

HOUSE BILL NO. 335

INTRODUCED BY G. GUTSCHE

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO NOTIFY THE PUBLIC OF ANY PROPOSED CONCENTRATED ANIMAL FEEDING OPERATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Public notice of proposed concentrated animal feeding operation.**

(1) When the department determines, pursuant to rules adopted under 75-5-401, that a proposed animal feeding operation merits classification as a concentrated animal feeding operation, the department shall notify the public of the proposal, which must include a hearing and public comment period if requested. Public notice of a proposed concentrated animal feeding operation may not describe more than one operation.

(2) As used in this section, "concentrated animal feeding operation" means an animal feeding operation that meets the criteria in appendix B of 40 CFR, part 122, or that is designated as a concentrated animal feeding operation by department rule.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an

integral part of Title 75, chapter 5, and the provisions of Title 75, chapter 5, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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