2016

[OAR Docket #16-192; filed 2-29-16]

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 631. PUBLIC WATER SUPPLY OPERATION**

[OAR Docket #16-193]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Introduction

252:631-1-1 [AMENDED]

252:631-1-2 [AMENDED]

252:631-1-3 [AMENDED]

Subchapter 3. Operations

252:631-3-1 [AMENDED]

252:631-3-2 [AMENDED]

252:631-3-4 [AMENDED]

252:631-3-10 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 25, 2016

[OAR Docket #16-193; filed 2-29-16]

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 690. WATER QUALITY STANDARDS IMPLEMENTATION**

[OAR Docket #16-194]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Introduction

252:690-1-3 [AMENDED]

252:690-1-4 [AMENDED]

Subchapter 3. Point Source Discharges

252:690-3-78 [AMENDED]

252:690-3-86 [AMENDED]

Subchapter 5. Groundwater Protection

252:690-5-2 [AMENDED]

Appendix B. Priority and Nonpriority Pollutants with Numerical Criteria Requiring Reasonable Potential Screening [REVOKED]

Submissions to Governor and Legislature

Appendix B. Priority and Nonpriority Pollutants with Numerical Criteria Requiring Reasonable Potential Screening [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 25, 2016

[OAR Docket #16-194; filed 2-29-16]

TITLE 455. MERIT PROTECTION COMMISSION CHAPTER 10. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

[OAR Docket #16-203]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

455:10-1-1 [AMENDED]

455:10-1-2 [AMENDED]

455:10-1-5 [AMENDED]

Subchapter 3. Jurisdiction, Rights and Processes

455:10-3-2 [AMENDED]

455:10-3-5 [AMENDED]

455:10-3-6 [AMENDED]

455:10-3-14 [AMENDED]

Subchapter 9. Hearing Process

455:10-9-1 [AMENDED]

455:10-9-2 [AMENDED]

455:10-9-3 [AMENDED]

455:10-9-5 [AMENDED]

Subchapter 11. Discipline

455:10-11-15 [AMENDED]

455:10-11-16 [AMENDED]

455:10-11-17 [AMENDED]

Subchapter 13. Discovery

455:10-13-4 [AMENDED]

Subchapter 19. Internal Agency Grievance Resolution Procedures

Part 5. Grievance Provisions

455:10-19-35 [AMENDED]

Subchapter 21. Presiding Officials, Representatives, Witnesses and Parties

455:10-21-6 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-203; filed 3-7-16]

TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY CHAPTER 10. PHARMACISTS; AND INTERNS, PRECEPTORS AND TRAINING AREAS

[OAR Docket #16-206]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Pharmacists

535:10-3-4. Uniform pharmacy continuing education [AMENDED]

Subchapter 5. Interns, Preceptors and Training Areas

535:10-5-1.3. Intern experience requirements [AMENDED]

Subchapter 7. Pharmacist Licensure

535:10-7-6. Reciprocity licensure applicants [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-206; filed 3-8-16]

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

[OAR Docket #16-207]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Pharmacies

535:15-3-15.1. Transmission of prescription orders other than verbal orders [AMENDED]

535:15-3-18. Pharmacy prescription drug purchase records [AMENDED]

Subchapter 7. Drug Supplier Permits

535:15-7-3. Drug supplier restriction [AMENDED]

Subchapter 13. Pharmacy Supportive Personnel

535:15-13-6. Duties [AMENDED]

535:15-13-8. Technician annual permit requirement [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-207; filed 3-8-16]

**TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY
CHAPTER 20. MANUFACTURERS, REPACKAGERS, OUTSOURCING FACILITIES, WHOLESALERS, THIRD-PARTY LOGISTICS PROVIDERS, AND MEDICAL GAS SUPPLIERS AND DISTRIBUTORS**

