

EXHIBIT D1.a – Part 1

Arkansas Division of
Environment Quality of the
Department of Energy and
Environment

AIR

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
Air Permits Applications	State	APC&EC Reg 8 (and also duplicated in Reg 26 for major sources)	Reg.8.205 and 26.602 10 day public notice published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.	Can request a public hearing in writing within ten (10) business day. The Department shall have the discretion to decide whether to hold a public hearing, unless otherwise required by law or regulation.
Minor Source Draft Air Permits	State law/regulation written to satisfy federal requirement	AR Code as implemented in APC&EC Reg 8 Federal Requirements as implemented in APC&EC Reg 18 and 19	Reg 8: 8.208 30 day notice, published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation. Reg 18/19 18.306 and 19.406 Availability of the draft decision for the public inspection in at least one location in the area where the source is located, or proposes to locate, and in the Department's central offices A 30-day period for submittal of public comment A publication in a newspaper of general circulation in the area where the source is located or proposes to locate, and in a State publication designed to give general public notice. A copy of the notice sent to the owner/operator and to the: Regional Administrator of the EPA Mayor of the community where the stationary source is proposed to be constructed or modified County judge of the county where the equipment is proposed to be constructed or modified appropriate air pollution control agencies of adjoining states if the construction or modification of the source will impact air quality in adjoining states.	Can submit written comments Can request a public hearing and submit oral comments at hearing Comments received will be addressed before final permit decision
Title V Draft Permits	State law/regulation written to satisfy federal requirement	AR Code as implemented in APC&EC Reg 8 Federal Requirements as implemented in APC&EC Reg 26	Reg 8: 8.207, 8.208 30 day notice published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation. Reg 26: 26.602 Availability of the draft decision for the public inspection in at least one location in the area where the source is located, or proposes to locate, and in the Department's central offices; A 30-day period for submittal of public comment A publication in a newspaper of general circulation in the county where the source is located or proposes to locate, or in a State publication if no county publication is available. A copy of the notice sent to the owner/operator and to the: Mayor of the community where the stationary source is proposed to be constructed or modified; County judge of the county where the equipment is proposed to be constructed or modified; Persons on mailing list developed by the Dept including those requesting to be on the list Affected States	Can submit written comments Can request a public hearing and submit oral comments at hearing Not specified, comments received will be addressed before final permit decision
Variances/Interim Authorities	State	Reg 8	Same as Reg 8 Draft permit notices	Same as Reg 8 Draft permit notices
Notice of Public Hearings on permit	State	Reg 8	8.209 Give notice of the date, time and place of the hearing by first class mail to the applicant, to all persons who have filed a timely written request for a public hearing to all persons who have submitted public comments on the record, and to all persons who have requested advance notice of the public hearing.; notice of the date, time and place of the hearing by publishing the notice in a newspaper of general circulation in the county in which the proposed facility or activity is, or is to be located; or for a statewide permit, in a newspaper of statewide circulation	oral or written comments accepted The Presiding Officer may extend the period for written public comments, if announced at the public hearing, for up to twenty (20) calendar days.

General Permits, new modified renewed	State	ACA 8-4-203, reg 8, 18, 19 and 26	<p>No notice Requirements in Reg 18</p> <p>Reg 19 : 19.406, 19.411</p> <p>When any application for the issuance of a new permit or a modification of an existing permit is filed with the Department, the Department shall cause notice of the application to be published in a newspaper of general circulation in the county in which the proposed facility is to be located.</p> <p>The notice shall advise that any interested person may request a public hearing on the permit application by giving the Department a written request within ten (10) days of the publication of the notice.</p> <p>Reg 26 - 26.602 Same as regular Title V Draft Permits but refers to chapter that also talks about applications (?).</p> <p>Arkansas Code - refers to draft permit notice requirements</p> <p>Notice in a newspaper of general circulation in the county in which the facility that is the subject of the application is located; or in the case of a statewide permit, in a newspaper of general circulation in the state.</p> <p>The notice shall afford any interested party thirty (30) calendar days in which to submit comments on the proposed permit action.</p> <p>The final written permitting decision shall be published on the department's website.</p>	May request a hearing
General Permit NOI "approvals"	State	Reg 8, Reg 19, and 2014 letter from Ryan Benefield (general permit related)	<p>8.205, 19.411 for general permits</p> <p>10 day notice period Public notice published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.</p>	

