

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, §§ 697(b) and 700.

In subsection (c)(1) of this section, the new language "at least", which modifies the reference to 30 days, is added to state explicitly that the required act need not occur precisely 30 days before the hearing so long as it occurs no less than 30 days before the hearing.

As to the Administrative Procedure Act, see Article 41, § 244 et seq. of the Code.

2-304. STATE AGENCIES TO CONSULT WITH DEPARTMENT.

EACH STATE AGENCY SHALL CONSULT WITH THE DEPARTMENT BEFORE ADOPTING ANY RULE OR REGULATION THAT RELATES TO AMBIENT AIR QUALITY CONTROL.

REVISOR'S NOTE: This section is new language derived without substantive change from the last clause of the fifth sentence of former Article 43, § 693(a).

SUBTITLE 4. PERMITS AND REGISTRATION.

2-401. PERMITS OR REGISTRATION -- IN GENERAL.

EXCEPT AS PROVIDED IN § 2-402 OF THIS SUBTITLE, THE DEPARTMENT MAY ADOPT RULES OR REGULATIONS THAT REQUIRE A PERMIT OR REGISTRATION BEFORE A PERSON CONSTRUCTS, MODIFIES, OPERATES, OR USES A SOURCE THAT MAY CAUSE OR CONTROL EMISSIONS INTO THE AIR.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Article 43, § 706(a).

2-402. SAME -- EXCEPTIONS.

THE DEPARTMENT MAY NOT REQUIRE A PERMIT OR REGISTRATION FOR:

(1) ANY MACHINERY OR EQUIPMENT THAT NORMALLY IS USED IN A MOBILE MANNER;

(2) ANY BOILER USED EXCLUSIVELY TO OPERATE STEAM ENGINES FOR FARM AND DOMESTIC USE;

(3) ANY GENERATING STATION CONSTRUCTED BY AN ELECTRIC COMPANY;