**Section 309.115 Public Hearings on NPDES Permit Applications**

a) Agency Determination on Whether to Hold a Public Hearing

1) The Agency must hold a public hearing on issuing or denying an NPDES Permit or group of permits whenever the Agency determines that there exists a significant degree of public interest in the proposed permit or group of permits to warrant holding a hearing. Instances of doubt must be resolved in favor of holding the hearing.

2) Any person, including the applicant, may submit to the Agency a request for a public hearing or a request to be a party at such a hearing to consider the proposed permit or group of permits. Requests for a public hearing must be filed within the 30-day public comment period and must indicate the interest of the party filing the request and the reasons why a hearing is warranted.

b) When the Agency has determined under subsections (a) and (b) that a public hearing is required, the Director must appoint one or more employees of the Agency to serve as a hearing board and must designate one to serve as Chair.

c) The Chair of the hearing board must promptly schedule the matter for hearing to be held within 60 days after the filing of the first request for a public hearing, or as may be otherwise agreed among the parties.

d) Hearings held under this Section must be held in the geographical area in which the discharges or proposed discharges are located, or other appropriate location, as determined by the Chair. Consideration must be given to facilitating the attendance of interested or affected persons and organizations and to the accessibility of hearing sites to public transportation. The Chair must conduct a fair hearing, take all necessary action to avoid delay, maintain order, and ensure the development of a clear and complete hearing file.

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