

(2) The [hearings] JOINT HEARING shall be at least 30 but not more than 60 days after the Department provides public notice of the [hearings] HEARING. Notice shall appear in a newspaper of general circulation in the jurisdiction affected. Members of the public shall be provided an opportunity to comment on the application either orally or in writing until at least 30 days after public notice of the hearing and copies of the application shall be available for public inspection at the Department 30 days before the hearing.

(3) After the hearing, the Committee shall approve, reject, or modify the proposed plan. If the plan is rejected or modified, the operator shall be notified in writing of the reason for rejection or the suggested modification. The operator may resubmit the plan to Department with the Committee's requested corrections or modifications. If the changes are made and the permit application fully complies with all provisions of this subtitle and rules and regulations issued pursuant thereto, the Department may issue the permit. If the Committee rejects the plan, the Department may not approve the permit.

(4) THE DEPARTMENT SHALL REVIEW ALL OTHER ASPECTS OF THE APPLICATION, INCLUDING INFORMATION PERTAINING TO ANY OTHER PERMIT REQUIRED FROM THE DEPARTMENT FOR THE PROPOSED STRIP MINING OPERATION.

(5) The Department shall immediately notify the operator, local governments, and all participants to the [hearings] JOINT HEARING of the decisions by the Committee and the Department. Within [15] 30 days of [the decision] NOTIFICATION, any person adversely affected by the decision may request an adjudicatory hearing. The Department shall hold a hearing in accordance with Article 41 within 30 days of the request and render a decision within [15] 30 days thereafter.

(h) The Department may not issue [an additional] A permit to an [operator who, under any permit previously issued, has failed, and continues to fail, to comply with] APPLICANT IF ANY STRIP MINING OPERATION OWNED OR CONTROLLED BY THE APPLICANT IS CURRENTLY IN VIOLATION OF THE FEDERAL SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (P.L. 95-87), ANY OTHER LAW PERTAINING TO AIR OR WATER ENVIRONMENTAL PROTECTION, OR any provisions of this subtitle or any rule, regulation, notice, order or permit issued [pursuant thereto] UNDER THIS SUBTITLE UNLESS THE APPLICANT SUBMITS PROOF THAT THE VIOLATION IS IN THE PROCESS OF BEING CORRECTED TO THE SATISFACTION OF THE APPROPRIATE JURISDICTIONAL AGENCY.

7-505.1.

(e) The Department shall condition all permits in order to protect lands identified OR UNDER STUDY pursuant to this section. ONCE AN AREA HAS BEEN DESIGNATED UNSUITABLE