

~~THE PROPOSED CONSTRUCTION OF ANY WELL WOULD BE PREJUDICIAL TO HEALTH.~~ ~~—[Also, the provisions of Part II of this subtitle do not limit the powers of the Department of Health and Mental Hygiene or any other State unit having jurisdiction of and supervision over the public and potable water supplies of the State.—]~~ The rules and regulations adopted may recognize a variation in the primary use [of wells, and in the manner of] OR construction OF WELLS, and of the materials penetrated in different localities.

(B) ANY RULE OR REGULATION PROPOSED BY THE DEPARTMENT WITH RESPECT TO THE ~~BUSINESS OF WELL DRILLING~~ CONSTRUCTION OF WELLS SHALL BE SUBMITTED TO THE BOARD FOR COMMENT BEFORE ADOPTION.

8-607.

(d) The [board] BOARD shall administer and enforce [the provisions of] Part III of this subtitle[. It] AND has the powers expressly conferred or reasonably implied from [the provisions of] this title. The [board] BOARD may make and enforce rules and regulations [necessary] to carry out the provisions of Part III of this subtitle. THE BOARD SHALL REVIEW THE RULES AND REGULATIONS SUBMITTED TO IT BY THE DEPARTMENT FOR BOARD COMMENT BEFORE ADOPTION BY THE DEPARTMENT.

Article 43—Health

399.

~~Whenever a system of water supply or sewerage, serving the public, is directly available to any property upon which there exists a spring, well, cesspool, privy, sink drain or private sewage disposal plant, which is or may become prejudicial to health, the [State Board of Health] SECRETARY may order [said] property to be connected with the water supply or sewerage system, and the spring, well, cesspool, privy, sink drain or private sewage disposal plant abandoned and left in such a way that it cannot be [again] used [nor become injurious to health]. The [State Board of Health shall be] SECRETARY IS empowered to prevent the construction of any proposed [well,] cesspool, privy, sink drain or private sewage disposal plant [whenever or wherever it may deem] WHEN HE DETERMINES that the proposed construction would be prejudicial to health. THE SECRETARY SHALL NOTIFY THE DEPARTMENT OF NATURAL RESOURCES, AS PROVIDED IN § 8-602 OF THE NATURAL RESOURCES ARTICLE, IF HE DETERMINES THAT THE PROPOSED CONSTRUCTION OF A WELL MAY BE PREJUDICIAL TO HEALTH. After April 16, 1914, [no privy shall] PRIVIES MAY NOT be built within the State of Maryland, [except] UNLESS it [be] IS [of such construction as will] CONSTRUCTED effectually TO prevent any contact of fecal matter with the soil and [also] access to [such] FECAL matter by flies. The [State Board of Health shall be] SECRETARY IS the judge as to whether [or not] any privy is built in conformity with this rule, and if [it shall find] HE FINDS that the regulation has not been strictly complied with, [it] HE~~