

CHAPTER 256

(Senate Bill 115)

AN ACT concerning

Noncoal Surface Mining – Public Notice and Hearings

FOR the purpose of requiring an applicant for a surface mining permit or permit modification to provide notice to certain persons; requiring the Department of Natural Resources to publish notice of an application for a surface mining permit and an opportunity for a public informational hearing when the Department receives a ~~complete~~ certain application; requiring the applicant for a permit to bear the cost of publication; authorizing any interested person to request a public informational hearing on the application; requiring the Department to schedule a public informational hearing within a certain period of time; requiring the Department to issue public notice of the hearing; authorizing the Department to waive certain notice and hearing requirements under certain circumstances; altering the requirement that the Department act on an application for a surface mining permit within a certain period of time; requiring the Department to notify certain persons of certain decisions; altering the time for certain appeals; requiring the Department to conduct certain contested case hearings on request by certain persons; authorizing the Department to issue stays in certain circumstances; making stylistic changes; and generally relating to surface mining permits.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 7-6A-08 and 7-6A-09

Annotated Code of Maryland

(1989 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

7-6A-08.

(A) On receipt of an application and accompanying documents, the Department shall review it and make further inquiries, inspections, or examinations as necessary or desirable for proper evaluation. If the Department objects to any part of the application or accompanying documents, it shall notify promptly the applicant by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, of its objections, setting forth its reasons, and shall afford the applicant a reasonable opportunity to make amendments or take actions required to remove the objections. The Department shall submit a copy of the application and accompanying documents to the Office of Planning for review with respect to matters that are the responsibility of that Office.