

hazards, nuisances, and pollution, the Department may release the security filed or deposited under this section before the end of the 5-year period specified in paragraph (1)(ii) of this subsection.}

(g) (1) The obligation of the holder of a permit for a landfill, incinerator, or transfer station and of any corporate surety under the bond shall become due and payable and any cash, securities, or bond proceeds shall be applied to payment of the costs of properly closing a landfill, incinerator, or transfer station only if the Department:

(i) Notifies the permit holder and any corporate surety on the bond that the landfill, incinerator, or transfer station has not been closed in a manner that prevents erosion, health and safety hazards, nuisances, and pollution;

(ii) Specifies in the notice the deficiencies in the closing that must be corrected;

(iii) Gives the permit holder and the corporate surety a reasonable opportunity to correct the deficiencies and to close the landfill, incinerator, or transfer station in accordance with the regulations of the Department; and

(iv) Authorizes the local governing body to close the landfill, incinerator, or transfer station in accordance with the regulations of the Department.

(2) The local governing body shall use bond proceeds, cash, or the proceeds of other security to pay the cost of properly closing the landfill, incinerator, or transfer station.

~~9-215.~~

~~(a) When landfill operations end, the holder of a permit issued under this subtitle for a landfill system shall close and cover all of the land for which the permit was issued in a manner that prevents:~~

- ~~(1) Erosion;~~
- ~~(2) Health and safety hazards;~~
- ~~(3) Nuisances; and~~
- ~~(4) Pollution.~~

~~(b) (1) THE DEPARTMENT SHALL HAVE ACCESS TO THE LAND ON WHICH LANDFILL OPERATIONS HAVE ENDED TO MAKE PERIODIC GROUNDWATER MONITORING AND HEALTH AND SAFETY INSPECTIONS OF THE CAPPING AND CLOSURE FOR A PERIOD OF 10 YEARS BEYOND THE 10 YEAR POSTCLOSURE MONITORING TERM.~~

~~(2) IF THE LANDFILL IS SOLD AT ANY TIME DURING THE POSTCLOSURE PERIOD, THE NEW OWNER SHALL PROVIDE ACCESS TO THE DEPARTMENT FOR MONITORING AND HEALTH AND SAFETY INSPECTIONS OF THE CAPPING AND CLOSURE.~~