**Section 252.201 Notice and Opportunity to Comment**

a) The Agency shall issue a notice for the planned issuance of any permit described in Section 252.104, renewal of any operating permit described in Section 252.104, and permit actions described in Section 252.105.

b) The notice shall be given to:

1) The public, by prominent placement at a dedicated page on the Agency's website. The notice shall remain on the Agency's website for the duration of the public comment period. If the Agency's website is unavailable for a prolonged period of time, the comment period will be extended for an equivalent amount of time. Notice shall also be by advertisement in a newspaper of general circulation in the area where the source is located if either:

A) The Director of the Agency or his/her designee determines, for a particular permit, that additional notice would serve the interests of the public or of the Agency. In making this determination, the Agency shall consider public interest; or

B) Pursuant to the Act or other applicable law, notice is required to be published in a newspaper for the type of permit at issue;

2) Local government air pollution control offices within Illinois that are in the area affected by the source;

3) The chief executives of the municipality and county in which the source is to be located, including the mayor or president, clerk, county board chairman, county clerk, and state's attorney;

4) Members of the General Assembly from the legislative district in which the source is located;

5) Any state whose air quality may be affected and that is contiguous to Illinois or is within 50 miles of the source;

6) The permit applicant;

7) Persons on the public participation mailing list for the air pollution control permit program;

8) For purposes of PSD permits, in addition to the notice given by means of subsections (b)(1) through (7), notice shall also be given to USEPA; any comprehensive regional land use planning agency for the area in which the source would be located; and any State Land Manager, Federal Land Manager, or Native American Governing Body whose lands may be affected by emissions from the regulated activity; and

9) For purposes of CAAPP permits, in addition to the notice given by means of subsections (b)(1) through (7), the notice shall be given to USEPA when it is provided to the public.

c) The notice shall include:

1) The name and address of the applicant and the source, and the name and address of the Agency;

2) The activity or activities involved in the permit action;

3) The preliminary decision of the Agency to grant the permit;

4) For the proposed issuance of a PSD permit, the degree of ambient air increment consumed by the project;

5) For a case-by-case MACT determination pursuant to CAA section 112(g) and (j), a description of the emission limitation or work practice standard in the draft permit that constitutes MACT;

6) The location of the documents available for public review;

7) A request for written comments on the Agency's draft permit;

8) The date the comment period closes;

9) Instructions on how to request a public hearing if a decision to hold a hearing has not already been made pursuant to Section 252.205(a) or (b); and

10) The name, address and telephone number of the Agency contact person from whom the public may obtain additional information.

d) The notice to the permit applicant shall also include the draft permit and project summary, statement of basis, or fact sheet required by Section 252.203.

e) The notice shall provide for a 30-day public comment period. The Agency may extend the comment period upon written request if any applicable statutory period for the Agency decision, as prescribed in Section 39 of the Act, allows for an extension.

(Source: Amended at 44 Ill. Reg. 10873, effective June 10, 2020)