

7-405.

(d) (1) The issuance of a certificate of public necessity for a site exempts the site, the design, construction, and operation of the facilities on the site, and the transportation of hazardous or low-level nuclear waste to and from the facilities on the site from any regulation, policy, law, or ordinance, including zoning, of any political subdivision of this State, and from any State law or regulation that requires approval of any political subdivision of this State.

(2) The Board may not issue a certificate of public necessity for the purpose of extending or expanding any hazardous waste landfill in operation on or before July 1, 1980 that was permitted by this State under [Title 7,] Subtitle 2 OF THIS TITLE and § 9-204 of [the Environment Article] THIS ARTICLE.

(3) (i) In paragraph (2) of this subsection, the following words have the meanings indicated.

(ii) "Extending" includes any proposed disposal capacity to be established by the lateral development of the landfill facility or site or of any noncontiguous acreage within one-half mile from the perimeter of the landfill site boundary.

(iii) "Expanding" includes any proposed disposal capacity to be established by a material alteration of the landfill facility or site through an increase in the height of any landfill cell or otherwise.

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(b) (1) On receipt of the application for a certificate the Board shall forward a copy of that application to the Department [of the Environment]. The Department [of the Environment] shall consider the application for a certificate as an application for the facility permit that is required under [the Environment] THIS Article.

(2) On receipt of any application for a facility permit that is required under [the Environment] THIS Article, the Department [of the Environment] shall forward a copy of the facility permit application to the Board.

(j) On issuance of a certificate the Board shall file a copy of that certificate with the secretary to the Board and the Secretary of State. Copies of the certificate shall be sent by the secretary to the Board to:

(1) The governing body of any political subdivision of the State within which all or part of the proposed site is to be located and the governing bodies of adjoining subdivisions;

(2) The record owner(s) of the site and the record owners of adjoining property;

(3) The applicant, if different from the record owner;

(4) The Department [of Natural Resources];

(5) The Department of the [Environment] NATURAL RESOURCES;