

# *Public Notice*

west virginia



department of environmental protection

## **Public Notice**

### **West Virginia Department of Environmental Protection Division of Air Quality**

**Comment Period Opens:** September 24, 2021

**Comment Period Closes:** October 26, 2021

**Publication:** Charleston Newspapers and West Virginia State Register

**Publication Date:** September 24, 2021

**Type of Notice:** Public Comment Period and Public Hearing

**Location:** Statewide

**Proposed Activity:** State Plan Revision for the Control of Air Pollution from Municipal Solid Waste Landfills

**Project Description:** The West Virginia Department of Environmental Protection (DEP), Division of Air Quality (DAQ) is revising the Clean Air Act § 111(d) State Plan for the Control of Air Pollution from Municipal Solid Waste (MSW) Landfills. This plan revision incorporates changes made to rule 45 C.S.R. 23 - "Control of Air Pollution from Municipal Solid Waste Landfills" to comport with the federal counterpart regulation. This rule change requires DAQ to submit a State Plan revision for MSW landfills and conduct a public hearing.

The public hearing is being held to satisfy the requirements for submitting a revised § 111(d) State Plan. The revised plan will be submitted to the United States Environmental Protection Agency (USEPA) and supplemented by legislative rule 45 C.S.R. 23 that became effective June 1, 2021. This rule gives West Virginia regulatory authority to adopt, implement and enforce the Emission Guideline requirements for existing MSW landfills and the New Source Performance Standards for new facilities, either directly through administrative action requiring compliance with 45 C.S.R. 23, or by including such requirements in State permits, where applicable.

The proposed revision to the WV MSW Landfill State Plan is available at:

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- the DAQ website at <https://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx>
- If you do not have internet capability, please contact the DAQ for alternatives.

**Point of Contact:** Rich Boehm ([richard.a.boehm@wv.gov](mailto:richard.a.boehm@wv.gov) or 304-926-0475)

Written comments may be submitted at any time during the public comment as instructed below. Comments must be received by the conclusion of the public hearing on October 26, 2021. The DEP is holding the public hearing virtually to prevent the spread of COVID-19. Instructions for participating and providing oral comments virtually are provided below. Both oral and written comments will be made part of the official record. Comments received after the conclusion of the public comment period will not be accepted.

**Written Comments:**

- E-mail written comments to [richard.a.boehm@wv.gov](mailto:richard.a.boehm@wv.gov) with “Proposed MSW Landfills State Plan Revision” in the subject line, or
- Mail hard copy comments to the attention of Richard Boehm at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

**Public Hearing:** October 26, 2021, at 6:00 p.m.

The purpose of the public hearing is to receive comments concerning the proposed State Plan Revision for the Control of Air Pollution from Municipal Solid Waste Landfills.

To participate online or by telephone, registration is required by 5:00 p.m. on Tuesday, October 26, 2021. To register, please complete the participant registration form at <https://forms.gle/BeRrnJoUzh9bcUky9>. To register to speak, please indicate “yes” you want to provide oral comments on the record when you register with the previously provided link. A confirmation email will be sent with information on how to join the public hearing. If you do not have internet access and want to register, please contact Sandra Adkins or Stephanie Hammonds at (304) 926-0475. Registration for the online hearing is required to fulfill the state’s obligation under federal air quality regulations to include a list of participants.

If you wish to speak at the public hearing, verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses is not permitted.