**Section 845.240 Pre-Application Public Notification and Public Meeting**

a) At least 30 days before the submission of a construction permit application, the owner or operator of the CCR surface impoundment must hold at least two public meetings to discuss the proposed construction, with at least one meeting to be held after 5:00 p.m. in the evening.  Any public meeting held under this Section must be located at a venue that is accessible to persons with disabilities, and the owner or operator must provide reasonable accommodations upon request.

b) The owner or operator must prepare and circulate a notice explaining the proposed construction project and any related activities and the time and place of the public meeting. At least 30 days before the public meeting, the owner or operator of the CCR surface impoundment must:

1) Mail or hand-deliver the notice to the Agency and all residents within a one-mile radius from the facility boundary;

2) Post the notice to the owner's or operator's publicly accessible Internet site under Section 845.810;

3) Post the notice in conspicuous locations throughout villages, towns, or cities within 10 miles of the facility, or use appropriate broadcast media (such as radio or television);

4) Request that the Agency email the notice to the Agency's listserv for the facility; and

5) Include in the notice the owner's and operator's contact information, the internet address where the information in Section 845.240(e) will be posted, and the date on which the information will be posted to the site.

c) When a proposed construction project or any related activity is located in an area with a significant proportion of non-English speaking residents, the notification must be circulated, or broadcast, in both English and the appropriate non-English language, and the owner or operator must provide translation services during the public meetings required by Section 845.240(a), if requested by non-English speaking members of the public.

d) The owner or operator of the CCR surface impoundment must prepare documentation recording the public meeting and place the documentation in the facility's operating record as required by Section 845.800(d)(2).

e) At least 30 days before a public meeting, the owner or operator of the CCR surface impoundment must post on the owner's or operator's publicly accessible internet site all documentation relied upon in making a tentative construction permit application.

f) At the public meeting, the owner or operator of the CCR surface impoundment must:

1) Present its decision-making process for the construction permit application, including, when applicable, the corrective action alternatives and the closure alternatives considered. The presentation must include a comparison of projected groundwater impacts for each alternative considered and an objective comparison of the pros and cons of each alternative considered;

2) Include a question/answer portion of the meeting to allow the public to ask questions. There must be representatives from the owner or operator present who are qualified and knowledgeable enough to answer the questions posed by the public.

3) If there are questions posed by the public at the hearing that cannot be answered in person or if there are subsequent questions posed by the public following the meeting, the owner or operator of the facility must respond to those questions in writing within a reasonable timeframe and post the response on the facility's CCR website required by Section 845.810; and

4) Explain that the Agency is creating a listserv for the facility, compile a list of interested persons in attendance – and their respective email addresses – who would like to be added to the listserv, and transmit that list to the Agency with the permit application.

g) Within 14 days after the public meetings required by Section 845.240, the owner or operator must distribute a general summary of the issues raised by the public, as well as a response to those issues or comments raised by the public. If these comments resulted in a revision, change in a decision, or other considerations or determination, a summary of these revisions, changes and considerations must be included in the summary. The summary must be distributed to any attendee who requests a copy at the public meeting.

h) This Section does not apply to applications for minor modifications as described in Section 845.280(d).