

(1) AT LEAST ONCE EACH MONTH, THE DEPARTMENT SHALL INSPECT EACH CONTROLLED HAZARDOUS SUBSTANCE FACILITY.

(2) AT LEAST ONCE EACH WEEK, THE DEPARTMENT SHALL INSPECT ANY OPERATING LANDFILL THAT IS A CONTROLLED HAZARDOUS SUBSTANCE FACILITY UNDER THIS SUBTITLE.

(B) RECORD.

(1) THE DEPARTMENT SHALL KEEP RECORDS OF THE DATE AND FINDINGS OF EACH INSPECTION UNDER THIS SECTION AND THESE RECORDS ARE PUBLIC RECORDS.

(2) THE DEPARTMENT PERIODICALLY SHALL PUBLISH AND MAKE AVAILABLE TO THE PUBLIC A LIST OF THE DATES EACH CONTROLLED HAZARDOUS SUBSTANCE FACILITY IS INSPECTED UNDER THIS SECTION.

(C) DELEGATION OF INSPECTION AUTHORITY.

THE SECRETARY MAY DELEGATE TO THE HEALTH OFFICER OF ANY COUNTY WHERE A CONTROLLED HAZARDOUS SUBSTANCE FACILITY IS LOCATED THE AUTHORITY TO MAKE INSPECTIONS UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from NR § 8-1413(a), (b), and (c)(1).

In subsection (b)(2) of this section, the former reference to public records being "open for inspection under ... Article 76A" is deleted as unnecessary since the Public Information Act applies in any event.

7-246. INSPECTIONS BY HEALTH OFFICERS.

(A) POWER TO INSPECT.

THE HEALTH OFFICER FOR ANY COUNTY MAY INSPECT AND INVESTIGATE A CONTROLLED HAZARDOUS SUBSTANCE FACILITY.

(B) DUTY TO INSPECT.

IF THE HEALTH OFFICER FOR A COUNTY RECEIVES A COMPLAINT OF AN ALLEGED VIOLATION OF THIS SUBTITLE AT A CONTROLLED HAZARDOUS SUBSTANCE FACILITY, THE HEALTH OFFICER SHALL INSPECT THE CONTROLLED HAZARDOUS SUBSTANCE FACILITY IMMEDIATELY.

(C) PROCEDURES.

(1) BEFORE MAKING AN INSPECTION UNDER SUBSECTION (B) OF THIS SECTION, THE HEALTH OFFICER SHALL NOTIFY THE