

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4413

By: Blancett

AS INTRODUCED

An Act relating to air emission standards; defining terms; requiring municipal solid waste incinerators to develop certain plan; listing emissions to sample as part of plan; stating requirements of plan; requiring plan contain certain description; requiring submission of plan within certain time frame; authorizing Department of Environmental Quality to modify plan; requiring implementation of plan within certain time frame; authorizing extension of certain timeline; requiring the submission of certain reports; limiting the amount of certain type of waste which may be incinerated annually; 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 2-5-131 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Continuous automated sampling system" means the total equipment and procedures for automated sample collection, sample recovery, and analysis to determine an air contaminant concentration

1 or emission rate by collecting a single sample or multiple
2 integrated samples of the air contaminant for subsequent onsite or
3 offsite analysis.

4 2. "Continuous emissions monitoring system" means a monitoring
5 system for continuously measuring the emissions of an air
6 contaminant from an incinerator.

7 3. "Dioxin/furan" means tetra- through octa-chlorinated
8 dibenzo-p-dioxins and dibenzofurans.

9 4. "Municipal solid waste incinerator" means any facility
10 operated before, on, or after the effective date of this act for the
11 purpose of combusting municipal solid waste, regardless of whether
12 the facility is later reclassified as another type of waste
13 combustion facility.

14 B. 1. The owner or operator of a municipal solid waste
15 incinerator shall develop a plan to continuously monitor or sample
16 emissions of:

- 17 a. carbon monoxide,
- 18 b. sulfur dioxide,
- 19 c. nitrogen oxides,
- 20 d. opacity,
- 21 e. PCB,
- 22 f. dioxin/furan,
- 23 g. cadmium,
- 24 h. lead,

- i. mercury,
- j. arsenic,
- k. total chromium,
- l. manganese,
- m. nickel,
- n. selenium, and
- o. zinc.

2. Where technologically feasible, the plan shall provide for the use of a continuous emissions monitoring system to monitor the air contaminants described in paragraph 1 of this subsection.

3. If it is not technologically feasible to use a continuous emissions monitoring system to monitor an air contaminant described in paragraph 1 of this subsection, the plan shall provide for the use of a continuous automated sampling system to continuously sample that air contaminant.

C. The plan shall describe how the owner or operator will:

1. Conduct continuous monitoring or sampling required by this section for a period of twelve (12) consecutive months; and

2. Make emissions data available to the Department of Environmental Quality and the public.

D. 1. The owner or operator of a municipal solid waste facility shall submit the plan required by this section to the Department no later than three (3) months after the effective date of this act. Before approving the plan, the Department may make

1 such modifications to the plan as necessary to ensure the quality
2 and accuracy of sampling or monitoring data.

3 2. The owner or operator of a municipal solid waste incinerator
4 shall implement a plan approved by the Department no later than
5 three (3) months after the date of approval.

6 E. Notwithstanding subsection D of this section, the Department
7 may, at the Department's discretion, for good cause shown, extend
8 the three-month deadline for submitting or implementing the plan
9 required by this section.

10 F. No later than November 1, 2027, the Department of
11 Environmental Quality shall submit a report on the progress made in
12 implementing this section, including data received by the
13 Department, and may include recommendations for legislation, to the
14 Oklahoma House of Representatives and the Oklahoma State Senate
15 committees related to the environment.

16 G. No later than three (3) months after the completion of the
17 12-month period required by subsection C of this section, the
18 Department shall submit a report on the results of the continuous
19 monitoring or sampling conducted as indicated in this section, and
20 may include recommendations for legislation, to the Oklahoma House
21 of Representatives, and the Oklahoma State Senate committees related
22 to the environment.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-5-132 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Hospital, medical, or infectious waste" means hospital waste or medical or infectious waste, as those terms are defined in 40 C.F.R., Section 60.51c, as in effect on the effective date of this act.

2. "Municipal solid waste incinerator" means any facility operated before, on, or after the effective date of this act for the purpose of combusting municipal solid waste, regardless of whether the facility is later reclassified as another type of waste combustion facility.

B. A municipal solid waste incinerator may not combust more than eighteen thousand (18,000) tons of hospital, medical, or infectious waste during a single calendar year.

SECTION 3. This act shall become effective November 1, 2026.

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