

[(1)] (I) The threat that the designated hazardous substances OR LOW-LEVEL NUCLEAR WASTES may present to the environment;

[(2)] (II) The anticipated costs of monitoring and regulating the disposal facility;

[(3)] (III) The anticipated costs attributable to the removing and properly disposing of all designated hazardous substances OR LOW-LEVEL NUCLEAR WASTES that may escape from the facility; and

[(4)] (IV) Anticipated needs for program development activities relating to designated hazardous substances OR LOW-LEVEL NUCLEAR WASTES.

(2) IN THE CASE OF A FACILITY FOR DESIGNATED HAZARDOUS SUBSTANCES, THE [The] Department of Health and Mental Hygiene may issue a permit for no longer than three years -[and after public notice and opportunity for public hearing]-. The Department may deny the permit application if it finds that a facility cannot handle, store, or dispose of the designated hazardous substances without imposing an undue risk to the environment. On application, the Department may renew a permit if it determines that a permit holder has complied with all appropriate departmental regulations including the payment of fees.

(3) (1) IN THE CASE OF A FACILITY FOR LOW-LEVEL NUCLEAR WASTE, THE DEPARTMENT MAY ISSUE A PERMIT FOR NO LONGER THAN 5 YEARS.

(II) BEFORE ISSUING A PERMIT UNDER THIS PARAGRAPH THE DEPARTMENT SHALL GIVE PUBLIC NOTICE AND OPPORTUNITY FOR HEARING. THE DEPARTMENT SHALL HOLD HEARINGS IN EACH COUNTY IN WHICH A PROPOSED FACILITY WILL BE SITUATED. THE DEPARTMENT MAY HOLD ADDITIONAL HEARINGS ELSEWHERE.

(III) THE DEPARTMENT MAY DENY THE PERMIT APPLICATION IF IT FINDS THAT A FACILITY CANNOT HANDLE, STORE, OR DISPOSE OF THE LOW-LEVEL NUCLEAR WASTE WITHOUT IMPOSING AN UNDUCE RISK TO THE ENVIRONMENT.

(IV) THE DEPARTMENT SHALL ISSUE A DECISION UPON AN APPLICATION FOR A PERMIT UNDER THIS PARAGRAPH WITHIN 120 DAYS OF THE LATTER OF:

1. THE CONCLUSION OF PUBLIC HEARINGS; OR

2. RECEIPT BY THE DEPARTMENT, FROM THE APPLICANT, OF ALL INFORMATION NECESSARY FOR ACTION ON THE APPLICATION.