



Public Participation 101: Understanding the Process

Chris Mayeux
Environmental Scientist Manager
Stakeholder Outreach Section
Louisiana Department of Environmental Quality



LDEQ in 2008

ENVIROSCHOOL FOR COMMUNITIES



Goal: Educating communities to become informed participants in the regulatory process.

- Outreach program designed to help communities understand and participate meaningfully in the LDEQ regulatory process
- Series of training sessions
 - *regulations, permitting, monitoring, surveillance, enforcement, cleanup, public participation*
- Sessions will help communities to access and utilize informational resources for effective communication and dialogue with stakeholders

EDUCATION + MEANINGFUL PARTICIPATION = COMMUNITY EMPOWERMENT



LDEQ in 2008

ENVIROSCHOOL FOR COMMUNITIES



- Regional workshops across the state
- 2 hour sessions / one topic per month
- Session schedule
 - Baton Rouge (**FIRST Thursday** of the Month)
 - New Orleans (**SECOND Thursday** of the Month)
 - Lake Charles (**THIRD Thursday** of the Month)
 - Shreveport (**FOURTH Thursday** of the Month)



DEQ in 2008

Office Organizational Chart



ENVIRONMENTAL SERVICES

WATER PERMITS

WASTE PERMITS

AIR PERMITS

ENVIRONMENTAL ASSISTANCE

ENVIRONMENTAL COMPLIANCE

SURVEILLANCE

ENFORCEMENT

EMERGENCY RESPONSE
AND RADIATION PROTECTION

ENVIRONMENTAL ASSESSMENT

AIR QUALITY ASSESSMENT

WATER QUALITY ASSESSMENT

TECHNOLOGY

REMEDIATION

LABORATORY SERVICES

UNDERGROUND STORAGE TANK

MANAGEMENT & FINANCE

FINANCIAL SERVICES

INFORMATION SERVICES

GENERAL SERVICES

HUMAN RESOURCES



ENVIROSCHOOL

FOR COMMUNITIES

LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY

DEQ in 2008



ENVIRONMENTAL
ASSISTANCE
DIVISION



STAKEHOLDER
OUTREACH
SECTION



PUBLIC
PARTICIPATION
GROUP



Public Participation Group



- The Public Participation Group (PPG) is responsible for issuing public notices and conducting public hearings/ meetings associated with permitting activities related to the four categories of media (Air, Hazardous Waste, Solid Waste, and Water)
- This is specified under Subtitle II of Title 30 of the Louisiana Revised Statutes RS30:2001, Environmental Regulatory Codes LAC 33 and the Code of Federal Regulations 40 CFR.





Public Involvement

- Public involvement efforts are designed to enable the citizens of Louisiana to be a part of the environmental decisions that affect their lives.
- Meaningful involvement in this process means that:
 - potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health
 - the public's contribution can influence the regulatory agency's decision
 - the concerns of all participants involved will be considered in the decision-making process
 - the decision makers seek out and facilitate the involvement of those potentially affected (US EPA)



Public Participation in DEQ Activities



- Permitting Activities
- Draft Decisions
- Rulemaking Process

PPG also conducts meetings related to different areas in LDEQ such as Remediation, Radiation, Legal settlements as well as other DEQ issues of interest to the public.





WHAT INFORMATION IS AVAILABLE FOR THE PUBLIC?



Information to Review



- Application
- Draft permit
- Statement of basis
- Fact sheet
- Environmental Assessment Statement (IT Questions)
- Correspondence
- All previous information submitted to or generated by DEQ etc.



Information is available for all Media



Media: *Specific environments--air, water, soil--which are the subject of regulatory concern and activities (US EPA).*

Media Types	
Air	Other Media Types
Hazardous Waste (HW)	
Solid Waste (SW)	
Water	
	Radiation
	General

Accessing the information



The DEQ's permitting process is an open one.

- Much of the information you would like to see can be found in EDMS- the [Electronic Document Management System](#) on our website or by contacting or visiting our public records center.
 - The public records center is located at 602 North 5th St., Baton Rouge.
- Information can be found at public libraries & other repositories
- Public Webpage
- All Regional Offices





PUBLIC NOTIFICATION OF PERMITTING ACTIVITIES



Public Notices



- A public notice is notification by the Agency informing the public of actions such as the receipt of an application, issuance of a draft permit or scheduling of a hearing.
- Public notices related to major permitting activities are required by the State and Federal regulations for the different media



When is the public informed of permitting activities?



