

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
CUSTOMER SERVICE CENTER**

**EXPRESS PERMIT REVIEW AND ONE-STOP PERMIT ASSISTANCE AND COORDINATION
MARCH 2009**

This report fulfills the requirements of § 143B-279.12(e) and § 143B-279.13(c) to provide information on environmental permit processing times and an update on the Express Permit Review Program.

A breakdown of permit processing times for FY 2007-08 is provided on the attached charts for Air Quality, Coastal Area Management Act, Water Quality State Stormwater and Non-Discharge Land Application permits, Erosion and Sedimentation Control Plans, Public Water Supply Plans and Water Quality Wetland 401 Certifications. Processing times for standard review and express review are shown.

Similar data has been reported for the last three years and some trends are becoming apparent. The vast majority of the permits tracked are issued in less than 90 days. This report has information on nearly 13,500 permits issued by Department of Environment and Natural Resources (DENR) during FY 2007-08. Ninety-five percent under regular review and 99 percent under express review were issued in less than 90 days. Consistently, permits that require more than 90 days are the most complex ones, such as Air Quality Title V major source permits, Coastal Area Management Major permits and those that require redesign such as land application or state stormwater in environmentally-sensitive areas.

The primary delaying factors, across the board, are incomplete applications and time waiting for additional information. A review of the 652 permits taking more than 90 days documented that many of these required more than one request for additional information. Air quality data showed that about 30% of the total processing time, for their non Title V permits was spent waiting for the technical documents necessary for a permit decision. In cases where design changes may be required, such as non-discharge 30 to 60 days can be added to the processing time.

Express permit review has constantly been quicker than regular review. Eighty-eight percent of the 1,239 express permits issued in FY 2007-08 were issued in 30 days or less. The average processing time for express permits was 24.5 in FY2006-07 compared to 17.5 in FY2007-08. Express reviews generally takes 20 percent to 50 percent less time than regular permit reviews a chart comparing regular and express processing time is attached. While there is still room to improve the quality of applications submitted for express review, delays due to insufficient information have been reduced. Submittal meetings, strict time lines for DENR staff and applicants and development of better guidance documents have helped to better communicate expectations and improve applications.

There have been new activities as well as changes during the last fiscal year. At the end of June 2008, there was some decrease in the number of permits. That decline becomes even more apparent from July-December 2008. Preliminary figures for that time period indicate that express permits are down almost 23 percent. Express Land Quality erosion and sedimentation control plans and Water Quality 401 wetland certifications show the largest decline. A 13 percent decrease is expected in the regular permit programs, based on the programs tracked. The Division of Coastal Management regular permits show the greatest decline of about 24 percent. With the current economic situation and the slow down in building, the decline in permit applications is expected. Economic recovery projects may generate some express requests. Interest in express remains strong and demand is anticipated to rise as the economy improves.

The department continues to look for opportunities to provide the express review option. In October 2007, express review was expanded to include the Water Quality Alternative Sewer Permits. Alternate sewers are permitted where topography, local land use, population, distance to water treatment plants or other factors necessitate sewers that rely on pressure or vacuum rather than gravity to move wastewater to collection and treatment systems. In FY 2007-08, 37 express alternate sewer permits were issued in FY 2007-08 with an average processing time of 41.4 days. The pre-application meetings and scheduled follow-up review meetings required in the express program have reduced the processing time for this type of projects by 70 percent. Based on the success of this effort, the express program has been expanded to include all applicable sewer projects, conventional or alternative.

