

(1) The request shall be received prior to the close of the public comment period.

(2) A public informational hearing shall be held within 45 calendar days of the close of the public comment period.

(3) The Department shall specify the date, time, and location of the public hearing.

(4) The Department shall mail notice of the date, time, and location of any public informational hearing on an application to those persons on the interested persons list no later than 14 calendar days prior to the hearing.

(5) The Department may extend the official record of a public informational hearing.

(d) Following the application review and comment period and within 30 calendar days after the close of the public informational hearing record, the Department shall issue, modify, or deny the permit or license unless extenuating circumstances justify an extension of time.

(e) The Department shall mail notice of a decision to issue, modify, or deny a permit or license to the applicant and to those persons on the interested persons list.

(f) When opportunity for a contested case hearing on the Department's decision to issue, modify, or deny a permit or license is provided by law, the Department shall provide all persons on the interested persons list and the applicant an opportunity to make a written request for a contested case hearing within 14 calendar days of the mailing date of the notice of decision.

(g) Upon written request the Department shall grant a contested case hearing if it determines that:

(1) The requester has a specific right, duty, privilege, or interest which is or may be adversely affected by the permit determination or license decision and which is different from that held by the general public;

(2) The requester raises adjudicable issues which are within the scope of the permit authority; and

(3) The request is timely.

(h) Upon motion by a party to a contested case hearing, the Department may grant a temporary stay of the issuance of the permit pending a final decision in the contested case, provided that:

(1) The parties to the proceeding have been notified and given an opportunity to be heard on a request for the temporary stay;

(2) The party requesting the temporary stay shows that there is a substantial likelihood of prevailing on the merits of issues to be presented during the contested case proceeding;