

SHALL BE SENT TO THE DEPARTMENT AND IT SHALL REVIEW THE APPLICATION AND MAP TO DETERMINE THE PRESENCE OR ABSENCE OF THE DANGER OF POLLUTION, CONTAMINATION, DIVERSION, OR DEPLETION OF SUBSURFACE AND PERCOLATING WATERS. THE DEPARTMENT MAY TAKE THE TESTIMONY OF ANY OTHER PERSON. IT SHALL DECIDE WHETHER THE GRANTING OF ANY APPLICATION WOULD LIKELY ENDANGER THE PUBLIC SAFETY, HEALTH AND WELFARE, AND IN ACCORDANCE WITH ITS DETERMINATION, GRANT OR DENY THE APPLICATION.

REVISOR'S NOTE: This section presently appears as Article 66C, section 692 of the Code. Nomenclatural changes are made pursuant to Chapter 348, Acts of 1972. The only other changes made are in style.

6-307. SUBTITLE ENFORCEABLE IN PRINCE GEORGE'S COUNTY.

THE PROVISIONS OF THIS SUBTITLE ARE ENFORCEABLE BY PROCEEDINGS IN THE CIRCUIT COURT OF PRINCE GEORGE'S COUNTY TO OBTAIN INJUNCTIVE RELIEF.

REVISOR'S NOTE: This section presently appears as the final sentence of Article 66C, section 691 of the Code. Chapter 791, Acts of 1957 indicates that this subtitle pertains only to Prince George's County, therefore all action should be initiated in that county. See also section 6-302. The reference to "proceeding in lieu of prerogative writ" (please note the spelling error) is proposed for deletion. It is believed that this does not exist in Maryland jurisprudence. This language might have been originally copied from possibly New Jersey, Connecticut, or perhaps Pennsylvania. At common law, prerogative writs were mandamus, procedendo, prohibition, quo warranto, habeas corpus, and certiorari. Quo warranto has been abolished in Maryland—Rule BL 40. Habeas corpus applies to people, not petroleum products. Certiorari does not seem appropriate in this context nor does procedendo, if it still exists. It is believed prohibition applies, Talbolt v. Fidelity & Gas. Co., 74 Md. 537, writ issued by superior et to inferior et, to prevent the latter from exceeding his