§ 23-1721. Hardship; petition and hearing; permit.

1. Any person, upon a showing of hardship caused by the moratorium under subdivision one of section 23-1719 may petition the department for a review of the application of the moratorium to any proposed activity subject to this title. This shall be by notice to the department of the activity proposed to be conducted, including the information related to geographical location, nature of proposed use, storage, transportation, or conversion, and proposed and projected amounts of liquefied natural or petroleum gas proposed to be used or handled as required in subdivision two of section 23-1719 and subdivision two of section 23-1717.

2. Thereafter, within thirty days after receipt of the petition, the department shall schedule a hearing upon thirty days' notice, to be held in accordance with the other requirements of paragraphs d and e of subdivision two of section 23-1719, insofar as applicable, and upon such further terms and conditions as it may establish.

3. If the proposed activity is not contrary to the policy of this title, or of any provision thereof, the department may permit the activity to continue during the moratorium, provided that permission may be revoked by the department if its terms are violated, and provided, further, that any such hardship permit issued by the department shall be in addition to, and not in lieu of such certification as may be required by any municipality within the jurisdiction of which such proposed activity will be undertaken. Cost of application and hearing shall be assessed against the applicant.