

SUBCHAPTER B: PUBLIC NOTICE AND PUBLIC PARTICIPATION
§§91.100, 91.110, 91.120
Effective March 29, 2006

§91.100. Contested Case Hearings.

With the exception of any other provision in this title, an application for a permit, registration, license, or other type of authorization required to construct, operate, or authorize a component of the FutureGen project as defined in §91.30 of this title (relating to Definitions) is not subject to a contested case hearing.

Adopted February 22, 2006

Effective March 29, 2006

§91.110. Public Notice.

(a) An application for a permit, registration, license, or other type of authorization required to construct, operate, or authorize a component of the FutureGen project as defined in §91.30 of this title (relating to Definitions) is subject to the applicable notice requirements under Chapter 39 of this title (relating to Public Notice) or other rule under this title for the type of authorization sought, except as provided in this section.

(b) The text of the notice must include the following statements: “The application is for authorization of a component of the FutureGen project and is not subject to a contested case hearing. The commission may hold a public meeting, an informal conference, or form an advisory committee to gather the opinions and advice of interested persons on the application when there is a significant degree of public interest.”

(c) The text of the notice must not include a description of procedures for requesting a contested case hearing or the deadline for requesting a contested case hearing.

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§91.120. Public Participation.

(a) The commission may hold public meetings, informal conferences, or advisory committees to gather the opinions and advice of interested persons on an application subject to this chapter when there is a significant degree of public interest.

(b) Except as provided in §91.100 of this title (relating to Contested Case Hearings), an application under this chapter is also subject to the public meeting and public comment processing requirements of Chapter 55 of this title (relating to Requests for Reconsideration and Contested Case Hearings; Public Comment) or elsewhere under this title that is applicable to the type of authorization sought.

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