

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE JOINT
RESOLUTION NO. 39

BY: MUEGGE, CAPPS, PIERCE,
GUSTAFSON, LONG (Ed),
FRANKLIN, HERBERT, LONG
(Lewis), and SHURDEN of
the SENATE

and

WIDENER, VAUGHN
(George), MONKS, HOWARD
and MITCHELL of the
HOUSE

A JOINT RESOLUTION RELATING TO LAND APPLICATION OF SEWAGE
SLUDGE; PROHIBITING THE STATE DEPARTMENT OF HEALTH FROM
APPROVING ANY NEW SLUDGE MANAGEMENT PLANS FOR THE LAND
APPLICATION OF WASTEWATER SLUDGE WHICH CONTAINS CERTAIN
AMOUNTS OF HEAVY METALS PRIOR TO COMPLETION OF A STUDY OF
POTENTIAL ADVERSE EFFECTS BY CERTAIN RESEARCH INSTITUTE;
STATING CERTAIN DATE OF COMPLETION AND REQUIRING REPORT TO
GOVERNOR AND LEGISLATURE BY CERTAIN DATE; AND DIRECTING
DISTRIBUTION.

AUTHORS: Add the following House Coauthors: CROCKER, HAMILTON
(Jeff), HOLT, HUDSON, MADDOX (Jim), PELTIER, SEIKEL and
MAXEY

AMENDMENT NO. 1. Strike the title, resolving clause and entire
resolution and insert

"A JOINT RESOLUTION RELATING TO LAND APPLICATION OF SEWAGE
SLUDGE; PROHIBITING THE STATE DEPARTMENT OF HEALTH FROM
APPROVING ANY NEW SLUDGE MANAGEMENT PLANS FOR THE LAND
APPLICATION OF WASTEWATER SLUDGE WHICH CONTAINS CERTAIN
AMOUNTS OF HEAVY METALS PRIOR TO COMPLETION OF CERTAIN
STUDY PROVIDING FOR CERTAIN CONDITIONS; PROVIDING FOR A
COMPREHENSIVE STATEWIDE STUDY; STATING CERTAIN DATE OF
COMPLETION AND REQUIRING REPORT TO GOVERNOR AND
LEGISLATURE BY CERTAIN DATE; AND DIRECTING DISTRIBUTION.

WHEREAS, the proposed land application of wastewater sludge generated from out of state has created a great deal of controversy throughout the State of Oklahoma; and

WHEREAS, wastewater sludge generated out of state is outside the regulatory jurisdiction of the State Health Department and therefore is of unknown variability and quality and could contain potentially hazardous heavy metals and toxic substances in amounts unsafe for such disposal in addition to the possible detrimental effects on both runoff and groundwater which may seriously affect the health of humans, plants and animals; and

WHEREAS, even if the citizens of the State of Oklahoma were willing to put aside their deep concerns for their own health and safety, there are additional questions relating to the economic feasibility of this disposal practice including depressed land values and future saleability, possible deed restrictions and the threat of future liability for farmers who choose to apply wastewater sludge to their land; and

WHEREAS, many citizens of the State of Oklahoma have been greatly alarmed by the potential importation of wastewater sludge and have voiced their strident opposition to the idea of dumping this untested and possibly toxic substance on the land of the State of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE:

SECTION 1. A. The State Department of Health shall not approve any new sludge management plan for the land application of wastewater sludge which contains heavy metal concentrations significantly above concentrations normal to sludges with demonstrated effectiveness on soils of the State of Oklahoma prior to completion of a study of potential adverse effects of the sludge on the various types of soils and crops found at the location of the sludge application site. Such study shall be performed by an

independent research facility familiar with the crops and soils of this state and shall encompass the effects of the sludge on the soils and crops during four growing seasons.

B. For developing a statewide criteria for application of wastewater sludge which contains heavy metal concentrations significantly above concentrations normal to sludge, the Oklahoma State Department of Health shall utilize a comprehensive study of the potential adverse effects of such sludge on the soils of this state completed by a qualified research institute familiar with the crops and soils of this state. Such study shall be completed by September 1, 1996 and a report of the findings shall be delivered to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Commissioner of Health no later than September 1, 1996.

SECTION 2. The Secretary of State shall distribute copies of this resolution to the Commissioner of Health."

Passed the House of Representatives the 26th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate