

(j) If a person violates any provision of this section, the Department may:

(1) Require repayment of cost share funds under Subtitle 7 of this title for the project that is in violation; or

(2) Deny or restrict future cost share payments under Subtitle 7 of this title.

(k) (1) The Department shall determine compliance with the provisions of this section.

(2) THE DEPARTMENT MAY REVIEW THE NUTRIENT MANAGEMENT PLAN AND RECORDS RELATING TO THE PLAN AT A LOCATION AGREED TO BY THE DEPARTMENT AND THE PERSON OPERATING THE FARM.

(3) IN CONDUCTING A SITE VISIT AND REVIEWING THE NUTRIENT MANAGEMENT PLAN AND RELATED RECORDS, THE DEPARTMENT'S EVALUATION SHALL BE LIMITED SOLELY TO DETERMINING WHETHER THE PERSON OPERATING THE FARM IS IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION AND THE REGULATIONS IMPLEMENTING THIS SECTION.

(4) IN CONDUCTING A SITE VISIT, THE DEPARTMENT SHALL:

(I) PROVIDE THE PERSON OPERATING THE FARM AT LEAST 48 HOURS ADVANCE NOTICE;

(II) ENTER THE PROPERTY AT A REASONABLE TIME THAT ALLOWS THE PERSON OPERATING THE FARM TO BE PRESENT; AND

(III) CONDUCT THE EVALUATION IN A MANNER THAT MINIMIZES ANY INCONVENIENCE TO THE PERSON OPERATING THE FARM.

(5) IF A PERSON OPERATING A FARM FAILS TO COOPERATE WITH THE DEPARTMENT'S REQUEST TO CONDUCT A SITE VISIT AND REVIEW OF A NUTRIENT MANAGEMENT PLAN AND RECORDS RELATING TO THE PLAN, THAT PERSON IS SUBJECT TO SUBSECTIONS (I) AND (J) OF THIS SECTION.

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(a) Except for a government agency, the Department shall charge the following fees under this subtitle:

(1) Certificate (nutrient management consultant).....\$50;

(2) License (individual or sole proprietorship).....\$50;

(3) License (corporation or partnership).....\$100; [and]

(4) Renewal .....[\$50] \$150; AND

(5) CERTIFICATE (FARM OPERATOR'S PLAN DEVELOPMENT) .....\$20.

(b) The Department shall charge an applicant for the full cost of any training provided by the Department under this subtitle.