

TRANSFER STATION HAS NOT BEEN CLOSED IN A MANNER THAT PREVENTS EROSION, HEALTH AND SAFETY HAZARDS, NUISANCES, AND POLLUTION;

(II) SPECIFIES IN THE NOTICE THE DEFICIENCIES IN THE CLOSING THAT MUST BE CORRECTED;

(III) GIVES THE PERMIT HOLDER AND THE CORPORATE SURETY A REASONABLE OPPORTUNITY TO CORRECT THE DEFICIENCIES AND TO CLOSE THE LANDFILL, INCINERATOR, OR TRANSFER STATION IN ACCORDANCE WITH THE REGULATIONS OF THE DEPARTMENT; AND

(IV) AUTHORIZES THE LOCAL GOVERNING BODY TO CLOSE THE LANDFILL, INCINERATOR, OR TRANSFER STATION IN ACCORDANCE WITH THE REGULATIONS OF THE DEPARTMENT.

(2) THE LOCAL GOVERNING BODY SHALL USE BOND PROCEEDS, CASH, OR THE PROCEEDS OF OTHER SECURITY TO PAY THE COST OF PROPERLY CLOSING THE LANDFILL, INCINERATOR, OR TRANSFER STATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former HE § 9-213(c) and (d).

Throughout this section, references to "other security" are added to the present references to "bond" to conform to the provisions of subsection (a)(1)(ii) of this section, which allows a permit applicant to deposit cash or securities with the governing body of the local jurisdiction instead of filing a bond. No change of substance is intended.

In subsection (a)(1) 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.

Also in subsection (a)(1) of this section, the words "private person" are substituted for the former words "nonmunicipal corporation or ... other private organization or person" for clarity in light of the definition of "person" in § 9-201 of this subtitle.

In subsection (a)(2) of this section, the phrase "requirements of this section" is substituted for the former reference to "requirements of this subsection" to correct an apparent error in Chapter 713 of the Acts of 1986.

9-212. SAME -- OPTION TO PURCHASE; BINDING OBLIGATION.

(A) RIGHT OF COUNTY OR MUNICIPAL CORPORATION.