

## CHAPTER 296

(Senate Bill 602)

AN ACT concerning

## Incinerators - Permits - Hearings

FOR the purpose of ~~requiring the Department of Health and Mental Hygiene to issue permits to construct incinerators that burn solid waste;~~ requiring the Department of Health and Mental Hygiene to ~~give certain notice and to~~ provide a certain hearing before issuing ~~certain permits~~ a permit for an incinerator for public use that burns solid waste; and generally relating to issuance of permits and hearings concerning incinerators for public use.

BY ~~adding to~~ repealing an reenacting, with amendments,

Article - Health - Environmental  
 Section ~~2-404.1~~ 9-209  
 Annotated Code of Maryland  
 (1982 Volume and 1986 Supplement)  
 (As enacted by Chapter (S.B. 323) of the  
Acts of the General Assembly of 1987)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

## Article - Health - Environmental

2-404.1-

~~(A) THE DEPARTMENT SHALL REQUIRE A PERSON TO OBTAIN A PERMIT TO CONSTRUCT AN INCINERATOR THAT BURNS SOLID WASTE.~~

~~(B) BEFORE ISSUING A PERMIT TO CONSTRUCT AN INCINERATOR THAT BURNS SOLID WASTE, THE DEPARTMENT SHALL:~~

~~(1) GIVE PUBLIC NOTICE OF THE INTENDED ISSUANCE OF THE PERMIT; AND~~

~~(2) PROVIDE AN OPPORTUNITY FOR A PUBLIC HEARING IN THE COUNTY IN WHICH THE PROPOSED SOURCE WILL BE LOCATED.~~

9-209.

(a) Before the Department issues a permit to an applicant under § 9-204 of this subtitle to install, materially alter, or materially extend a landfill system, OR AN INCINERATOR FOR PUBLIC USE TO BURN SOLID WASTE, the Department shall hold a public hearing on the application.