For all the major permits, the public is informed of the status of the permit at the following stages:

- Pre-application (Hazardous waste & Solid Waste)
- Application received by DEQ (Hazardous Waste by Public notice)
- The permit application is determined administratively complete
- Draft or proposed permit
- Final decision



Types of Notification



- DEQ Permits Public Notices Web Page
 - <http://www.deq.louisiana.gov/apps/pubNotice/default.asp>
- Newspapers
- Radio announcements (Hazardous waste only)
- The DEQ permits public notice mailing list (hard copy & Email)
- The DEQ Public Notice email mailing list
 - http://www.doa.louisiana.gov/oes/listservpage/ldeq_pn_listserv.asp





PUBLIC PARTICIPATION IN THE PERMITTING PROCESS





Public Participation

How can the public participate in the decision?

- Reviewing the available material
- Participating in
 - Public hearings
 - Public meetings (pre-application, Drafts, etc..)
- Submitting written comments during the comment period

Why participate?

- You may have knowledge that would be important for the agency to consider as it makes its final decision





Making Comments

- All comments are considered equally however comments relevant to the permit issue will most affect the decision.
- Simply stating your opposition is not as effective as stating the reasons behind your opposition.





Tips for Making Comments

- Be specific!!!!
 - Explain your interest in the proposed document
 - Clearly identify the document you are commenting on
 - Include reference numbers and identifiers (AI or PER numbers)
 - Discuss any potential problems with the draft permit
 - Cite statutes, regulations, and guidance
 - Attach any documentation that supports your position





Tips for Making Comments

- State opinions and propose alternative solutions
 - When possible include data to support your view
- Review the technical reports and data, comment on conclusions or implementation of plans or projects
- Check for omissions, accuracy, and consistency





Tips for Developing Comments

Use your Resources

- Government: Enforcement Officers, Permit Writers, Community Liaisons or local State Environmental Offices
- Technical Assistance Providers
- University Personnel
- Consider requesting a meeting with the permitting authority to resolve the issues or requesting a public meeting/hearing





Sending Comments

- Comments can be sent during the comment period as published in the public notice
- The comment period is based on the media regulations

Media Type	Comment Period
Air Permits	Minimum 30 days
Hazardous Waste Permits	Minimum 45 days
Solid Waste Permits	Minimum 30 days
Water Permits	Minimum 30 days





Sending Comments Cont...

- by mail to:
 - Soumaya Ghosn
PO. Box 4313
Baton Rouge, LA 70821
- by fax: (225) 219-3309
- by email: maillistrequest@la.gov
- If sent by fax or email to meet the deadlines, then a hard copy of the comments is also to be mailed.



Hearings vs. Meetings



PUBLIC HEARINGS

- Formal and structured as per the Statutes
- **Not** a question and answer session.
- Transcribed & become part of the official administrative record

PUBLIC MEETINGS

- Less formal
- No formal time limits on statements
- The facility or the permitting agency usually answers questions
- Do not become part of the record

Public Hearings

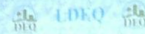


- Public Hearings provide a formal opportunity for the public to present comments and oral testimony on a proposed agency action.
- The oral testimonies given during the hearing are transcribed by an official court reporter.
- The Hearing is not a question and answer session





Louisiana Department of Environmental Quality



is conducting a public Hearing
this evening

Thursday February 21, 2008





Requesting A Public Hearing

How can I request a public hearing be held?

- You can add your request to your comments **during** the comment period
- Include the reason for your request for the hearing
- Identify who you represent (self, group, community, etc..)



Public Hearing Approval



The approval by the administrative authority for a public hearing is based on :

- The basis of the request
- If there is a significant degree of public interest in the proposed action

The state administrative authority may also hold a public hearing at his or her discretion, whenever a hearing might clarify one or more issues involved in the action





Public Hearing Approval Cont...

Who approves the request for a public hearing?

- Some public hearings are required by regulations while others are granted on a case-by-case basis
- The Assistant Secretary of the Office of Environmental Services (OES) has the authority to approve or deny the request for a hearing



Public Meetings



- Public Meetings may be requested to clarify information related to an Agency action
- Public Meetings may be requested by contacting the responsible Administrative Authority related to the particular site or issue
- Requests can also be made through the Community & Industry Relations Group





How are the comments used?

- Upon receipt of the comments, the original comments are sent to the records management group and a copy is forwarded to the permit writer and to the Public Participation Group.
- The permit writer reviews the comments and uses any appropriate additional information in updating the draft permit
- The commenter's name and information is added to the Comment Database.





How are the comments used?

Cont...

- A final draft of the permit and the response to the public comments is prepared and forwarded to the OES Assistant Secretary for final approval.
- Upon the issuance or denial of the permit, a letter with the final decision, basis of decision and response to the comments is mailed to all
 - those who made comments,
 - those who requested to be notified of the decision,
 - and the applicant / petitioner





PUBLIC NOTICE EXAMPLES



PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENT

**ON THE
TECHNICALLY COMPLETE SOLID WASTE PERMIT RENEWAL APPLICATION,
PROPOSED PART 70 AIR OPERATING PERMIT
& THE ASSOCIATED ENVIRONMENTAL ASSESSMENT STATEMENT**

The LDEQ, Office of Environmental Services, will conduct a public hearing to receive comments on the Technically Complete Solid Waste Permit Renewal Application, proposed Part 70 Air Operating Permit and the Associated Environmental Assessment Statement (EAS) for Waste Management of Louisiana, LLC, 29375 Woodside Drive, Walker, Louisiana 70785 for the Woodside Landfill and Recycling Center. **The facility is located at 29375 Woodside Drive, approximately two (2) miles east of the town of Walker and approximately one half mile south of the intersection of US Highway 190 and Woodside Drive, Walker, Livingston Parish, Louisiana.**

The hearing will be held on **Tuesday, March 25, 2008, beginning at 6:30 p.m., at the Livingston Parish Courthouse, Court Room #1, 20180 Iowa Street, Livingston, LA.** During the hearing, all interested persons will have an opportunity to comment on the permitting activities.

Waste Management of Louisiana, LLC requested to renew their Standard Solid Waste Permit to continue operation of their existing Type I and Type II Landfill.

Also, the company requested a revision to the Part 70 Air Operating Permit for its Woodside Landfill and Recycling Center (WLRC). WLRC is a municipal solid waste disposal facility with a design capacity of 41,410,552 cubic yards (approximately 31,600,609 cubic meters). It receives a variety of non-hazardous solid wastes (including municipal solid waste, such as residential and commercial solid waste, and industrial solid waste), which are disposed of by landfilling. A Gas Collection and Control System (GCCS) was installed in 2003 to control landfill gas emissions. Currently, the landfill is supported by a variety of operations and maintenance-related activities, including operation and maintenance of mobile equipment, non-mobile equipment powered by internal combustion engines, leachate handling, and the storage of motor fuels and lubricants. It is anticipated that the bioremediation of hydrocarbon-contaminated sludge and soils (non-hazardous) will take place at WLRC.

The proposed Part 70 air operating permit was processed as an expedited permit in accordance with LAC 33:I.Chapter 18.

Estimated emissions from the facility in tons per year are as follows:

<u>Pollutant</u>	<u>Previous Estimate</u>	<u>Updated Emission Rate</u>
------------------	--------------------------	------------------------------

All interested persons will be afforded the opportunity to comment on the technically complete solid waste permit application, the proposed Part 70 air operating permit and the EAS.

The EAS submitted by the applicant addresses avoidance of potential and real environmental effects, balancing of social and economic benefits against environmental impact costs, and alternative sites, projects, and mitigative measures.

Written comments or written requests for notification of the final decision regarding these permitting actions may also be submitted to Ms. Soumaya Ghosn at LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313. **Written comments and/or written requests for notification must be received by 12:30 p.m., Monday, April 28, 2008.** Written comments will be considered prior to a final permit decision.

LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The technically complete solid waste permit renewal application, air permit application, proposed permit, statement of basis, Worksheet for Technical Review and the EAS is available for review at the LDEQ Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.**

Additional copies may be reviewed at the Livingston Parish President's Office, 20180 Iowa Street, Livingston, LA 70754 and the Denham Springs-Walker Branch Library, 239 Florida Avenue S.E., Denham Springs, LA 70727-1838.

Previous notices regarding different activities associated with the solid waste technically complete application have been published in The Advocate on September 22, December 6, 15 & 20, 2007 and in The Livingston Parish News on September 23, December 6, 16 & 20, 2007.

Individuals with a disability, who need an accommodation in order to participate in the public hearing, should contact Ms. Heather Manry at the above address or by phone at (225) 219-3279.

Inquiries or requests for additional information regarding these permitting actions should be directed to Sonya Eastern, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3551 regarding the technically complete solid waste permit application and directed to Dr. Qingming Zhang, LDEQ, Air Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3140 regarding the proposed air permit.

Permit public notices including electronic access to general information from the technically complete solid waste permit application, the proposed Part 70 air operating permit, statement of basis and EAS can be viewed at the LDEQ permits public notice webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at www.deq.louisiana.gov/portal/tabid/2198/Default.aspx.

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at http://www.state.la.us/ldbc/listservpage/ldeq_pn_listserv.htm.

All correspondence should specify, AI Number 11767,

Permit Action	Permit Number	Activity Number
Proposed Air Permit	1740-00025-V1	PER20070001
Technically Complete Solid waste Permit Application	P-0080R1	PER20050001

**Scheduled for publication: The Advocate on February 14 & 16, 2008
Livingston Parish News on February 14 & 17, 2008**

Resources



- Public Participation Group Website
 - <http://www.deq.louisiana.gov/portal/tabid/2198/Default.aspx>
- EPA Guidance: Public Involvement in Environmental Permits
 - <http://www.epa.gov/permits/publicguide.pdf>
- EPA Public Involvement Website
 - <http://www.epa.gov/publicinvolvement/index.htm>





A clean state of mind, for all your environments.

HOME DIVISIONS PROGRAMS SERVICES ONLINE SERVICES NEWS ABOUT

SEARCH:



information
DEQ HOTLINES >>

WHAT'S NEW:

- ▶ [Asbestos and Lead](#)
- ▶ [Clean Air Interstate Rule \(CAIR\)](#)
- ▶ [ERIC Online!](#)
- ▶ [Events/Notices](#)
- ▶ [Groundwater Construction Advisory Documents](#)
- ▶ [Mercury Risk Reduction Plan](#)
- ▶ [Regional Offices](#)
- ▶ [Rules & Regulations](#)

INFO ABOUT:

- ▶ [Air](#)
- ▶ [Land](#)
- ▶ [Water](#)

INFO FOR:

- ▶ [Citizens](#)
- ▶ [Educators](#)
- ▶ [Industries](#)

DEQ EMPLOYEES:
[Outlook Web Access](#)

Latest News

DEQ seeks nominations for 2008 Gulf Guardian Award

DEQ Communications - 2 days ago

The Louisiana Department of Environmental Quality is seeking entries for the Gulf Guardian Awards Program. As a partner with the Gulf of Mexico Program, DEQ is encouraging Louisiana residents to nominate citizens, companies and organizations that are taking positive steps to keep the Gulf of Mexico and associated coastal water habitats healthy, beautiful and productive.

Louisiana Environmental Health Association to hold conference

DEQ Communications - 9 days ago

The Louisiana Environmental Health Association's 60th annual Educational Conference will be held at the Paragon Casino Resort and Conference Center in Marksville from Feb. 13-15. Early registration fee before Feb. 6 is \$90.

[Louisiana Environmental Health Association website](#)

Gov. Jindal's executive order addresses government's energy, conservation needs

DEQ Communications - 10 days ago

Gov. Bobby Jindal's executive order No. BJ-2008-8 comes at a time when the public is becoming more aware of environmental issues such as global warming, recycling and energy efficiency. This executive order, issued on Jan. 30, calls for state government to take unprecedented strides in energy efficiency and environmental awareness.

[Gov. Jindal's Executive Order](#)

Governor's Economic Growth Advisory Council's Environment report

DEQ Communications - 11 days ago

This is the Governor's report on DEQ and important issues facing the department.

[Economic Growth Advisory Council Environment Working Group Final Report](#)



Frequently Used Terms & Acronyms



•**AI Number:** Agency Interest Number. This is a number that helps DEQ track a facility. Having this number will make it easy to find information on a particular permit.

