

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
CUSTOMER SERVICE CENTER
ONE-STOP PERMIT ASSISTANCE AND COORDINATION LEGISLATIVE REPORT
OCTOBER 1, 2005**

This report fulfills the requirements of S.L. 2004-124, Section 12.12(a), to provide information on environmental permits that exceed the projected time lines. A breakdown of processing times for FY 2004-05 is provided on the attached charts for Air Quality permits, Coastal Area Management Act major permits, State Stormwater permits, Erosion and Sedimentation Control Plans and Water Quality Wetland 401 Certifications. Information is also provided on the processing time for the express permit review program.

Timelines are not developed for all projects. Many repeat permit applicants prefer to deal directly with permit reviewers and do not request a timeline. The most frequent use of the one-stop permit coordinator is to help identify permits, to determine environmental requirements and to guide the client through the regulatory process. The submission of permit applications and the development of timelines, for projects requiring multiple permits, may not take place for a number of months.

Staff in the One-Stop Permit Assistance and Coordination Program serves in a dual role by providing assistance and coordination to the Express Permitting Program. Not all departmental permits and certifications are part of express permit review, however express permits are tracked and provide a good basis for comparing projected and actual timeframes for a number of permits. For planning purposes the statutory time of the permit program is used.

Only four of the more than 600 permits issued under the Express Permitting Program during FY 2004-05 took more than 90 days. These include two coastal permits that were issued after major changes were made in the design to address public comments. One 401 Water Quality express permit was finally denied due to multiple agency/public comments, and a non-discharge permit review was delayed because of repeated requests for additional technical documentation.

Data from the Air Quality permitting program indicate that all non-major permits (small and synthetic minor) were issued in less than 90 days from receipt of a complete application. More than 50 percent of these permits were issued within 30 days. The more complex permits for major air quality sources, known as Title V permits, have public notice requirements and must be reviewed by the U.S. Environmental Protection Agency. One third of the Title V permits took over 90 days. However the average processing time of 105 days was well below the statutory time of 270 days until notice.

The Coastal Area Management permits include: general permits that are generally issued in less than seven days, minor permits that are issued primarily by local governments and major permits. Major permits involve development in some of the state's most fragile environmental resources and require review by a number of federal and state resource agencies and public notice. Due to the complexity and significant public review and comment period, the statutory time for major CAMA permits is 75 days, and can be extended for another 75 days. The average processing time for CAMA major permits was 93 days. The express permitting option did allow for quicker processing times for some projects.

Erosion and Sedimentation Control plans have a 30-day statutory limit. The average time for the more than 3000 plans approved last year was 21 days. Those processed under the Express Permitting Program were approved within two days after receiving a complete application.

For water quality 401 wetland certifications the average processing time was under 30 days from receipt of a complete application. Additional staff to review Department of Transportation projects and the establishment of the express permitting program has also helped to provide timely review of wetland plans.

Of the nearly 700 water quality state stormwater permits received, 86 percent were reviewed within 90 days. A number of projects that required substantial redesign to meet environmental concerns extended beyond 90 days.

Almost 98 percent of the more than 2000 public water supply plans were reviewed within 90 days. Delays in receiving agency comment or additional regional reviews were needed for about 40 of the plans.

Each respective permitting program provided the permit review timing data for their programs. The various programs track permit timing differently to meet their own requirements and may not track data in the exact format included in this report. Some programs include express permitting information in their data. Although there may be some minor discrepancies in the exact numbers reported as a result of different tracking systems, the data provides a realistic picture of permit processing times.

The data from a number of different permitting programs indicate that a very high percentage of permit applications are processed in less than 90 days and many well below the statutory time. The key to thorough and effective permit review is the initial submission of all necessary technical documentation by the applicant. Detailed plans and specifications, fees and authorizing signatures are necessary for a complete application. The most frequent cause of permit reviews extending beyond 90 days was deficiencies in technical data and delays in providing information by the applicant. Project changes and staff limitations were additional delay factors on some projects.

During the past year, the One-Stop Permit Assistance and Coordination Program has expanded to five of the NC Dept of Environment and Natural Resources' seven regional offices. The one-stop coordinators also provide coordination for the Express Permit Review Program established by the NC General Assembly in 2003. Both of these programs will be statewide by January 2006. This should allow the tracking of a larger number of permits. Also, the Department's permit program managers are monitoring processing times to reduce backlogs and identify training opportunities to improve the quality of applications.