

OKLAHOMA ATTORNEY GENERAL SELECTED ADMINISTRATIVE, CIVIL AND CRIMINAL ENVIRONMENTAL ENFORCEMENT AUTHORITY

OKLAHOMA STATUTE	AGENCY/SUBJECT MATTER	AUTHORITY
Okla. Stat. tit. 74, § 18b(1)	General Authority - Civil or criminal case	The duties of the Attorney General as the chief law officer of the state shall be: (1) To appear for the state and prosecute and defend all actions and proceedings, civil or criminal , in the Supreme Court and Court of Criminal Appeals in which the state is interested as a party.
Okla. Stat. tit. 74, § 18b(2)	General Authority - All actions in federal courts	The duties of the Attorney General as the chief law officer of the state shall be: (2) To appear for the state and prosecute and defend all actions and proceedings in any of the federal courts in which the state is interested as a party.
Okla. Stat. tit. 74, § 18b(3)	General Authority - Appear in any action administrative, civil or criminal	The duties of the Attorney General as the chief law officer of the state shall be: (3) To initiate or appear in any action in which the interests of the state or the people of the state are at issue , or to appear at the request of the Governor, the Legislature, or either branch thereof, and prosecute and defend in any court or before any commission, board or officers any cause or proceeding, civil or criminal, in which the state may be a party or interested ; and when so appearing in any such cause or proceeding, the Attorney General may, if the Attorney General deems it advisable and to the best interest of the state, take and assume control of the prosecution or defense of the state's interest therein.
Okla. Stat. tit. 27A, § 4-1-106(A)&(B)	Emergency Response Act	A. The Attorney General or the district attorney of the county where the release occurs may bring an action in a court of competent jurisdiction for the prosecution of a violation of the Oklahoma Emergency Response Act by the responsible party. B. 1. Any action for injunctive relief to redress or restrain a violation of the Oklahoma Emergency Response Act by such responsible party may be brought by the district attorney of the county where the release occurred, as applicable, the contact agency, or the Attorney General or the Department of Environmental Quality on behalf of the State of Oklahoma. 2. It shall be the duty of the Attorney General or district attorney, if so requested, to bring such actions.
Okla. Stat. tit. 27A, § 2-3-504(A)-(F)	Environmental Quality Code - Violations of statute, rule, order, permit or license	A. Except as otherwise specifically provided by law, any person who violates any of the provisions of, or who fails to perform any duty imposed by, the Oklahoma Environmental Quality Code or who violates any order, permit or license issued by the Department of Environmental Quality or rule promulgated by the Environmental Quality Board pursuant to this Code [provides administrative, civil and criminal penalties and remedies] . . . E. The Attorney General or the district attorney of the appropriate district court of Oklahoma may bring an action in a court of competent jurisdiction for the prosecution of a violation by any person of a provision of this Code or any rule promulgated thereunder, or order, license or permit issued pursuant thereto. F.1. Any action for injunctive relief to redress or restrain a violation by any person of this Code or of any rule promulgated thereunder, or order, license, or permit issued pursuant thereto or for recovery of any administrative or civil penalty assessed pursuant to this Code may be brought by: a. the district attorney of the appropriate district court of the State of Oklahoma, b. the Attorney General on behalf of the State of Oklahoma , or c. the Department on behalf of the State of Oklahoma. . . . 4. It shall be the duty of the Attorney General and district attorney to bring such actions, if requested by the Executive Director of the Department.
Okla. Stat. tit. 27A, § 1-2-102(B)&(C)	Environmental Quality Code - Discharges to Eutrophic Lakes	B. No person may discharge wastewaters from a point source within or outside of this state which will foreseeably enter a lake in this state which has been identified as eutrophic by the Oklahoma's Water Quality Standards without subjecting such wastewaters to the best available technology as identified in the federal Clean Water Act for nitrogen and phosphorous [provides criminal penalty]. . . The Attorney General is authorized to prosecute violations of this section. Venue and jurisdiction shall be proper in a county which contains all or part of a eutrophic lake which is the subject of a discharge in violation of this section.
