

15A NCAC 02H .1203 PUBLIC NOTICE

(a) The Director shall provide notice of a proposed Consent Order in accordance with G.S. 143-215.2(a1)(1). The notice shall include the following information:

- (1) name, address, and phone number of the agency issuing the public notice;
- (2) name and address of the person to whom the order is directed;
- (3) a summary of the proposed conditions of the agreement, including a disclosure of the final compliance date and the permit conditions that the permittee will be allowed to exceed;
- (4) notice that a public meeting may be requested in accordance with G.S. 143-215.2(a1)(2); and
- (5) a description of the information available for public review, where it can be found, and procedures for obtaining copies of documents.

(b) If a public meeting request is received, the Director shall consider all requests for a public meeting in accordance with G.S. 143-215.2(a1)(2). If he or she determines that there is public interest in holding a public meeting, he or she shall provide notice as set forth in G.S. 143-215.2(a1)(2). The notice shall include the following:

- (1) the information specified in Subparagraphs (a)(1), (2), (3) and (5) of this Rule;
- (2) the time and location for the meeting; and
- (3) how public comment is to be provided.

(c) Any person may request to receive copies of all notices required by this Rule, and the Director shall provide copies of notices to those who have submitted a request.

(d) The Director may combine the requirements in Paragraphs (a) and (b) of this Rule with a combination comment period and public meeting notice.

(e) Any Special Order by Consent may be amended by the Director to incorporate minor modifications, such as reallocations of allowable flows, correction of typographical errors, and interim date extensions, in a consent order without public notice provided that the modifications do not extend the final compliance date by more than four months.

(f) The requirements of this Rule for public notice and public meeting were developed to apply to Special Orders by Consent. The Commission may specify other conditions for Special Orders issued without consent.

*History Note: Authority G.S. 143-215.2; 143-215.3(a)(1); 143-215.3(a)(3); 143-215.3(a)(4);
Eff. November 1, 1990;
Amended Eff. August 3, 1992;
Readopted Eff. May 1, 2020.*