

Chapter 1 - Section 1.13 REVISIONS, PUBLIC HEARING - November 2, 1979  
ADOPTION OF NEW AND REVISED AIR POLLUTION  
CONTROL REGULATIONS AND REVISIONS TO THE  
IMPLEMENTATION PLAN

In accordance with the 1977 Clean Air Act Amendments, changes in the North Dakota Air Pollution Control Law and changes in Federal regulations by the U.S. Environmental Protection Agency, the North Dakota State Department of Health has proposed revisions to the Implementation Plan and Air Pollution Control Regulations.

Under the authority of the new State law regarding permit fees, the Department has developed the first phase in establishing a permit fee system by the addition to the regulations of a permit to construct application processing fee. To further improve and streamline the permit to construct review process, changes have been made in the requirements for public participation. The Department also adopted the National Ambient Air Quality Standard for lead and followed the U.S. Environmental Protection Agency lead in changing the photochemical oxidant standard.

Revisions to the Implementation Plan include the addition of the new State law concerning permit fees and a complete revision of Chapter 6, Air Quality Surveillance, in accordance with Part 58 of Title 40, Code of Federal Regulations.

The North Dakota State Department of Health, prior to the revision of the Implementation Plan and Air Pollution Control Regulations, conducted one (1) public hearing on the Plan and Regulations after reasonable notice thereof, as required by Section 51.4 of Requirements for Preparation, Adoption and Submittal of Implementation Plans. The hearing was held on November 2, 1979, in the Hearing Room, State Capitol, Bismarck.

Notice of the public hearing was given by two (2) publications, one week apart, in each of the official county newspapers within the State, the last publications being thirty (30) days prior to the hearing. The Administrator of the Environmental Protection Agency, the Director of the Division of Air Quality of the Minnesota Pollution Control Agency, the Secretary of the South Dakota Department of Environmental Protection and the Chief, Air Quality Bureau, Montana State Department of Health and Environmental Sciences, were notified of the public hearing as well as many interested parties on the State Department of Health Air Pollution mailing list.

The revisions to the Implementation Plan and the amendments to the Air Pollution Control Regulations were available for public inspection as of October 2, 1979, during normal working hours at the office of the State Department of Health, 1200 Missouri Avenue, Room 304, in Bismarck, North Dakota and the offices of the Community Health Department, 401 - 3rd Avenue North in Fargo.

The North Dakota State Department of Health has prepared and retained a complete record of the public hearing for submission to the Administrator of the Environmental Protection Agency. Copies of the record of the hearing will be furnished to the public upon request.

Copies of the notice of the public hearing and a certification that the hearing was held in accordance with the notice required by Section 51.4 of the Requirements for Preparation, Adoption and Submittal of Implementation Plans are attached in Appendix A.