

*the manner and extent in and to which such person is said to violate the same. Such notice shall order that the matters of complaint be corrected within a period of time specified therein.*

*(b) Service and Hearings.—The notices and corrective orders issued pursuant hereto shall be served as summonses are served or by certified mail. Where such notice orders that corrective action shall be taken within a period of time specified in such notice, such orders shall be final unless the person upon whom it is served shall request a hearing before the Department within 10 days after service. Whenever a hearing shall have been requested, it shall be held by the Secretary or his designee within 20 days after such request and the person requesting the hearing shall at least 10 days prior thereto, be given written notice of the date, time and place of such hearing. Whenever the notice of violation shall order the person upon whom it is served to appear and show cause why corrective action should not be taken within a period of time, such notice shall set forth the date, time and place of such hearing and shall be served not less than 20 days before the time set for the hearing.*

*(c) Rights of person prior to hearing. PERSON PRIOR TO HEARING.—Prior to the hearing the person complained against shall be given, if requested, an opportunity to examine all documents, paper, and technical and analytical reports regarding the nature of the alleged offense. At the hearing, such person may be represented by counsel and produce evidence in his behalf in answer to the aforesaid charges. On the basis of the evidence produced at the hearing, the Secretary or the designated hearing officer may grant an exception from such rule or regulation upon such conditions as the Secretary or hearing officer may determine, or may enter a special order or orders directing such person to secure, within such time as the Department may specify, such operating results as are necessary in order to comply with such rule or regulation and the Secretary or hearing officer shall thereupon enter such order and shall promptly give written notice, either by service as summonses are served or by certified mail, to the person or persons affected by such order.*

*Any person aggrieved by the decision of the Secretary or designated hearing officer shall not have the right to appeal said decision to the Board of Review of the Department of Health and Mental Hygiene. However, any person aggrieved by a decision of the Secretary or hearing officer shall have the right to have said decision reviewed in accordance with the provisions of the Administrative Procedures Act and the Maryland Rules of Procedure.*

*An appeal under the provisions of the Maryland Administrative Procedures Act shall not operate as a stay of the order issued by the Secretary or hearing officer. Any request to a court, for a stay of the ~~Secretary~~ SECRETARY'S or hearing officer's order, having judicial review shall be applied for and acted upon as prescribed in the Maryland Rules of Procedure. However, no court shall issue such a stay unless the court shall find both that the person appealing said order is likely to prevail in such appeal and that the failure to stay said order will cause ~~irreparable~~ IRREPARABLE harm or damage to the person appealing said order.*