

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1968

By: Jett

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5  
6 AS INTRODUCED

7 An Act relating to biosolids; defining terms;  
8 requiring certain warning label to be included with  
9 certain production and distribution; requiring  
10 disclosure of use of biosolids; requiring  
11 installation of signage at certain locations;  
12 requiring annual publication of map with certain  
13 information; prohibiting permittance of land  
14 application within certain area; directing rule  
15 promulgation; providing for codification; and  
16 providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 2-6-502 of Title 27A, unless  
20 there is created a duplication in numbering, reads as follows:

21 A. As used in this section:

22 1. "Agricultural crop" means a plant that is grown in  
23 significant quantities to be harvested as food, livestock fodder, or  
24 for another economic purpose. This term includes, but is not  
limited to, grains, hay, haylage, alfalfa, sorghum, silage, cotton,  
sod, oilseeds, vegetables, fruit and nut trees, cannabis, mushrooms,  
landscape nursery stock, and Christmas tree plantation stock;

1           2. "Agritourism activity" means activity as defined pursuant to  
2 Section 5-15 of Title 2 of the Oklahoma Statutes;

3           3. "Appropriate signage" means signage placed in an area that  
4 is visible to the public for one year following the date of land  
5 application as required in 40 C.F.R. Part 503. Signage shall  
6 include information regarding prohibited public access, the  
7 application date, the site manager, and contact information for the  
8 sign manager;

9           4. "Biosolids" means solids separated from liquids during the  
10 wastewater treatment process which are treated physically and  
11 chemically to produce a semisolid, nutrient-rich product;

12           5. "Department" means the Oklahoma Department of Agriculture,  
13 Food, and Forestry;

14           6. "Product" means a product that is derived from biosolids or  
15 sewage sludge including pelleted, bagged, or cake fertilizer, crop  
16 or vegetative fertilizer, soil amendment, topsoil replacement,  
17 compost, and mulch material;

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

21           8. "Vegetative material" means untreated or unprocessed wood  
22 including, but not limited to, trees, tree stumps, tree limbs, bark,  
23 chips, duff, grass, grass clippings, leaves, conifer needles,  
24

1 bushes, shrubs, weeds, clippings from bushes and shrubs, and  
2 agricultural plant residue; and

3 9. "Warning label" means a visible label containing the  
4 following statement and disclosure: "WARNING: this product contains  
5 biosolids composed of human and industrial waste which, according to  
6 the EPA, may be contaminated with PFAS compounds, perfluorooctanoic  
7 acid (PFOA), and perfluorooctanesulfonic acid (PFOS). Scientific  
8 evidence shows that exposure at certain levels to specific PFAS can  
9 adversely impact human health and other living things."

10 B. 1. Any person, business, or entity authorized to produce,  
11 manufacture, sell, or distribute biosolids or sewage sludge in this  
12 state shall provide the required warning label information on any  
13 product generated or derived from biosolids or sewage sludge that is  
14 sold or distributed in this state.

15 2. Full disclosure shall be given to any recipient, consumer,  
16 or purchaser of an agricultural crop or vegetative material that was  
17 produced at a location in this state where biosolids or sewage  
18 sludge have been applied or permitted.

19 C. 1. Any person, business, or entity authorized to distribute  
20 or land apply biosolids or sewage sludge in this state shall provide  
21 and install appropriate signage at permitted application sites.

22 2. Any permitted land application site that is sold or leased  
23 shall include a disclosure stating that the subject property was  
24 used as a biosolids or sewage sludge application site.

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3. The Department shall publish and update annually a map of biosolid and sewage sludge land application property sites. All sites permitted to apply biosolids shall be labeled with the date of each land application. Records shall be kept in perpetuity.

D. The Department of Environmental Quality shall not permit any biosolids or sewage sludge land application to take place within a two-mile radius of a business conducting agritourism activity.

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

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

59-2-3000 RD 1/18/2024 1:49:29 PM