**74:36:20:14.  Right to petition for contested case hearing.** The applicant or interested person may petition the board and obtain a contested case hearing to dispute the department's draft permit. Any other person may petition to intervene and request a hearing if the person has an interest affected by the department's draft permit. Such petitions must comply with the provisions of article 74:09 and be received by the department within 30 days after publication of the notice required by § 74:36:20:11.

The applicant or an interested person that comments on the draft permit may petition the board for and obtain a contested case hearing to dispute the department's final permit decision. Such petitions must comply with the provisions of article 74:09 and be received by the department within 30 days after receiving the department's final permit decision.

If the draft permit or the final permit decision is contested, the department shall present the draft permit or final permit decision to the board for action in accordance with article 74:09.

**Source:** 36 SDR 207, effective June 28, 2010; 39 SDR 219, effective June 25, 2013.

**General Authority:** SDCL 34A-1-6, 34A-1-21.

**Law Implemented:** SDCL 1-26-27, 1-26-29, 34A-1-21.