

Subsection (b)(1) of this section is revised to conform to the practice of the Department that includes administrative civil penalties in addition to criminal fines as a credit to the Sewage Sludge Utilization Fund.

In subsection (e) of this section, the clause "any expenditure that the Department makes under subsection (c)(1) of this section" is substituted for the former phrase "cost from any person", for clarity in light of similar wording in subsection (d) of this section.

The only other changes are in style.

9-245. DENIAL OF PERMIT.

THE DEPARTMENT SHALL DENY AN APPLICATION FOR A SEWAGE SLUDGE UTILIZATION PERMIT IF THE DEPARTMENT FINDS THAT:

(1) THE APPLICANT CANNOT UTILIZE SEWAGE SLUDGE WITHOUT:

(I) CAUSING AN UNDUE RISK TO THE ENVIRONMENT OR PUBLIC HEALTH, SAFETY, OR WELFARE; OR

(II) OTHERWISE VIOLATING THIS PART III, § 9-269, OR § 9-270 OF THIS SUBTITLE; OR

(2) THE SEWAGE SLUDGE GENERATOR FROM WHICH THE SLUDGE ORIGINATED HAS NOT PAID APPLICABLE GENERATOR'S FEES.

REVISOR'S NOTE: This section formerly appeared as HE § 9-210.1(e)(6).

The only changes are in style.

9-246. SUSPENSION, REVOCATION, AND MODIFICATION OF PERMIT; REFUSAL TO RENEW PERMIT.

(A) SUSPENSION, REVOCATION, AND MODIFICATION OF PERMIT.

THE DEPARTMENT MAY SUSPEND, REVOKE, OR MODIFY A SEWAGE SLUDGE UTILIZATION PERMIT IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT IF THE DEPARTMENT FINDS THAT:

(1) THE PERMIT APPLICATION CONTAINED FALSE OR INACCURATE INFORMATION;

~~(2) THE PERMIT HOLDER HAS SUBSTANTIALLY DEVIATED~~
(2) THERE HAS BEEN A SUBSTANTIAL DEVIATION FROM:

(I) THE PLANS, SPECIFICATIONS, OR OTHER DOCUMENTS APPROVED BY THE DEPARTMENT; OR