

**Title 2. Agriculture**  
**Chapter 1 – Agricultural Code**  
**OKLAHOMA POULTRY WASTE APPLICATORS CERTIFICATION ACT**

Section 10-9.16	Short Title.	1
Section 10-9.17	Certificate Requirement.	1
Section 10-9.18	Annual Report of Certified Poultry Waste Applicator.	2
Section 10-9.19	Poultry Waste – Soil and Poultry Waste Tests – Records.	2
Section 10-9.19a	Land Application of Poultry Waste.	3
Section 10-9.20	Administration and Enforcement of Act’s Provisions.	3
Section 10-9.21	Suspension, Cancellation, Denial or Revocation of Certificate – Reasons.	3

**Section 10-9.16. Short Title.**

Sections 10-9.16 through 10-19.21 of this title shall be known and may cited as the "Oklahoma Poultry Waste Applicators Certification Act".

*Laws 1998, SB 1170, c. 232, § 16, emerg. eff. July 1, 1998; Amended by Laws 2015, HB 2208, c. 313, § 13, emerg. eff. July 1, 2015.*

**Section 10-9.17. Certificate Requirement.**

A. It shall be unlawful and a misdemeanor punishable by a fine of not more than Five Thousand Dollars (\$5,000.00) for any person to act, operate, or do business or advertise as a commercial poultry waste applicator or to land-apply poultry waste as a private poultry waste applicator unless such person has obtained a valid applicator’s certificate issued by the Oklahoma Department of Agriculture, Food, and Forestry.

B. Applicator’s certificates shall be issued by the Department to applicants who qualify under the provisions of the Oklahoma Poultry Waste Applicators Certification Act.

C. Certificates shall be issued only upon application therefor to the Department on a form of application prescribed by the Department. The application shall contain information regarding the applicant’s qualifications and proposed operations and such other information as may be specified by the Department.

D. A certificate shall be issued only after satisfactory completion of such certification standards as determined by the Department.

E. 1. The Department shall issue a commercial applicator certificate for a five-year period if a properly completed application is filed with the Department not later than the first day of January of the subsequent five-year period. A registration fee of Seventy-Five Dollars (\$75.00) shall accompany every initial and renewal application for certification.

2. The Department shall issue a private applicator certificate for a five-year period if a properly completed application is filed with the Department not later than the first day of January of the subsequent five-year period. A registration fee of Fifteen Dollars (\$15.00) shall accompany every initial and renewal application for certification. The Fifteen Dollar (\$15.00) registration and renewal fee shall be waived if the private applicator is also registered pursuant to the Oklahoma Registered Poultry Feeding Operations Act.

3. The Department shall issue all certificates for five-year periods beginning January 1, 2025, and expiring on December 31, 2029, followed by successive five-year periods.

4. All such fees shall be deposited in the Agriculture Regulation Revolving Fund to be used for the purpose of implementing the provisions of the Oklahoma Registered Poultry Feeding Operations Act and the Oklahoma Poultry Waste Applicators Certification Act.

F. Any person issued an applicator's certificate shall comply with the education provisions of subsection F of Section 10-9.5 of this title.

*Laws 1998, SB 1170, c. 232, § 17, emerg. eff. July 1, 1998; Amended by Laws 2000, SB 1424, c. 367, § 126, emerg. eff. June 6, 2000; Amended by Laws 2011, SB 92, c. 55, § 2, eff. January 1, 2012; Amended by Laws 2015, HB 2208, c. 313, § 14, emerg. eff. July 1, 2015; Amended by Laws 2024, SB 1442, c. 165, § 1, eff. November 1, 2024.*

### **Section 10-9.18. Annual Report of Certified Poultry Waste Applicator.**

A. Every certified poultry waste applicator shall file by September 1 of each year an annual report with the Oklahoma Department of Agriculture, Food, and Forestry regarding all poultry waste land-applied by such applicator for the period from July 1 of the previous year through June 30 of that year. The report shall contain the following information:

1. The legal description and county where the poultry waste was produced;
2. The legal description and county where the poultry waste was land-applied;
3. Date of each application;
4. Total and per-acre amount of each application;
5. Name, address, and telephone number of the person for whom poultry waste was applied;
6. The most recent soil test results obtained; and
7. Such other information as may be required by the State Board of Agriculture.

B. The Department shall make available forms to be used in making such report.

C. Applicators who seek to obtain a renewal certificate shall submit the report with their application for renewal. No renewal certificate may be issued without submission of this report.

*Laws 1998, SB 1170, c. 232, § 18, emerg. eff. July 1, 1998; Amended by Laws 2015, HB 2088, c. 313, § 15, emerg. eff. July 1, 2015.*

### **Section 10-9.19. Poultry Waste – Soil and Poultry Waste Tests – Records.**

1. Prior to any land application of poultry waste by a certified poultry waste applicator, the applicator shall obtain the most recent soil and poultry waste tests as required by the Oklahoma Poultry Waste Applicators Certification Act.

