

on the CAFO's permitted capacity; except that, from July 1, 2009, through ~~July 1, 2012~~ JUNE 30, 2015, the division shall assess a CAFO an annual permit fee not to exceed \$1,500 plus \$0.09 per animal unit, based on the CAFO's permitted capacity

(R) Category 24.5 Housed commercial swine feeding operations

Except as otherwise provided in this sub-subparagraph (R), the division shall assess on each housed commercial swine feeding operation an annual permit fee, not to exceed twenty cents per animal, based on the operation's working capacity, to offset the direct and indirect costs of the program created in section 25-8-501.1. From July 1, 2009, through ~~July 1, 2012~~ JUNE 30, 2015, the division shall assess on each housed commercial swine feeding operation an annual permit fee that shall not exceed twenty-six cents per animal, based on the operation's working capacity, to offset the direct and indirect costs of the program created in section 25-8-501.1. As used in this sub-subparagraph (R), "working capacity" means the number of swine the housed commercial swine feeding operation is capable of housing at any one time.

(S) Category 25 Permit Amendments Should a permittee holding a permit issued under any of categories 1 to 24 or 26 to 46 or, through June 30, ~~2012~~ 2015, category 24.5, request an amendment to said permit, the following fees shall apply:

- Subcategory 1 Minor amendment - an amount equal to twenty-five percent of the annual fee for the permit being amended, not to exceed \$ 2,810
- Subcategory 2 Major amendment - an amount equal to fifty-five percent of the annual fee for the permit being amended, not to exceed \$ 5,950

(g) (I) Effective July 1, 2009, through June 30, ~~2012~~ 2015, the division shall assess unpermitted concentrated animal feeding operations an annual administrative fee, not to exceed six cents per animal unit based upon the CAFO's registered capacity, to cover the direct and indirect costs associated with the environmental agriculture program, including inspections, compliance assurance, compliance assistance, and associated regulatory interpretation and review.

(II) This paragraph (g) is repealed, effective July 1, ~~2012~~ 2015.

SECTION 2. Effective date. This act takes effect July 1, 2012.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 16, 2012