

THE JOURNAL RECORD

Gavel to Gavel: Legislature eyes changes for land application of biosolids and sludges

By: Tyler Self // GableGotwals // May 7, 2025



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In recent years, growing scientific scrutiny and evolving regulatory perspectives have reshaped the understanding of the risks associated with the land application of biosolids and sludges. Concerns over contaminants such as per- and polyfluoroalkyl substances (PFAS), heavy metals, and pathogens have prompted calls for stricter oversight and new safeguards to protect soil and water quality. Now, the Oklahoma Legislature is considering a series of changes that could significantly impact how these materials are managed and applied across the state. With potential shifts in permitting, testing requirements, and disposal alternatives on the table, stakeholders are closely watching how these policy discussions unfold.

Biosolids and sludge are nutrient-rich organic materials resulting from the treatment of domestic sewage in wastewater treatment plants. After processing to reduce pathogens and contaminants, biosolids can be recycled and applied as fertilizer to improve soil health and support agriculture. Sludge, in its untreated or partially treated form, is a byproduct of wastewater treatment that requires further processing before potential land application or disposal. There are several bills focused on the management of these materials:

Senate Bill 620: This measure requires any entity operating in Oklahoma to disclose the use of biosolids when labeling products for sale and distribution. Further, full disclosure must be given to any consumer who purchases an agricultural crop or vegetative material if biosolids were used at the grow site. *As of February 4, 2025, this measure is currently pending before the Senate Energy Committee (“SEC”), awaiting further consideration.*

Senate Bill 3: This measure establishes a moratorium on the land application of sludge and biosolid materials in Oklahoma until July 1, 2028, and directs the DEQ to revoke all active land application permits. *As of April 1, 2025, this measure has been engrossed to the House and is pending before the House Agricultural Committee (“HAC”), awaiting further consideration.*

Senate Bill 268: This measure prohibits the use and sale of any sludge containing land application materials in the state. It further directs the DEQ to conduct a study and develop a long-term plan to prohibit the land application of septage. *As of February 4, 2025, this measure is currently pending before the SEC, awaiting further consideration.*

House Bill 1726: This measure has nearly identical language to that of **Senate Bill 268**. *As of February 4, 2025, this measure is currently pending before the HAC, awaiting further consideration.*

Senate Bill 271: This measure creates the “Oklahoma [PFAS] Act to promulgate rules related to the receipt, storage, treatment, and disposal of PFAS. It further establishes that certain passive receivers of PFAS shall not be held civilly liable to the state for costs associated with releases to the environment. This includes the owner of a site where biosolids are applied or the owner of a solid waste management facility that routinely receives municipal solid waste. *As of February 4, 2025, this measure is currently pending before the SEC, awaiting further consideration.*

As the legislative session begins to wind down, it is important to note that *Sine Die Adjournment* occurs at the end of May 30, 2025.

Tyler Self is an associate at [GableGotwals](#), where his practice focuses on environmental and natural resources law.

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