**Unofficial Copy** M3

2001 Regular Session 11r0324

By: Delegates Morhaim and Cryor

Introduced and read first time: January 29, 2001

Assigned to: Environmental Matters

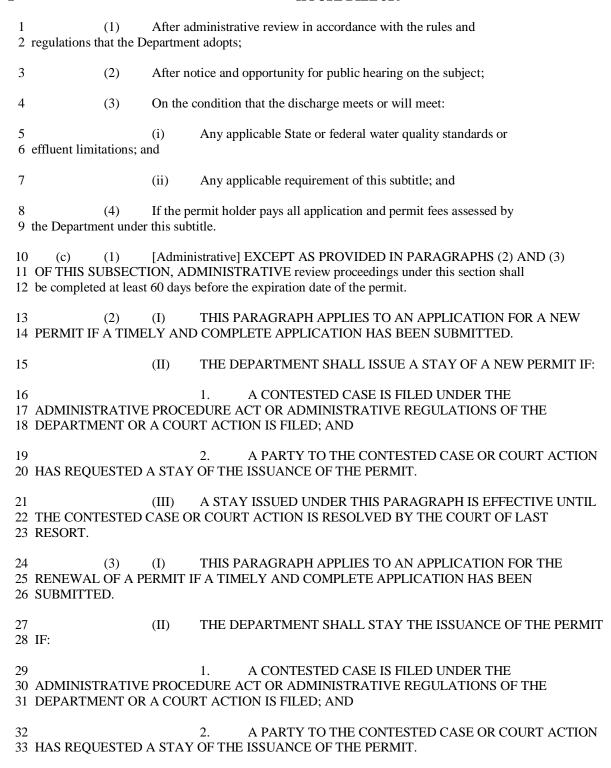
## A BILL ENTITLED

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1	$\Delta \mathbf{M}$	$\Lambda$ CI	CONCOMM

## 2 Water Discharge - Permits - Process

- 3 FOR the purpose of modifying the process for the Department of the Environment to
- issue water discharge permits; modifying the process for the Department to 4
- renew water discharge permits; providing for the conditions under which a stav 5
- will be issued for a new permit; providing for the conditions under which a stay 6
- of a permit will be issued during an application to renew a permit; providing for 7
- 8 the duration of a stay of certain permits; providing for the duration of certain
- 9 permits that are not renewed within a certain period of time; requiring the
- Department to revoke a certain permit under certain conditions; providing for 10
- the scope of certain provisions; and generally relating to the process of issuing 11
- certain water discharge permits. 12
- 13 BY repealing and reenacting, with amendments,
- Article Environment 14
- 15 Section 9-328
- 16 Annotated Code of Maryland
- 17 (1996 Replacement Volume and 2000 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 19 MARYLAND, That the Laws of Maryland read as follows:
- **Article Environment** 20
- 21 9-328.
- 22 Unless it is renewed for another term, a discharge permit expires on (1)
- 23 the expiration date the Department sets at issuance or renewal.
- The Department may not issue a discharge permit for a term longer 24 (2)
- 25 than 5 years.
- Before a discharge permit expires, the Department may renew the 26 (b)
- 27 discharge permit for another term:

## **HOUSE BILL 320**



## **HOUSE BILL 320**

- 1 (III) A STAY ISSUED UNDER THIS PARAGRAPH IS EFFECTIVE UNTIL
- 2 THE CONTESTED CASE OR COURT ACTION IS RESOLVED BY THE COURT OF LAST
- 3 RESORT.
- 4 (IV) IF A CONTESTED CASE OR COURT CHALLENGE IS NOT
- 5 RESOLVED WITHIN 3 YEARS OF THE DEPARTMENT'S ISSUANCE OF A FINAL
- 6 DETERMINATION ON THE PERMIT RENEWAL APPLICATION, THE DEPARTMENT SHALL
- 7 REVOKE THE PERMIT THAT WAS THE SUBJECT OF THE RENEWAL APPLICATION.
- 8 (4) FOR AN APPLICATION FOR THE RENEWAL OF A PERMIT. IF THE
- 9 DEPARTMENT FAILS TO ISSUE THE RENEWAL WITHIN 3 YEARS OF THE EXPIRATION
- 10 DATE OF THE PERMIT, THE PERMIT SHALL BE REVOKED.
- 11 (5) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE
- 12 DEPARTMENT'S AUTHORITY TO REOPEN AN EXISTING PERMIT IF THE REOPENER
- 13 WOULD RESULT IN MAKING THE PERMIT MORE STRINGENT.
- 14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 15 October 1, 2001.