WAC 173-401-800 Public involvement. (1) Purpose. It is ecology's and local air authorities' goal to ensure that accurate permitting information is made available to the public in a timely manner. The permitting authority is responsible for providing notice of permitting actions that allows sufficient time for comment and for providing enough information to inform the public of the extent of the actions proposed. These public involvement regulations establish a statewide process to be followed by all permitting authorities.

(2) Public notice.
(a) The permitting authority shall provide public notice for the following actions:
   (i) Issuance of a draft permit or permit renewal;
   (ii) Intended denial of a permit application;
   (iii) Issuance of a draft permit modification;
   (iv) Issuance of a draft general permit;
   (v) Scheduling of a public hearing under subsection (4) of this section; and
   (vi) Any other related activities that the permitting authority considers to involve substantial public interest.
(b) Public notice shall be provided by the permitting authority by prominent advertisement in the area affected by the facility applying for a permit. Publication in Ecology's Operating Permit Register does not satisfy this requirement. Prominent advertisement may be by publication in a newspaper of general circulation in the area affected by the facility applying for a permit as determined by the permitting authority. The permitting authority may provide additional notice to the public through other methods, such as newsletters and press releases. Notice shall also be published in the Ecology Permit Register. The permitting authority shall send information on any action requiring publication in the Permit Register to ecology within three days of the action.
(c) Notice shall be given by the following methods:
   (i) Permitting authority web site. A permitting authority must post notice on its web site for the duration of the public comment period. Public notice must be posted by noon of the first day of the public comment period.
   (ii) A permitting authority may supplement notice on an individual permit or action. Additional notice may include, but is not limited to, a newspaper of general circulation in the area of the permittee.
   (iii) Permit Register.
      (A) Ecology shall publish notice in the Permit Register according to WAC 173-401-805.
      (B) The permitting authority shall send information on any action requiring publication in the Permit Register to ecology within three days of the action.
      (C) Notice of the activities described in (a) of this subsection shall also be provided to persons requesting to receive (such) this notice. The permitting authority shall maintain a mailing list of persons requesting notice, and may maintain more than one list, such as lists based on geographical location. The mailing list may be electronic or hardcopy, or both. No request shall require the extension of the comment period associated with the notice. The permitting authority may from time to time inform the public of the opportunity to be on
the list and may also delete from the list persons who fail to respond
to an inquiry of continued interest in receiving the notices.

(d) Public notice must include:
   (i) The date the notice is posted;
   (ii) The start date and end date of the thirty-day public comment
       period. If a Washington state holiday falls within this period, the
       holiday is not one of the thirty days;
   (iii) Name and address of the permitting authority;
       ((iii)) (iv) Name and address of the permit applicant, and if
       different, the name and address of the facility or activity regulated
       by the permit, unless it is a general permit;
       ((iv)) (v) A brief description of the business conducted at
       the facility and activity involved in the permit action;
       ((v)) (vi) Name, address, and telephone number of a person (or
       an email or web address) from whom interested persons may obtain fur-
       ther information such as copies of the draft permit, the application,
       and relevant supporting materials;
       ((vi)) (vii) A brief description of the comment procedures, in-
       cluding the procedures to request a hearing, and the time and place of
       any hearings scheduled for the permit; and
       ((vii)) (viii) A description of the emission change involved in
       any permit modification.

(e) Availability for public inspection.
   (i) The permitting authority must post the draft permit and tech-
       nical support document on its web site for the duration of the public
       comment period.

   (ii) Administrative record. The permitting authority must make
       the administrative record available for public inspection((e)) for the
       duration of the public comment period. The administrative record must:
       (A) Be available in at least one location near the chapter 401
           source((e)). This may be at a physical location and/or posted on the
           permitting authority web site; and
       (B) Include all nonproprietary information contained in the per-
           mit application((e), draft permit)) and supporting materials. (Public
           inspections of materials for nonstationary sources or general permits
           may be located at the discretion of the permitting authority.) Support-
           ing materials available only in hardcopy or too large for posting
           on a web site must be identified and made available on request.

(3) Public comment. Except as otherwise provided in WAC
173-401-725, the permitting authority shall provide a minimum of thir-
thy days for public comment on actions described in subsection (2)(a)
of this section.

   (a) This comment period begins on the date of ((publication of
       notice in the Permit Register or publication in the newspaper of larg-
       est general circulation in the area of the facility applying for the
       permit, whichever is later)) posting notice on the permitting author-
       ity's web site. Public notice must be posted by noon of the first day
       of the public comment period;

   (b) No proposed permit shall be issued until the public comment
       period has ended and the permitting authority has prepared a response
       to the comments received.

(4) Public hearings. The applicant, any interested governmental
entity, any group or any person may request a public hearing within
the comment period required under subsection (3) of this section. Any
such request shall indicate the interest of the entity filing it and
why a hearing is warranted. The permitting authority may, in its dis-
cretion, hold a public hearing if it determines significant public in-
terest exists. Any such hearing shall be held at a time(s) and place(s) as the permitting authority deems reasonable. The permitting authority shall provide at least thirty days prior notice of any hearing.

(5) The permitting authority shall keep a record of the commentors and issues raised during the public participation process. Such records shall be available to the public.