•**Activity Tracking Number:** A tracking number assigned to a specific permit action for a company/facility. Use of the activity number helps link all the documents and information involved in that action. A sample activity number is PER20030001.

•**Permit Number:** A facility specific, media specific identifier that indicates a permit has been applied for or issued.



Definitions



- **Public Notice:** Notification by the Agency informing the public of actions such as the issuance of a draft permit or scheduling of a hearing.
- **Public Comment Period:** The time allowed for the public to express its views and concerns regarding an Agency action
- **Public Hearing:** A formal meeting where the Agency hears the public's views and concerns about an action or proposal. The Agency is required to consider such comments when evaluating its actions.



DEQ in 2008

Contact Information

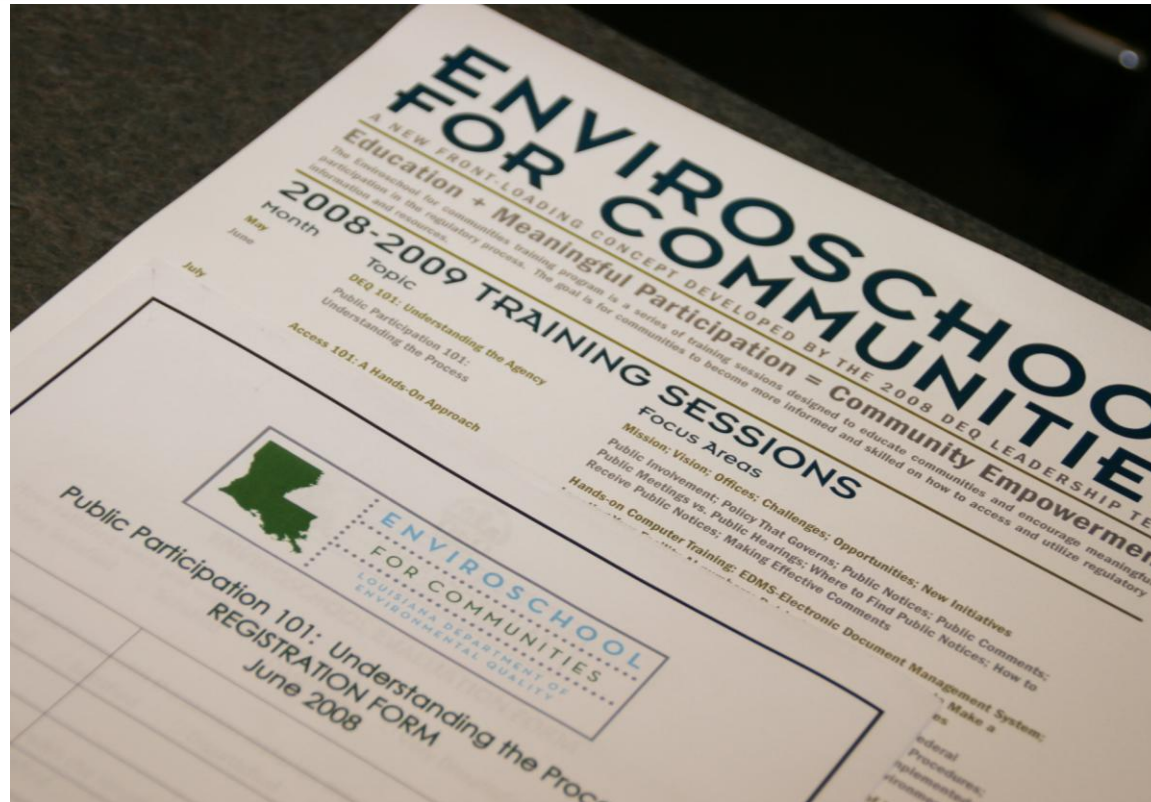


- Chris Mayeux
Environmental Scientist Manager
Phone: 225.219.3243
Email: chris.mayeux@la.gov
- Soumaya Ghosn
Environmental Scientist Supervisor
Phone: (225) 219-3276
Email: soumaya.ghosn@la.gov

www.deq.louisiana.gov/portal/tabid/2198/Default.aspx



Enviroschool Schedule



Baton Rouge • July 3

New Orleans • July 10

Lake Charles • July 17

Shreveport • July 24

