

Medical Marijuana Waste Disposal – Frequently Asked Questions

How do I dispose of medical marijuana waste in Oklahoma?

All medical marijuana waste must be disposed of at an Oklahoma Medical Marijuana Authority (OMMA) licensed medical marijuana waste disposal facility. A list of OMMA Licensed Businesses can be found on OMMA's website <https://oklahoma.gov/omma.html>.

Medical marijuana waste includes battery-powered vapes containing medical marijuana, which must also be sent to an OMMA licensed medical marijuana waste disposal facility. The battery within a medical marijuana vape is considered a hazardous waste and shall be managed as approved in their OMMA disposal license, hazardous waste permit issued by DEQ, or in accordance with the universal waste regulations in 40 C.F.R. § 273.10 through 273.20.

What plant parts are excluded from the definition of medical marijuana waste?

According to OMMA Regulations (OAC 442:10), the following marijuana plant parts are excluded from the definition of medical marijuana waste: seeds, root balls, stems, stalks, and fan leaves.

Because these plant parts are excluded from the definition of medical marijuana waste, their disposal falls under the authority of the Oklahoma Department of Environmental Quality.

How do I dispose of plant parts excluded from the definition of medical marijuana waste?

OAC 442:10-5-10 states licensees may dispose of excluded plant parts on site if they are generated at the licensed location. Disposal options include open burning, incineration, burying, mulching, composting or any other technique approved by DEQ.

This OMMA regulation also requires documentation of excluded plant part disposal, including a disposal log. Please visit OMMA's website at <https://oklahoma.gov/omma.html> for more information.

Any medical marijuana waste or excluded plant parts sent off-site for disposal at an OMMA licensed medical marijuana waste disposal facility shall be disposed using the disposal method approved in their OMMA disposal license and any other disposal permits issued by DEQ or another state agency.



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What are DEQ-approved on-site disposal methods for excluded plant parts that are generated at the licensed premises?

- **Open burning:** DEQ's Air Quality Division allows OMMA-permitted commercial licensees and medical marijuana research and education facilities to openly burn excluded plant parts. See OAC 252:100-13-7(8) for requirements on open burning.
- **Incineration:** Incineration may require an Air Quality Division permit. Contact DEQ's Air Quality Division at (405)702-4100 for more information regarding incineration permits.
- **Composting:** If an OMMA licensee will be composting less than 50 tons per year of excluded plant parts that were generated on-site, a DEQ solid waste permit is not required.

A DEQ Solid Waste permit is required to compost greater than 50 tons per year of waste generated on-site or any amount of waste collected from off-site. Contact DEQ's Solid Waste Permitting Section at (405)702-5100 for more information regarding compost permits.

What are DEQ-approved off-site disposal methods for these excluded plant parts?

- placing in the trash/landfilling at a permitted municipal solid waste landfill;
- disposal at a permitted compost facility;
- disposal at a permitted incineration facility; and
- disposal at a facility utilizing a cyclonic burn barrel for destruction where the facility has been determined to be a de minimis facility and therefore not required to have a permit.

Are there additional considerations or requirements for disposal of these excluded plant parts?

- It is the waste generator's responsibility to determine if their waste is a non-hazardous or hazardous waste, as defined in 40 CFR § 261.3, prior to disposal. All hazardous wastes must be disposed at a permitted hazardous waste disposal facility.
- DEQ recommends you contact your intended solid waste disposal facility to ensure they will accept the waste prior to placing the excluded plant parts in your trash bin or prior to taking it to a permitted landfill or compost facility.
- If greater than 10 cubic yards per month will be sent for disposal to a permitted solid waste disposal facility in Oklahoma, a non-hazardous industrial waste (NHIW) Certification Form must be completed and submitted to DEQ. The NHIW Certification Form can be found here: <https://tinyurl.com/yc4e25yb>