

R307. Environmental Quality, Air Quality.

R307-415. Permits: Operating Permit Requirements.

R307-415-7i. Public Participation.

The director shall provide for public notice, comment and an opportunity for a hearing on initial permit issuance, significant modifications, reopenings for cause, and renewals, including the following procedures:

(1) ~~The director shall give notice [Notice shall be given:—by publication in a newspaper of general circulation in the area where the source is located;]~~ by publishing a legal notice on the public legal notice website under Subsection 42-1-101(2) and by posting the notice and the draft permit on the Division's website for the duration of the public comment period. The director shall give notice to persons on a mailing list developed by the director, including those who request in writing to be on the list, [;] and by other means if necessary to assure adequate notice to the affected public.

(2) The notice shall identify:

(a) the Part 70 source;

(b) the name and address of the permittee;

(c) the name and address of the director;

(d) the activity or activities involved in the permit action;

(e) the emissions change involved in any permit modification;

(f) the name, address, and telephone number of a person from whom interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials, including any compliance plan or compliance and monitoring certification, and all other materials available to the director that are relevant to the permit decision;

(g) a brief description of the comment procedures; and

(h) the time and place of any hearing that may be held, including a statement of procedures to request a hearing, unless a hearing has already been scheduled.

(3) The director shall provide such notice and opportunity for participation by affected States as is provided for by Section R307-415-8.

(4)~~[Timing.]~~ The director shall provide at least 30 days for public comment and shall give notice of any public hearing at least 30 days in advance of the hearing.

(5) The director shall keep a record of the commenters and also of the issues raised during the public participation process, and such records shall be available to the public and to EPA.

KEY: air pollution, greenhouse gases, operating permit, emission fees

Date of Enactment or Last Substantive Amendment: September 3, 2020

Notice of Continuation: May 15, 2017

Authorizing, and Implemented or Interpreted Law: 19-2-109.1; 19-2-104