

(D) (1) IN ADDITION TO THE FEE REQUIRED IN SUBSECTION (C) OF THIS SECTION, A FEE SHALL BE CHARGED EQUAL TO \$8 FOR EACH ADDITIONAL ACRE OF AFFECTED LAND OVER AND ABOVE THE AMOUNT OF LAND COVERED IN THE ORIGINAL PERMIT, FOR EACH YEAR OF OPERATION.

(2) THE ADDITIONAL FEE MAY NOT EXCEED \$500 FOR ANY 5-YEAR PERMIT PERIOD FOR LAND SO ADDED.

(E) THE DEPARTMENT SHALL APPROVE AND GRANT THE PERMIT MODIFICATION REQUESTED AS EXPEDITIOUSLY AS POSSIBLE BUT NOT LATER THAN 30 DAYS AFTER THE APPLICATION FORMS OR ANY SUPPLEMENTAL INFORMATION REQUIRED ARE FILED WITH THE DEPARTMENT.

(F) THE DEPARTMENT MAY DENY THE PERMIT MODIFICATION ON FINDING:

(1) AN UNCORRECTED VIOLATION OF THE TYPE LISTED IN § 7-6A-09(B)(6) OF THIS SUBTITLE;

(2) FAILURE TO SUBMIT AN ADEQUATE MINING AND RECLAMATION PLAN IN LIGHT OF CONDITIONS EXISTING AT THE TIME OF THE MODIFICATION; OR

(3) FAILURE OR REFUSAL TO PAY THE MODIFICATION FEE.

(G) IF THE DEPARTMENT DENIES AN APPLICATION TO MODIFY A PERMIT, THE DEPARTMENT SHALL GIVE THE PERMITTEE WRITTEN NOTICE OF:

(1) THE DEPARTMENT'S DETERMINATION;

(2) ANY CHANGES IN THE APPLICATION WHICH WOULD MAKE IT ACCEPTABLE; AND

(3) THE PERMITTEE'S RIGHT TO A HEARING AT A STATED TIME AND PLACE.

(H) THE DATE FOR THE HEARING MAY NOT BE LESS THAN 15 DAYS NOR MORE THAN 30 DAYS AFTER THE DATE OF THE NOTICE UNLESS THE DEPARTMENT AND THE PERMITTEE MUTUALLY AGREE ON ANOTHER DATE.

7-6A-13.

(a) The procedure to be followed and standards to be applied in renewing a permit shall be the same as those for the initial application for a permit, except that it is not necessary to resubmit information which has not changed since the time of the original application, if the applicant so states in writing. However, the applicant may be required to furnish other information the Department deems necessary to [enforce this subtitle] EVALUATE THE RENEWAL REQUEST. In the absence of any changes in legal requirements for the issuance of a permit since the date on which the original permit was issued, the only basis for the denial of a renewal permit shall be: