

(b) Judicial review of departmental order. -- A person aggrieved by an order or permit issued does not have the right to appeal to the board of review OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE [as provided in Title 1 of this article], but may obtain immediate judicial review under the provisions of Article 41, §§ 255 and 256 and the Maryland Rules of Procedure.

(c) Manner of service of notices, orders, etc. -- Except as otherwise provided, any notice, order, or other instrument issued by or under authority of the Department OF HEALTH AND MENTAL HYGIENE may be served personally or by publication on any person affected. Service may be made by mailing a copy of the notice, order, or other instrument by certified or registered mail to the person affected at his last known post-office address as shown by the Department's files or records. Proof of service may be made by the sworn statement or affidavit of the person who mailed the notice, order, or other instrument. The sworn statement or affidavit shall be filed with the Department OF HEALTH AND MENTAL HYGIENE.

(d) Record of hearings; witnesses' fees and mileage; court order requiring appearance, etc., at hearing. -- A verbatim record of the proceedings of hearings may be taken when necessary or advisable by the Department OF HEALTH AND MENTAL HYGIENE. A subpoenaed witness shall receive the same fees and mileage as in any civil action. If a witness refuses to obey a notice of hearing or subpoena issued under this section, any circuit court, upon the application of the Department OF HEALTH AND MENTAL HYGIENE, may issue an order requiring the person to appear, testify, or produce evidence as required. The failure to obey a court order may be punished by the court as contempt.

8-1413. Polluting or contaminating state waters; activities requiring permit from the Department OF HEALTH AND MENTAL HYGIENE; permit requirements; records and reports of pollution discharges.

(b) Permit--Required. -- Notwithstanding subsection (a) of this section, any person intending to construct, install, modify, extend, alter, or operate any industrial commercial or recreational facility or disposal system or any state-owned treatment facility or any other outlet, or establishment, the operation of which would result in or be capable of causing a discharge of pollutants or an increase in the discharge of pollutants into the waters of the State, shall obtain a permit from the [administration] DEPARTMENT OF HEALTH AND MENTAL HYGIENE. The [administration] DEPARTMENT OF HEALTH AND MENTAL HYGIENE may require a discharge permit from any other activity by rule or regulation.

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