

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1470

By: Hyman

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7 COMMITTEE SUBSTITUTE

8 An Act relating to agriculture; amending Section 5,
9 Chapter 60, O.S.L. 2004 (2 O.S. Supp. 2006, Section
10 2-18.1), which relates to pollution of air, land, or
11 waters; providing manner of consideration of certain
12 substance; defining term; and providing an effective
13 date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY Section 5, Chapter 60, O.S.L. 2004
16 (2 O.S. Supp. 2006, Section 2-18.1), is amended to read as follows:

17 Section 2-18.1 A. It shall be unlawful and a violation of the
18 Oklahoma Agricultural Code for any person to cause pollution of any
19 air, land or waters of the state by persons which are subject to the
20 jurisdiction of the Oklahoma Department of Agriculture, Food, and
21 Forestry pursuant to the Oklahoma Environmental Quality Act.

22 B. If the State Board of Agriculture finds that any of the air,
23 land, or waters of the state which are subject to the jurisdiction
24 of the Oklahoma Department of Agriculture, Food, and Forestry

1 pursuant to the Oklahoma Environmental Quality Act have been or are
2 being polluted, the Board shall make an order requiring that the
3 pollution cease within a time period determined by the Department,
4 or require a manner of treatment or of disposition of the waste or
5 other polluting material as may in the judgment of the Board be
6 necessary to prevent further pollution. In addition, the Board may
7 assess an administrative penalty pursuant to Section 2-18 of ~~Title 2~~
8 ~~of the Oklahoma Statutes~~ this title. The person to whom the order
9 is directed shall fully comply with the order of the Board and pay
10 any fine and costs assessed.

11 C. In no case shall manure be defined as or considered a
12 hazardous substance or hazardous waste nor shall the beneficial use
13 of manure be considered a use constituting disposal pursuant to the
14 laws of the State of Oklahoma.

15 1. For purposes of this subsection, "manure" shall mean any
16 feces, urine, urea, or other excrement from livestock and shall
17 include, but not be limited to, any associated nonhazardous bedding,
18 compost, raw materials, or other nonhazardous materials commingled
19 with the excrement; any process water associated with the excrement
20 or materials; or any nonhazardous byproducts, constituents, or
21 substances contained in or originating from the excrement,
22 materials, or process water.

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1 2. This section shall not be construed to affect or limit the
2 applicability of any other provision of the Oklahoma Agricultural
3 Code.

4 SECTION 2. This act shall become effective November 1, 2007.

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