STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1969   By: Jett

AS INTRODUCED

An Act relating to biosolids; defining terms;
prohibiting license or permit for land application of
certain substance without certain determination;
requiring Department of Environmental Quality to
enforce sample and data reporting; requiring
cessation of certain actions upon certain findings;
requiring evidentiary documentation; directing rule
promulgation; providing for codification; and
providing an effective date.

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

SECTION 1.   NEW LAW   A new section of law to be codified

in the Oklahoma Statutes as Section 2-6-502 of Title 27A, unless

there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Biosolids" means solids separated from liquids during the

wastewater treatment process which are treated physically and

chemically to produce a semisolid, nutrient-rich product;

2. "Chemical abortion compounds" means N-desmethyl-

mifepristone, 22-OH-mifepristone, N,N-didesmethyl-mifepristone, and

N-desmethyl-hydroxy-mifepristone, the active metabolites of

mifepristone, that may cause harm to human fertility, and to plants and animals;

   3. "Department" means the Department of Environmental Quality;

   4. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means non-polymeric perfluoroalkyl and polyfluoroalkyl substances that contain at least two sequential fully fluorinated carbon atoms, excluding gases and volatile liquids; and

   5. "Sewage sludge" means the residual, semi-solid material that is produced as a by-product of sewage by municipal, commercial, or industrial wastewater treatment plants.

   B. On or after the effective date of this act, the Department of Environmental Quality shall not issue or renew any license or permit authorizing a person or entity to apply or spread biosolids or sewage sludge at any location in this state, unless the Department determines that the concentration of perfluoroalkyl and polyfluoroalkyl substances, and chemical abortion compounds in drinking water sources near the location does not exceed the applicable drinking water standards, pursuant to the Oklahoma Water Resources Board and United States Environmental Protection Agency, for perfluoroalkyl or polyfluoroalkyl substances.

   C. The Department, by written notification, may require a person or entity licensed by the Department to sample biosolids or sewage sludge through an independent accredited laboratory at the wastewater plant or facility prior to land application for

perfluoroalkyl and polyfluoroalkyl substances or chemical abortion compounds and to report the sample data to the Department. The Department shall establish the process by which such sampling shall occur, and the timeframe by which data is to be reported to the Department. The Department will require sampling under this subsection to be performed on an annual basis as well as at any additional time of written notification by the Department as deemed necessary.

D. Any person or entity that is permitted to apply or spread biosolids or sewage sludge at one or more locations in this state shall cease any action pursuant to the permit upon receipt of written documentation from the Department calling for cessation due to the findings reported in subsection C of this section. Written documentation shall include information and factual evidence concluding that, based on testing conducted at or near the location, the Department has determined that the concentration of perfluoroalkyl and polyfluoroalkyl substances or chemical abortion compounds in drinking water sources near the location exceeds the applicable drinking water standard for any of these chemicals.

E. The Department shall promulgate rules to effectuate the provisions of this section.

SECTION 2. This act shall become effective November 1, 2024.

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