

SENATE BILL 91

Unofficial Copy
M3

1999 Regular Session
9lr0738

By: **Senator Della**

Introduced and read first time: January 18, 1999

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Department of the Environment - Location of Meetings and Hearings**

3 FOR the purpose of requiring that certain meetings and hearings relating to certain
4 permits issued by the Department of the Environment be located in a certain
5 location; and generally relating to the location of meetings and hearings held by
6 the Department of the Environment.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 1-601
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1998 Supplement)

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

14 **Article - Environment**

15 1-601.

16 (a) Permits issued by the Department under the following sections shall be
17 issued in accordance with this subtitle:

18 (1) Air quality control permits to construct subject to § 2-404 of this
19 article;

20 (2) Permits to install, materially alter or materially extend landfill
21 systems, incinerators for public use or rubble landfills subject to § 9-209 of this
22 article;

23 (3) Permits to discharge pollutants to waters of the State issued
24 pursuant to § 9-323 of this article;

25 (4) Permits to install, materially alter or materially extend a structure
26 used for storage or distribution of any type of sewage sludge issued, renewed, or
27 amended pursuant to § 9-234.1 or § 9-238 of this article;

1 (5) Permits to own, operate, establish or maintain a controlled
2 hazardous substance facility issued pursuant to § 7-232 of this article;

3 (6) Permits to own, operate, or maintain a hazardous material facility
4 issued pursuant to § 7-103 of this article; and

5 (7) Permits to own, operate, establish or maintain a low-level nuclear
6 waste facility issued pursuant to § 7-233 of this article.

7 (b) Notwithstanding any other provision of law to the contrary, the
8 Department is not required to provide an opportunity for a contested case hearing to
9 any party other than the applicant in connection with any permit issued pursuant to
10 this article except the permits listed in subsection (a) of this section.

11 (c) [When this article requires more than one public informational meeting,
12 public hearing, or contested case hearing, the Department may consolidate some or
13 all of the meetings or hearings for the proposed facility with similar meetings or
14 hearings.] THE DEPARTMENT SHALL HOLD ALL PUBLIC INFORMATIONAL MEETINGS,
15 PUBLIC HEARINGS, AND CONTESTED CASE HEARINGS AT A LOCATION IN THE
16 POLITICAL SUBDIVISION WHERE THE PERMIT APPLIES.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1999.