

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2141

By: Grellner

AS INTRODUCED

An Act relating to agricultural and environmental protection; creating the Oklahoma PFAS-Safe Biosolids and Farmland Protection Act; providing short title; defining terms; regulating land application of biosolids and septage; requiring testing of per- and polyfluoroalkyl substances (PFAS) prior to land application; establishing PFAS tiers; providing corresponding management requirements of PFAS tiers; providing for enforcement or reporting and penalties; providing for rulemaking; providing for noncodification; 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 not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma PFAS-Safe Biosolids and Farmland Protection Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-42 of Title 2, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1 1. "Agricultural land" means cropland, pasture, rangeland,
2 orchards, or other land used for growing food or feed crops or for
3 grazing or raising livestock;

4 2. "Biosolids" means treated sewage sludge derived from
5 municipal or domestic wastewater treatment plants that meets federal
6 and state criteria for land application to improve soil or fertilize
7 crops;

8 3. "Generator" means any publicly owned treatment works,
9 wastewater treatment facility, septage hauler, or other entity that
10 produces or manages human-derived biosolids or septage for land
11 application;

12 4. "Human manure" means sewage sludge, biosolids, or domestic
13 septage derived from human excreta and other domestic wastewater
14 streams intended for land application;

15 5. "Land application" means the placement or spreading of
16 biosolids, human manure, or septage on or into the soil surface or
17 subsoil of agricultural land for agronomic or soil-conditioning
18 purposes; and

19 6. "PFAS" means per- and polyfluoroalkyl substances, including
20 but not limited to PFOA, PFOS, PFHxS, PFNA, PFHxA, and any
21 additional compounds designated by the Department of Environmental
22 Quality by rule.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 2-43 of Title 2, unless there is
3 created a duplication in numbering, reads as follows:

4 A. No human-derived biosolids or septage shall be land-applied
5 to agricultural land in this state unless the material has been
6 sampled and analyzed for PFAS by a laboratory accredited for PFAS in
7 solids using EPA Method 1633 or a successor method approved by the
8 Department of Environmental Quality.

9 B. Generators intending to land-apply biosolids or septage on
10 agricultural land shall:

11 1. Conduct PFAS testing at a minimum frequency based on annual
12 production volume, as specified by the Department of Environmental
13 Quality by rule, which shall be no less than once per year and no
14 more than once per month; and

15 2. Analyze, at a minimum, for PFOA, PFOS, PFHxS, PFNA, and any
16 other PFAS compounds designated by the Department of Environmental
17 Quality.

18 C. Test results shall be reported to the Department of
19 Environmental Quality and made available to landowners and operators
20 of receiving agricultural land prior to any land application event.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 2-44 of Title 2, unless there is
23 created a duplication in numbering, reads as follows:

1 A. The Department of Environmental Quality shall establish a
2 tiered PFAS concentration framework for biosolids and septage
3 intended for land application, modeled on approaches adopted in
4 other states, including but not limited to "unrestricted",
5 "restricted", "conditional", and "prohibited" categories.

6 B. Until rules and procedures are adopted, the following
7 interim tiers shall apply based on the sum of PFOA and PFOS in
8 biosolids or septage, which shall be measured on a dry weight basis:

9 1. Tier 1: Less than twenty micrograms per kilogram (20 µg/kg)
10 total PFOA plus PFOS. Land application on agricultural land shall
11 be permitted in accordance with existing biosolids regulations, with
12 no additional PFAS-related restrictions beyond routine monitoring;

13 2. Tier 2: Twenty to fifty micrograms per kilogram (20 to 50
14 µg/kg) total PFOA plus PFOS. Land application on agricultural land
15 shall be permitted only at reduced application rates determined by
16 the Department of Environmental Quality, with written notice to the
17 receiving landowner, operator, and local conservation district;

18 3. Tier 3: Greater than fifty to one hundred micrograms per
19 kilogram (50 to 100 µg/kg) total PFOA plus PFOS. Land application
20 on agricultural land shall be subject to strict rate limits,
21 enhanced recordkeeping, and implementation of a source
22 identification and reduction plan for upstream PFAS sources. The
23 Department of Environmental Quality may further restrict or suspend
24 land application under this tier based on local conditions; and

1 4. Tier 4: Greater than one hundred micrograms per kilogram
2 (100 µg/kg) total PFOA plus PFOS. Land application on agricultural
3 land shall be prohibited. Generators shall utilize alternative
4 disposal or treatment methods authorized by the Department of
5 Environmental Quality, and a source identification and reduction
6 plan shall be mandatory.

7 C. The Department of Environmental Quality may adopt more
8 protective tier thresholds, additional PFAS analytes, or total PFAS
9 metrics by rule based on emerging science, EPA guidance, or state
10 risk assessments.

11 SECTION 5. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 2-45 of Title 2, unless there is
13 created a duplication in numbering, reads as follows:

14 A. Before any land application of human-derived biosolids or
15 septage, the generator or applicator shall provide the landowner and
16 farm operator with:

17 1. The most recent PFAS test results, including concentrations
18 of each analyte measured; and

19 2. Written identification of the applicable tier under Section
20 4 of this act and any associated restrictions.

21 B. Land application shall not occur on agricultural land unless
22 the landowner or authorized operator has provided written consent
23 acknowledging receipt of PFAS test results and tier information.
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1 SECTION 6. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 2-46 of Title 2, unless there is
3 created a duplication in numbering, reads as follows:

4 A. The Department of Environmental Quality, in consultation
5 with the Oklahoma Department of Agriculture, Food, and Forestry,
6 shall adopt additional safeguards for land application of biosolids
7 on land used for:

- 8 1. Production of food crops for direct human consumption;
9 2. Production of animal feed, including hay and pasture; and
10 3. Grazing of livestock.

11 B. Such safeguards may include:

- 12 1. Additional PFAS testing of soil, forage, or milk where
13 biosolids have been applied;
14 2. Use restrictions, holding periods, or crop limitations
15 following land application; and
16 3. Prohibitions on land application in sensitive areas such as
17 wellhead protection zones and shallow groundwater regions.

18 SECTION 7. NEW LAW A new section of law to be codified

19 in the Oklahoma Statutes as Section 2-47 of Title 2, unless there is
20 created a duplication in numbering, reads as follows:

21 A. Generators and applicators shall maintain records of PFAS
22 testing, land application locations, dates, rates, and receiving
23 landowner information for a period of at least ten (10) years.
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1 B. The Department of Environmental Quality shall maintain a
2 publicly accessible online database of:

- 3 1. Registered biosolids generators and applicators;
- 4 2. Summary PFAS test results; and
- 5 3. General locations of agricultural land where biosolids have
6 been applied at a mapped or township-range level.

7 SECTION 8. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 2-48 of Title 2, unless there is
9 created a duplication in numbering, reads as follows:

10 The Department of Environmental Quality may issue orders,
11 suspend or revoke permits, and assess civil penalties for violations
12 of this act or rules adopted under it, including land application
13 without required PFAS testing, land application above authorized
14 tiers, or falsification of test results. Each day of noncompliance
15 and each discrete land application event in violation of this act
16 may be treated as a separate violation for purposes of penalties.

17 SECTION 9. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 2-49 of Title 2, unless there is
19 created a duplication in numbering, reads as follows:

20 The Environmental Quality Board is authorized and directed to
21 promulgate rules necessary to implement this act, including but not
22 limited to rules regarding test frequency, additional PFAS analytes,
23 tier thresholds, application rate formulas, and coordination with
24 federal regulations and guidance.

SECTION 10. This act shall become effective November 1, 2026.

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