

## **15A NCAC 02H .0111 PUBLIC HEARINGS**

### **(a) Public Hearings:**

- (1) Any person who desires a public hearing on any NPDES permit application shall submit a request to the Director in accordance with G.S. 143-215.1(c)(3). Any such request or petition for public hearing shall indicate the interest of the party filing such request and the reasons why a hearing is warranted.
- (2) The Director shall determine whether a public hearing is warranted in accordance with G.S. 143-215.1(c)(3) and, if a hearing is warranted, shall issue public notice and conduct such hearing for the Commission. The Director may hold one or more hearings to consider an NPDES permit application or to consider a group of related NPDES permit applications, such as for facilities of similar type or location or subject to similar permit requirements.
- (3) All comments received within 30 days following the publication date of the notice of NPDES permit application shall be made part of the application file and shall be considered by the Director prior to taking final action on the application.
- (4) Any hearing brought pursuant to this Paragraph shall be held in the geographical area of the proposed discharge except that the Director may choose one or more alternative locations in the interest of facilitating public participation. If two or more hearings are held for a single permit application or for groups of similar applications, the hearings shall be located so as to provide for public participation across the geographical area of the permits.

(b) Adjudicatory Hearings and appeals shall be conducted in accordance with Article 3 of Chapter 150B of the General Statutes.

*History Note: Authority G.S. 143-215.1(c)(1); 143-215.1(e); 143-215.3(a)(1); 143-215.3(a)(3); 143-215.3(a)(4); 143-215.5;  
Eff. February 1, 1976;  
Amended Eff. March 1, 1993; November 1, 1987;  
Readopted Eff. May 1, 2020.*