

15A NCAC 02Q .0710 PUBLIC NOTICE AND OPPORTUNITY FOR PUBLIC HEARING

(a) If the owner or operator of a facility chooses to make a demonstration pursuant to 15A NCAC 02Q .0709(a)(2) or (b), the Commission or its delegate shall approve or disapprove the permit after a public notice with an opportunity for a public hearing.

(b) The public notice shall be given by publication in a newspaper of general circulation in the area where the facility is located and shall be provided to persons who are on the Division's notification list for air quality permit notices.

(c) The public notice shall identify:

- (1) the affected facility;
- (2) the name and address of the permittee;
- (3) the name and address of the person to whom to send comments and requests for public hearing;
- (4) the name, address, and telephone number of a Divisional staff person from whom interested persons may obtain additional information, including copies of the draft permit, the application, compliance plan, pollution prevention plan, monitoring and compliance reports, and other materials available to the Division that are relevant to the permit decision;
- (5) the activity or activities involved in the permit action;
- (6) emissions change involved in the proposed permit modification;
- (7) a brief description of the public comment procedures;
- (8) the procedures to follow to request a public hearing unless a public hearing has already been scheduled; and
- (9) the time and place of a hearing that has already been scheduled.

(d) The notice shall allow not less than 30 days for public comments.

(e) If the Director determines that significant public interest exists or that the public interest will be served, the Director shall require a public hearing to be held on a draft permit. Notice of a public hearing shall be given not less than 30 days before the public hearing.

(f) The Director shall make available for public inspection in the region affected the information submitted by the permit applicant and the Division's analysis of that application.

(g) A person requesting paper copies of material identified in Subparagraph (c)(4) of this Rule shall pay ten cents (\$0.10) per page copied. Confidential material shall be handled in accordance with 15A NCAC 02Q .0107.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.108; 143B-282; S.L. 1989, c. 168, s. 45;
Rule originally codified as part of 15A NCAC 2H .0610;
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