

15A NCAC 02Q .0522 REVIEW BY EPA AND AFFECTED STATES

(a) The Director shall provide EPA with a copy of each permit application, including any application for permit revision, the statement of basis required under Paragraph (b) of this Rule, each proposed permit, and each final permit issued pursuant to this Section. If EPA has informed the Director that a permit application summary and relevant portion of the permit application and compliance plan are sufficient, the Director may provide these documents instead of the complete application.

(b) The Division shall provide a statement that sets forth the legal and factual basis for the draft permit conditions, including references for the applicable statutory or regulatory provisions. The Division shall provide this statement to EPA and any other person who requests it.

(c) If comments are received during the public participation process, the written responses shall be provided to EPA through submittal of a statement of basis, required pursuant to 15A NCAC 02Q .0521, with an explanation of how those public comments and the Division's responses are available to the public.

(d) The Division shall retain for five years a copy of all permit applications, permits, and other related material submitted to or issued by the Division pursuant to this Section.

(e) The Director shall provide notice to each affected state of each draft permit at or before the time notice is provided to the public pursuant to 15A NCAC 02Q .0521.

(f) The Director, in writing, shall notify EPA and any affected state of any refusal by the Division to accept all recommendations for the proposed permit that the affected state submitted during the public or affected state review period and shall state the reasons for not accepting any such recommendations.

(g) The information specified in Paragraphs (a) through (c) of this Rule shall be provided to EPA in a computer-readable format compatible with EPA's national database management system.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108; 143-215.111(5);
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;
Readopted Eff. April 1, 2018;
Amended Eff. September 1, 2022.*