[OAR Docket #16-208]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 3. Manufacturers
- 535:20-3-1.2. Definitions [AMENDED]
- Subchapter 5. Repackagers
- 535:20-5-2.1. Definitions [AMENDED]
- Subchapter 6. Outsourcing Facilities
- 535:20-6-2. Definitions [AMENDED]
- Subchapter 7. Wholesale Distributor Rules
- 535:20-7-2. Definitions [AMENDED]
- 535:20-7-3. Wholesale distributor licensing requirement [AMENDED]
- 535:20-7-5. Minimum qualifications [AMENDED]
- Subchapter 8. Third-Party Logistics Providers
- 535:20-8-2. Definitions [AMENDED]
- Subchapter 9. Medical Gas Suppliers and Distributors
- 535:20-9-3. Medical gas suppliers [AMENDED]
- 535:20-9-4. Medical gas distributors [AMENDED]
- 535:20-9-6. Prohibited conduct [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-208; filed 3-8-16]

**TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY
CHAPTER 25. RULES AFFECTING VARIOUS REGISTRANTS**

[OAR Docket #16-209]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 3. Applicants, Registrants, and Applications
- 535:25-3-4. Requirements for applicants or registrants who have had Board action taken against any license, permit or certificate [AMENDED]
- 535:25-3-5. Multiple licenses / permits [AMENDED]
- Subchapter 7. Rules of Registrant Conduct
- 535:25-7-3. Registrant conduct [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 4, 2016

[OAR Docket #16-209; filed 3-8-16]

**TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM
CHAPTER 25. DEFERRED COMPENSATION**

[OAR Docket #16-186]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 9. Benefits
- 590:25-9-1. Commencement of benefits [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 26, 2016

[OAR Docket #16-186; filed 2-26-16]

**TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM
CHAPTER 35. DEFERRED SAVINGS INCENTIVE PLAN**

[OAR Docket #16-185]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 13. Benefits and Distributions
- 590:35-13-1. Commencement [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 26, 2016

[OAR Docket #16-185; filed 2-26-16]

**TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM
CHAPTER 40. DEFINED CONTRIBUTION SYSTEM**

[OAR Docket #16-184]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions-Applicable to the 401(a) Plan and the 457(b) Plan
- 590:40-1-3 [AMENDED]

Submissions to Governor and Legislature

Subchapter 5. Eligibility and Participation-Applicable to the 401(a) Plan and the 457(b) Plan

Part 1. Eligibility and Participation-Applicable to the 401(a) Plan and the 457(b) Plan

590:40-5-1 [AMENDED]

Part 3. Contributions-Applicable to the 401(a) Plan and the 457(b) Plan

590:40-5-5 [AMENDED]

590:40-5-6 [AMENDED]

590:40-5-7 [AMENDED]

Part 5. Vesting-Applicable to the 401(a) Plan and the 457(b) Plan

590:40-5-15 [AMENDED]

590:40-5-16 [AMENDED]

Subchapter 7. Defined Contribution 401(a) Plan

Part 1. Accounts

590:40-7-1 [AMENDED]

Part 5. Allocations and Vesting

590:40-7-21 [AMENDED]

590:40-7-22 [AMENDED]

Part 7. Investments

590:40-7-25 [AMENDED]

Part 9. Benefits and Distributions

590:40-7-30 [AMENDED]

Part 13. Trust

590:40-7-53 [AMENDED]

Subchapter 9. Defined Contribution Plan 457(b) Plan

Part 1. Election to Defer

590:40-9-1 [AMENDED]

Part 5. Investments

590:40-9-20 [AMENDED]

590:40-9-23 [AMENDED]

Part 7. Benefits

590:40-9-25 [AMENDED]

590:40-9-32 [AMENDED]

590:40-9-38 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

February 26, 2016

[OAR Docket #16-184; filed 2-26-16]

TITLE 715. TEACHERS' RETIREMENT SYSTEM CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #16-201]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Administrative Operations

715:1-1-8 [AMENDED]

715:1-1-13 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 2, 2016

[OAR Docket #16-201; filed 3-7-16]

TITLE 715. TEACHERS' RETIREMENT SYSTEM CHAPTER 10. GENERAL OPERATIONS

[OAR Docket #16-202]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Service Eligibility

715:10-3-1 [AMENDED]

Subchapter 5. Establishing Other Service Credits

715:10-5-1 [AMENDED]

