

REVISOR'S NOTE: This section is new language derived without substantive change from former HE § 9-212(a)(1), (2), and (3) and (d), as those subsections related to landfill systems.

In subsection (b)(1) of this section, "municipal corporation" is substituted for the former word "city" to conform to similar substitutions throughout this subtitle.

In subsection (b)(2) and (3) of this section, the references to "registered mail" is deleted as unnecessary in light of the references to "certified mail". See Art. 1, § 20 of the Code.

In subsection (b)(2) of this section, the reference to any county and municipal corporation "that the Department determines may be affected by the landfill system" is substituted for the former, ambiguous references to "appropriate county" and "appropriate municipal corporation", for clarity to conform to Departmental practice. This change is brought to the attention of the General Assembly.

The references to sludge composting facilities in former HE § 9-212(a)(1), (2), and (3) and (d) are deleted as unnecessary in light of the more comprehensive provisions of § 9-234 of this subtitle.

9-210. SAME -- COMPLIANCE WITH COUNTY REQUIREMENTS; APPROVAL OF GOVERNING BODY.

THE DEPARTMENT SECRETARY MAY NOT ISSUE A PERMIT TO INSTALL, MATERIALLY ALTER, OR MATERIALLY EXTEND A LANDFILL UNTIL:

(1) THE LANDFILL MEETS ALL ZONING AND LAND USE REQUIREMENTS OF THE COUNTY WHERE THE LANDFILL IS OR IS TO BE LOCATED; AND

(2) THE DEPARTMENT HAS A WRITTEN STATEMENT THAT THE BOARD OF COUNTY COMMISSIONERS OR THE COUNTY COUNCIL OF THE COUNTY WHERE THE LANDFILL IS TO BE LOCATED DOES NOT OPPOSE THE ISSUANCE OF THE PERMIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former HE § 9-212(a)(4), as that paragraph applied to landfills.

In the introductory language of this section, the reference to "Secretary" is substituted for the former reference to "Department" to conform to the wording of § 9-204 of this subtitle.