

(1) CERTIFICATION BY THE APPLICANT THAT THE APPLICANT HAS NOTIFIED, IN WRITING, EACH LANDOWNER AND LEASEHOLDER OF REAL PROPERTY THAT BORDERS THE PROPOSED DRILLABLE LEASE AREA OF THE APPLICANT'S INTENTION TO FILE AN APPLICATION FOR PERMIT TO DRILL A WELL, PROVIDED THAT AN APPLICANT FOR A PROPOSED WELL IN AN UNDERGROUND STORAGE RESERVOIR EXISTING ON JANUARY 1, 1988 NEED ONLY NOTIFY THE OWNERS OR LEASEHOLDERS OF PROPERTY WITHIN 2,000 FEET OF THE PROPOSED WELL;

(2) A COPY OF THE APPLICANT'S WRITTEN NOTICE TO LANDOWNERS AND LEASEHOLDERS UNDER PARAGRAPH (1) OF THIS SUBSECTION, WHICH INCLUDES:

(I) A DESCRIPTION OF THE LOCATION AND BOUNDARIES OF THE PROPOSED DRILLABLE LEASE AREA SUFFICIENTLY DETAILED FOR THE PROPOSED OPERATION TO BE EASILY LOCATED BY LOCAL RESIDENTS;

(II) THE LOCATION WHERE THE APPLICATION IS AVAILABLE FOR PUBLIC INSPECTION; AND

(III) NOTICE THAT ANY INTERESTED PERSON MAY SUBMIT WRITTEN COMMENTS AND REQUESTS FOR A PUBLIC HEARING TO THE DEPARTMENT FOR AT LEAST 30 DAYS AFTER THE DATE OF THE APPLICANT'S NOTICE; AND

(3) WRITTEN APPROVAL BY THE CHESAPEAKE--BAY--CRITICAL AREA--COMMISSION, IF APPLICABLE, UNDER §-8-1014(A) OF THE NATURAL RESOURCES ARTICLE AND REGULATIONS ADOPTED UNDER THAT SUBSECTION LOCAL ZONING AUTHORITY THAT ALL LOCAL PLANNING AND ZONING REQUIREMENTS ARE MET.

(B) IF A PUBLIC HEARING IS REQUESTED, THE DEPARTMENT SHALL:

(1) NOTIFY THE APPLICANT AND ANY PERSON WHO REQUESTED THE HEARING OF THE DATE, TIME, AND LOCATION OF THE HEARING; AND

(2) PUBLISH THE DATE, TIME, AND LOCATION OF THE HEARING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE AREA OF THE PROPOSED OPERATION.

(C) (1) THE DEPARTMENT SHALL:

(I) APPROVE OR REJECT THE PERMIT APPLICATION;
AND

(II) NOTIFY THE APPLICANT AND ANY PARTICIPANTS IN THE PUBLIC HEARING OF THE DEPARTMENT'S DECISION.

(2) WITHIN 30 DAYS OF THE DEPARTMENT'S DECISION, ANY PERSON ADVERSELY AFFECTED BY THE DECISION MAY REQUEST AN ADJUDICATORY HEARING.