

(c) In the absence of any of these findings, a permit shall be granted. However, no permit becomes effective until the applicant has deposited with the Department an acceptable performance bond or other security pursuant to § 7-6A-20 of this subtitle.

[(d) If the Department denies an application for a permit, it shall notify the applicant in writing, stating the reasons for its denial and any modifications in the application which would make it acceptable. The applicant may modify his application or file an appeal as provided in Title 1. The appeal shall be taken within 60 days after notice of disapproval has been mailed to the applicant at the address shown on his application.]

(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.