

legislative intent behind the former language, but in a simpler, more direct manner.

The references in former Article 43, § 828 to environmental noise standards being adopted by January 1, 1975, and to sound level limits being adopted by January 1, 1976, are deleted as obsolete.

The third sentence of former Article 43, § 824, which stated that the joint regulations of the Departments of Transportation and Health and Mental Hygiene were to be adopted by July 1, 1979, is deleted as obsolete.

The balance of former Article 43, § 823(e) now appears in § 3-101 of this title.

The balance of the first sentence of former Article 43, § 824 now appears in § 3-103 of this title.

3-402. SAME -- PROCEDURES FOR ADOPTION.

(A) COMPLIANCE WITH ADMINISTRATIVE PROCEDURE ACT.

THE DEPARTMENT MAY NOT ADOPT ANY ENVIRONMENTAL NOISE STANDARD, SOUND LEVEL LIMIT, OR NOISE CONTROL RULE OR REGULATION UNLESS THE REQUIREMENTS OF THIS SECTION AND THE ADMINISTRATIVE PROCEDURE ACT ARE MET.

(B) PUBLIC HEARING.

BEFORE ADOPTING ANY PROPOSED ENVIRONMENTAL NOISE STANDARD, SOUND LEVEL LIMIT, OR NOISE CONTROL RULE OR REGULATION, THE DEPARTMENT SHALL ANNOUNCE AND HOLD A PUBLIC HEARING ON THE SUBJECT.

(C) NOTICE.

(1) AT LEAST 60 DAYS BEFORE THE PUBLIC HEARING, THE DEPARTMENT SHALL PUBLISH NOTICE OF THE HEARING IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE AREA CONCERNED.

(2) THE NOTICE SHALL STATE:

(I) THE DATE, TIME, AND PLACE OF THE HEARING; AND

(II) THE PURPOSE OF THE HEARING.

(D) PUBLIC INSPECTION.

AT LEAST 60 DAYS BEFORE THE PUBLIC HEARING, THE DEPARTMENT SHALL MAKE THE PROPOSED ENVIRONMENTAL NOISE