

TESTING, MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS.

(b) No standard, rule, or regulation and no amendment thereto shall be adopted or approved by the Board except after public hearing by the Board after 30 days' prior notice thereof by public advertisement of the date, time, place, and purpose of such hearing in a newspaper or newspapers of general circulation within the area or areas concerned, at which opportunity to be heard by the Board with respect thereto shall be given to the public; and provided, further, that no such standard, rule, or regulation and no amendment thereto shall become effective until 60 days after the adoption thereof in the aforementioned manner.

(c) In the formulation of any rule or regulation for any area or areas within the State, there shall be considered among other things the residential, commercial, or industrial nature of the area affected, zoning, the nature and source of various kinds of air pollution, the problems of various commercial and industrial establishments that may be affected by such rule or regulation, the environmental conditions, population density and topography of any area concerned or which may be concerned with such rule or regulation.

(d) [Issue] THE BOARD MAY ISSUE orders as hereinafter provided.

706.

(A) The Department may require by regulation that before any person either builds, erects, alters, replaces, operates, sells, rents, or uses any SOURCE, article, machine, equipment or other contrivance specified by such regulation the use of which may cause OR CONTROL emissions into the air, such person shall obtain a permit to do so or be required to register with the Department. The aforesaid provisions of this section shall not apply to machinery and equipment which are normally used in a mobile manner and boilers used exclusively for the operation of steam engines related to farm and domestic use, nor to generating stations constructed by electric companies, NOR TO THE ACTUAL CONSTRUCTION OF BUILDINGS, SEPARATE FROM ANY POSSIBLE EMISSION PRODUCING MACHINERY THEY MAY HOUSE, NOR TO PARKING GARAGES OR PARKING LOTS. The Secretary of Health and Mental Hygiene upon notification from the Public Service Commission of an application for a certificate of public convenience and necessity shall prepare a recommendation in connection with the registration or permit required by this section. Such recommendation shall be presented at the hearing required under Article 78, § 54A, of the Annotated Code of Maryland. The decision of the Public Service Commission in connection with the registration or permit shall be binding on the Secretary of Health and Mental Hygiene, subject to judicial review as set forth in the provisions of Article 78, § 91, subsection (a).