

## PUBLIC NOTICES

Public notices are advertisements published in local newspapers ([either printed or online](#)), broadcast on local radio, or sent as mailings to announce public comment periods for permitting agency decisions and major project milestones. The public notice is one of the traditional methods that the permit applicant and/or permitting agency uses to solicit community participation. The goal of publishing a public notice is to communicate an important announcement to as many people as possible in the affected community. It is best to have a well-written fact sheet to be distributed and coincide with the public notice.

### Required Activity?

Yes. RCRA public notice requirements are found at [Title 40 of the Code of Regulations \(40 CFR\) §25.3-13](#); [40 CFR §§124.10](#), [124.12](#), [124.14](#), [124.31](#), [124.32](#), and [124.33](#). These requirements include public notice by the permit applicant of pre-application meetings (§124.31(d)), public notice by the permitting agency when an application is submitted ([40 CFR §124.32](#)) and the draft permit is prepared ([40 CFR §124.10\(a\)](#)), as well as notification of comment periods ([40 CFR §124.10\(b\)](#)), and public hearings ([40 CFR §124.10\(b\)\(2\)](#)).

EPA's public participation guidelines for the RCRA public notices are detailed in Chapters 3 and 4 of the [2016 Edition of the RCRA Public Participation Manual](#).

### Making it Work

#### *When to Use*

Public notice is required when:

- The permitting agency issues a draft permit, grants an appeal, renews permits, or holds a public hearing;
- A prospective permit applicant plans a pre-application meeting;
- A facility owner/operator proposes permit modifications (level of effort varies depending on class of modification);
- The permitting agency initiates a permit modification;
- The permitting agency requires a facility to establish an information repository; or
- A facility conducts a trial burn or undergoes closure or post-closure.

#### *How to Use*

Public notices should not be used to provide updates on site progress or to inform or educate the public about specific site activities.

Public notices are only effective if they reach the intended audience. This requires that they present a simple, clear message in a conspicuous place. If a well written public notice is hidden in the classified section, it will not reach many people. To prepare and publish a public notice that gets noticed, follow the steps described below:

- **Identify the community to reach.** Define the size and character of the community you are trying to reach before deciding how to communicate your message.
- **Identify the best ways to reach the community.** Identify the methods to reach your target audience by asking people how they usually get information. Include questions on media consumption habits in your initial Community

Interviews. Consult local leaders for suggestions about the most effective publications in which to place public notices. Sometimes, a display ad in a local community newspaper or a mailing may be more appropriate than a notice in the legal section of the paper.

- **Choose appropriate media outlets.** While the regulations require that public notices be published in a major newspaper (printed or online), large city newspapers may not appeal to segments of the population. Small communities or neighborhoods may have their own newspapers that are more widely read. Foreign-language radio can be a particularly effective method for reaching non-English-speaking communities. Choose the outlets that are most widely consulted by members of your intended audience. Remember that public notices also can be published in church bulletins, community and homeowner association newsletters, and weekly newspapers and shopping guides. They can be placed in grocery stores, libraries, and other frequently visited locations in the community. In some cases, a mailing to everyone on the site mailing list can be the most effective way to notify people of an event.
- **Provide ample notice.** For public notices required under RCRA regulations, provide at least the amount of notice specified in the regulations. For public notices that are not mandatory, provide at least a one-week notice to ensure the greatest level of participation. Try to run advertisements more than once (e.g., 10 to 14 days before, one week before, and one day before the event being announced).
- **Meet publication or broadcast schedules.** Many local or community newspapers are published on a weekly or bi-weekly basis so you will have to plan ahead to coordinate the publication of the notice with the event. Local radio stations may run free public service announcements if they are submitted in advance.
- **Announce dates, times, and locations clearly.** Make sure these essential facts are prominently displayed.
- **Provide name, address, and telephone number of contact person.** If applicable, include the location of the *Information Repository*. A clip-out coupon addressed to the permit applicant and/or permitting agency may be added for people to send their names and addresses to be placed on the *Mailing List*.

## Tips

- Identify and understand the target audience for the public notice.
- Determine the best method for reaching the target audience.
- Ask how people receive their information.
- Consult local leaders.
- Prepare the notice:
  - Use a simple message stated in easily understood language.
  - Make it attention-getting by using an attractive design.
  - Place it in well-read sections of newspapers (e.g., sports).
- Make sure that the public notice, at a minimum, includes all of the following information:
  - The identity of the permitting agency.
  - The name and address of the permittee.
  - The name and location of the facility.
  - The activities involved in the permit action, including the change in emissions levels involved in any permit revision.

- The name, address, and telephone number of a person whom interested persons may contact for additional information such as a copy of the draft permit, the statement of basis, the application, relevant supporting materials, and other materials available to the permitting authority that are relevant to the permitting decision.
- The date the public comment period ends.
- Instructions about how to request a public hearing.
- Select the most appropriate media outlets:
  - Printed notice (newspaper, community bulletins, flyers).
  - Websites (online newspaper, agency websites).
  - Broadcast Media (radio and television).
  - Mail, email, and social media.
  - Visible and accessible signs at or near the facility (or proposed facility site).
  - Posted flyers or posters.
- Plan ahead for publication or broadcast schedules.
  - Broadcast Media (radio and television), at appropriate times of the day.
  - Circulate fact sheets as necessary to broadcast the public notice, and link fact sheets to social media.
  - Translate it if necessary.