

Oil Spill Response Jurisdiction in Oklahoma

The test is the **source** of the spill — not the substance that spilled

What activity or facility did the spill come from?

Oilfield / oil-and-gas production & transport · vs. · everything else

OCC — Corporation Commission

OIL & GAS EXTRACTION / MIDSTREAM ("UPSTREAM")

- Well sites, leases, field & geophysical operations
- Saltwater, brine & waste-oil handling / disposal; reclaiming facilities
- Crude / petroleum **tank farms outside refinery boundaries**
- **Gathering & transportation pipelines** (oil, gas, petroleum, anhydrous ammonia, brine)
- Class II injection wells; subsurface oil/gas/LPG storage
- Non-refinery petroleum storage tanks (gas stations, bulk fuel — UST/AST)
- Remediation, closure & abandonment of the above

DEQ — Dept. of Environmental Quality

DOWNSTREAM / EVERYTHING ELSE — DEQ IS THE DEFAULT AGENCY

- **Refineries, petrochemical plants, NGL extraction plants**
- Manufacturing of oil-and-gas equipment & products
- Bulk terminals / storage tanks not assigned to OCC
- **Rail & rolling stock** releases
- Title V (Clean Air Act) emissions; CERCLA / Superfund response
- Any pollution source not assigned to another state environmental agency

Defining Factors & Tie-Breakers

Origin / association test (primary). From an oil-and-gas extraction facility or activity? → OCC. Refinery / downstream / non-oilfield? → DEQ.

Transport mode. Oil/gas/petroleum/brine pipelines → OCC; rail → DEQ; CO₂ pipelines → OCC expressly excluded (DEQ).

Upstream–downstream boundary. Line drawn at the fence of refineries, petrochemical & NGL plants — inside & downstream = DEQ; producing field & feed system = OCC.

Storage-tank type. Motor-fuel/petroleum UST & AST (stations, bulk) → OCC; tanks at refineries or feeding a point-source discharge → DEQ.

Commingling rule: When an OCC-regulated deleterious substance flows into a **point-source or stormwater discharge from a DEQ-regulated facility**, DEQ takes sole jurisdiction over the commingled discharge.

Federal overlay (Clean Water Act): For an oil-and-gas extraction discharge to waters of the U.S., NPDES permitting routes to **EPA directly**, not OCC or DEQ.

Statutory basis: 27A O.S. § 1-3-101(B),(E) · 17 O.S. § 52 · 52 O.S. §§ 139, 142. Reflects 2025 amendments (Laws 2025, c. 247), eff. Nov. 1, 2025. Oklahoma DEQ reference aid — prepared July 21, 2026. Verify reporting thresholds and contacts against OAC 165 (OCC) and OAC 252 (DEQ).