

15A NCAC 02Q .0521 PUBLIC PARTICIPATION

(a) The Director shall give public notice with an opportunity for comments and a hearing on all draft permits and permit revisions except permit revisions issued pursuant to 15A NCAC 02Q .0514, .0515, and .0524. The Director shall give public notice with an opportunity for comments and a hearing on draft permit revisions issued pursuant to 15A NCAC 02Q .0514, .0515, and .0524 for any source that may be designated by the Director based on public interest relevant to air quality.

(b) Notice of any draft permit for an existing facility for which a public hearing is scheduled or for a new facility shall be given by publication in a newspaper of general circulation in the area where the facility is located, posted on the North Carolina Division of Air Quality web site at <http://deq.nc.gov/about/divisions/air-quality> for the duration of the public comment period, and emailed to persons who are on the Division's emailing list for air quality permits.

(c) Notice for existing facilities for which a public hearing is not scheduled shall be given by posting the draft permit on the North Carolina Division of Air Quality web site at <http://deq.nc.gov/about/divisions/air-quality> for the duration of the public comment period and shall be emailed to persons who are on the Division's emailing list for air quality permit notices.

(d) The 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 Divisional staff from whom interested persons may obtain additional information, including copies of the permit draft, the application, compliance plan, monitoring and compliance reports, all other relevant supporting materials, and all other materials available to Division that are relevant to the permit decision;
- (5) the activity or activities involved in the permitted action;
- (6) any emissions change involved in any permit modification;
- (7) a brief description of the comment procedures;
- (8) the procedures to follow to request a hearing unless a hearing has already been scheduled; and
- (9) the time and place of all hearing that have already been scheduled.

(e) The Director shall send a copy of the notice to affected states and EPA.

(f) The notice shall allow 30 days for public comments.

(g) Notice of any public hearing shall be given at least 30 days before the hearing.

(h) The Division shall keep a record of the public participation process, including the following:

- (1) the names of all commenters;
- (2) the issues raised during the public participation process; and
- (3) all written comments submitted during the public participation process.

If EPA requests a record of the comments and of the issues raised during the public participation process, the Director shall provide EPA this record.

(i) The Division shall respond in writing to comments raised during the public participation process, including any written comments submitted during the public comment period and any comments raised during any public hearing on the permit. The response to comments shall be included in the statement of basis and any Hearing Officer's report.

(j) Persons who desire to be placed on the Division's email notification list for air quality permit notices shall subscribe to the permits email list serve at <http://deq.nc.gov/about/divisions/air-quality>.

*History Note: Authority G.S. 143-215.3(a)(1),(3); 143-215.107(a)(10); 143-215.108; 143-215.111(4);
Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. July 1, 1994;
Amended Eff. January 1, 2010; July 1, 1998;
Readopted Eff. April 1, 2018;
Amended Eff. September 1, 2022.*