

[(d) If a public informational hearing is requested under § 7-6A-08(b) of this subtitle, the Department's decision to grant or deny a permit may be issued no later than 30 days after the conclusion of the public informational hearing.

(e) (1) The Department shall mail written notice of the decision to grant or deny the permit or the permit modification to the applicant, participants at a public informational hearing on the application, and persons who comment on the application.

(2) If the Department denies an application for a permit or a permit modification, the Department shall notify the applicant in writing, stating the reasons for the Department's denial and any modification in the application which would make it acceptable.

(3) (i) The applicant may modify the application or request a contested case hearing as provided in subsection (f) of this section.

(ii) The request for hearing shall be made within 14 calendar days after notice of denial has been mailed to the applicant at the address shown on the application.

(f) Upon written request received by the Department within 14 calendar days following notice of a permit decision, the Department shall hold a contested case hearing if the Department determines that:

(1) A hearing requester has a specific right, duty, privilege, or interest which is or may be adversely affected by the permit decision;

(2) The requester raises adjudicable issues which are within the scope of this subtitle; and

(3) The request is timely.

(g) Upon written motion by a party to a contested case hearing, the Department may grant a temporary stay of activity under the permit pending a final decision in the contested case, if:

(1) The parties to the proceeding have been notified and given an opportunity to be heard on a request for the temporary stay;

(2) The person requesting the temporary stay shows that there is a substantial likelihood of prevailing on the merits of the final determination of the contested case proceeding;

(3) The temporary stay will not adversely affect the public health or safety or cause significant imminent environmental harm to natural resources; and

(4) The conditions and criteria for granting a temporary stay as provided in regulations for contested case hearings adopted by the Department have been met.]

(D) PUBLIC NOTICE, INFORMATIONAL HEARINGS, AND CONTESTED CASE HEARINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF § 8-206 OF THIS ARTICLE.