

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
CHAPTER 18 – CARCASS DISPOSAL

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[Authority: OKLA. CONST. art VI; 2 O.S., §§ 2-4(2), 2-4(7), 2-4(16), 10-9 et seq., and 20-1 et seq.; 21 O.S., § 1223; 27A O.S., §§ 1-1-202(2) 1-3-101(D)] [Source: Codified 9-4-20]

35:18-1-1. Purpose

- (a) These rules are for regulating the disposal of all domestic animal carcasses in Oklahoma pursuant to the provisions of Section 1223 of Title 21 of the Oklahoma Statutes.
- (b) The owner of any domestic animal shall be required to dispose of its carcass within twenty-four (24) hours after notice or knowledge of the animal's death.
- (c) These rules shall supercede any other rules related to carcass disposal in Title 35 of the Oklahoma Administrative Code, except for those related to licensed managed feeding operations pursuant to 35:17-3-17. These rules shall not apply to wildlife, but may be used as guidance in disposal of wildlife animal carcasses.

[Source: Added at 37 Ok Reg 970, eff 9-14-20]

35:18-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Burial" means a process by which an animal carcass is disposed of by placement within an excavation into the soil or upon the soil surface where it is then covered by soil material.

"Composting" means the natural biological degradation of plant and animal matter in a controlled, well-aerated system.

"Domestic animal" means any cattle, bison, horses, sheep, goats, asses, mules, swine, domesticated rabbits, chickens, turkeys, other domesticated fowl, and any animal or bird in captivity.

"Incineration" means the controlled and monitored combustion of animal carcasses for the purposes of volume reduction and pathogen control and the final product is reduced to ashes.

"Landfill" means a solid waste disposal site permitted or approved by the Oklahoma Department of Environmental Quality.

"NRCS" means Natural Resources Conservation Service, an agency in the United States Department of Agriculture.

"Owner" means any person who has possession of a domestic animal by ownership, rent, hire, loan, or otherwise. This definition includes, but is not limited to, an owner or caretaker of an animal and any person who owns or is in control of land on which an animal carcass is found.

"Rendering" means the process or business of recycling animal carcasses and animal by products.

[Source: Added at 37 Ok Reg 970, eff 9-14-20]

35:18-1-3. Unlawful acts

It shall be unlawful for the owner of any domestic animal to leave or deposit, or cause to be left or deposited, the carcass of any domestic animal in any well, spring, pond, or stream of water; or leave or deposit the carcass within one-fourth (1/4) mile of any occupied dwelling or of any public highway, without burying or disposing of the carcass pursuant to the provisions of this Chapter.

[Source: Added at 37 Ok Reg 970, eff 9-14-20]

35:18-1-4. Methods of disposal

A domestic animal carcass may be stored in a freezer until such time as the owner is able to dispose of the carcass in one of the following methods:

(1) Burial shall only be used to dispose of a domestic animal carcass if the soil and site conditions are suitable and if no other reasonable alternative exists.

(A) Specific measures and practices shall be utilized to protect the ground and surface waters of the state. The local NRCS office may be available with initial evaluation or an owner may use the NRCS web soil survey tool to perform a desktop site evaluation, but actual site conditions shall be the determining factor when evaluating a site's suitability for burial of a domestic animal carcass.

(B) Requirements for burial of a domestic animal carcass are as follows:

(i) Burial of a domestic animal carcass requires the construction of a pit or trench.

(ii) A burial pit or trench shall not be located closer than one (1) foot vertically above the flood plain or within two (2) feet of the water table or bedrock.

(iii) A burial pit or trench shall not be located within three hundred (300) feet of a well, waters of the state, neighboring residences, public areas, or property lines.

(iv) A burial pit or trench shall not be located along any stream or ravine where a domestic animal carcass may become exposed through erosion of the soil, or where the land is at any time subject to overflow.

(v) After placing a domestic animal carcass in a pit or trench, the carcass shall be covered with a minimum of two and one-half (2 ½) feet of soil.

(vi) A burial pit or trench shall be mounded so water does not pond on the mounded area.

(vii) A burial pit or trench shall be routinely inspected to add additional soil, if necessary, and to ensure that animals are not scavenging, digging, or dragging away a domestic animal carcass.

(viii) Surface rainwater shall be directed to flow away or around the burial pit or trench.

(2) Composting of a domestic animal carcass may be utilized as a method of carcass disposal if the following requirements are met:

(A) The composting process shall be managed at all times to be practically odorless, prevent fly larvae development, prevent animal depredation and prevent leaching of waste material which may cause water or soil contamination.

(B) A domestic animal carcass shall be reduced to brittle, easily broken bone after composting.

(C) A minimal peak temperature of 130 degrees Fahrenheit shall be achieved during the composting process to produce pathogen free compost.

(3) A domestic animal carcass may be disposed of in a self-contained, closed incinerator. An air quality permit from the Oklahoma Department of Environmental Quality may be required.

(4) A domestic animal carcass may be disposed of in a landfill approved to dispose of animal carcasses by the Oklahoma Department of Environmental Quality.

- (5) A domestic animal carcass may be disposed of by delivering to a rendering facility within twenty-four (24) hours of death, unless the carcass has been refrigerated or frozen.
- (6) A domestic animal carcass, other than poultry, may be disposed of by above ground burial.
- (A) Specific measures and practices shall be utilized to protect the ground and surface waters of the state. The local NRCS office may be available with initial evaluation or an owner may use the NRCS web soil survey tool to perform a desktop site evaluation, but actual site conditions shall be the determining factor when evaluating a site's suitability for above ground burial of a domestic animal carcass.
- (B) Requirements for above ground burial of a domestic animal carcass are as follows:
- (i) Above ground burial of a domestic animal carcass requires the construction of a trench. The trench shall have an approximate depth of 24 inches. There shall be a carbon source placed in the trench at an approximate depth of 12 inches. The domestic animal carcass shall be placed on the carbon layer and covered with a soil cap. A suitable vegetative layer shall be planted or seeded on the soil cap.
 - (ii) The domestic animal carcass layer shall be a maximum of two feet deep.
 - (iii) An above ground burial trench shall not be located closer than one (1) foot vertically above the flood plain or within two (2) feet of the water table or bedrock.
 - (iv) An above ground burial trench shall not be located within three hundred (300) feet of a well, waters of the state, neighboring residences, public areas, or property lines.
 - (v) An above ground burial trench shall not be located along any stream or ravine where a domestic animal carcass may become exposed through erosion of the soil, or where the land is at any time subject to overflow.
 - (vi) After placing a domestic animal carcass in an above ground burial trench, the carcass shall be covered with a minimum of two and one-half (2 ½) feet of soil. If this is not attainable, fencing may be required around the trench area to ensure protection from animals.
 - (vii) An above ground burial trench shall be mounded so water does not pond on the mounded area.
 - (viii) An above ground burial trench shall be routinely inspected to add additional soil, if necessary, and to ensure that animals are not scavenging, digging, or dragging away a domestic animal carcass.
 - (ix) Surface rainwater shall be directed to flow away or around the above ground burial trench.

[Source: Added at 37 Ok Reg 970, eff 9-14-20; Amended at 38 Ok Reg 1654, eff 9-11-21]

35:18-1-5. Variances

Variances from these rules shall only be granted by the Department on a case by case basis. The granting of a variance shall not act as a precedent for any other case, whether similar or not. In each case where a variance is granted, the decision shall be thoroughly documented.

[Source: Added at 37 Ok Reg 970, eff 9-14-20]