

[(9)] (10) That there is due consideration for local land use preference, as expressed in local planning and zoning provisions; and

[(10)] (11) That where after due consideration for the geological stability of a location and any possible effects to a public or private water supply become known, the facility site may not be used.

3-703.

(a) There is a Hazardous-AND-LOW-LEVEL--NUCLEAR Waste Facilities Siting Board.

3-705.

(a) (1) [The] SUBJECT TO THE PROVISIONS OF THIS SUBTITLE, THE Board shall issue certificates of public necessity:

(I) [for] FOR the siting of hazardous waste facilities; AND

(II) FOR THE SITING OF LOW-LEVEL NUCLEAR WASTE FACILITIES [pursuant to the provisions of this subtitle].

(2) A certificate under this subtitle is not required if a site and facility are otherwise authorized by law.

(3) A certificate is not required for a facility used for receipt, transfer, recovery, or disposal of nonhazardous OR NONRADIOACTIVE residential, commercial, or industrial waste.

(b) In deciding whether to issue a certificate, the Board shall consider but not be limited to the following:

(1) Environmental, social, technical, and economic factors as they apply to a particular proposed site; and

(2) The need for and problems associated with the comprehensive statewide disposal of hazardous AND LOW-LEVEL NUCLEAR waste.

(c) The design, construction, and operation of a facility on a site for which a certificate has been issued, and the associated transportation of hazardous OR LOW-LEVEL NUCLEAR waste to and from the facility, shall be subject to all environmental, health, and safety restrictions that may be imposed by State regulatory agencies under applicable law and regulation.

(d) The issuance of a certificate of public necessity for a site exempts the site, the design, construction, and