

PRESCRIBED BY THE DEPARTMENT, ON THE SOURCE, DISPOSAL DESTINATION, VOLUME, AND NATURE OF THE DESIGNATED HAZARDOUS SUBSTANCE TRANSPORTED;

(2) SECURE A BOND FOR THE PURPOSE OF INDEMNIFYING THE STATE FOR ABATEMENT OF POLLUTION RESULTING FROM THE IMPROPER TRANSPORTATION OF DESIGNATED HAZARDOUS SUBSTANCES; AND

(3) PAY A YEARLY FEE FOR CERTIFICATION NOT TO EXCEED \$50.00[[: AND]].

[[(4) COMPLY WITH ANY OTHER REASONABLE CONDITIONS IMPOSED BY THE DEPARTMENT.]]

[[(L)]] (M) [[HAZARDOUS SUBSTANCES MAY BE TRANSPORTED ONLY BY A PERSON OR VEHICLE CERTIFIED BY THE DEPARTMENT.]] EVERY PERSON WHO PRODUCES A DESIGNATED HAZARDOUS SUBSTANCE THAT IS TRANSPORTED AWAY FROM THE PLACE OF GENERATION TO A FACILITY, SHALL:

(1) ATTACH A LABEL APPROVED BY THE DEPARTMENT TO ANY DESIGNATED HAZARDOUS SUBSTANCE CONTAINER, EXCEPT AS MAY BE IN CONFLICT WITH OTHER STATE AND FEDERAL LAW; AND

(2) PROVIDE A MANIFEST TO A CERTIFIED DESIGNATED HAZARDOUS SUBSTANCE HAULER FOR ANY VEHICLE HE USES TO TRANSPORT THE SUBSTANCE, THAT DESCRIBES THE VOLUME AND CHEMICAL, PHYSICAL AND BIOLOGICAL CHARACTERISTICS OF THE SUBSTANCE.

[[(M)]] (N) THE DEPARTMENT, PURSUANT TO THE APPLICABLE PROVISIONS OF THE REAL PROPERTY ARTICLE, MAY CONDEMN ANY LAND OR FACILITY USED FOR DISPOSAL OF DESIGNATED HAZARDOUS SUBSTANCES IF IT DETERMINES THAT:

(1) THE CONDEMNATION IS NECESSARY TO PROVIDE FOR PROPER PERPETUAL CARE AND MONITORING OF THE FACILITY; OR

(2) FUTURE DISTURBANCE OF THE LAND POSES A SUBSTANTIAL THREAT TO [[HUMANS, LIVING ORGANISMS, OR THE ENVIRONMENT.]] THE NATURAL RESOURCES OF THE STATE; OR

(3) THE FACILITY POSES A SUBSTANTIAL THREAT TO THE PUBLIC HEALTH AS DETERMINED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE.

(O) NOTHING IN THIS SECTION IS INTENDED TO PREEMPT THE AUTHORITY CONFERRED BY STATUTE UPON THE DEPARTMENTS OF HEALTH AND MENTAL HYGIENE, AGRICULTURE, STATE DEPARTMENT OF LICENSING AND REGULATION, DIVISION OF LABOR AND INDUSTRY OR ANY OTHER STATE DEPARTMENT OR AGENCY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.