

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY  
CHAPTER 17. WATER QUALITY**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 5. Registered Poultry Feeding Operations

35:17-5-1 [AMENDED]

35:17-5-3 [AMENDED]

35:17-5-3.1 [AMENDED]

35:17-5-3.2 [AMENDED]

35:17-5-4 [AMENDED]

35:17-5-5 [AMENDED]

35:17-5-7 [AMENDED]

Subchapter 9. Agricultural Compost Facilities

35:17-9-2 [AMENDED]

35:17-9-3 [AMENDED]

35:17-9-4 [AMENDED]

35:17-9-6 [AMENDED]

**SUMMARY:**

The proposed rule amendments updates language on registration renewal and adds language on transferring a registered poultry operation; adds an additional waiver that applies to the property line setback and reduces; modifies the distance of setbacks detailed on a called map from one mile to a thousand feet; corrects misspelled words; adds additional language that requires poultry waste to be applied by an Oklahoma certified applicator; adds language for alternative methods for disposal of carcasses; removes certain requirements from record keeping; combine the definition of compost facility and facility; modifies the definition of source material to include thermophilic conditions; adds additional requirements to the application for a compost facility; adds requirements for transferring permits for compost facilities; modify requirements for siting of composting facilities in relation to flood plains, property boundaries, and streams; and adds additional requirements for closures of licensed compost facilities.

**AUTHORITY:**

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2); 2 O.S. §2A-1 et seq., 2 O.S. §10-2 et seq., 2 O.S. §20-1 et seq., and 2 O.S. § 20-40 et seq.

**COMMENT PERIOD:**

Persons may submit written comments to Kiersten Hamill at [kiersten.hamill@ag.ok.gov](mailto:kiersten.hamill@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning December 1, 2023, and ending January 4, 2024.

**PUBLIC HEARING:**

A public hearing will be held at 11:00 a.m., January 4, 2024, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect

costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Hamill at the address listed above during the period beginning December 1, 2023, and ending January 4, 2024.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [www.ag.ok.gov/proposedrules](http://www.ag.ok.gov/proposedrules) or by contacting Kiersten Hamill at the address listed above.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

**CONTACT PERSON:**

Kiersten Hamill, (405) 522-5803, e-mail address: at [kiersten.hamill@ag.ok.gov](mailto:kiersten.hamill@ag.ok.gov).