

(C) AFTER PUBLIC NOTICE AND OPPORTUNITY FOR PUBLIC HEARING, THE DEPARTMENT MAY ISSUE A PERMIT FOR THE APPROPRIATION OR USE OF GEOTHERMAL RESOURCES IF IT FINDS THAT THE APPLICANT HAS DEMONSTRATED THAT THE USE:

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

(2) CONFORMS WITH ALL APPLICABLE STATE AND LOCAL PLANS.

(3) WOULD HAVE NO MATERIAL ADVERSE EFFECT UPON THE NATURAL ENVIRONMENT OF THE AREA, ITS SCENIC OR NATURAL BEAUTY, RARE OR IRREPLACEABLE RESOURCES, OR UNIQUE HISTORIC SITE.

(4) WOULD NOT BE SO LOCATED, CONSTRUCTED, OR OPERATED AS TO HAVE A MATERIAL ADVERSE EFFECT UPON THE PUBLIC HEALTH, SAFETY, OR WELFARE.

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

(6) WOULD NOT CAUSE AN UNREASONABLE RATE OF RESOURCE EXHAUSTION.

(D) THE PERMIT REQUIRED BY THIS SECTION SHALL BE IN LIEU OF ANY PERMIT REQUIRED BY TITLE 8, SUBTITLES 6 AND 8.

8-8A-06. BONDS.

AFTER RECEIVING NOTIFICATION FROM THE DEPARTMENT THAT AN APPLICATION FOR AN EXPLORATORY OR APPROPRIATION PERMIT HAS BEEN APPROVED, BUT PRIOR TO COMMENCING ANY CONSTRUCTION, THE APPLICANT SHALL FILE A BOND WITH THE DEPARTMENT. THE AMOUNT OF THE BOND SHALL BE DETERMINED BY THE DEPARTMENT. THE BOND SHALL BE CONDITIONED THAT THE APPLICANT WILL FAITHFULLY PERFORM EVERY REQUIREMENT OF THIS SUBTITLE AND RULES AND REGULATIONS ISSUED PURSUANT TO THIS SUBTITLE. THE BOND SHALL BE EXECUTED BY THE APPLICANT AND A CORPORATE SURETY LICENSED TO DO BUSINESS IN THIS STATE. THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE STATE, POLITICAL SUBDIVISIONS, OR MUNICIPALITIES.

8-8A-07. JUDICIAL REVIEW OF ACTION ON APPLICATION.

A REQUEST FOR JUDICIAL REVIEW OF THE SECRETARY'S ACTION ON ANY APPLICATION SHALL BE MADE WITHIN 30 DAYS AFTER THE DECISION HAS BEEN RENDERED. PROCEEDINGS SHALL BE FILED IN THE CIRCUIT COURT OR IN THE BALTIMORE CITY COURT HAVING JURISDICTION IN WHICH THE FACILITY OR ANY PART OF IT IS TO BE SITUATED.

8-8A-08. VIOLATIONS; INJUNCTIONS; PENALTY.

(A) ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE MAY BE ENJOINED BY A COURT OF COMPETENT