

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS35442-RIa-24

Short Title: Permit Time Lines/Certain Wastewater Systems. (Public)

Sponsors: Senator Measmer (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH PERMITTING DEADLINES FOR NPDES PERMITS TO BE
3 ISSUED FOR NEW OR EXPANDED WASTEWATER TREATMENT SYSTEMS TO BE
4 LOCATED IN FAST GROWING COUNTIES AND TO APPROPRIATE FUNDS TO THE
5 DEPARTMENT OF ENVIRONMENTAL QUALITY TO IMPLEMENT THE
6 EXPEDITED PERMITTING REQUIREMENTS.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 143-215.1 is amended by adding a new subsection to read:

9 "(f6) With respect to permits for new or expanded wastewater treatment systems to be
10 located in a county with a projected population growth rate above two percent (2%) annually or
11 is located in one of the top twenty percent (20%) of the fastest growing counties in the State, by
12 population, permitting under the authority granted to the Commission by this section shall
13 comply with the procedures and time lines set forth in this subsection. The Commission shall act
14 on a permit application as quickly as possible. The following provisions apply:

15 (1) The Commission shall perform an administrative review of a new application
16 and of a resubmittal of an application determined to be incomplete under
17 subdivision (2) of this subsection within 30 working days of receipt to
18 determine if the information is administratively complete. If complete, the
19 Commission shall issue a receipt letter or electronic response stating that the
20 application is complete and that a 90-calendar day technical review period has
21 started as of the original date the application was received. If required items
22 or information are not included, the application shall be deemed incomplete
23 and the Commission shall issue an application receipt letter or electronic
24 response identifying the information required to complete the application
25 package before the technical review begins. When the required information is
26 received, the Commission shall then issue a receipt letter or electronic
27 response specifying that it is complete and that the 90-calendar day review
28 period has started as of the date of receipt of all required information. The
29 Commission shall develop an application package checklist identifying the
30 items and information required for an application to be considered
31 administratively complete. After issuing a letter or electronic response
32 requesting additional information based on the original submittal under this
33 subdivision, the Commission shall not subsequently request additional
34 information that was not previously identified as missing or required in that
35 additional information letter or electronic response from the original
36 submittal. The Commission may, however, respond to subsequent additional



1 information letters or electronic responses with a request for additional
2 information limited to information missing from that subsequent additional
3 information letter or electronic response.

4 (2) If, during the 90-calendar day technical review period, the Commission
5 determines that additional information is required to continue processing the
6 application, the Commission and the applicant shall comply with the
7 following:

8 a. The Commission shall issue a letter or electronic response with a list
9 of the additional information required to issue the permit.

10 b. The applicant shall have 30 calendar days from the date the letter or
11 electronic response is sent to submit the additional information to the
12 Commission.

13 c. If the applicant fails to provide the required information within 30
14 calendar days, the Commission shall return the application to the
15 applicant, the application is deemed denied, and the applicant must
16 resubmit a complete application with a new application fee before the
17 project may be reviewed.

18 d. Upon receipt of the required information from the applicant, the
19 Commission shall have 30 calendar days to complete the technical
20 review and issue the permit, issue the permit with modifications, deny
21 the permit, or issue a letter or electronic response with a list of
22 additional information required to continue processing the application,
23 and the review process will proceed in accordance with
24 sub-subdivision b. of this subdivision.

25 e. After issuing a letter or electronic response requesting additional
26 information under this subdivision, the Commission shall not
27 subsequently request additional information that was not previously
28 identified as missing or required in that additional information letter
29 or electronic response. The Commission may request additional
30 information if required for the technical review based on any new
31 information, changed circumstances, or changed designs provided by
32 the applicant in the response under sub-subdivision b. of this
33 subdivision. Where the Commission identifies information that should
34 have been requested, the Commission may include conditions in or
35 modifications to the permit upon issuance addressing this information
36 but shall not deny the permit because of the missing information. This
37 prohibition on permit denial shall not apply where an application was
38 deemed denied under sub-subdivision c. of this subdivision.

39 (3) In accordance with 40 C.F.R. § 124.12, prior to issuance of a permit, the
40 Commission shall hold a public hearing whenever it finds, on the basis of
41 requests, a significant degree of public interest in the permit.

42 (4) The Department shall either approve or deny an application within (i) 90 days
43 of the date the application is deemed complete if no public hearing is held or
44 (ii) 120 days of the date the application is deemed complete if a public hearing
45 is held."

46 **SECTION 2.** The sum of ten thousand dollars (\$10,000) in nonrecurring funds for
47 the 2026-2027 fiscal year is appropriated from the General Fund to the Department of
48 Environmental Quality to implement the expedited permitting requirements established under
49 Section 1 of this act.

50 **SECTION 3.** This act is effective when it becomes law.