

(1) The condemnation is necessary to provide for proper perpetual care and monitoring of the facility; or

(2) Future disturbance of the land poses a substantial threat to the natural resources of the State; or

(3) The facility poses a substantial threat to the public health.

(o) Nothing in this section is intended to preempt other authority conferred by statute upon the Departments of Health and Mental Hygiene, Natural Resources, Agriculture, State Department of Licensing and Regulation, Division of Labor and Industry or any other State department or agency.

(p) There is a class of offenses under this section which shall be misdemeanors, each punishable by a fine not exceeding \$25,000, or by confinement in the penitentiary for up to 3 years, or both. Each day on which a violation occurs constitutes a separate offense. Violations of the provisions of this section or any rule, regulation, order, or permit issued pursuant thereto which are not enumerated as offenses under this subsection shall be subject to other penalties established by this subtitle. Persons convicted of the following offenses are punishable under this subsection;

(1) Any person who stores or dumps, discharges, abandons, or otherwise disposes of, or who authorizes, directs, or permits any person to store or dump, discharge, abandon, or otherwise dispose of, a designated hazardous substance OR LOW-LEVEL NUCLEAR WASTE in any place other than a facility for which a permit has been issued by the Department pursuant to this subsection;

(2) Any person who transports for storage or disposal or who authorizes, directs, or permits any person to transport for storage or disposal a designated hazardous substance OR LOW-LEVEL NUCLEAR WASTE to any place other than a facility for which a permit has been issued by the Department pursuant to this section; or

(3) Any person who falsifies, or who authorizes, directs, or permits any person to falsify any information required to be submitted to the Department by the provisions of this subtitle or any rule, regulation, order, or permit issued pursuant thereto.

8-1413.4.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT MAY NOT ISSUE A PERMIT UNDER THIS SUBTITLE FOR THE DISPOSAL OF LOW-LEVEL NUCLEAR WASTE.

(B) IF A PERSON MEETS THE REQUIREMENTS OF SECTIONS 8-1413.2 AND 8-1413.3 OF THIS ARTICLE, THE DEPARTMENT MAY