Okla. Stat. tit. 27A, § 2-3-502(I)&(J)	Administrative Enforcement of Environmental Quality Code (Oklahoma Department of Environmental Quality)	I. Any party aggrieved by a final order may petition the Department for rehearing, reopening or reconsideration within ten (10) days from the date of the entry of the final order. Any party aggrieved by a final order, including the Attorney General on behalf of the state , may, pursuant to the Administrative Procedures Act, petition for a judicial review thereof. J. If the Attorney General seeks redress on behalf of the state, as provided for in subsection I of this section, the Executive Director is empowered to appoint a special counsel for such proceedings.
Okla. Stat. tit. 27A, § 2-6-206(I)(2)	Oklahoma Pollution Discharge Elimination System Penalties (Oklahoma Department of Environmental Quality)	If any person fails to pay an assessment of an administrative penalty: a. after the order making the assessment has become final, or b. after a court in an action brought under paragraph 1 of this subsection has entered a final judgment in favor of the Department, as the case may be, the Department may commence or may request the Attorney General to bring a civil action in an appropriate district court to recover the amount assessed plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be. In such an action, the validity, amount, and appropriateness of such penalty shall not be subject to review.
Okla. Stat. Ann. tit. 2, § 2A-9(K)	Oklahoma Agriculture Pollution Discharge Elimination System Penalties (Oklahoma Department of Agriculture)	The Attorney General or the district attorney of the appropriate district court of Oklahoma may bring an action in a court of competent jurisdiction for the prosecution of a violation by any person of a provision of this act, any rule, any order of the Director, or any condition or limitation in a permit issued pursuant to this act. 2. Any action for injunctive relief to redress or restrain a violation of any person of a provision of this act, any rule, any order of the Director, or any condition or limitation in a permit issued pursuant to this act or recovery of any administrative or civil penalty assessed may be brought by: a. the district attorney of the appropriate district court of the State of Oklahoma, b. the Attorney General on behalf of the State of Oklahoma , or c. the Department on behalf of the State of Oklahoma. 3. It shall be the duty of the Attorney General and district attorney if requested by the Director to bring such action.

Okla. Stat. Ann. tit. 17, § 312(A)	Oklahoma Storage Tank Regulation Act (Oklahoma Corporation Commission)	Enforcement of any action for an injunction or recovery of any administrative or civil penalty assessed pursuant to the Oklahoma Storage Tank Regulation Act, Section 301 et seq. of this title, or rule promulgated thereto may be brought by: 1. The district attorney of the appropriate district court of the State of Oklahoma; 2. The Attorney General on behalf of the State of Oklahoma in the appropriate district court of the State of Oklahoma; or 3. The Petroleum Storage Tank Division of the Corporation Commission on behalf of the State of Oklahoma before an administrative law judge of the Commission, or as otherwise authorized by law.
Okla. Stat. Ann. tit. 47, § 230.9(G)	Commissioner of Public Safety (Hazardous Materials Transportation Act)	G. An administrative penalty assessed by the Commissioner may be recovered: 1. In an action brought by the Attorney General on behalf of the State of Oklahoma . However, before referral to the Attorney General, the administrative penalty may be compromised by the Commissioner; 2. By the Commissioner in the appropriate district court of the State of Oklahoma; or 3. By the Commissioner in an administrative hearing conducted by the Department of Public Safety.
Okla. Stat. Ann. tit. 21, § 1230.1 et seq.	Oklahoma Environmental Crimes Act	Unlawful Hazardous Waste Transportation, Waste Management, Misrepresentation of Waste, Disposal of Hazardous Waste, Concealment of Hazardous Waste. (Per Okla. Stat. Ann. tit. 74, § 18b).
