

An Act relating to agriculture; creating the Oklahoma Agriculture Pollutant Discharge Elimination System Act; stating purpose; providing for jurisdiction; defining terms; authorizing the promulgation of rules; providing for content of rules; granting authority to Oklahoma Department of Agriculture, Food, and Forestry for certain purposes; providing for certain acts for certain permits; requiring disclosure of certain financial information by certain persons; providing for certain appointments; providing for certain qualifications and restrictions for certain employees; specifying powers and duties of Director and the Department; providing for certain jurisdiction over certain water programs; providing for compliance; establishing certain duties of Director; providing for renewal of certain license or permit; setting penalty for failure to renew; authorizing certain persons to enter certain property to obtain certain information; requiring certain recordkeeping; requiring promulgation of certain rules; providing for certain authority under the Administrative Procedures Act; granting opportunity for hearing to certain interested parties; allowing issuance of certain orders; authorizing the Department to serve notice of certain violation; stating penalty; providing for notice to be served; providing for administrative hearings; providing for assessment of certain penalties; allowing certain civil actions; providing for assessment of certain penalties; establishing jurisdiction of certain action; providing for certain violations of law and fines; providing for certain appeals; providing for filing of certain applications; providing for review of certain applications; creating the Oklahoma Agriculture Environmental Permitting Act; defining terms; providing for submission of certain applications; providing for review of certain applications; authorizing promulgation of certain rules; providing for content of certain rules; authorizing Oklahoma Department of Agriculture, Food, and Forestry to enforce and implement certain laws; granting certain additional powers to Department; requiring certain applicants to provide notice; providing for certain meetings; requiring preparation of certain reports; providing for certain notice; requiring certain formal public meeting; establishing certain public comment periods; granting opportunity for hearing; providing for certain hearing process; providing for default judgments; providing for appeals of certain orders; establishing expedited permitting processes; 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 Concentrated Animal Feeding Operations Act; modifying legislative intent; clarifying purpose of act; modifying definitions; clarifying language; revising composition of rule advisory committee; providing for termination of certain committee; adding duty to obtain certain permits; deleting obsolete language; establishing certain application requirements; establishing duty to obtain certain permit; providing exceptions; modifying certain application requirements; modifying certain deadlines; clarifying language; clarifying burden of proof for administrative hearing; clarifying notice requirements; modifying evidentiary standards; modifying certain burden of proof; establishing certain deadlines; requiring nutrient management plans; requiring certain approvals; clarifying language; modifying criteria for Best Management Practices; modifying new source requirements; modifying land application rates; modifying requirements for odor abatement plans; requiring certain data; deleting certain references relating to confined animal feeding operations; modifying irrigation system requirements; deleting references to confined animal feeding operations; authorizing certain inspections and access to certain facilities;

providing for certain examinations of records; allowing certain employees who obtain warrants to perform certain inspections; clarifying certain jurisdiction; modifying annual fees for concentrated animal feeding operations; modifying surety requirements; clarifying language; providing for certain federal laws; modifying certain hydrologic connections; modifying certain setback requirements; providing for restrictions on operations at certain locations; modifying violation points system; establishing penalties for certain operations; clarifying language; amending Section 2, Chapter 94, O.S.L. 2002 (2 O.S. Supp. 2004, Section 10-9), which relates to acceptance or approval of concentrated animal feeding operations; modifying scope of restrictions; providing for promulgation of emergency rules; 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.