

# Public Notice

west virginia



department of environmental protection

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## Public Notice

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

**Comment Period Opens:** June 4, 2021

**Comment Period Closes:** July 6, 2021

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

**Publication Date:** June 4, 2021

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

**Location:** Statewide

**Proposed Activity:** DAQ 2022 Legislative Rules

**Project Description:** The DAQ proposed 2022 legislative rules include:

45CSR8 (Ambient Air Quality Standards)

45CSR16 (Standards of Performance for New Stationary Sources)

45CSR18 (Control of Air Pollution from Combustion of Solid Waste)

45CSR34 (Emission Standards for Hazardous Air Pollutants)

Upon authorization and promulgation of the final rules, 45CSR16 and 45CSR34 will be submitted to the United States Environmental Protection Agency (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation, 45CSR8 will be submitted to EPA for approval as a revision to the State Implementation Plan (SIP) pursuant to the federal CAA. Upon authorization and promulgation, 45CSR18, will be submitted to EPA for approval as a revision to the CAA §111(d)/129 State Plan to fulfill federal obligations.

The proposed rules are available at:

- the Secretary of State's website at <http://apps.sos.wv.gov/adlaw/csr/>,
- the DEP website at <http://www.dep.wv.gov/pio/Pages/Rules.aspx>, or
- the DAQ website at <https://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx>.

- If you do not have internet capability, please contact DAQ for alternatives.

**Point of Contact:** Laura Jennings ([laura.m.jennings@wv.gov](mailto:laura.m.jennings@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 July 6. The DEP is holding the public hearing in-person with an option to participate virtually. Instructions for participating and providing oral comments virtually are provided below. Both oral and written comments will be made part of the rulemaking record. Comments received after the conclusion of the public comment period will not be accepted.

**Written Comments:**

- E-mail written comments to [Laura.M.Jennings@wv.gov](mailto:Laura.M.Jennings@wv.gov) with “Proposed DAQ 2022 Rule Comments” in the subject line, or
- Mail hard copy comments to the attention of Sandra Adkins at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

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

The purpose of the public hearing is to receive comments concerning the proposed DAQ 2022 legislative rules identified above. Comments will be responded to in writing later as part of the rulemaking process. A separate hearing will be held for each of the proposed rules. The hearings will be held sequentially and will commence immediately following the conclusion of the hearing for the previous proposed rule.

To participate in-person, the location is inside the Coopers Rock Conference Room that is located at the rear of the building. Parking is available. The address is:

DEP Charleston headquarters  
601 57th Street S.E.  
Charleston, WV 25304

To participate online or by telephone, registration is required by 5:00 p.m. on Tuesday, July 6, 2021. To register, please complete the participant registration form at <https://apps.dep.wv.gov/daq-register/attend>. 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 e-mail 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 Sandie 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. If participating virtually, video demonstrations and screen sharing by witnesses is not permitted.