**Section 502.310 CAFOs Seeking Coverage Under NPDES General Permits**

a) CAFO owners or operators must submit a notice of intent that meets the requirements of Section 502.201 and Subpart E when seeking authorization to discharge under a general permit.

b) When additional information is necessary to complete the notice of intent or to clarify, modify, or supplement previously submitted material, the Agency may request that information from the owner or operator as provided in 35 Ill. Adm. Code 309.106.

c) The Agency must notify the public of its proposal to grant coverage under the general permit to the CAFO. This public notice must include the CAFO's nutrient management plan.

d) The process for submitting public comments and hearing requests, and the hearing process if a request for a hearing is granted, will follow the procedures applicable to draft individual permits found in 35 Ill. Adm. Code 309.109(b) and 309.115 through 309.118.

e) The time period for the public to comment and request a hearing is 30 days following the date of the notice issued under subsection (c).

f) When a public hearing is held, the Agency must respond to significant comments received during the comment period as provided in 35 Ill. Adm. Code 309.119 and 309.120, except that notice and transmission to the USEPA Regional Administrator is not required. If no hearing is held, the Agency must follow the procedures in 35 Ill. Adm. Code 309.112 and 309.120for Agency action after the comment period. The Agency must require the CAFO owner or operator to revise the nutrient management plan if necessary to be granted permit coverage.

g) When the Agency authorizes coverage for the CAFO owner or operator under the general permit, the terms of the nutrient management plan must become incorporated as terms and conditions of the permit for the CAFO. Incorporating terms and conditions does not require a modification of the general permit.

h) The Agency must notify the CAFO owner or operator and inform the public that coverage has been authorized and of the terms of the nutrient management plan, incorporated as terms and conditions of the permit applicable to the CAFO.

i) Nothing in this Section limits the Agency's authority to require an individual NPDES permit under Section 39(b) of the Act.

(Source: Amended at 48 Ill. Reg. 3196, effective February 15, 2024)