

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION MANAGEMENT ADMINISTRATION
PERMIT TO CONSTRUCT PROCESS AND
PUBLIC PARTICIPATION OPPORTUNITIES**

I. INFORMATIONAL MEETING

An informational meeting provides an opportunity for communication between the company, the Department, and citizens. This meeting may or may not be held depending upon the level of public interest in the application.

II. TECHNICAL REVIEW OF THE APPLICATION

The Department performs a technical review of the application to determine if the proposed equipment will comply with all applicable air pollution control regulations.

III. TENTATIVE DETERMINATION

After the technical review and the informational meeting, if one is held, the Department prepares a tentative determination, which will include a proposal to either issue or deny the permit. A copy of the tentative determination will be available for review by citizens.

IV. PUBLIC HEARING

Citizens must be given the opportunity to request a public hearing. If a hearing is requested, or if the Department decides to require one, the Department will schedule the hearing to formally receive comments from citizens on the Tentative Determination. Written comments about the Tentative Determination can also be sent directly to the Department.

Interested persons may request an extension to the public comment period. The request must be submitted in writing and must be received by the Department no later than 30 days from the publication date of the first hearing notice, or 5 days after the hearing, whichever is later. The public comment period may be extended one time for a period of 60 days only.

V. FINAL DETERMINATION

If adverse written and/or oral comments are received concerning the tentative determination or if the Department intends to make a final determination that is substantively different from the tentative determination, the Department responds in writing to the comments received and prepares a final determination.

VI. JUDICIAL REVIEW

A Final Determination by the Department on the issuance, denial, renewal, or revision of a permit is subject to judicial review at the request of any person that meets the threshold standing requirements under Federal Law; and

- a) Is the applicant; or
- b) Participated in a public participation process through the submission of written or oral comments, unless an opportunity for public participation was not provided.

A petition for Judicial Review must be filed with the Circuit Court for the County, unless otherwise required by statute, where the application for the permit states that the proposed activity will occur, and must be filed within 30 days after the publication of a notice of final determination.