

Secretary may prescribe. Such application shall include a detailed description of the proposed work and a map showing the area of wetland directly affected, with the location of the proposed work thereon, together with the names of the owners of record of adjacent land and known claimants of water rights in or adjacent to the wetland of whom the applicant has notice. The Secretary shall cause a copy of such application to be mailed to the chief administrative officer in the county or counties where the proposed work or any part thereof is located. No sooner than thirty days and not later than sixty days after receipt of such application, the Secretary or his duly designated hearing officer shall hold a public hearing in the county where the land is located on such application, *excepted, however that when an electric company as defined in Article 78, Section 2 shall apply to the Public Service Commission for a certificate of public convenience associated with power plant construction which involves private wetlands, the hearing and permit procedures shall be in accordance with Section 5A of this Article.* The Secretary shall cause notice of such hearing to be published at least once not more than thirty days and not fewer than ten days before the date set for the hearing in a newspaper published within and having a general circulation in each county where the proposed work, or any part thereof, is located. All applications and maps and documents relating thereto shall be open for public inspection at the offices of the Secretary, and the chief administrative officer in the county. At such hearing any person or persons may appear and be heard. No person may make such an application within eighteen months of the denial of a prior application for the same type permit or the final determination of any appeal of such denial.

Article 96A

11. Illegal appropriation of State waters.

From and after January 1, 1934, it shall be unlawful for the State or any agency thereof, any person or persons, partnership, association, private or public corporation, county, municipality, or other political subdivision of the State, to appropriate or use, or to begin construction of any plant, building or structure which may appropriate or use any waters of the State, surface or underground, without the consent or permit of the Department, in writing, previously obtained, upon written application therefor to the Department. The applicant shall provide proof satisfactory to the Department that issuance of such permit will not violate Maryland's water quality standards or jeopardize the natural resources of the State. Nothing in this section shall be construed to apply to the use of water for domestic and farming purposes and nothing in this section shall be construed to apply to the use of water for an approved water supply of any municipality if the use was in effect on July 1, 1969; nor shall it apply to any particular use in existence on January 1, 1934, provided such use is not thereafter abandoned.

Notwithstanding any other provisions of this subtitle, an application to the Public Service Commission for a certificate of public convenience and necessity associated with power plant construction involving use or diversion of waters of the State, pursuant to Article 78, shall constitute an application for the permit required by this section and shall be handled in accordance with Section 5A of Article 66C. The hearing required by this Article pursuant to this applica-