

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 OR PERMIT REVISION.

[(4)] ~~(5)~~ (6) 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)] ~~(6)~~ (7) The Department shall immediately notify the operator, local governments, and [all] ANY participants to [the] A joint hearing of the decisions by the Committee and the Department. Within 30 days of 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 30 days thereafter.

[(6)] ~~(7)~~ (8) Any applicant, or any person with an interest which is or may be adversely affected, who has participated in the administrative proceedings as an objector, and who is aggrieved by the decision of the Department, or if the Department fails to act within the time limits specified in this subtitle, shall have the right to judicial review in accordance with the Maryland Administrative Procedure Act, § 10-215 of the State Government Article of the Annotated Code of Maryland.

7-5A-05.

(c) [Within] (1) (I) UPON SUBMISSION OF THE COMPLETED APPLICATIONS REQUIRED BY SUBSECTION (B) OF THIS SECTION, THE SECRETARY SHALL ISSUE PUBLIC NOTICE OF THE OPPORTUNITY TO SUBMIT WRITTEN COMMENTS AND TO REQUEST A HEARING.

(II) THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE OF APPLICATIONS FOR PERMITS TO ANY PERSON WHO REQUESTS WRITTEN NOTICE.

(2) IF A HEARING IS REQUESTED, WITHIN 60 days after submission of the completed applications required by subsection (b) of this section, the Secretary shall conduct a hearing with the operator. The hearing shall be conducted in a manner that fulfills the requirements of all other permit provisions of the Natural Resources Article.

(3) Prior to the hearing, the Secretary shall seek the recommendations of the Land Reclamation Committee concerning the general reclamation plan for the affected area.

(d) [After] (1) THE SECRETARY SHALL APPROVE, REJECT, OR MODIFY THE PROPOSED DEEP MINING PLANS. IF A HEARING IS