Okla. Stat. Ann. tit. 52, § 103	Conservation of Oil and Gas (Oklahoma Corporation Commission)	Proceedings as for contempt for disobedience or violation of the provisions of this act or of the orders, rules, regulations and judgments of the Commission made, issued and/or rendered under the provisions of this act, may be commenced by the filing with the Commission by (a) the Attorney General , or (b) the Proration Attorney, or (c) the Proration Umpire, or (d) Assistant Proration Umpire, or (e) by any producer of oil or taker in the state, of a complaint which shall, when filed by any producer of oil or taker, be verified upon information and belief . . .
Okla. Stat. Ann. tit. 52, § 141(B)	Conservation of Oil and Gas (Oklahoma Corporation Commission)	The Attorney General on behalf of the State of Oklahoma , any state environmental agency, as such term is defined in the Oklahoma Environmental Quality Act, and any municipality or other governmental officer, agency, person, firm or corporation are expressly authorized to file applications with the Commission for rules or orders authorized by this act or for the amendment or modification of any such rule or order, or to otherwise appear in any proceeding pending before the Commission in respect thereto.
Okla. Stat. Ann. tit. 52, § 241	Gas (Oklahoma Corporation Commission)	Any person, firm or corporation, or the Attorney General, on behalf of the state may institute proceedings before the Corporation Commission, or apply for a hearing before said Commission, upon any question relating to the enforcement of this act . . .
Okla. Stat. Ann. tit. 52, § 116	Conservation of Oil & Gas (Oklahoma Corporation Commission)	Where the Commission shall make and issue any order, rule, or regulation for the prevention or prohibition of any waste prohibited by this act, or by any order, rule, or regulation of the Commission, authorized by this act , and the same has been or is being violated by any person, firm, trust, association or corporation, the Attorney General of the state, or the Proration Attorney may in the name of the state bring an action in the district court of the county wherein the oil or gas properties have been or are being operated in violation of such order, rule, or regulation of the Commission or wherein any such violation of any order, rule or regulation of the Commission has been or is being committed, for a prohibitory and/or a mandatory injunction, enjoining and prohibiting the offender from further violating the provisions of this act or any such order, rule, or regulation of the Commission and/or commanding and compelling such offender to obey such order, rule, or regulation . . .
Okla. Stat. Ann. tit. 52, § 144	Conservation of Oil and Gas (Conservation Commission) See also 27A, § 2-6-105	The provisions of this act shall not repeal, but are supplemental to any and all other provisions of law having for their purpose the prevention of the pollution of surface or subsurface waters in this state ; provided, however, the provisions of this act and any order issued hereunder shall not be supplemental to Section 287.1 through Section 287.15 of this title, and nothing in this act shall affect the operators' civil or criminal responsibility, or authorize the creation or perpetuation, or a public or private nuisance , and nothing in this act shall prevent the Department of Wildlife Conservation from policing and patrolling the lakes and streams of Oklahoma, and enforcing the provisions of Section 7-401 of Title 29 of the Oklahoma Statutes.
Okla. Stat. Ann. tit. 27A, § 2-6-105(A)	Pollution and Public Nuisance	It shall be unlawful for any person to cause pollution of any waters of the state or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any air, land or waters of the state. Any such action is hereby declared to be a public nuisance . Okla. Stat. Ann. tit. 27A, § 2-1-102 (12): "Pollution" means the presence in the environment of any substance, contaminant or pollutant, or any other alteration of the physical, chemical or biological properties of the environment or the release of any liquid, gaseous or solid substance into the environment in quantities which are or will likely create a nuisance or which render or will likely render the environment harmful or detrimental or injurious to public health, safety or welfare , or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life, or to property;
In addition, state Attorneys General bring actions under federal environmental laws like CERCLA, the CWA, the CAA, and RCRA, and the Oklahoma Attorney General has authority to do this under Okla. Stat. tit. 74, § 18b and the statutes themselves.		