

(3) REVIEW THE RELATIONSHIP OF STATE NOISE CONTROL RULES AND REGULATIONS WITH OTHER ENVIRONMENTAL LAWS, RULES, REGULATIONS, STANDARDS, AND PROGRAMS;

(4) RECOMMEND NEW OR REVISED NOISE CONTROL RULES, REGULATIONS, OR LEGISLATION; AND

(5) SUBMIT AN ANNUAL REPORT TO THE STATE COUNCIL ON THE ENVIRONMENT AND THE GENERAL ASSEMBLY.

(B) ANNUAL REPORT.

IF THE COUNCIL REQUESTS, THE ANNUAL REPORT OF THE COMMITTEE SHALL INCLUDE A REPORT OF THE COUNCIL.

REVISOR'S NOTE: This section is new language derived without substantive change from the second through fifth sentences of former Article 43, § 827(d).

In subsection (a)(1) and (4) of this section, new language is added to clarify that the Committee's duties to review and make recommendations are directed to noise control.

SUBTITLE 4. RULEMAKING AND ENFORCEMENT.

3-401. ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS -- ADOPTION.

(A) DUTY OF DEPARTMENT.

EXCEPT AS OTHERWISE PROVIDED BY LAW, THE DEPARTMENT SHALL ADOPT ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS AS NECESSARY TO PROTECT THE PUBLIC HEALTH, THE GENERAL WELFARE, AND PROPERTY.

(B) ENVIRONMENTAL NOISE STANDARDS.

IN ADOPTING ENVIRONMENTAL NOISE STANDARDS, THE DEPARTMENT SHALL CONSIDER:

(1) INFORMATION PUBLISHED BY THE ADMINISTRATOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY ON THE LEVELS OF ENVIRONMENTAL NOISE THAT MUST BE ATTAINED AND MAINTAINED IN DEFINED AREAS UNDER VARIOUS CONDITIONS TO PROTECT PUBLIC HEALTH AND WELFARE WITH AN ADEQUATE MARGIN OF SAFETY; AND

(2) SCIENTIFIC INFORMATION ABOUT THE VOLUME, FREQUENCY, DURATION, AND OTHER CHARACTERISTICS OF NOISE THAT MAY HARM PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE, INCLUDING: