

sixty (60) days after the time the application for a certificate of public convenience and necessity has been filed with the Public Service Commission, the Secretary of Natural Resources shall cause the Department of Natural Resources and the Department of Water Resources to complete such further studies and investigations concerning, but not limited to, the necessity for dredging and filling at the proposed plant site and the water appropriation or use and shall forward to the Chairman of the Public Service Commission the results of such studies and investigations together with a recommendation that the certificate be ~~denied or granted with or without such considerations~~ GRANTED, DENIED, OR GRANTED WITH SUCH CONDITIONS as may reasonably be deemed necessary. The results and recommendation shall be open to the public and shall further be presented by the Secretary of Natural Resources or his designees at the hearing held by the Public Service Commission as required by Article 78.

At the conclusion of the aforesaid hearing, and based on the evidence there presented, the Secretary of the Department of Natural Resources shall within fifteen (15) days present his final recommendation to the Chairman of the Public Service Commission including, but not limited to, specific conclusions as to private wetlands if such be involved and specific conclusions as to water use or restriction thereof if such be involved.

Article 43

706. Permits for and registration of certain equipment required.

The Department may require by regulation that before any person either builds, erects, alters, replaces, operates, sells, rents, or uses any article, machine, equipment or other contrivance specified by such regulation the use of which may cause emissions into the air, such person shall obtain a permit to do so or be required to register with the Department. The aforesaid provisions of this section shall not apply to machinery and equipment which are normally used in a mobile manner and boilers used exclusively for the operation of steam engines related to farm and domestic use *nor to generating stations constructed by electric companies. The Secretary of Health and Mental Hygiene upon notification from the Public Service Commission of an application for a Certificate of Public Convenience and Necessity shall prepare a recommendation in connection with the registration or permit required by this section. Such recommendation shall be presented at the hearing required under Article 78, Section 54A, of the Annotated Code of Maryland. The decision of the Public Service Commission in connection with the registration or permit shall be binding on the Secretary of Health and Mental Hygiene, subject to judicial review as set forth in the provisions of Article 78, Section 91, subsection (a).*

Article 66C

726. Permit to conduct activity not permitted by rules and regulations—Application; notice and hearing.

Any person proposing to conduct an activity upon any wetland which is not permitted by rules and regulations adopted under the provisions of Section 722 shall file an application for a permit with the Secretary, in such form and with such information as the