

(2) A person may not construct or operate a municipal waste incinerator for disposal of a solid waste stream, as defined in § 9-1701 of this title, within 1 mile of a public or private elementary or secondary school.

(3) This subsection may not be construed to prohibit:

(i) The operation, construction, reconstruction, replacement, expansion, and material alteration or extension of an incinerator that was operating as a resource recovery facility on January 1, 1997; or

(ii) The issuance of permits necessary for the operation, construction, reconstruction, replacement, expansion, and material alteration or extension of an incinerator that was operating on January 1, 1997.

(L) (1) ~~THE SECRETARY MAY NOT ISSUE ANY PERMIT, INCLUDING A PERMIT UNDER SUBSECTION (D) OF THIS SECTION, TO CONSTRUCT OR OPERATE A TRANSFER STATION IN PRINCE GEORGE'S COUNTY FOR DISPOSAL OF SOLID WASTE WITHIN 3 2 MILES OF AN INSTITUTION OF HIGHER EDUCATION IN PRINCE GEORGE'S COUNTY BOWIE STATE UNIVERSITY.~~

(2) ~~A PERSON MAY NOT CONSTRUCT OR OPERATE A TRANSFER STATION IN PRINCE GEORGE'S COUNTY FOR THE DISPOSAL OF SOLID WASTE WITHIN 3 2 MILES OF AN INSTITUTION OF HIGHER EDUCATION IN PRINCE GEORGE'S COUNTY BOWIE STATE UNIVERSITY.~~

(3) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT:

(I) THE OPERATION, CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, EXPANSION, OR MATERIAL ALTERATION OR EXTENSION OF A TRANSFER STATION THAT WAS OPERATING ON JANUARY 1, 2000; OR

(II) THE ISSUANCE OF A PERMIT THAT IS NECESSARY FOR THE OPERATION, CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, EXPANSION, OR MATERIAL ALTERATION OR EXTENSION OF A TRANSFER STATION THAT WAS OPERATING ON JANUARY 1, 2000.

[(D)] (M) (1) In this subsection, "trade secret" has the meaning provided in § 11-1201 of the Commercial Law Article.

(2) The Department shall prepare an annual report identifying the amount of solid waste by weight or volume, disposed of in the State during the previous year.

(3) The report required under paragraph (2) of this subsection shall identify:

(i) The following solid waste categories:

1. Construction and demolition debris;
2. Incinerator ash;
3. Industrial waste;