

(C) (1) SUBJECT TO THE APPROPRIATION PROCESS IN THE ANNUAL OPERATING BUDGET, THE DEPARTMENT SHALL USE THE MARYLAND CLEAN AIR FUND FOR:

(I) ACTIVITIES CONDUCTED UNDER THIS TITLE AND ~~TITLE--67--SUBTITLE--4--OF--THIS--ARTICLE~~ THAT ARE RELATED TO IDENTIFYING, MONITORING, AND CONTROLLING REGULATING AIR POLLUTION IN THIS STATE ~~OR ASBESTOS-REMOVAL-OR-ENCAPSULATION-IN-THIS-STATE~~, INCLUDING PROGRAM DEVELOPMENT OF THESE ACTIVITIES AS PROVIDED IN THE STATE BUDGET; AND

(II) PROVIDING GRANTS TO LOCAL GOVERNMENTS TO SUPPLEMENT FUNDING FOR PROGRAMS CONDUCTED BY LOCAL GOVERNMENTS THAT ARE CONSISTENT WITH THIS ~~SUBTITLE~~ TITLE AND THE STATE PROGRAM.

(2) SUBJECT TO TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE (ADMINISTRATIVE PROCEDURE ACT - REGULATIONS), THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS FOR THE MANAGEMENT AND USE OF THE MONEY IN THE FUND.

(3) AT THE END OF THE FISCAL YEAR, THE DEPARTMENT SHALL PREPARE AN ANNUAL REPORT ON THE MARYLAND CLEAN AIR FUND THAT INCLUDES AN ACCOUNTING OF ALL FINANCIAL RECEIPTS AND EXPENDITURES TO AND FROM THE FUND AND SHALL:

(I) PROVIDE A COPY OF THE REPORT TO THE GENERAL ASSEMBLY, AS PROVIDED UNDER § 2-1312 OF THE STATE GOVERNMENT ARTICLE; AND

(II) UPON REQUEST, MAKE THE REPORT AVAILABLE TO PERMIT HOLDERS UNDER THIS TITLE.

(4) WHEN THE FUND EQUALS OR EXCEEDS A MAXIMUM LIMIT OF \$750,000, ADDITIONAL MONEYS RECEIVED FOR THE FUND BY THE DEPARTMENT SHALL BE DEPOSITED TO THE GENERAL FUND.

2-403.

(a) (1) The Department, by rule or regulation, shall require and collect a fee for each permit issued under § 2-401 of this subtitle;

(2) IN ADOPTING THE RULES AND REGULATIONS UNDER THIS SECTION, THE DEPARTMENT SHALL CONSULT WITH INDUSTRY TO DETERMINE THAT THE PERMIT FEE IS REASONABLE AND DIRECTLY RELATED TO THE ACTUAL COST OF THE PERMITTING AND REGULATORY ACTIVITY, AND DOES NOT EXCEED A CERTAIN DOLLAR AMOUNT.

[(c) The Department shall pay all funds collected under this section into the General Fund of this State.]

2-612.