715:10-5-4 [NEW]

715:10-5-4.1 [AMENDED]

715:10-5-9 [AMENDED]

715:10-5-11 [NEW]

Subchapter 7. Membership Vesting and Termination

715:10-7-1 [AMENDED]

Subchapter 9. Survivor Benefits

715:10-9-6 [NEW]

Subchapter 11. Withdrawal from Membership and Refund of Deposits

715:10-11-2 [AMENDED]

Subchapter 13. Contributions for Membership Service

715:10-13-1 [NEW]

715:10-13-10 [AMENDED]

715:10-13-13 [AMENDED]

Subchapter 15. Service Retirement

715:10-15-3 [AMENDED]

715:10-15-7.2 [AMENDED]

715:10-15-10 [AMENDED]

715:10-15-10.2. [AMENDED]

715:10-15-11 [AMENDED]

715:10-15-16 [AMENDED]

Subchapter 17. Post-Retirement Employment

715:10-17-12 [AMENDED]

715:10-17-13 [AMENDED]

Subchapter 25. Qualified Domestic Relations Order [NEW]

715:10-25-1 [NEW]

715:10-25-2 [NEW]

715:10-25-3 [NEW]

715:10-25-4 [NEW]

715:10-25-5 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 2, 2016

[OAR Docket #16-202; filed 3-7-16]

TITLE 748. OKLAHOMA UNIFORM BUILDING CODE COMMISSION CHAPTER 17. EDUCATION AND TRAINING

[OAR Docket #16-195]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. Regional Training [NEW]
- 748:17-1-1. Purpose [NEW]
- 748:17-1-2. Definitions [NEW]
- 748:17-1-3. Regional continuing education courses [NEW]
- 748:17-1-4. Regional training held or sponsored by the OUBCC [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 2, 2016

[OAR Docket #16-195; filed 3-2-16]

TITLE 748. OKLAHOMA UNIFORM BUILDING CODE COMMISSION CHAPTER 20. ADOPTED CODES

[OAR Docket #16-196]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 5. IRC[®]20092015
- 748:20-5-1. Adoption of IRC[®]20092015 [AMENDED]
- 748:20-5-2. Effect of Adoption [AMENDED]
- 748:20-5-3. IRC[®]20092015 Appendices [AMENDED]
- 748:20-5-4. IRC[®]20092015 Provisions Adopted and Modified [AMENDED]
- 748:20-5-4.1. Participation in Federal Programs and/or Federally Funded or Financed Projects [NEW]
- 748:20-5-5. IRC[®]20092015 Chapter 1 Scope and Administration [AMENDED]
- 748:20-5-5.1. IRC[®] 2015 Chapter 2 Definitions [NEW]
- 748:20-5-6. IRC[®]20092015 Chapter 3 Building Plans Planning [AMENDED]
- 748:20-5-7. IRC[®]20092015 Chapter 4 Foundations [AMENDED]
- 748:20-5-8. IRC[®]20092015 Chapter 5 Floors [AMENDED]
- 748:20-5-9. IRC[®]20092015 Chapter 6 Wall Construction [AMENDED]
- 748:20-5-10. IRC[®]20092015 Chapter 7 Wall Covering [AMENDED]
- 748:20-5-11. IRC[®]20092015 Chapter 8 Roof-Ceiling Construction [AMENDED]

