

(II) BASED UPON AN INCORRECT DETERMINATION OF A RELEVANT AND MATERIAL FACT.

(B) A PARTY REQUESTING A CONTESTED CASE HEARING SHALL SUBMIT A WRITTEN REQUEST FOR ADJUDICATION WITHIN 15 DAYS AFTER PUBLICATION OF A NOTICE OF FINAL DETERMINATION.

(C) THE REQUEST FOR ADJUDICATION SHALL SET FORTH THE BASIS FOR THE REQUEST WITH SUFFICIENT PARTICULARITY TO ASSURE THAT THE ISSUES TO BE RAISED ARE WITHIN THE SCOPE OF SUBSECTION (A) OF THIS SECTION AND THAT THE PERSON IS AGGRIEVED BY THE FINAL DETERMINATION.

(D) A PARTY MAY NOT, IN A CONTESTED CASE HEARING, CHALLENGE A FACILITY'S COMPLIANCE WITH ZONING AND LAND USE REQUIREMENTS OR CONFORMITY WITH A COUNTY PLAN ISSUED UNDER TITLE 9, SUBTITLE 5 OF THIS ARTICLE. HOWEVER, NOTHING IN THIS SUBTITLE SHALL PREVENT A PARTY FROM CHALLENGING WHETHER THE DEPARTMENT HAS COMPLIED WITH §§ 2-404(B)(2)(II) AND 9-210(A)(3) OF THIS ARTICLE, WHEN APPLICABLE, NOR DOES THIS SUBTITLE PREVENT A PARTY FROM CONTESTING THE COMPLIANCE OF THE FACILITY WITH ZONING AND LAND USE OR COUNTY PLAN REQUIREMENTS IN ANY PROCEEDING BROUGHT IN ACCORDANCE WITH AND UNDER ANY APPLICABLE LOCAL LAWS.

(E) A CONTESTED CASE HEARING SHALL BE CONDUCTED IN ACCORDANCE WITH SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

1-606. SUMMARY DISPOSITION.

(A) (1) IF A REQUEST FOR A HEARING IS SO VAGUE OR AMBIGUOUS THAT THE DEPARTMENT OR THE OFFICIAL CONDUCTING THE HEARING CANNOT REASONABLY DETERMINE WHETHER SPECIFIC ALLEGATIONS ON ANY ISSUE HAVE BEEN MADE IN COMPLIANCE WITH § 1-605 OF THIS SUBTITLE, THE DEPARTMENT OR THE OFFICIAL MAY REQUIRE THE PERSON MAKING THE REQUEST TO FILE A MORE DEFINITE STATEMENT WITH SPECIFIC ALLEGATIONS WITHIN 15 DAYS.

(2) IF A MORE DEFINITE STATEMENT IS NOT MADE WITHIN 15 DAYS, THE DEPARTMENT OR THE OFFICIAL CONDUCTING THE HEARING MAY STRIKE THE REQUEST OR ANY PART OF THE REQUEST.

(B) (1) THE REQUEST FOR ADJUDICATION SHALL BE REVIEWED BY THE DEPARTMENT, AND A DETERMINATION SHALL BE MADE WHETHER THE PERSON MAKING THE REQUEST IS ENTITLED TO A CONTESTED CASE HEARING UNDER APPLICABLE LAW ON ALL OR ANY PART OF THE ALLEGATIONS MADE IN THE REQUEST.

(2) THE DEPARTMENT SHALL DISMISS ALL OR ANY PART OF A REQUEST FOR A CONTESTED CASE HEARING IF THE DEPARTMENT DETERMINES THAT THE PERSON IS NOT ENTITLED TO A CONTESTED CASE HEARING UNDER APPLICABLE LAW ON ALL OR PART OF THE ALLEGATIONS MADE IN THE REQUEST.

(C) IN ADDITION TO THE PROVISIONS SET FORTH IN SUBSECTION (B) OF THIS SECTION AND AT THE REQUEST OF ANY PARTY, INCLUDING THE DEPARTMENT, THE ADMINISTRATIVE LAW JUDGE SHALL DISMISS ALL OR ANY PART OF A REQUEST FOR