

November 20, 2024

Mr. Andrew R. Commer  
Chief, Regulatory Office  
U.S. Army Corps of Engineers  
ATTN: Regulatory Office (CESWT-RO)  
2488 E 81st Street  
Tulsa, OK 74137-4290

Re: Water Quality Certification for General Permit 12 for Utility Line Activities within  
Critical Resource Waters in Oklahoma (GP12), SWT-2024-00012

Dear Mr. Commer:

The Department of Environmental Quality (DEQ) has received your request for a Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C. §1341) for the proposed reissuance of the General Permit 12 (GP 12) for utility line activities within Critical Resource Waters (CRW). This general permit is issued pursuant to Section 404 of the Act. DEQ rules governing 401 Water Quality Certification are contained in Oklahoma Administrative Code (O.A.C.) § 252:611-3 pursuant to 27A O.S. § 2-6-103(C)(2). DEQ rules and regulations related to the 401 procedures are available at [611.pdf \(ok.gov\)](#) or through contacting the DEQ Office of Business and Regulatory Affairs (800) 869-1400.

Work authorized by GP 12 is limited to activities required for the construction, maintenance, repair, and protection of utility lines and associated facilities in CRW, including adjacent wetlands. CRW include Outstanding Resource Waters (ORW) and their watersheds and High Quality Waters (HQW) as identified and designated in Oklahoma Water Quality Standards (OWQS), OAC 252: Chapter 730, Appendix A.

This conditioned Water Quality Certification does not supersede the requirements of a Section 404 permit from the U.S. Army Corps of Engineers, a permit required by the local floodplain board, or any other permit required for this project.

This Water Quality Certification supersedes all previous Water Quality Certifications for the General Permit 12 in Critical Resource Waters in the state of Oklahoma. The Oklahoma Department of Environmental Quality grants Clean Water Act Section 401 Water Quality Certification for the General Permit 12 for activities in Critical Resource Waters, SWT-2024-00012, subject to the following condition:

1. All spills of fuel or other pollutants in excess of five gallons shall be reported to the DEQ, within twenty-four (24) hours, to the pollution prevention hotline at 1-800-522-0206.
2. All fueling and servicing of vehicles and equipment shall be done above the Ordinary High Water Mark (OHWM).
3. Appropriate procedures shall be utilized during the construction of any project to prevent the release of construction debris, fuels and lubricants, or other deleterious materials into aquatic resources.
4. Any material and fuels used in the project shall be stored and/or stockpiled above the Ordinary High Water Mark (OHWM) and shall be removed from a likely flood zone prior to any predicted flood.

5. Environmental control practices, including but not limited to, effective erosion control measures and sediment control measures, shall be utilized during construction.
6. All excess fill material, waste materials, construction debris, etc., must be removed from a construction site upon completion of the project to avoid the introduction of pollutants into aquatic resources.
7. All construction shall be done in a manner that will not increase turbidity or cause downstream deposition of bank material from the construction sites during or after construction.

If you have any questions regarding this Certification, please contact Elena Jigoulina at 405-702-8200.

Sincerely,



Joe Long, Environmental Programs Manager  
Watershed Planning Section  
Water Quality Division

cc: Michael Ware, Regulatory Branch, U.S. Corps of Engineers, Tulsa  
Kenneth Cunningham, Fisheries Chief, Oklahoma Department of Wildlife  
Conservation  
Brooks Trammell, Monitoring, Assessment and Wetlands Programs, Oklahoma Conservation  
Commission  
Daniel Landeros, EPA Region 6 (6WQ-EM)  
Jennifer Lewis, Assistant Attorney General, Oklahoma Office of the Attorney General