

therefore, unnecessary.

In subsection (b)(2) of this section, "or" is substituted for "and" in both instances where "and" appeared in former Article 43, § 678(e). The list of activities in which the Secretary may engage is disjunctive, not conjunctive. Likewise, the scope of each activity is disjunctive, not conjunctive.

8-105. EMERGENCY ACTION.

(A) ACTION BY SECRETARY.

WHENEVER THE SECRETARY FINDS THAT AN EMERGENCY EXISTS, THE SECRETARY MAY ISSUE AN ORDER:

(1) STATING THAT THE EMERGENCY EXISTS; AND

(2) REQUIRING ANY ACTION THAT THE SECRETARY FINDS NECESSARY TO MEET THE EMERGENCY,--AND EMERGENCY

(B) EFFECTIVE DATE OF ORDER.

EVERY ORDER ISSUED UNDER THIS SECTION IS EFFECTIVE IMMEDIATELY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 680.

As to additional powers of the Secretary to impound radiation sources in an emergency, see § 8-302 of this title.

8-106. POWER OF SECRETARY TO ADOPT RULES AND REGULATIONS.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE SECRETARY MAY ADOPT RULES AND REGULATIONS FOR CONTROL OF SOURCES OF RADIATION.

(B) COMPLIANCE WITH ADMINISTRATIVE PROCEDURE ACT.

THE SECRETARY MAY NOT ADOPT ANY RULE OR REGULATION FOR CONTROL OF A SOURCE OF RADIATION UNLESS THE REQUIREMENTS OF THIS SECTION AND THE ADMINISTRATIVE PROCEDURE ACT ARE MET.

(C) CONFORMITY TO FEDERAL STANDARDS.

THE SECRETARY MAY NOT ADOPT ANY RULE OR REGULATION UNLESS THE RULE OR REGULATION CONFORMS TO THE RELEVANT STANDARDS SET BY: