

- (b) (1) The Secretary shall adopt regulations as provided in this subsection.
- (2) Procedural regulations adopted under this subsection shall:
- (i) Provide for notice to interested persons of any decision to issue or deny a permit;
- (ii) Permit a person to request a hearing under Title 10, Subtitle 2 of the State Government Article (Administrative Procedure Act – Contested Cases), if the person makes factual allegations with sufficient particularity to demonstrate that:
1. The person is aggrieved by the decision; and
  2. The decision is:
    - A. Legally inconsistent with any provision of law applicable to the decision being challenged; or
    - B. Based upon an incorrect determination of a relevant and material fact;
- (iii) Provide the Secretary with discretionary authority to stay the effectiveness of the decision pending the outcome of the hearing; and
- (iv) Provide that, if a request for a hearing is granted, the Secretary's decision on the application shall be based on the record made in the hearing, including the proposed findings of fact and conclusions of law recommended to the Secretary by the presiding officer.
- (c) The Department shall periodically inspect, and the applicant shall allow such inspection, to determine if the terms of the granted permit are being met.

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- (a) In this title, the following words have the meanings indicated.
- (b) "Bureau" means Bureau of Mines.
- (c) "Department" means Department of [Natural Resources] THE ENVIRONMENT.
- (d) "Director" or "Director of the Bureau" means Director of the Bureau of Mines.
- (e) "Drift" means a horizontal passageway, level, or gangway, driven from the surface outcrop into the coal bed.
- (f) "Entry" means a passageway in a coal bed which is approximately level and is used for haulage, traveling way, or ventilation. In a dipping bed, entries on the strike are known as "levels" or "gangways" and to the dip are known as "slopes".