

(I) RECLAMATION FACILITY; OR

(II) DESTINATION FACILITY, AS DEFINED BY THE DEPARTMENT IN REGULATION.

(3) THE DEPARTMENT MAY DELAY THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION IF IT DETERMINES THAT IT WILL NOT BE FEASIBLE FOR A PERSON TO ARRANGE FOR THE FINAL DISPOSITION RECLAMATION OR DESTINATION OF LAMPS AT RECLAMATION FACILITIES ON THE DATE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

(4) ~~(I)~~ UNLESS OTHERWISE PROVIDED UNDER FEDERAL OR STATE LAW:

(I) AN OWNER OR OPERATOR OF AN INDUSTRIAL OR COMMERCIAL PROPERTY MAY ASSIGN THE RESPONSIBILITY FOR ENSURING COMPLIANCE WITH THIS SUBSECTION TO A TENANT WHO IS OTHERWISE RESPONSIBLE FOR MAINTAINING THE PROPERTY; AND

(II) IF A TENANT IS RESPONSIBLE FOR ENSURING COMPLIANCE AND FAILS TO COMPLY WITH THIS SUBSECTION, THE OWNER OR OPERATOR OF THE PROPERTY IS NOT LIABLE FOR THE FAILURE TO COMPLY.

~~(G)~~ (F) BY OCTOBER JUNE OCTOBER 1, 2005, THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION, INCLUDING THE ESTABLISHMENT OF:

(1) ~~ESTABLISHING~~ STANDARDS FOR THE SIZE, LOCATION, AND TYPEFACE OF THE LABEL REQUIRED BY THIS SECTION; ~~AND~~

(2) ~~ESTABLISHING~~ CRITERIA UNDER WHICH A PERSON SUBJECT TO THIS SECTION MAY BE EXEMPTED FROM THE LABELING AND ~~DISPOSAL RECLAMATION OR DESTINATION~~ REQUIREMENTS AND LIMITATIONS OF THIS SECTION; ~~AND~~

(3) DURING THE COURSE OF A CALENDAR YEAR, THE MINIMUM WEIGHT AND THE MINIMUM NUMBER, AS APPLICABLE, OF MERCURY-ADDED FLUORESCENT LAMPS THAT SHALL BE REQUIRED FOR A PERSON TO DELIVER THE LAMPS OR ARRANGE FOR THEIR DELIVERY TO A:

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(II) DESTINATION FACILITY, AS DEFINED BY THE DEPARTMENT IN REGULATION.

~~(H)~~ (G) BEFORE ADOPTING A REGULATION UNDER THIS SECTION, THE DEPARTMENT SHALL CONSULT WITH PERSONS THAT HAVE AN INTEREST IN OR ARE DIRECTLY IMPACTED BY THE PROPOSED REGULATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and § 6-905.2(e)(4) of the Environment Article,