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state regulatory process for the construction of livestock waste control facilities on animal feeding operations. The construction approval process begins with a request to the Department of Environmental Quality for an initial inspection of a potential applicant's animal feeding operation. Once the inspection is completed, an application for construction approval can be filed with the department within ten days of the application filing. The department will make a determination whether the animal feeding operation meets the federal concentrated animal feeding operations threshold and, therefore, needs a permit pursuant to the federal system, which I will refer to as the NPDES permit. An NPDES permit will generally be required for larger facilities. If the department determines that a NPDES permit is required, the applicant has two options. Option one: If the applicant wants a simultaneous review of the application for construction approval and the NPDES application, the applicant can request the department to delay the review of the construction approval application until a NPDES application is filed. This option is available only to the applicant who files an individual NPDES permit application. It is not available to the applicant who intends to request NPDES coverage under a general permit. Review of both applications will occur simultaneously, and the process would follow the time lines, notice requirements, and other process requirements of the federal individual NPDES permitting process. Option two: If the applicant wants coverage under a general NPDES permit and a construction approval, an applicant can request a review of the construction approval application. The department must, within five days of receipt of the application, provide notice of the receipt of the construction approval application to the natural resource district and the county that an application has been filed. The department would begin technical review of the application and receive comments from the natural resource district and the county under AM3590, which was introduced by Senator Preister and myself, for up to 20 days. The department, within 60 days of the receipt of the application, must issue a proposed decision on the application, issue a notice by the publication, and allow 30 days for public comment on that decision. Following receipt of public comment, the department will evaluate the comments and make a final decision on the application for construction approval. The decision will be