**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**APPLICANT INSTRUCTIONS: PREPARING, PUBLISHING AND CERTIFYING LEGAL NOTICE**

When an application has been filed with the DEQ or when a draft or proposed permit has been prepared by DEQ, prepare the legal notice according to the attached form and as directed in the accompanying instructions.

1. Submit a working copy of the notice to the DEQ permitting representative.
2. Obtain DEQ’s approval of notice prior to publishing.
3. Publish as legal notice one time in at least one newspaper local to the proposed new site or existing facility.
4. After publication, get a signed affidavit or proof of publication from the newspaper and submit it to DEQ’s permitting representative within 20 days after the date of publication.

**NOTE:** You may include any other information in the notice you deem relevant to the application, draft or proposed permit.

If you have questions or need assistance, contact the DEQ permitting representative:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name)

P. O. Box 1677

707 N. Robinson

Oklahoma City, OK 73101-1677

Telephone: (405) 702-5100

Fax No: (405) 702-5101

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY**

**NOTICE – PROPOSED PERMIT**

The Oklahoma Department of Environmental Quality (DEQ) gives notice of the opportunity for interested persons to review a proposed Solid Waste permit prepared by the DEQ and request an administrative hearing. If no request is timely made, the proposed permit will become final.

**Application type/applicant:** The proposed permit is based on a Tier III application filed by (1) (2) permit.

**Facility location:** The (3) is located in (4) county at (5) . See legal description below.\*

**Activities to be regulated if permit is made final:** (6) .

**Background:** The DEQ prepared the proposed permit after it reviewed the application for compliance with the Solid Waste Management Act, Title 27A of the Oklahoma Statutes, Section 2-10-101, *et seq.* and the rules of the DEQ, Oklahoma Administrative Code (OAC), Title 252, Chapters 4 and 515, prepared a draft permit and reviewed public comments received on the application and draft permit.

**An administrative hearing is:** an evidentiary individual proceeding held at the DEQ’s office by an administrative law judge in accordance with the Administrative Procedures Act (Oklahoma Statutes, Title 75, Section 309) and DEQ procedures (OAC, Title 252, Chapter 4). The hearing will determine: (1) if the proposed permit should/should not be issued as final; and (2) if it is finalized, which, if any, of its conditions should be changed prior to issuance.

**Who can request:** A person (or a group that has 25 or more members who are Oklahoma residents) who claims to hold a demonstrable environmental interest and who alleges that the construction or operation of the proposed facility or activity would directly and adversely affect such interest.

**Requesters’ rules:** Each requester must participate in the hearing as a party, present testimony and evidence and cross-examine witnesses about the testimony and evidence presented by the applicant’s attorney. An individual may represent himself or be represented by an attorney.

**Deadline for request:**  Must be received by the DEQ within 20 days after the date this notice is published.

**How to request:**  Submit a request, in writing, to the Administrative Hearing Clerk, Department of Environmental Quality, P. O. Box 1677, Oklahoma City, OK 73101-1677, (FAX 405-702-7101).

**For more information on hearing procedures:**  See Title 27A of the Oklahoma Statutes, Section 2-14-304 and Oklahoma Administrative Code, Title 252, Chapter 4, Rules of Practice and Procedure of the DEQ, Subchapter 9. Contact: (7) .

**Where proposed permit, draft permit and application may be reviewed:**

1. Locally at (8) .

2. The DEQ’s Land Protection Division Office located on the 5th floor of the DEQ office building located at 707 North Robinson, P. O. Box 1677, Oklahoma City, OK 73101-1677.

3. On DEQ’s website at https://www.deq.ok.gov/land-protection-division/permit-public-participation-process/.

**For more information on proposed permit, contact:**

1. For applicant: (9) .

2. For DEQ: (10) .

**\*Legal description of site:**  (11) .

**INSTRUCTIONS FOR COMPLETING NOTICE OF PROPOSED PERMIT AND ADMINISTRATIVE HEARING OPPORTUNITY**

1. Insert applicant name and address by street (and P. O. Box number).
2. Insert correct description: “to modify an existing” or “for a new”.
3. Insert name or type of facility and describe as an “existing facility” or “proposed new site” or give a more detailed description.
4. Insert name of county.
5. Insert name of closest city/town with street address or driving directions or both.
6. Give the following information:

* Identify waste type.
* Describe what changes are proposed (e.g., type or volume of waste stream, facility capacity or boundaries, methods of treatment, processing, disposal, storage, monitoring, etc.).
* Explain how changes are to be accomplished (e.g., new processes, equipment, units, operations, construction, etc.).
* If the application involves a variance, identify the rule name and number for which a variance is being sought and explain why it is needed.
* If the application is related to an enforcement/compliance matter, explain how and why it would aid compliance.
* Describe the effect of the application (and/or variance) approval. Discuss resulting outcomes. [*For new permits*: describe what is to be constructed and how it will be operated and closed.][*For modifications*: increased environmental protections, capacity changes, boundary changes, methods, drainage, monitoring, etc.]

1. Insert name and address and telephone number of the DEQ Customer Services representative, administrative hearing clerk, or DEQ Solid Waste Permitting representative, as appropriate.
2. Insert name and address of the local review location. Include driving directions, if necessary. [NOTE: This location must be located in the county where the facility is located.] The location must be open to the public during normal business hours and be staffed with an employee willing to maintain and update the local review file.
3. Insert name, mailing address, and telephone number of applicant’s representative, or telephone number of applicant.
4. Insert name, mailing address, and telephone number of the DEQ permitting representative.
5. If the facility does not have a street address, insert the legal description of the facility.