



## Public Notice Process

For use with Instructions for Notice of Construction Application, ECY 070-410a-g.

### **What is the public notice process and how long does it take?**

The public notice process is how Ecology invites the public to participate in air quality permit actions. Ecology sets aside a period of time as a comment period during which the public is invited to comment on a proposed action. The process may include any or all of the following steps, which may occur sequentially or concurrently:

- Ecology posts a notice on its web site that an application was received which does not require a mandatory public comment period. This posting must remain on the web site for at least 15 days. If anyone requests a public comment period, Ecology must provide one.
- Ecology opens a public comment period to notify the public and allow them to comment on the proposed permit. A public comment period begins when a legal notice is published in the newspaper of general circulation in the area where the project will be located. The public comment period will last for at least 30 days from the date of publication. A public comment period is most commonly required when:
  - a rule requires it, as specified in WAC 173-400-171(3), or
  - someone requests it during the internet posting timeframe, or
  - Ecology determines that the project will have significant public interest.
- If Ecology determines there is significant public interest, Ecology holds a public hearing to explain the project (e.g. project scope, emission units, emissions, etc.) to the public. The hearing enables the public to directly participate in learning more about the project, resolving questions, and expressing concerns or support. Ecology will publish a notification of a public hearing at least 30 days prior to the hearing in a newspaper of general circulation in the area where the project will be located. The public comment period will extend through the timeframe of the public hearing.

When the public notice process is complete, Ecology will address comments directly related and specific to the permit limitations, and will then make the decision to issue, change or deny the permit.



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### What does the public notice process cost?

The cost depends on how much time Ecology staff spends preparing notices(s). This staff time is included in the hourly permit limits and fees. If a public hearing is held, the staff hours spent preparing for the hearing (e.g. preparation of notices, presentation material, arranging for a venue, attending and presenting, developing a responsiveness summary etc.) are also included when determining the final bill. The applicant must pay the cost of all newspaper publications.

Recall that the initial permit fee covers up to a specified number of hours that Ecology can spend on your application. Most projects will take more than the specified number of hours and thus be subject to a second hourly fee, set at \$95 per hour, for each hour above the initial specified number of hours. A final permit will be issued only after *all* fees are paid in full.