**Section 1772.15 Public Availability of Information**

a) Except as provided in subsection (b) all information submitted to the Department under this Part shall be made available for public inspection and copying at the local offices of the Department closest to the exploration area.

b)

1) The Department shall not make information available for public inspection, if the person submitting it requests in writing, at the time of submission, that it not be disclosed and the Department determines that the information is confidential.

2) The Department shall determine that information is confidential only if it concerns trade secrets or is privileged commercial or financial information which relates to the competitive rights of the person intending to conduct coal exploration.

3) Information requested to be held as confidential under this Section shall not be made publicly available until after notice and opportunity to be heard is afforded persons both seeking and opposing disclosure of the information.