

SENATE BILL 631

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1998 Regular Session
8lr2482
CF HB 422

By: **Senator Roesser**
Introduced and read first time: February 6, 1998
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 19, 1998

CHAPTER _____

1 AN ACT concerning

2 **Environmental Permits - Renewal - Public Hearing**

3 FOR the purpose of requiring the Maryland Department of the Environment to
4 conduct certain procedures regarding public notice and comment for the renewal
5 of certain permits issued by the Department; requiring the Department to make
6 certain applications for certain permits available for inspection and copying;
7 requiring the Department to publish certain information regarding certain
8 permits; and generally relating to permits issued by the Department of the
9 Environment.

10 BY repealing and reenacting, with amendments,
11 Article - Environment
12 Section 1-603
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Environment**

18 1-603.

19 (a) The Department shall cause to be published ~~notice~~;

20 (1) NOTICE of applications for permits ~~AND~~; AND

1 (2) NOTICE OF APPLICATIONS FOR RENEWAL OF PERMITS WHENEVER,
2 IN THE DEPARTMENT'S DISCRETION:

3 (I) THE RENEWED PERMIT CONTAINS A MATERIAL MODIFICATION;
4 OR

5 (II) THERE IS A SUBSTANTIAL ONGOING VIOLATION OF THE
6 EXISTING PERMIT AT THE TIME THE RENEWAL APPLICATION IS RECEIVED BY THE
7 DEPARTMENT.

8 (b) The Department shall assure that applications for permits AND
9 APPLICATIONS FOR RENEWAL OF PERMITS DESCRIBED IN SUBSECTION (A)(2) OF THIS
10 SECTION shall be available to the public for inspection and copying.

11 (c) (1) Upon written request made within 10 working days after publication
12 of a notice of application, OR A NOTICE OF APPLICATION FOR RENEWAL, or in its own
13 discretion, the Department shall provide an opportunity for an informational meeting
14 with respect to the application FOR A PERMIT, OR THE APPLICATION FOR THE
15 RENEWAL OF A PERMIT.

16 (2) The informational meeting may be canceled if all persons who made
17 timely written requests withdraw the requests prior to the meeting.

18 (3) Unless the notice of application OR THE NOTICE OF APPLICATION
19 FOR RENEWAL contained a notice of the informational meeting, the Department shall
20 publish notice of the informational meeting.

21 (d) (1) The Department may require the applicant to attend an
22 informational meeting or public or contested case hearing and present information
23 concerning the application FOR A PERMIT, OR THE APPLICATION FOR THE RENEWAL
24 OF A PERMIT.

25 (2) If the applicant fails to appear and present information after a
26 request from the Department, the application FOR A PERMIT, OR THE APPLICATION
27 FOR THE RENEWAL OF A PERMIT may be denied.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1998.