**Section 705.163 Methods of Public Notice**

Public notice of activities described in Section 705.161(a) must be given by the following methods:

a) By mailing a copy of a notice to the following persons (any person otherwise entitled to receive notice under this paragraph may waive his or her rights to receive notice for any classes and categories of permits):

1) The applicant.

2) Any other agency or entity that the Agency knows is required by State or federal law to review or approve issuance of a RCRA or UIC permit for the same facility or activity (including USEPA, other Federal and State agencies with jurisdiction over waterways, wildlife or other natural resources, and other appropriate government authorities, including other affected States and units of local government).

3) Federal and State agencies with jurisdiction over fish, shellfish and wildlife resources and over coastal zone management plans, the Advisory Council on Historical Preservation, State Historic Preservation Officers, and other appropriate government authorities, including any affected States.

4) Persons on a mailing list developed by doing as follows:

A) Including those who request in writing to be on the list;

B) Including participants in past permit proceedings in that area; and

C) Notifying the public of the opportunity to be put on the mailing list through periodic publication in the public press and in governmental publications.

D) The Agency may update the mailing list from time to time by requesting written indication of continued interest from those listed. The Agency may delete from the list the name of any person who fails to respond to such a request.

5) For RCRA permits only to the following entities:

A) To any unit of local government having jurisdiction over the area where the facility is proposed to be located; and

B) To each State agency having any authority under State law with respect to the construction or operation of such facility.

6) For Class I injection well UIC permits only, to the Illinois Department of Natural Resources, Office of Mines and Minerals.

7) For a Class VI injection well, mailing or e-mailing a notice to the Illinois Department of Natural Resources, Office of Mines and Minerals, Division of Gas and Oil and to the Agency, Divisions of Public Water Supply and Land Pollution Control.

8) Any other person or entity that the Agency has reason to believe would be particularly interested in or affected by the proposed action.

b) Publication of notice must be made as follows:

1) For major UIC permits, publication of a notice in a daily or weekly newspaper of general circulation within the area affected by the facility or activity.

2) For RCRA permits, publication of a notice in a daily or weekly major local newspaper of general circulation and broadcast over local radio stations.

c) Any other method reasonably calculated to give actual notice of the action in question to the persons potentially affected by it.

BOARD NOTE: Derived from 40 CFR 124.10(c) (2011).

(Source: Amended at 36 Ill. Reg. 1653, effective January 20, 2012)