Other "Public Notices" required in Reg 8

NOVs and CADs
Rulemaking
Emergency Orders
Request for Hearing on
Emergency Orders
Settlements

EXAMPLE

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
Minor Source Air Permits Applications	State	APC&EC Reg 8	Public notice published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.	Can request a public hearing in writing within ten (10) business day. The Department shall have the discretion to decide whether to hold a public hearing, unless otherwise required by law or regulation.
Draft Minor Source Air Permits	State law/regulation written to satisfy federal requirement	AR Code as implemented in APC&EC Reg 8	Published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation.	Can submit written comments Can request a public hearing and submit oral comments at hearing
		Federal Requirements as implemented in APC&EC Reg 19	<p>Availability of the draft decision for the public inspection in at least one location in the area where the source is located, or proposes to locate, and in the Department's central offices;</p> <p>A 30-day period for submittal of public comment</p> <p>A publication in a newspaper of general circulation in the area where the source is located or proposes to locate, and in a State publication designed to give general public notice.</p> <p>A copy of the notice sent to the owner/operator and to the:</p> <p>Regional Administrator of the EPA;</p> <p>Mayor of the community where the stationary source is proposed to be constructed or modified;</p> <p>County judge of the county where the equipment is proposed to be constructed or modified; and</p> <p>appropriate air pollution control agencies of adjoining states if the construction or modification of the source will impact air quality in adjoining states.</p>	Not specified, comments received will be addressed before final permit decision

HAZARDOUS WASTE

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
Class 1 Permit Modifications (2 parts state/federal)	State	APC&EC Reg. 8	Not Required	Because the public is not given an opportunity to comment public participation is for any individual who reasonably considers himself or herself to be harmed in his or her person, business, or property shall have standing to appeal and may appeal this permitting action pursuant to Reg.8.214.
	State and Federal	APC&EC Reg. 23	Reg. 23 270.42 (a)(1)(i) Notification by mail to mailing list only <i>(ii) The permittee must send a notice of the modification to all persons on the facility mailing list, maintained by the Director in accordance with 40 CFR 124.10(c)(viii), and the appropriate units of State and local government, as specified in 40 CFR 124.10(c)(ix). This notification must be made within 90 calendar days after the change is put into effect.</i>	
Class 1 Permit Modifications <u>requiring prior Director's Approval</u> (2 parts state/federal)	State	APC&EC Reg. 8	Not Required	Because the public is not given an opportunity to comment public participation is for any individual who reasonably considers himself or herself to be harmed in his or her person, business, or property shall have standing to appeal and may appeal this permitting action pursuant to Reg.8.214.
	State and Federal	APC&EC Reg. 23	Reg. 23 270.42 (a)(1)(i) Notification by mail to mailing list only <i>(ii) The permittee must send a notice of the modification to all persons on the facility mailing list, maintained by the Director in accordance with 40 CFR 124.10(c)(viii), and the appropriate units of State and local government, as specified in 40 CFR 124.10(c)(ix). This notification must be made within 90 calendar days after the Director approves the request.</i>	
Class 2 Permit Modifications meeting the definition of minor modification found in Reg. 8 (2 parts state/federal)	State	APC&EC Reg. 8	Not Required	Because the public is not given an opportunity to comment public participation is for any individual who reasonably considers himself or herself to be harmed in his or her person, business, or property shall have standing to appeal and may appeal this permitting action pursuant to Reg.8.214.
	State and Federal	APC&EC Reg. 23	Reg. 23.270.42(b)(2) Notification by mail to mailing list and public notice in major local newspaper of general circulation including 60-day comment period on the application, creation of a public repository public viewing of the permit modification request, and permittee must hold a public meeting during the 60 day comment period. No public comment period on the draft permitting decision. Reg. 23.270.42(f) Public Notice of Permit Modification Decisions The Director shall notify persons on the facility mailing list and appropriate units of State and local government within 10 days of any decision under this section to grant or deny a Class 2 or 3 permit modification request.	

