

PUBLIC HEARING, THE DEPARTMENT SHALL GRANT, GRANT CONDITIONALLY, OR DENY THE PERMIT. THE PERMIT SHALL BE ISSUED ONLY IF IT IS SHOWN BY THE APPLICANT THAT THE FACILITY:

(1) CONFORMS WITH AND MEETS ALL APPLICABLE AIR, WATER, NOISE, AND SOLID WASTE LAWS OF THE STATE.

(2) CONFORMS WITH THE ADOPTED COUNTY OR LOCAL PLAN.

(3) CONFORMS WITH THE STATE DEVELOPMENT PLAN, IF SUCH PLAN HAS BEEN LAWFULLY APPROVED AND ADOPTED.

(4) WOULD HAVE NO MORE THAN A MINIMAL ADVERSE EFFECT UPON THE NATURAL ENVIRONMENT OF THE AREA, ITS SCENIC OR NATURAL BEAUTY, RARE OR IRREPLACEABLE NATURAL RESOURCES, OR UNIQUE HISTORIC OR ESTHETIC SITES.

(5) WOULD NOT BE SO LOCATED OR CONSTRUCTED AS TO ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY, OR WELFARE.

(6) WOULD NOT BE A POTENTIAL OR IMMEDIATE UNDUE BURDEN ON THE WATER SUPPLY OF THE SITE OR REGION.

(7) WOULD NOT MATERIALLY CONTRIBUTE TO AN EXTANT LEVEL OF UNDUE ENVIRONMENTAL DEGRADATION OR RESOURCE EXHAUSTION.

(8) CONFORMS WITH THE COASTAL ZONE MANAGEMENT PROGRAM DEVELOPED BY THE STATE OF MARYLAND PURSUANT TO § 301 (A) AND (B) OF THE FEDERAL COASTAL ZONE MANAGEMENT ACT OF 1972.

(9) WOULD HAVE NO MORE THAN A MINIMAL ADVERSE EFFECT UPON CRITICAL AREAS IDENTIFIED UNDER CHAPTER 291 OF THE 1974 LAWS OF MARYLAND.

(10) WOULD NOT IMPOSE, DIRECTLY OR INDIRECTLY, A SUBSTANTIAL BURDEN ON STATE, REGIONAL, OR LOCAL PUBLIC FACILITIES BEYOND THEIR RESPECTIVE CAPACITIES.

(11) EVIDENCES FEWER UNDESIRABLE ENVIRONMENTAL, SOCIAL, ECONOMIC, AND CULTURAL CONSEQUENCES IN ITS SPECIFIC OR GENERAL PROPOSED LOCATION THAN OTHER SPECIFIC OR GENERAL LOCATIONS WITHIN OR WITHOUT THE STATE.

IN RENDERING ITS DECISION, THE DEPARTMENT SHALL SET OUT IN WRITING REASONS FOR ITS ACTION.

(B) THE DEPARTMENT MAY ALTER THE TERMS OF A GRANTED