

7-505:

(d) Procedures for review of an application shall be as follows:

(1) NOTWITHSTANDING ANY PROVISION OF THE STATE GOVERNMENT ARTICLE, PUBLIC NOTICE ON PENDING APPLICATIONS PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE SHALL BE THE ONLY NOTICE REQUIRED BY LAW.

[(1)](2) (i) Except as provided in subparagraph (iii) of this paragraph, upon receipt of a complete application for a permit or permit revision the Department shall require the applicant to publish an approved advertisement of the application submitted under subsection (c) of this section.

(ii) The public notice required in subparagraph (i) of this paragraph shall be published at least once a week for 4 successive weeks in a newspaper of general circulation in the county of the proposed mining operation.

(iii) The public notice required in subparagraph (i) of this paragraph may not be required for an application for permit revision that does not propose significant alterations in a permit in accordance with the Department's regulations.

[(2)](3) The Department shall provide written notice of applications for permits or permit revisions to any interested person who requests written notice.

[(3)](4) If a public informational hearing is requested, the Department shall notify the applicant and any person who requests the hearing of the date, time, and location of the hearing and shall publish the date, time, and location of the hearing in a newspaper of general circulation in the area of the proposed operation. The Department shall hold a public informational hearing on the application. A record of the hearing shall be made and shall be available to the public.

[(4)](5) Any public informational hearing shall be at least 15 but not more than 60 days after the Department provides public notice of the hearing. Members of the public shall be provided an opportunity to comment on the application in writing until the date of any hearing and copies of the application shall be available for public inspection at the Department 15 days before any hearing.

[(5)](6) The Department shall review all aspects of the application, including information pertaining to any other permit required from the Department for the proposed strip mining operation.

[(6)](7) Upon completion of the review required by paragraph [(5) of this section] (6) OF THIS SUBSECTION, the Department shall grant, require modification of, or deny the application for a permit and notify the applicant and any participant to a public informational hearing, in writing, of its decision. The applicant for a permit shall have the burden of establishing that the application is in compliance with all of the requirements of this subtitle and the rules and regulations issued under this subtitle.