Class 2 Permit Modifications not meeting the definition of minor modification (i.e. those that are major modifications) found in Reg. 8 (2 parts state/federal)	State	APC&EC Reg. 8	<p>Reg.8.205 Public Notice of Administratively Complete Application</p> <p>Public notice of an administratively complete application for a permit shall be published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.</p> <p>Reg8.207 Public Notice of Draft Permitting Decision</p> <p>Notice of the draft permitting decision shall be published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation.</p>	<p>Public notice of application includes a 10 business day public comment period to solicit request for a public hearing on the application. The Director may or may not decide to grant request(s) for public hearing.</p> <p>Public notice of the draft permitting decision includes a 30 day public comment period with solicitation of requests for public hearings.</p> <p>Persons with standing may appeal the final decision pursuant to Reg.8.214.</p>
	State and Federal	APC&EC Reg. 23	<p>Reg. 23.270.42(b)(2) Notification for Permit Modification Request</p> <p>Notification by mail to mailing list and public notice in major local newspaper of general circulation including 60-day comment period on the application, creation of a public repository public viewing of the permit modification request, and permittee must hold a public meeting during the 60 day comment period.</p> <p>No public comment period on the draft permitting decision.</p> <p>Reg. 23.270.42(f) Public Notice of Permit Modification Decisions</p> <p>The Director shall notify persons on the facility mailing list and appropriate units of State and local government within 10 days of any decision under this section to grant or deny a Class 2 or 3 permit modification request.</p>	<p>Public notice of the application includes a 60-day public comment period. The permittee is required to hold a public meeting during the comment period. Comments are to be provided to the Department contact specified in the public notice the permittee causes to be published.</p> <p>Opportunity to participate is given during the 60 day public comment period and public meeting required to be held by the permittee for the application, but no opportunity is given to the public on the draft permitting decision.</p> <p>The public can appeal the final permitting decision pursuant to Reg.8.214 and 40 CFR 124.19.</p>
	State	APC&EC Reg. 8	<p>Same requirement in Reg.8 as Class 2 Permit Modifications not meeting the definition of a minor modification.</p> <p>Reg.8.205 Public Notice of Administratively Complete Application</p> <p>Reg8.207 Public Notice of Draft Permitting Decision</p>	<p>Public notice of application includes a 10 business day public comment period to solicit request for a public hearing on the application. Granting a request for public hearing is at the Director's discretion.</p> <p>Public notice of the draft permitting decision includes a 30 day public comment period with solicitation of requests for public hearings. However, 40 CFR Part 124 provides for a 45-day public comment period for draft permitting decisions for RCRA facilities (hazardous waste). Additionally where the Director has discretion to grant requests for public hearings under Reg.8.206 and Reg.8.209, granting a request for a hearing when the draft permitting decision has received written comment opposing the decision is non-discretionary. A public hearing must be held in these cases.</p>

Class 3 Permit Modifications	State and Federal	APC&EC Reg. 23	<p>Reg. 23.270.42(c)(2) Notification for Permit Modification Request</p> <p>Notification by mail to mailing list and public notice in major local newspaper of general circulation including 60-day comment period on the application, creation of a public repository public viewing of the permit modification request, and permittee must hold a public meeting during the 60 day comment period.</p> <p>Reg. 23, 270.42(c)(6) and Reg8.207 public Notice for Draft Permitting Decision</p> <p>Public notice of the draft permitting decisions is placed in daily or weekly major local newspaper of general circulation including a 45 day public comment period.</p> <p>Reg. 23.270.42(f) Public Notice of Permit Modification Decisions</p> <p>The Director shall notify persons on the facility mailing list and appropriate units of State and local government within 10 days of any decision under this section to grant or deny a Class 2 or 3 permit modification request.</p>	<p>Public notice of the application includes a 60-day public comment period. The permittee is required to hold a public meeting during the comment period. Comments are to be provided to the Department contact specified in the public notice the permittee causes to be published.</p> <p>Public notice of the draft permitting decision includes a 45-day public comment period. A public hearing will be held, if comments opposing the draft permitting decision are received. A separate public notice giving at least 30 days advance notice announcing a public hearing will be noticed.</p> <p>The public can appeal the final permitting decision pursuant to Reg.8.214 and 40 CFR Part 124.19</p>
Initial Permits	State	APC&EC Reg. 8	<p>Same requirement in Reg.8 as Class 2 Permit Modifications not meeting the definition of a minor modification.</p> <p>Reg.8.205 Public Notice of Administratively Complete Application</p> <p>Reg8.207 Public Notice of Draft Permitting Decision</p>	<p>Public notice of application includes a 10 business day public comment period to solicit request for a public hearing on the application. The Director may or may not decide to grant request(s) for public hearing.</p> <p>Public notice of the draft permitting decision includes a 30 day public comment period with solicitation of requests for public hearings.</p> <p>Persons with standing may appeal the final decision pursuant to Reg.8.214.</p>

	State and Federal	APC&EC Reg. 23	<p>270.7 (d) Pre-Application Public Notice</p> <p>(4) The applicant must provide public notice of a public meeting prior to submitting an application for an initial permit.</p> <p>(i) The notice must be in ALL of the following forms</p> <p>(A) A newspaper advertisement- in the newspaper having the largest circulation published in the county in which the facility is, or is proposed to be located, as well as publishing a notice in the newspaper having the largest circulation published in each adjoining county. If there is no newspaper published in any of the counties so affected, the notice shall be published in the newspaper(s) having the largest circulation in such county or counties. The notice must be published as a display advertisement.</p> <p>(B) A sign displaying the public notice located at or near the facility.</p> <p>(C) A broadcast media announcement - television or radio including the information in (4)(ii)</p> <p>(D) A notice to the Department and appropriate State and Local Governments (identified in 40 CFR 124.10(c)(1)(x) [A] To any unit of local government having jurisdiction over the area where the facility is proposed to be located; and (B) to each State agency having any authority under State law with respect to the construction or operation of such facility.]</p> <p>These public notice requirements also apply to renewals which include significant changes. A significant change is any change the would qualify as a Class 3 permit modification.</p>	<p>During the public notice period and the required public meeting the public may ask questions or submit them in writing. The applicant provides a copy of these questions as part of the application submitted to the Department.</p>
			<p>270.7 (e) Public Notice Requirements at the Application Stage</p> <p>Notification at submittal includes notifying individuals on the mailing list maintained by the Department and the appropriate units of state and local government that an application has been submitted to the Department and is available for review. This notice is published in accordance with Reg.8.205 and includes the information in Reg.8.205(B).</p> <p>270.7 (g) Notice of Adjacent Landowners and Tenants</p> <p>270.7 (h) upon receipt of the application the Department will process the application in accordance with applicable provisions of Reg. 23 and 40 CFR Part 124 as adopted in Reg. 23, Section 3.</p> <p>This includes a public notice of the draft permitting decision and 45-day public comment period for all facilities. For commercial facilities the Department is required to hold a public hearing whether comments are submitted or not. For Non-commercial facilities the Department is only required to hold a public hearing when comments opposing the draft permitting decision are received.</p>	<p>Public participation is provided by 45-day public comment period on the draft permit. The public may request a hearing to be held on the draft permitting decision or in the case of commercial facilities a public hearing will be held regardless of receipt of comments or request to hold a hearing.</p> <p>The public can appeal the permit pursuant to 40 CFR 124.19.</p>

Renewal Permits	State	APC&EC Reg. 8	<p>Same requirement in Reg.8 as Class 2 Permit Modifications not meeting the definition of a minor modification.</p> <p>Reg.8.205 Public Notice of Administratively Complete Application Reg8.207 Public Notice of Draft Permitting Decision</p>	<p>Public notice of application includes a 10 business day public comment period to solicit request for a public hearing on the application. The Director may or may not decide to grant request(s) for public hearing.</p> <p>Public notice of the draft permitting decision includes a 30 day public comment period with solicitation of requests for public hearings.</p> <p>Persons with standing may appeal the final decision pursuant to Reg.8.214.</p>
	State and Federal	APC&EC Reg. 23	<p>270.7 (e) Public Notice Requirements at the Application Stage</p> <p>Notification at submittal includes notifying individuals on the mailing list maintained by the Department and the appropriate units of state and local government that an application has been submitted to the Department and is available for review. This notice is published in accordance with Reg.8.205 and includes the information in Reg.8.205(B).</p> <p>270.7 (g) Notice of Adjacent Landowners and Tenants</p> <p>270.7 (h) upon receipt of the application the Department will process the application in accordance with applicable provisions of Reg. 23 and 40 CFR Part 124 as adopted in Reg. 23. Section 3.</p> <p>This includes a public notice of the draft permitting decision and 45-day public comment period for all facilities. For commercial facilities the Department is required to hold a public hearing whether comments are submitted or not. For Non-commercial facilities the Department is only required to hold a public hearing when comments opposing the draft permitting decision are received.</p>	<p>Public participation is provided by 45-day public comment period on the draft permit. The public may request a hearing to be held on the draft permitting decision or in the case of commercial facilities a public hearing will be held regardless of receipt of comments or request to hold a hearing.</p> <p>The public can appeal the permit pursuant to 40 CFR 124.19.</p>
Preliminary Public Hearings (Discretionary) (Initial and Renewal Permits)	State and Federal	APC&EC Reg. 23	<p>270.7 (h)(7) Prior to drafting the permit for any hazardous waste management facility, the Department may hold a preliminary hearing in the area in which the facility is or is proposed to be located, for information purposes. The hearing may be held by giving no less than ten (10) days notice in the newspaper having the largest circulation in the county in which the facility is, or is proposed to be located and the newspaper having the largest circulation in each adjoining county.</p>	<p>A public hearing is held.</p>
Public Hearings for Commercial Facilities (Initial and Renewal Permits)	State and Federal	APC&EC Reg. 23	<p>270.7 (h)(8) A 30-day notice of the public hearing on the draft permit shall be given in the area in which the facility is or is proposed to be located. The notice shall be published in the newspaper having the largest circulation in the county in which the facility is, or is proposed to be located and the newspaper having the largest circulation in each adjoining county.</p>	<p>A public hearing is held.</p>
Public Hearings for Non-Commercial Facilities (Initial and Renewal Permits)	State and Federal	APC&EC Reg. 23	<p>270.7 (h)(8) A 30-day notice of the public hearing on the draft permit shall be given in the area in which the facility is or is proposed to be located. The notice shall be published in the newspaper having the largest circulation in the county in which the facility is, or is proposed to be located and the newspaper having the largest circulation in each adjoining county.</p>	<p>A public hearing is held.</p>

Public Hearings on Permit Modifications with comments opposing (Class 3 only)	State and Federal	APC&EC Reg. 23	Reg. 23 270.42 (c) and 40 CFR 124.12 a public hearing must be held if written notice of opposition of the draft permit is received.	A public hearing is held. The public comment period is automatically extended to the end of the public comment period. At the hearing the public comment period may be further extended as stated by the hearing officer.
Public Hearings	State	APC&EC Reg. 8	In general public hearings for hazardous waste facilities will also met Reg. 8 requirements unless a Reg. 8 requirement conflicts with Reg. 23 or a federal requirement. In such case the Reg. 23 or federal requirement takes precedent.	

Definitions:

Display Advertisement

Newspaper display advertising is a form of **newspaper advertisement** - where the **advertisement** appears alongside regular editorial content.

INSTRUCTIONS

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
<p>1. Column A – List the documents that your office public notices. Mining will list all applications, enforcement actions, variances, etc. For all other medias, Stacie will list the enforcement actions that are public noticed by Legal. All other office representatives will list permits, variances, etc. that are public noticed by their office. I will compile all the spreadsheets into one document as I receive them.</p>	<p>2. Column B – Is the public notice required by state law, federal law, or both?</p>	<p>3. Column C – Cite the regulation or statutory requirement for the public notice listed in column A.</p>	<p>4. Column D – How is the public notice distributed? EPA, Local paper, statewide paper, local officials, neighbors, etc.? How long is the notice published?</p>	<p>5. Column E – How is the public encouraged to participate? Is a public meeting required or does it have to be requested? How long are public comments accepted and what is the timeline and procedure for addressing the comments?</p>

LEGAL

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
Adjudicatory hearings and orders	Ark. Code Ann. § 8-4-214(a), (b)(2)		Any notice, order, or other instrument issued by or under authority of the Arkansas Pollution Control and Ecology Commission may be served upon any person affected thereby, personally or by publication. Service by publication shall be accomplished by one (1) insertion in a newspaper of general circulation in the area affected.	Ark. Code Ann. § 8-4-103(d) Thirty (30) day public comment period and right to intervene in a hearing held under this subchapter or may petition the commission to set aside the order and provide an adjudicatory hearing.
Temporary Variance and Interim Authority	Ark. Code Ann. § 8-4-230(e)(1)		The director's decision to grant or deny a temporary variance or interim authority to construct or operate shall be issued within ten (10) days of receipt of the request and shall be publicly noticed in a newspaper of general circulation in the state within five (5) business days of the director's decision.	Ark. Code Ann. § 8-4-230(e)(2) A person may object to the director's decision within ten (10) business days of the notice.
Temporary Variance and Interim Authority		Rule 8.207(A)		shall be published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation

Public Hearings re Permits or Draft Permitting Decisions		Rule 8.209(A)(2)	Give notice of the date, time and place of the hearing by publishing the notice in a newspaper of general circulation in the county in which the proposed facility or activity is, or is to be located; or for a statewide permit, in a newspaper of statewide circulation.	Rule 8.209(B)(1) The Department will receive oral public comments at the public hearing.
Notice of Intended Action on the Proposed Rulemaking Decision		Rule 8.802	The notice shall be mailed to all persons requesting advance notice. In addition, notice shall be published in appropriate industry, trade, professional or public interest publications chosen by the Commission and at least twice in a newspaper of statewide circulation.	Rule 8.805(B)(1) Any interested person may submit comments, written or oral, on the proposed Rule.
Notices of Violation and Consent Administrative Orders		Rule 8.405(A)	On or about the 10th and 25th day of each month, the Director shall cause a list of all Notices of Violation issued, and all Consent Administrative Orders entered into, but not previously noticed, to be published in a newspaper of statewide circulation.	Rule 8.406 provides for public comment on a NOV or CAO
Emergency Order		Rule 8.502(B)	Director shall cause a "Notice of Emergency Order" to be published in a newspaper covering the affected area or in a newspaper of statewide circulation	
Settlement of Matters for which a Request for Hearing has been filed		Rule 8.207 through 8.211		

For major permits, NPDES and 404 general permits, and permits that include sewage sludge land application plans under 40 C.F.R. § 501.15(a)(2)(ix)	40 C.F.R. § 124.10(c)(2)(i)		publication of a notice in a daily or weekly newspaper within the area affected by the facility or activity	
For all RCRA permits	40 C.F.R. § 124.10(c)(2)(ii)		publication of a notice in a daily or weekly major local newspaper of general circulation and broadcast over local radio stations	
For PSD permits	40 C.F.R. § 124.10(c)(2)(iii)(B)		in lieu of the requirement in paragraph (c)(2)(i) of this section to publish in a daily or weekly newspaper, the Director shall notify the public by posting the following information (not included), for the duration of the public comment period, on a public Web site identified by the Director	
For NPDES major permits and NPDES general permits	40 C.F.R. § 124.10(c)(2)(iv)		in lieu of the requirement for publication of a notice in a daily or weekly newspaper, as described in paragraph (c)(2)(i) of this section, the Director may publish all notices of activities described in paragraph (a)(1) of this section to the permitting authority's public website.	
Program administered by approved State	40 C.F.R. § 124.10(c)(3)		When the program is being administered by an approved State, in a manner constituting legal notice to the public under State law	

