

15A NCAC 02Q .0604 PUBLIC PARTICIPATION

- (a) Before approving or disapproving a permit to construct or modify a transportation facility, the Director shall provide public notice for comments with an opportunity to request a public hearing on the draft permit.
- (b) The public notice shall be given by publication in a newspaper of general circulation in the area where the transportation facility is located.
- (c) The public 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 comments and requests for public hearing are to be sent;
 - (4) the name, address, and telephone number of Divisional staff from whom interested persons may obtain additional information, including copies of the draft permit, the application, monitoring and compliance reports, all other relevant supporting materials, and all other materials available to Division that are relevant to the permit decision;
 - (5) a brief description of the proposed project;
 - (6) a brief description of the public comment procedures;
 - (7) the procedures to follow to request a public hearing unless a public hearing has already been scheduled; and
 - (8) the time and place of any hearing that has already been scheduled.
- (d) The public notice shall allow at least 30 days for public comments.
- (e) If the Director finds that a public hearing is in the best interest of the public, the Director shall require a public hearing to be held on a draft permit. Notice of a public hearing shall be given at least 30 days before the public hearing.
- (f) The Director shall make available for public inspection in at least one location in the region affected, the information submitted by the permit applicant and the Division's analysis of that application.
- (g) Any persons requesting copies of material identified in Subparagraph (c)(4) of this Rule shall pay ten cents (\$0.10) a page for each page copied. Confidential material shall be handled in accordance with Rule .0107 of this Subchapter.

History Note: Filed as a Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 143-215.3(a)(1),(3); 143-215.4(b); 143-215.108; 143-215.109;
Eff. July 1, 1994.