



**Environmental
Protection Agency**

APPLICANT PUBLIC NOTICE INSTRUCTION SHEET

June 1, 2010

GENERAL PUBLIC NOTICE REQUIREMENTS:

Please direct questions regarding this process to the Division of Surface Water 401 application reviewer identified in the complete application letter. You may also request assistance at the following general numbers:

Division of Surface Water (614) 644-2001

Public Interest Center - Public Involvement Supervisor (614) 644-2160

The complete application letter from Ohio EPA states the requirement for the applicant, to publish the public notice for the proposed project (and if needed, notice of the public hearing). A copy of the public notice will be provided to the applicant for publication.

The public notice must appear for at least one day in the newspaper of general circulation where the project is located. The DSW web site link below provides a list of general circulation newspapers for Ohio counties that can be used for public notice purposes.

<http://www.epa.ohio.gov/dsw/401/publicnotice.aspx>

If the public notice is to include a notice for a public hearing, there must be coordination with Ohio EPA regarding the details of the hearing. See "Public Hearing Coordination" below, for additional guidance.

PUBLIC NOTICE FOR RECEIPT OF APPLICATION ONLY:

The complete application letter will indicate if a public hearing is required for your project. If the first box on the complete application letter is checked, proceed with the instructions described below.

- A. The only blank to be filled in on the notice provided is the date of publication.
- B. In order to ensure the proper date is included in the public notice, you will have to coordinate with the newspaper to determine a date of publication. The public must be allowed 30 days after the notice is published to submit comments. A list of newspapers of general circulation for the county where the project is located can be found at:

www.epa.ohio.gov/dsw/401/publicnotice.aspx

- C. Ohio EPA's Division of Surface Water (DSW) Permit Processing Unit is responsible for mailing the notice to Ohio EPA's Interested Parties List and placing the notice in the Weekly Review. The Interested Parties List and the Weekly Review are additional tools used by Ohio EPA to notify the public of Agency actions. Once the date of publication has been determined, the public notice should be:
1. e-mailed to Ms. Patti Smith at patti.smith@epa.state.oh.us; or,
 2. faxed to the Permit Processing Unit, Attn: Patti Smith, at (614) 728-5299.
- D. Once the notice has appeared in the newspaper, the applicant must submit proof of publication, which can be:
1. e-mailed to Ms. Patti Smith at patti.smith@epa.state.oh.us; or,
 2. faxed to the Permit Processing Unit, Attn: Patti Smith, at (614) 728-5299.

The proof may be a photocopy of the notice as published or other documentation provided by the newspaper. Ohio EPA must receive this proof of publication before the agency will take an action on the application.

Steps C and D, above, are very important. Failure to coordinate with the Division of Surface Water Permit Processing Unit may invalidate the public notice and delay an action on the application.

PUBLIC HEARING COORDINATION

The complete application letter will indicate if a public hearing is required for your project. If the second or third box on the complete application letter is checked, proceed with the instructions described below. Ohio EPA's Public Interest Center (PIC) will be copied on the complete application letter to notify PIC of the need to schedule a public hearing.

- A. Several blanks will need to be filled in on the notice provided. These include:
1. the date of publication;
 2. the date/time of the hearing; and
 3. location of the hearing.
- B. Because of the coordination mentioned above, you will be contacted within ten days to inform you of the time, date, and location of the public hearing.

To ensure the proper date is included in the public notice, after you have received the time and location information from Ohio EPA, you will have to coordinate with the newspaper to determine an estimated date of publication. The public must be allowed 45 days after the notice is published to submit comments. If the public notice is not in the newspaper at least 45 days before the hearing is scheduled, the hearing will be rescheduled and the public notice reissued.

- C. A list of newspapers of general circulation for the county where the project is located can be found at:

www.epa.ohio.gov/dsw/401/publicnotice.aspx

- D. Ohio EPA's Division of Surface Water (DSW) Permit Processing Unit is responsible for mailing the notice to Ohio EPA's Interested Parties List and placing the notice in the Weekly Review. Once the date of publication has been determined, the public notice must be:

1. e-mailed to Ms. Patti Smith at patti.smith@epa.state.oh.us; or
2. faxed to the Permit Processing Unit, Attn: Patti Smith, at (614) 728-5299.

- E. Once the notice has appeared in the newspaper, you must submit proof of publication which can be:

1. e-mailed to Ms. Patti Smith at patti.smith@epa.state.oh.us; or
2. faxed to the Permit Processing Unit, Attn: Patti Smith, at (614) 728-5299.

The proof may be a photocopy of the notice as published or other documentation provided by the newspaper. Ohio EPA must receive this proof of publication before the agency will take an action on the application.

Steps D and E, above, are very important. Failure to coordinate with the Division of Surface Water Permit Processing Unit may invalidate the public notice and delay an action on the permit application.