MINING

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
<p>New Individual Open-Cut Mining Permits. Major modifications of individual open-cut mining permits. Notification of Intent to Quarry (New, Renewal, and/or Modification). Renewal of General Permit for Open-Cut Mining. Interim Authority for Open-Cut Mining Permits.</p>	<p>State Laws</p>	<p>The Arkansas Open-Cut Land Reclamation Act (Ark. Code Ann. §§15-57-301 <i>et. seq.</i>)(State Law); APC&EC Regulation No. 15 (State Regulation)</p>	<p>For Individual Open-Cut Mining Permits, public notices are sent (mailed) to the applicant to be published in the newspaper of general circulation in the county in which the mine site is proposed to be located or in newspaper of statewide circulation. For the General Permit for Open-Cut Mining, the public notice is published in the newspaper of statewide circulation.</p>	<p>For Open-Cut Mining Permits, can request a public hearing within ten(10) days of publication date of the Administrately Complete public noice. Can request a public hearing and submit comments within thirty (30) days of publication of public notice.</p>

<p>Notification of Intent to Quarry (NOI)(New, Renewal, and Modifications)</p>	<p>State Law</p>	<p>The Arkansas Quarry Operation, Reclamation, and Safe Closure Act (Ark. Code Ann. §§15-57-401 <i>et. seq.</i>). There are no regulations for quarries.</p>	<p>The public notice templates are provided and available on the ADEQ website/webpage. Public notices are published in a newspaper of general circulation in the county where the quarry is located. The notification will be part of an operator's intent and will be published in the newspaper at the same time the intent is filed with the department. Proof of publication shall be provided to the department in the operator's notice of intent.</p>	<p>The notification shall state that interested parties may contact the department for further information and they have ten (10) days after publication of the notice to notify the department of any request for a public meeting. If the department receives at least five (5) requests for a public meeting from owners of property within one-half (1/2) mile of the quarry, it may require that the operator hold a public meeting.</p>
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<p>All Coal Mining Permits (New, Renewal, Revisions (modifications), change of operator or majority ownership). All Coal Mining enforcement action public notices are done by Legal.</p>	<p>State & Federal Laws</p>	<p>Surface Mining Control and Reclamation Act (SMCRA) Federal Law; The Arkansas Surface Coal Mining and Reclamation Act (Ark. Code Ann. §§15-58-101 <i>et. seq.</i>)(State Law; APC&EC Regulation No. 20 (State Regulation)</p>	<p>For public notices for Coal Mining Permits, refer to Regulation No. 20 §786.11.</p>	
<p>For all enforcement actions (CAO, Bond Forfeiture, etc. for Open-Cut Mining and Quarries, public notices are done by Legal.</p>	<p>State Law</p>			

WATER

Document being public noticed (permits, enforcement, regulation changes, etc.)	State or Federal Law	Regulation	Description of the Public Notice Required	Description of the Procedures for Public Participation
NPDES Individual Permits -Complete Applications for Issuances, Renewals, Major Mods, and Construction Permits	both	APC&EC Regulation 8, Section 8.205-8.206 and 40 CFR 124.10	Public notice published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.	Public comments/requests for public hearing can be submitted to the engineer in writing within 10 business days. Public hearings are held at ADEQ's discretion based on comments received.
NPDES individual Permits - Drafts for Issuances, Renewals, Major Mods, and Construction Permits	both	APC&EC Regulation 8, Section 8.207-8.208 and 40 CFR 124.10	Notice of the draft permitting decision shall be published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation.	30 day comment period. Comments must be written, submitted by mail, fax, or email, and received no later than 4:30 p.m. on the last day of the comment period. A public hearing may be requested; if scheduled, oral comments may be submitted there. Engineers respond to comments and commenters are sent copies of the final permit at the time they are issued.
Individual No Discharge Complete Applications	state	APC&EC Regulation 8, Section 8.205-8.206	Public notice published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.	Public comments/requests for public hearing can be submitted to the engineer in writing within 10 business days. Public hearings are held at ADEQ's discretion based on comments received.

