

designated hazardous substances only in a disposal structure, system, or geographic area utilized for disposal on or before January 1, 1978.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SECTION, A PERSON MAY NOT DISPOSE OF LOW-LEVEL NUCLEAR WASTE IN THIS STATE.

(3) A PERSON MAY DISPOSE OF LOW-LEVEL NUCLEAR WASTE IN THIS STATE ONLY IN ACCORDANCE WITH:

(I) THE PROVISIONS OF § 8-1413.4 OF THIS SUBTITLE; AND

(II) THE PROVISIONS OF THIS SECTION.

(h) After six months from the date the Department of Health and Mental Hygiene adopts a regulation designating hazardous substances, any person who utilizes or disposes of designated hazardous substances OR LOW-LEVEL NUCLEAR WASTE, except those utilized for residential purposes or those regulated by the Department of Agriculture, shall notify the Department of Health and Mental Hygiene in writing, on the form provided by the Department, of the following:

(1) IN THE CASE OF DESIGNATED HAZARDOUS SUBSTANCES:

(I) The names and volumes of the designated hazardous substances; and

~~[(2)]~~ (II) The manner of their management or disposal; AND

(2) IN THE CASE OF LOW-LEVEL NUCLEAR WASTE:

(I) THE NAME, QUANTITY, RADIOACTIVITY, AND HALF-LIFE OF THE LOW-LEVEL NUCLEAR WASTE; AND

(II) THE MANNER OF THE MANAGEMENT AND DISPOSAL OF THE LOW-LEVEL NUCLEAR WASTE.

(i) After July 1, 1977, a person may not operate or maintain a facility without a permit issued under this section or a permit issued under Article 43 which the Department of Health and Mental Hygiene has determined to be sufficient to carry out the purposes of this section. Such a permit issued under Article 43 shall be considered a permit under this section and subject to the fee and all other provisions of this section.

(j) (1) A person who applies for a permit shall pay an application fee, and a permit fee. The application fee shall be designed to cover costs of the permitting procedure.

The Department of Health and Mental Hygiene shall determine a permit fee on the basis of: