**Section 310.542 Public Notice and Hearing**

Upon receiving a submission, the Agency must commence its review. Within 20 work days after determining that a submission meets the requirements of Section 310.522, and, where removal allowance approval is sought, Sections 310.340 and 310.524, the Agency must perform the following actions:

a) Issue a public notice of request for approval of the submission.

1) This public notice must be circulated in a manner designed to inform interested and potentially interested persons of the submission. Procedures for the circulation of public notice must include the following actions:

A) Mailing notices of the request for approval of the submission to the following entities:

i) Federal agencies as designated by USEPA;

ii) Regional planning agencies that participate in development of water quality management plans (unless such agencies have specifically requested not to receive such notices); and

iii) Any other person or group who has requested individual notice, including those on appropriate mailing lists; and

B) Publication of a notice of request for approval of the submission in a newspaper or newspapers of general circulation within the jurisdiction or jurisdictions served by the POTW that would provide meaningful public notice.

2) The public notice must provide at least 30 days following the date of the public notice during which interested persons may submit their written views on the submission.

3) All written comments submitted during the 30-day comment period must be retained by the Agency and considered in the decision on whether or not to approve the submission. The period for comment may be extended at the discretion of the Agency.

b) Provide an opportunity for the applicant, any affected state, any interested State or federal agency, person, or group of persons to request a public hearing on the submission.

1) This request for public hearing must be filed within the 30-day (or extended) comment period described in subsection (a)(2) and must indicate the interest of the person filing such request and the reasons why a hearing is warranted.

2) The Agency must hold a hearing if the POTW so requests. In addition, a hearing will be held if there is a significant public interest in issues relating to whether or not the submission should be approved. Instances of doubt should be resolved in favor of holding the hearing.

3) Public notice of a hearing to consider a submission and sufficient to inform interested parties of the nature of the hearing and the right to participate must be published in the same newspaper as the notice of the original request for approval of the submission under subsection (a)(1)(B). In addition, notice of the hearing must be sent to those persons requesting individual notice.

BOARD NOTE: Derived from 40 CFR 403.11(b) (2003).

(Source: Amended at 47 Ill. Reg. 5083, effective March 23, 2023)