**Section 309.109 Public Notice**

a) Upon tentative determination to issue or deny an NPDES Permit, completion of the draft permit, if any, and not earlier than 10 days after notice to the applicant under Section 309.108(d), the Agency must circulate public notice of the completed application for an NPDES Permit in a manner designed to inform interested and potentially interested persons of the discharge or proposed discharge and of the proposed determination to issue or deny an NPDES Permit for the discharge or proposed discharge. Procedures for the circulation of public notice must include at least the following concurrent actions:

1) Notice must be mailed to the applicant;

2) Notice must be circulated within the geographical area of the proposed discharge; circulation may include any or all of the following:

A) Posting in the post office and public places of the municipality nearest the premises of the applicant in which the effluent source is located;

B) Posting near the entrance to the applicant's premises and in nearby places;

C) Publishing in local newspapers and periodicals, or, if appropriate, in a daily newspaper of general circulation; and

D) Any other notice requirements necessary to meet the requirements of the Act and the CWA;

3) Notice must be mailed to any person or group upon request; and

4) The Agency must add the name of any person or group upon request to a mailing list to receive copies of notices for all NPDES applications within the State of Illinois or within a certain geographical area.

b) The Agency must provide at least 30 days following the date of first publication of the public notice for interested persons to submit their written views on the tentative determinations concerning the NPDES application. All comments must be submitted to the Agency and the applicant. All written comments submitted during the 30-day comment period must be retained by the Agency and considered in formulating its final determinations on the NPDES application. The period for comment may be extended at the discretion of the Agency by publication as provided in this Section.

(Source: Amended at 47 Ill. Reg. 5017, effective March 23, 2023)