

Public Notice

Proposed DAQ 2021 Legislative Rules

The West Virginia Department of Environmental Protection (DEP), Division of Air Quality (DAQ) has scheduled a public hearing for its 2021 proposed legislative rules to be held at 6:00 p.m. on Tuesday, July 28, 2020. The public hearing will be held virtually to prevent the spread of COVID-19 in accordance with the Governor's Safer at Home Order and the WVDEP COVID-19 Policy. Instructions for participating and for providing oral comments in the virtual public hearing are provided below.

The public comment period begins June 26, 2020 and ends at the conclusion of the public hearing on July 28, 2020. Written comments may be submitted at any time during the public comment as instructed 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.

The DAQ legislative rules proposed for the 2021 include:

45CSR8 (Ambient Air Quality Standards)
45CSR16 (Standards of Performance for New Stationary Sources)
45CSR18 (Control of Air Pollution from Combustion of Solid Waste)
45CSR23 (Control of Air Pollution from Municipal Solid Waste Landfills)
45CSR33 (Acid Rain Provisions and Permits)
45CSR34 (Emission Standards for Hazardous Air Pollutants)
45CSR44 (Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units)

The proposed rules are available from:

- 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 at the phone numbers provided below.

Written Comments

- E-mail written comments to dep.comments@wv.gov with "DAQ 2021 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 Participation

The purpose of the public hearing is to accept comments concerning each of the proposed DAQ 2021 legislative rules identified above. Comments will be responded to in writing at a later date. 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.

Members of the public can participate online or listen via telephone. **Participant pre-registration is required by 5:00 p.m. on Tuesday, July 28, 2020.** To register, please complete the participant registration form at <https://apps.dep.wv.gov/daq-register/attend>. 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 by 5:00 p.m. on Monday, July 27, 2020. Registration 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 virtual public hearing, you must pre-register by 5:00 p.m. on Monday, July 27, 2020. Please limit testimony to one witness for each organization. Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted. To register to speak, please complete the speaker register form at <https://apps.dep.wv.gov/daq-register/speak>. 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 to speak, please contact Sandie Adkins or Stephanie Hammonds at (304) 926-0475 by 5:00 p.m. on Monday, July 27, 2020.

Witnesses are requested to submit a written copy of their verbal testimony by email to dep.comments@wv.gov.

Event title: Public hearing for 2021 DAQ Legislative Rules

Date and time: Tuesday, July 28 at 6:00 p.m.

Location: Virtual. PRE-REGISTRATION IS REQUIRED as described in this notice.

Your registration confirmation will have the log-in and call-in number details.

Upon authorization and promulgation, 45CSR16, 45CSR33, 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 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. Upon authorization and promulgation, 45CSR23 and 45CSR44 will be submitted to EPA for approval as a component of the respective CAA §111(d) State Plans to fulfill federal obligations.

Contact Information

For more information on any of the DAQ rules call 304-926-0475.