

THE APPLICANT MAY GENERATE.

(B) EXCEPTIONS.

THIS SECTION DOES NOT APPLY:

(1) TO THE EXTENT THAT THE DEPARTMENT IS AUTHORIZED TO ISSUE A SPECIFIC LICENSE UNDER:

(I) AN INTERSTATE COMPACT OR EXECUTIVE AGREEMENT MADE UNDER § 7-227 OF THIS ARTICLE;

(II) A RULE OR REGULATION ADOPTED UNDER § 8-403 OF THIS SUBTITLE; OR

(III) AN EXECUTIVE ORDER ISSUED UNDER § 8-406 OF THIS SUBTITLE;

(2) TO RENEWAL OF ANY LICENSE ORIGINALLY ISSUED BEFORE JANUARY 1, 1986;

(3) TO ANY FACILITY THAT GENERATED LOW-LEVEL NUCLEAR WASTE BEFORE JANUARY 1, 1986;

(4) TO ANY HOSPITAL, MEDICAL, OR EDUCATIONAL FACILITY; OR

(5) TO ANY LOW-LEVEL NUCLEAR WASTE, IF, UNDER STANDARDS ADOPTED BY RULE OR REGULATION, THE DEPARTMENT FINDS THAT:

(I) THE HALF-LIFE OR SPECIFIC ACTIVITY OF THE LOW-LEVEL NUCLEAR WASTE IS SUCH THAT, WITHIN A PERIOD OF NOT MORE THAN 6 MONTHS, THE LOW-LEVEL NUCLEAR WASTE WILL NOT REQUIRE SPECIAL HANDLING, ~~SUBSURFACE DISPOSAL, OR SUBSURFACE SPECIAL SUBSURFACE DISPOSAL, OR SPECIAL STORAGE;~~ AND

(II) THE LOW-LEVEL NUCLEAR WASTE CAN BE DISPOSED OF SAFELY IN THE SAME MANNER AS OTHER HAZARDOUS SUBSTANCES OR HANDLED AS CONVENTIONAL WASTE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 689F(a)(1) and (2)(i) through (vi).

In subsection (a) of this section, "renew" is new language added to reflect the apparent intent of the General Assembly that specific licenses originally issued on or after January 1, 1986 not be renewed unless the applicant makes the required demonstration at the time the renewal application is filed. This interpretation is consistent with the language of subsection (b)(2) of this section, which allows the Department to renew a license that originally was issued before