

(2) (I) BEFORE ISSUING A PERMIT FOR THE LAND APPLICATION OF SLUDGE TO OTHER THAN MARGINAL LAND, THE DEPARTMENT SHALL MAIL A COPY OF THE APPLICATION TO THE COUNTY-HEALTH-OFFICER LOCAL HEALTH OFFICIAL, THE CHAIRMAN OF THE COUNTY LEGISLATIVE BODY, AND THE ELECTED EXECUTIVE, IF ANY, OF THE RESPECTIVE POLITICAL--SUBDIVISION COUNTY AND MUNICIPALITY IN WHICH THE APPLICATION OF SLUDGE WOULD OCCUR.

(II) WITHIN 10 DAYS OF RECEIPT OF THE APPLICATION, THE EXECUTIVE OR LEGISLATIVE BODY OF THE POLITICAL SUBDIVISION COUNTY-AND OR MUNICIPALITY MAY REQUEST A PUBLIC INFORMATION MEETING.

(III) THE DEPARTMENT SHALL CONDUCT A PUBLIC INFORMATION MEETING IN THE AFFECTED SUBDIVISION.

(IV) THE DEPARTMENT MAY CONSOLIDATE PUBLIC INFORMATIONAL MEETINGS WITHIN A COUNTY FOR MORE THAN 1 PERMIT.

(V) THE APPLICANT FOR THE PERMIT SHALL BE NOTIFIED AND BE GIVEN THE OPPORTUNITY TO PRESENT INFORMATION AT THE PUBLIC INFORMATIONAL MEETING.

(C) (1) THERE IS A STATE SEWAGE SLUDGE UTILIZATION FUND.

(2) ALL UTILIZER-PERMIT-FEES GENERATOR LICENSE FEES, PERMIT APPLICATION FEES, AND FUNDS COLLECTED BY THE DEPARTMENT UNDER THIS SECTION, INCLUDING ANY PENALTY OR ANY FINE IMPOSED BY A COURT UNDER THE PROVISIONS OF THIS SECTION, SHALL BE CREDITED TO THE SEWAGE SLUDGE UTILIZATION FUND.

(3) THE SEWAGE SLUDGE UTILIZATION FUND IS LIMITED TO A MAXIMUM OF \$400,000, 25 PERCENT OF WHICH SHALL BE SET ASIDE FOR EMERGENCY REMOVAL OF SEWAGE SLUDGE OR MITIGATION OF ANY ADVERSE ENVIRONMENTAL EFFECT.

(4) WHENEVER THE COMBINATION OF UNALLOCATED FUNDS IN THE SEWAGE SLUDGE UTILIZATION FUND AND THE PROJECTED GENERATOR FEES FOR THE NEXT FISCAL YEAR EXCEED \$400,000, THE GENERATOR FEES FOR THAT FISCAL YEAR SHALL BE ADJUSTED ON A PRO RATA BASIS SO THAT THE COMBINATION OF UNALLOCATED FUNDS AND GENERATOR FEES SHALL NOT EXCEED \$400,000.

(5) THE SEWAGE SLUDGE UTILIZATION FUNDS SHALL BE USED
FOR:

(I) EMERGENCY REMOVAL OF SEWAGE SLUDGE OR MITIGATION OF THE EFFECT OF ANY SEWAGE SLUDGE UTILIZATION THAT THE DEPARTMENT DETERMINES:

1. ENDANGERS THE PUBLIC HEALTH, SAFETY, OR WELFARE; OR
2. ENDANGERS OR DAMAGES NATURAL RESOURCES; AND