

ODAFF AEMS Reviewed
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Title 2. Agriculture
Chapter 1 - Agricultural Code
Article 2 - State Board of Agriculture

Section 2-2-18.1. Pollution of air, land, or waters - Order to cease - Administrative penalty 1

Title 2. Agriculture
Chapter 1 – Agriculture Code
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Section 2-18.1 - Pollution of Air, Land or Waters Unlawful - Powers of Board - Orders, Penalties

A. It shall be unlawful and a violation of the Oklahoma Agricultural Code for any person to cause pollution of any air, land or waters of the state by persons which are subject to the jurisdiction of the Oklahoma Department of Agriculture, Food, and Forestry pursuant to the Oklahoma Environmental Quality Act.

B. If the State Board of Agriculture finds that any of the air, land, or waters of the state which are subject to the jurisdiction of the Oklahoma Department of Agriculture, Food, and Forestry pursuant to the Oklahoma Environmental Quality Act have been or are being polluted, the Board shall make an order requiring that the pollution cease within a time period determined by the Department, or require a manner of treatment or of disposition of the waste or other polluting material as may in the judgment of the Board be necessary to prevent further pollution. In addition, the Board may assess an administrative penalty pursuant to Section 2-18 of this title. The person to whom the order is directed shall fully comply with the order of the Board and pay any fine and costs assessed.

C. 1. Manure shall not be defined as or be considered a hazardous substance or hazardous waste as those terms are defined by state law.

2. For purposes of this subsection, "manure" means any feces, urine, urea, or other excrement from livestock and shall also only include:

- a. associated nonhazardous bedding, compost, raw materials, or other nonhazardous materials commingled with the excrement,
- b. nonhazardous process water associated with the excrement or materials, or
- c. nonhazardous byproducts, constituents, or substances contained in or originating from the excrement, materials, or process water.

3. This subsection shall not be construed to affect or limit the applicability of any other provision of the Oklahoma Agricultural Code.