

3-711.

(A) THE SERVICE MAY APPLY TO THE BOARD FOR A CERTIFICATE FOR ONE OR MORE SITES INCLUDED IN THE STATEWIDE INVENTORY.

(B) THE BOARD MAY DIRECT THE SERVICE TO PREPARE AND SUBMIT A PROPOSAL FOR ACQUISITION OR UTILIZATION OR BOTH OF ANY INVENTORIED SITE. THE BOARD MAY FURTHER DIRECT THE SERVICE TO PERFORM ANY ACT AUTHORIZED BY SUBTITLE 1 OF TITLE 3 OF THIS ARTICLE TO IMPLEMENT THE PROPOSAL IF A CERTIFICATE IS ISSUED.

(C) WHEN THE SERVICE ACTS WITH RESPECT TO A SITE FOR WHICH A CERTIFICATE HAS BEEN ISSUED, §§ 3-102(C) AND 3-104(U) OF THIS ARTICLE DO NOT APPLY.

(D) (1) IF THE SERVICE OWNS A SITE OR PROPERTY ON A SITE THAT IS NOT, BECAUSE OF ITS OWNERSHIP, SUBJECT TO ORDINARY LOCAL TAXES, AND IF A CERTIFICATE HAS BEEN ISSUED FOR THE SITE, THE SERVICE SHALL MAKE PAYMENTS IN LIEU OF TAXES TO THE SUBDIVISION IN WHICH THE SITE IS LOCATED.

(2) THE COST OF THESE PAYMENTS SHALL BE INCLUDED AS A PART OF PROJECT COSTS IN THE ACCOUNTS OF THE SERVICE AND MAY BE RECOVERED BY THE SERVICE FROM THE USERS OF THE FACILITIES ON THE SITE.

(3) PAYMENT SHALL EQUAL THE AMOUNT OF ORDINARY LOCAL TAXES THAT WOULD BE DUE IF THE PROPERTY WERE SUBJECT TO TAXATION.

(4) IMMEDIATELY UPON ACQUISITION OF AN INTEREST IN ANY SITE OR PROPERTY ON A SITE, THE SERVICE SHALL REQUEST THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION TO CERTIFY TO THE LOCAL TAXING AUTHORITY THE ASSESSMENT ASSOCIATED WITH THE PROPERTY.

3-712.

(A) THE BOARD OF REVIEW OF THE DEPARTMENT OF NATURAL RESOURCES DOES NOT HAVE JURISDICTION OVER ANY PROCEEDING ARISING UNDER THIS SUBTITLE, AND §§ 1-105 AND 1-106 OF THIS ARTICLE ARE NOT APPLICABLE TO THE BOARD.

(B) ANY INTERESTED PARTY, INCLUDING A PROSPECTIVE USER OF A HAZARDOUS WASTE FACILITY SITE WHO GENERATES HAZARDOUS WASTE IN THIS STATE, MAY APPEAL A DECISION OF THE BOARD DIRECTLY TO THE CIRCUIT COURTS OR ~~(IF THE SITE IS LOCATED IN BALTIMORE--CITY)--TO--THE--BALTIMORE--CITY--COURT~~ COURT OF THE JURISDICTION OF THE PROPOSED SITE. THE DECISION OF THE CIRCUIT COURT ~~OR THE BALTIMORE--CITY--COURT~~ MAY BE APPEALED TO THE COURT OF SPECIAL APPEALS OF MARYLAND.

(C) ANY ISSUE IN AN APPEAL FROM A DECISION OF THE BOARD HAS PREFERENCE OVER ALL OTHER CIVIL ACTIONS AND PROCEEDINGS IN BOTH TRIAL AND APPELLATE COURTS.