

**65-1,189. Facility closure plan; demonstration of financial ability.** (a) As a condition of issuance of a permit for a swine facility, the department shall require the applicant to submit a plan, approved by the department, for closure of the facility if the application is for:

- (1) A permit for construction or expansion of a swine facility that has an animal unit capacity of 3,725 or more;
- (2) a permit for expansion of a swine facility to an animal unit capacity of 3,725 or more; or
- (3) renewal of a permit for a swine facility that has an animal unit capacity of 3,725 or more.

(b) The operator of each swine facility that has a capacity of 3,725 animal units or more shall demonstrate annually to the department evidence, satisfactory to the department, that the operator has financial ability to cover the cost of closure of the facility as required by the department.

(c) Each swine facility that is required to submit a facility closure plan shall amend such plan whenever warranted by changes in the facility or in other conditions affecting the facility.

**History:** L. 1998, ch. 143, § 12; May 7.