2. Land application of poultry waste in a non-nutrient-limited watershed and non-nutrient-vulnerable groundwaters shall not be made at any rate which exceeds the Department's promulgated standards for land application of poultry waste.

3. The Oklahoma Department of Agriculture, Food, and Forestry may promulgate rules pursuant to the Administrative Procedures Act which will prohibit the land application of poultry waste in nutrient-limited watersheds and nutrient-vulnerable groundwaters based upon lower soil phosphorous levels than are allowed in this section for non-nutrient-limited watersheds and non-nutrient-vulnerable groundwaters.

*Laws 1998, SB 1170, c. 232, § 19, emerg. eff. July 1, 1998; Amended by Laws 2000, SB 1424, c. 367, § 127, emerg. eff. June 6, 2000; Amended by Laws 2015, HB 2208, c. 313, § 16, emerg. eff. July 1, 2015; Amended by Laws 2022, HB 2983, c. 239, § 2, emerg. eff. May 11, 2022.*

**Section 10-9.19a. Land Application of Poultry Waste.**

Land application of poultry waste, whether performed by a private or commercial poultry waste applicator, shall comply at all times with the provisions set forth in:

1. The Nutrient Management Plan, if application is conducted on land operated by a registered poultry feeding operation; and
2. The Conservation Plan, if application is conducted on land operated by entities not regulated pursuant to the Oklahoma Registered Poultry Feeding Operations Act and is located in a nutrient-limited watershed.

*Laws 2002, HB 2349, c. 65, § 2; Amended by Laws 2015, HB 2208, c. 313, § 17, emerg. eff. July 1, 2015 (superseded document available).*

**Section 10-9.20. Administration and Enforcement of Act's Provisions.**

A. The Oklahoma Department of Agriculture, Food, and Forestry shall administer and enforce the provisions of the Oklahoma Poultry Waste Applicators Certification Act and shall promulgate rules and standards for the application of poultry waste, work performance, the certification of applicators of poultry waste, recertification of applicators, procedures, and best management practices.

B. The State Board of Agriculture shall have the authority to negotiate reciprocal agreements with the federal government or any state, or any department or agency of either for the purpose of fulfilling the intent of the Oklahoma Poultry Waste Applicators Certification Act.

C. The Department may take samples of poultry waste and soil at application sites in order to determine their concentration. The work of each applicator may be inspected at the application site of each applicator to determine whether or not the work is performed according to the provisions of the Oklahoma Poultry Waste Applicators Certification Act.

*Laws 1998, SB 1170, c. 232, § 20, emerg. eff. July 1, 1998; Amended by Laws 2015, HB 2208, c. 313, § 18, emerg. eff. July 1, 2015 (superseded document available).*

**Section 10-9.21. Suspension, Cancellation, Denial or Revocation of Certificate – Reasons.**

A. Any certificate issued pursuant to the Oklahoma Poultry Waste Applicators Certification Act may be suspended, canceled, denied, or revoked by the Oklahoma Department of Agriculture, Food, and Forestry after notice and an opportunity to be heard has been given to the holder of the certificate.

B. Suspension, cancellation, denial or revocation of a certificate may be made if the Department finds the holder of the certificate:

1. Has used methods of poultry waste not suitable or safe for the land-application site for which they shall have been employed;
2. Has failed or refused to furnish the Oklahoma Department of Agriculture, Food, and Forestry, upon request, true information regarding methods and safety measures used, work performed, or other information deemed essential by the Department, or has made any false statement or representation in such person's application for issuance or renewal of a certificate;
3. Has violated any state law, rule, or standard prescribed or order issued by the State Board of Agriculture;
4. Has failed or refused to file annual reports as specified in the Oklahoma Poultry Waste Applicators Certification Act;

5. Has failed to perform work according to minimum standards authorized by the Oklahoma Poultry Waste Applicators Certification Act;
6. Has acted, operated, done business, or advertised as a commercial applicator without having obtained a valid certificate issued by the Department;
7. Has acted or operated as a private applicator without having obtained a valid private poultry waste applicator certificate issued by the Department;
8. Has not complied with the education provisions of subsection F of Section 10-9.5 of this title; or
9. Has been convicted in any court of a violation of the Oklahoma Poultry Waste Applicators Certification Act.

*Laws 1998, SB 1170, c. 232, § 21, emerg. eff. July 1, 1998; Amended by Laws 2000, SB 1424, c. 367, § 128, emerg. eff. June 6, 2000; Amended by Laws 2011, SB 92, c. 55, § 3, eff. January 1, 2012; Amended by Laws 2015, HB 2208, c. 313, § 19, emerg. eff. July 1, 2015.*