- 748:20-5-11.1. IRC[®] 2015 Chapter 9 Roof Assemblies [NEW]
- 748:20-5.11.2. IRC[®] 2015 Chapter 10 Chimneys and Fireplaces [NEW]
- 748:20-5-12. IRC[®]20092015 Chapter 11 Energy Efficiency [AMENDED]
- 748:20-5-13. IRC[®]20092015 Chapter 15 Exhaust Systems [AMENDED]
- 748:20-5-13.1. IRC[®] 2015 Chapter 16 Duct Systems [NEW]
- 748:20-5-13.2. IRC[®] 2015 Chapter 19 Special Appliances, Equipment and Systems [NEW]
- 748:20-5-14. IRC[®]20092015 Chapter 24 Fuel Gas [AMENDED]
- 748:20-5-15. IRC[®]20092015 Chapter 25 Plumbing Administration [AMENDED]
- 748:20-5-16. IRC[®]20092015 Chapter 26 General Plumbing Requirements [AMENDED]
- 748:20-5-17. IRC[®]20092015 Chapter 27 Plumbing Fixtures [AMENDED]
- 748:20-5-18. IRC 2009 Chapter 28 Water Heaters [REVOKED]
- 748:20-5-19. IRC[®]20092015 Chapter 29 Water Supply and Distribution [AMENDED]
- 748:20-5-20. IRC[®]20092015 Chapter 30 Sanitary Drainage [AMENDED]
- 748:20-5-21. IRC[®] 2009 Chapter 31 Vents [REVOKED]
- 748:20-5-22. IRC[®]20092015 Chapter 34 General Requirements (Electrical) [AMENDED]
- 748:20-5-22.1. IRC[®] 2015 Chapter 37 Branch Circuit and Feeder Requirements [NEW]
- 748:20-5-23. IRC 2009 Chapter 40 Devices and Luminaries [REVOKED]
- 748:20-5-24. IRC[®] 2015 Chapter 42 Swimming Pools [NEW]
- 748:20-5-25. Appendix V, Automatic Fire Systems [NEW]
- 748:20-5-26. Appendix W, Energy Efficiency [NEW]
- 748:20-5-27. Appendix X, Swimming Pools, Spas, and Hot Tubs [NEW]
- 748:20-5-28. Appendix Y, Residential Tornado Provisions [NEW]
- Subchapter 9. NEC[®] 2014
- 748:20-9-7. NEC[®] 2014 Chapter 5 Special Occupancies [AMENDED]
- Subchapter 11. IFGC[®] 2015
- 748:20-11-8. IFGC[®] 2015 Chapter 4 Gas Piping Installations [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 2, 2016

[OAR Docket #16-196; filed 3-2-16]

Executive Orders

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) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

TITLE 1. EXECUTIVE ORDERS

1:2016-4.

EXECUTIVE ORDER 2016-04

I, Mary Fallin, Governor of the State of Oklahoma, hereby direct that appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 8:00 a.m. to 5:00 p.m. on Monday, March 7, 2016, to honor former Representative Steve Boeckman, who passed away on Tuesday, March 1, 2016.

Steve Boeckman served honorably in the Oklahoma House of Representatives for District 39 from 1983 to 1993. He continued to serve the citizens of District 39 through various community initiatives and volunteer opportunities. His dedication to the betterment of the State of Oklahoma will not be forgotten.

This Executive Order shall be forwarded to the Department 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 4th day of March, 2016.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #16-200; filed 3-7-16]

1:2016-5.

EXECUTIVE ORDER 2016-05

I, Mary Fallin, Governor of the State of Oklahoma, hereby direct that appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 5:00 p.m. on March 7, 2016, to 5:00 p.m. on the day of interment, to

honor former First Lady Nancy Reagan, who passed away on Sunday, March 6, 2016.

This Executive Order shall be forwarded to the Department 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 7th day of March, 2016.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #16-204; filed 3-7-16]

1:2016-6.

EXECUTIVE ORDER 2016-06

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by Section 90.11 of Title 25 of the Oklahoma Statutes, in recognition of Vietnam Veterans Day, direct that appropriate steps be taken to fly all American flags and Oklahoma flags on State property at half-staff from 8:00 a.m. until 5:00 p.m. on Thursday, March 17, 2016, to honor the many sacrifices made by the men and women of Oklahoma and the United States during the Vietnam War.

Vietnam Veterans Day is a day to honor all the veterans who served in Vietnam, Cambodia, or Laos during the Vietnam War for their service to our country. The flying of these flags at half-staff is a symbol from Oklahomans that we remember all those who fought in the Vietnam War, especially those who were killed, and demonstrates our sympathy for their families.

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.

Executive Orders

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 7th day of March, 2016.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Chris Bengé
Secretary of State

[OAR Docket #16-205; filed 3-7-16]
