

65-1,194. Application of certain standards to certain large facilities. A qualified swine facility, as defined by K.S.A. 2002 Supp. 79-32,204, that expands to an animal unit capacity of 3,725 or more shall be subject to the provisions of this act applicable to a swine facility having an animal unit capacity of 1,000 to 3,724 if:

(a) The department determines that the swine waste management system of such facility on the effective date of this act has the capacity to accommodate the expanded capacity;

(b) the expansion is located within the perimeter from which separation distances are determined pursuant to subsection (k) of K.S.A. 65-171d and amendments thereto or the written agreements required by subsection (i)(1) of K.S.A. 65-171d and amendments thereto are obtained; and

(c) the expansion does not exceed the lesser of:

(1) An animal unit capacity that is $\frac{1}{3}$ greater than the capacity of such facility on the effective date of this act;

or

(2) an animal unit capacity of 4,499.

History: L. 1998, ch. 143, § 18; May 7.