

(ii) That the source meets all applicable zoning and land use requirements.

(2) Paragraph (1) of this subsection does not apply to any application for a permit to construct at an existing source unless the existing source is a nonconforming use.

~~[(b)](c)~~ (C) The Department shall comply with the provisions in subsection ~~[(e)](d)~~ (D) of this section before issuing a permit to construct OR MODIFY. BEFORE ISSUING A PERMIT FOR THE ACTIVITIES LISTED IN SUBSECTION (A) OF THIS SECTION AT:

~~(1) BEFORE ISSUING A PERMIT FOR THE:~~

~~(I) CONSTRUCTION OF A NEW SOURCE;~~

~~(II) REPLACEMENT OF A COMPONENT OF AN EXISTING UNIT AT A SOURCE IF THE FIXED CAPITAL COST OF THE REPLACEMENT COMPONENT EXCEEDS ONE-HALF OF THE FIXED CAPITAL COST THAT WOULD BE REQUIRED TO CONSTRUCT A NEW UNIT AT THE SOURCE COMPARABLE IN PROCESS TO THE EXISTING UNIT AT THE SOURCE; OR~~

~~(III) MODIFICATION OF AN EXISTING UNIT AT A SOURCE BY MAKING A PHYSICAL OR OPERATIONAL CHANGE TO THE UNIT AT THE SOURCE THAT WILL RESULT IN A SIGNIFICANT NET INCREASE IN EMISSIONS OF ANY POLLUTANT FROM THAT UNIT AT THE SOURCE; AND~~

~~(2) BEFORE ISSUING A PERMIT TO ANY SOURCE;~~

~~(1) Any source which (I) THAT (1) ANY SOURCE WHICH~~ is required to obtain a permit to operate under regulations adopted under this subtitle;

~~(2) Any source which (II) THAT (2) ANY SOURCE WHICH~~ is subject to federal standards under 40 CFR Part 60 (New Source Performance Standards), 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants), or 40 CFR 52.21 (Prevention of Significant Deterioration); or

~~(3) Any source that (III) THAT (3) ANY SOURCE THAT~~ will, after control, discharge 25 tons or more per year of a pollutant regulated under this title in the areas of Baltimore City designated by the United States Post Office as zip code numbers 21225, 21226, and 21230.

~~[(e)](d)~~ (D) (1) Before issuing a permit to construct for any source listed in SUBJECT TO subsection ~~[(b)](c)~~ (C) of this section, the Department shall:

(i) Comply with the provisions of Title 1, Subtitle 6 of this article; and

(ii) Conduct any public hearing required by Title 1, Subtitle 6 of this article in the county in which the proposed source is located.

(2) In addition to the requirements under paragraph (1) of this subsection, before issuing a permit to construct a source described in subsection ~~[(b)](3)~~ (C)(3)