

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

IN THE MATTER OF AN EMERGENCY)
RULEMAKING OF THE)
OKLAHOMA CORPORATION)
COMMISSION AMENDING)
OAC 165:5, RULES OF PRACTICE)

CAUSE RM NO. 201600007

EMERGENCY RULES ADOPTED AT EN BANC HEARING
September 1, 2016

FILED
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OF OKLAHOMA

CHAPTER 5. RULES OF PRACTICE

SUBCHAPTER 21. PROCEDURE FOR THE PETROLEUM STORAGE TANK DOCKET

165:5-21-3.1. Applications to Close a Storage Tank in Place.

(1) Administrative review. For an application for a variance to close a storage tank in place, the Petroleum Storage Tank Division shall review the application administratively without the necessity of a hearing and it shall report its findings to the Commissioners to determine whether the variance and/or other relief, if any, should be granted.

(2) Remedies after denial or modification. If the Petroleum Storage Tank Division denies the relief requested by the application, or the Petroleum Storage Tank Division cannot agree to a modification, the applicant may withdraw its application or file a notice of hearing before an Administrative Law Judge and present their application for a recommendation on the merits of the variance sought. If the application for the variance is denied by the Administrative Law Judge, the Applicant may file exceptions as more fully defined under OAC 165:5-13-5.