

An Act relating to agriculture; amending 2 O.S. 2001, Sections 9-200, 9-201, 9-202, 9-203, 9-204, 9-204.1, 9-205, 9-205.1, 9-205.2, 9-205.3, 9-205.3a, 9-205.4, 9-205.5, 9-206, 9-208, 9-209, 9-209.1, 9-210, 9-210.1, 9-210.2, 9-210.3, 9-211, 9-212.1 and 9-214, which relate to the Oklahoma Licensed Managed Feeding Operations Act; modifying legislative intent; clarifying purpose of act; modifying definitions; clarifying language; changing composition of rule advisory committee; adding duty to obtain certain permit; deleting obsolete language; modifying certain application requirements; clarifying burden of proof for administrative hearing; requiring nutrient management plans; modifying criteria for Best Management Practices; modifying new source requirements; modifying land application rates; modifying requirements for odor abatement plans; deleting certain references relating to confined animal feeding operations; modifying irrigation system requirements; deleting references to confined animal feeding operations; deleting reference to outdoor facilities; deleting certain setback requirements; deleting obsolete language; modifying certain setback requirements; providing for restrictions on operations at certain locations; modifying violation points system; establishing penalties for certain operations; creating the Oklahoma Concentrated Animal Feeding Operations Act; defining concentrated animal feeding operations as point sources; defining terms; providing for rulemaking authority for the State Board of Agriculture; creating rule advisory committee; providing for comments on proposed rules; creating process for designation of certain facilities; requiring application for certain permits; providing for exceptions; providing application requirements; requiring permits for certain discharges; providing for determination of no potential to discharge status; establishing deadlines for application of certain permits; establishing duty to maintain permit; authorizing Board to promulgate certain rules; providing for investigative authority; providing for annual fees for Confined Animal Feeding Operations; providing for restrictions on operations at certain locations; amending Section 2, Chapter 94, O.S.L. 2002 (2 O.S. Supp. 2003, Section 10-9), which relates to acceptance or approval of concentrated animal feeding operations; modifying scope of restrictions; establishing additional requirements for permittees; providing for limits on liability; repealing 2 O.S. 2001, Section 9-212, which relates to penalties; providing for codification; providing for noncodification; providing for recodification; providing an effective date; and declaring an emergency.