

GENERAL INFORMATION ON PUBLIC MEETINGS

Agricultural Facilities (except large swine facilities which have public hearings)

Purpose

This brochure is designed to explain the events that take place before, during, and after a public meeting.

Notifying the Public

For proposed agricultural facilities, the permit applicant is required by regulation to give notice of the proposed agricultural facility to property owners within 1,320 feet of the proposed location of the facility (footprint of construction). Upon receipt of an application for a new or expanding facility, the Department will post four signs in the vicinity of the proposed facility. The purpose of these notices is to give you, the public, an opportunity to comment on a new or expanding agricultural facility.

All comments should be made in writing and addressed to the Agricultural Section of DHEC. These comments can be in the form of a letter or a petition with names on it. Both must contain legible names and addresses in order to receive future correspondence.

DHEC must hold a public meeting on a proposed (new) or expanding agricultural facility when 20 or more letters from different people are received on an application. If a public meeting is held on a proposed agricultural facility, DHEC will notify everyone who sent letters or signed petitions (provided they have legible names and addresses) about the meeting. The meeting notice will be sent First Class Mail Service.

The public meeting invitation will contain such information as: name of the permit applicant; location, date, and time of meeting; and the closing date for comments on the proposed facility. When DHEC holds a public meeting, it does not mean that a final decision has been made about the issuance of a permit. DHEC does not make a final decision until after the public meeting has been held and the comment period has closed.

Prior to the Public Meeting

Before attending a public meeting, DHEC encourages you to visit the appropriate DHEC Environmental Quality Control district office or the Columbia office to review the file on the proposed facility or request any other pertinent information. DHEC staff will be willing to explain the application/facility to you during this time. By becoming familiar with the information in advance, you will be better prepared to present your comments concerning the facility in question. DHEC encourages you to write down your comments and concerns prior to the actual meeting.

Please note that DHEC is not involved in zoning or land use issues as these are local issues. You should contact your local municipal or county officials concerning these issues. Hence, zoning and land use are not subjects for discussion at an agricultural facility meeting.

What Actually Happens At a Public Meeting?

The public meeting, while not as formal as a public hearing, gives you the opportunity to discuss with DHEC the proposed facility and the applicable regulations/requirements. The meeting also offers the public a chance to express its concerns and comments regarding the proposed facility. Questions will be taken and answers provided to the extent possible at the public meeting. Both oral and written comments will be accepted in addition to questions. There will not be a court reporter present to record the meeting but DHEC may tape record the meeting.

A permit applicant is not required to attend the public meeting. However, the Department certainly encourages their participation so everyone can discuss the issues. A permit applicant at their discretion may attend as an observer or as a participant in the meeting.

Upon your arrival at the meeting you will be asked to sign in and indicate whether you have comments to make. At the start of the meeting, the DHEC will explain the meeting format. Next, DHEC will briefly explain the proposed facility's application. Then, all parties who indicated they wanted to make comments will be individually called upon to give their comments. A general discussion and a question and answer period will then follow.

At the close of the meeting DHEC will give an explanation of the administrative process DHEC will follow to reach a final decision on the proposed facility. DHEC may summarize the meeting and address any issues that arose during the presentation of comments that need further clarification. The meeting chairman will then close the meeting.

The Results Are In ...

DHEC will review all comments received during the meeting as well as comments received during the comment period.

Once the review is completed, DHEC will arrive at the final determination, which can be one of two alternatives:

- 1 Issue the permit, ensuring pertinent public comments have been properly addressed; or**
- 2. Deny the permit.**

All persons who signed the register at the meeting along with those who submitted comments and petitions will receive a copy of the final decision. Final decisions can be appealed. Please see the brochure entitled "General Information on Appeals for Agricultural Permits" for more information on appeals. The appeal brochure is normally mailed out with the final decision.

FOR MORE INFORMATION

For more information on public meetings, contact:

Agricultural & Storm Water Permitting
SCDHEC
2600 Bull Street
Columbia, SC 29201
Telephone # (803) 898-4300

To obtain information on a proposed agricultural facility and other related information, contact:

Freedom of Information Administrator
SCDHEC
Freedom of Information Office
2600 Bull Street
Columbia, SC 29201
Telephone # (803) 898-3882