

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 877

By: Jett

AS INTRODUCED

An Act relating to waste management; defining terms; prohibiting certain new licenses or permits from issuance without certain determination; allowing Department of Environmental Quality to require sample and data reporting of certain substances; requiring cessation of certain actions upon written documentation from Department; requiring certain factual evidence in documentation; directing promulgation of rules; 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. "Department" means the Department of Environmental Quality;
2. "Perfluoroalkyl and perfluoroalkyl substances" means any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom; and

1 3. "Septage" means waste, refuse, effluent, sludge, and any
2 other materials from septic tanks, cesspools, or any other similar
3 facilities.

4 B. On or after the effective date of this act, the Department
5 of Environmental Quality shall not issue any new license or permit
6 authorizing a person or entity to apply or spread septage at any
7 location in this state, unless the Department determines that the
8 concentration of perfluoroalkyl or perfluoroalkyl substances in
9 groundwater at the location or in drinking water sources near the
10 location does not exceed the applicable drinking water standards,
11 pursuant to the Oklahoma Water Resources Board and United States
12 Environmental Protection Agency, for perfluoroalkyl or
13 perfluoroalkyl substances.

14 C. The Department, by written notification, may require a
15 person or entity licensed by the Department to discharge wastewater
16 to groundwater or any waters in this state for the purposes of
17 sampling the effluent discharged for perfluoroalkyl or
18 perfluoroalkyl substances and to report the sample data to the
19 Department. The Department shall establish the process by which
20 such sampling shall occur, and the timeframe by which data is to be
21 reported to the Department. The Department may require sampling
22 under this subsection to be on an annual basis or at any time of
23 written notification by the Department as deemed necessary.

1 D. Any person or entity that is licensed to apply or spread
2 septage at one or more locations in this state shall cease any
3 action pursuant to the license upon receipt of written documentation
4 from the Department calling for cessation due to the findings
5 reported in subsection C of this section. Written documentation
6 shall include information and factual evidence concluding that,
7 based on testing conducted at or near the location, the Department
8 has determined that the concentration of perfluoroalkyl or
9 perfluoroalkyl substances in groundwater at the location or in
10 drinking water sources near the location exceeds the applicable
11 drinking water standard for perfluoroalkyl or perfluoroalkyl
12 substances.

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

15 SECTION 2. This act shall become effective November 1, 2023.

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