Individual No Discharge Draft Permits	state	APC&EC Regulation 8, Section 8.207-8.208	Notice of the draft permitting decision shall be published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation.	30 day comment period. Comments must be written, submitted by mail, fax, or email, and received no later than 4:30 p.m. on the last day of the comment period. A public hearing may be requested; if scheduled, oral comments may be submitted there. Engineers respond to comments and commenters are sent copies of the final permit at the time they are issued.
Public Hearings (someone on 6th floor usually does these)	State	APC&EC Regulation 8, Section 8.209	Public notice w/date, time, place, published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.	Oral comments may be presented at hearing, but to ensure accurate recording, written comments are preferred. The period for written comments may be extended up to 20 days.

Interim Authority/Temporary Variances	State	APC&EC Regulation 8, Section 8.216	Every decision to grant or deny shall be published in accordance with Reg.8.207 within ten (10) business days of the date of the decision, i.e., in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation.	Any member of the public may object within 10 business days of the notice if submitted in accordance with Reg.8.208(D), i.e., comments must be written, submitted by mail, fax, or email, and received no later than 4:30 p.m. on the last day of the comment period.
401 Recertifications	State	Act 401 of 1997, Section 3-6-B (See page 102 of Reg 2.)	Public notice and comment in the same manner as permit applications, i.e., published in a newspaper of general circulation in the county in which the proposed facility or activity is to be located, or, for a statewide permit, in a newspaper of statewide circulation.	Public notice and comment in the same manner as permit applications, i.e., public comments/requests for public hearing can be submitted to the engineer in writing within 10 business days. Public hearings are held at ADEQ's discretion based on comments received. ***Melanie Treat receives comments for these and she lists a 30 day comment period which differs from the 10 days listed in the reg
Water NPDES General Permits	Both	Reg 8.207 and ACA 8-4-203 (m)(2)(A) (which refers to ACA 8-4-203(e)(1)(A)(ii)) and 40 CFR 124.10(a)(1)	Public notice runs for one day in a paper with statewide circulation. ADEQ pays for this notice in accordance with ACA 8-4-203 (m)(2)(B).	Public comments and requests for hearings are accepted for 30 days from the date of publication.

Applications (NOIs) for coverage under ARG 16, 25, 50, 55, 64, 75, 79	Federal	40 CFR 124.10(c)(2)(iv)	on the ADEQ website for 5 business days here: http://www.adeq.state.ar.us/water/permits/npdes/nonstormwater/noi/	NOI put on the website. Interested parties can submit comments during the comment period. Public hearings are rare, but held at ADEQ's discretion based on comments received. Only the NOI for the specific facility is open for comment-comments are not accepted on the general permit.
Applications (NOIs) for coverage under ARR040000	Federal	40 CFR 124.10(c)(2)(iv)	on the ADEQ website for 30 days here: http://www.adeq.state.ar.us/water/permits/npdes/stormwater/noi/ms4/	NOI and Stormwater Management Program are put on the website. Interested parties can submit comments during the comment period. Public hearings are rare, but held at ADEQ's discretion based on comments received. Only the NOI for the specific facility is open for comment-comments are not accepted on the general permit.
No Discharge General Permits	none	APC&EC Regulation 8, Section 8.207-8.208	Notice of the draft permitting decision shall be published in a newspaper of general circulation in the county in which the facility or activity proposed to be permitted is located, or, for a statewide permit, in a newspaper of statewide circulation.	per our ND Admin --- Officially, there are no regulations that address the public notice of no-discharge general permits; however, they are published in accordance with Reg.8.207.
NPDES Individual Application /Draft Denials	Federal	40 CFR 124.10(a)(i)	i) A permit application has been tentatively denied under §124.6(b);	A notice of intent to deny the permit application follows the same public notice procedures as the issuance of a draft permit