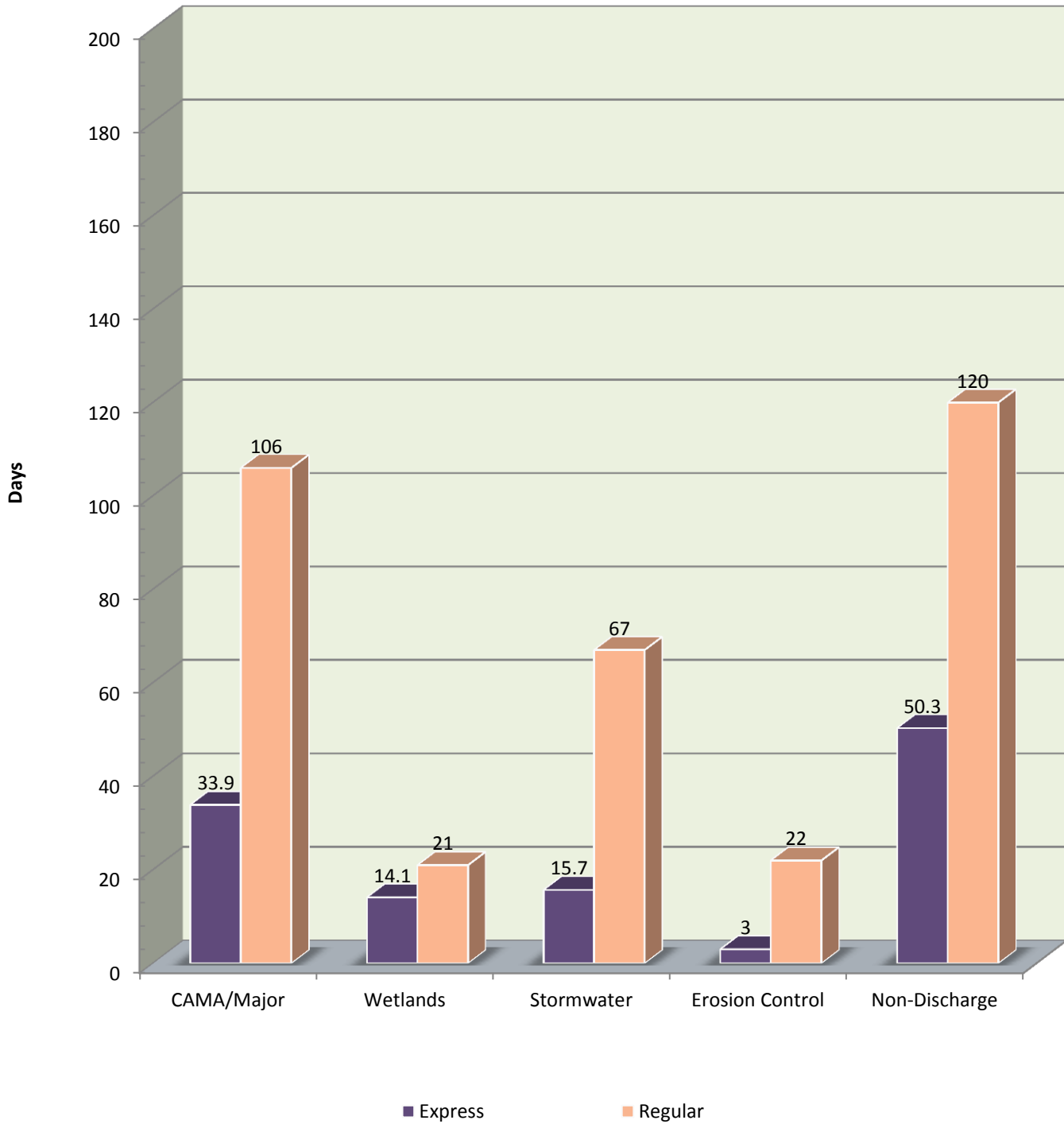
Also, an express pilot for on-site wastewater systems in the Division of Environmental Health began in August 2008. Express review allows an applicant to obtain quicker review of engineering plans on a set schedule, but it does not guarantee approval by a local health department or provide any variance to design criteria. This pilot provides an option to have the soil tested and preliminary site suitability done prior to having the detailed design necessary for the construction authorization. Five projects have been reviewed to date. The pilot allows a limited number of projects to test the appropriateness of express review and to develop realistic timetables.

Since authorization as a statewide program in 2005, express receipts have fully supported the staff and operation of the program. With the decline in express permits in 2008, there is \$125,000 deficit in receipts as of December 31, 2008. However, this is not a cry of alarm. It is expected that the express receipts will be adequate to support the program for the foreseeable future. To ensure this, the budget is being carefully monitored. New programs are being brought into express, and it is expected that as the economy improves express receipts will again be adequate to support and improve the program.

The one-stop permit assistance and coordination staff in regional offices throughout the state continues to provide comprehensive environmental permit information. They are available early in the planning process to help existing businesses; companies looking to locate in the state and other interested parties identify potential permits. This past year, a new Permit Handbook was developed and is available online to provide current information and contacts on all of the states environmental permits, licenses and certifications. It also includes information on the hunting, fishing and wildlife permits issued by the North Carolina Wildlife Resources Commission. The handbook is available at: <http://portal.ncdenr.org/web/csc/start/overview>.

There has been a renewed emphasis on data quality and an examination of other permitting programs to see that information is tracked and maintained on permit processing times. This data improvement and integration into the department's information system is intended to improve accountability and provide an early warning to managers to identify and address permit problems. In particular, the divisions of Water Quality and Waste Management have made improvements in data quality and the expansion of permit information. The department's goal is to double the number of permits where processing times can be tracked and reported next year.

**Express / Regular Comparison of Average Processing Times
Fiscal Year 2007/2008
(Average in Days)**



Permit Information for July 1, 2007 - June 30, 2008										
Division	Water Quality	Water Quality	Water Quality	Water Quality	Air Quality			Coastal Management (Note # 1)		
Permit Type	Wetlands	State Stormwater	Non-Discharge	Alternate Sewers	Small Non-Title V	Synthetic Minor Non-Title V	Title V	CAMA - Major	CAMA - General	CAMA - Minor
Total # of Applications	2074	762	418	32	593	296	247	183	2401	100
Standard Review Time (days)	60 days	90 days	90 days	90 days	90 days	90 days	270 days to Notice	75 days (can extend to 150)	N/A	25 days
Average Processing Time (days)	21	67	120	145	41	44	210	106	< 7 days	< 25 days
# of Applications (took < 30 days processing time)	1474	214	92		225	111	41	1	2401	1073
Ave. Time < 30 days	12	12.8	14.6		16	16	14	25	< 7 days	< 25 days
# of Applications (took > 30 days processing time)	600	162	82		368	185	206	182	0	0
Ave. Time > 30 days	44	45.7	45.8		56	61	249	107	N/A	N/A
# of Applications (took > 60 days processing time)	0	183	74		134	86	165	170	0	0
Ave. Time > 60 days	0	72.4	76.8		74	80	299	111	N/A	N/A
# of Applications (took > 90 days processing time)	0	178	170		0	0	123	123	0	0
Ave. Time > 90 days	0	145.7	232.4		0	0	375	123	N/A	N/A
Reason(s) permit issuance took > 90 days (ex. Add info...)		Permitting delays occurred due to incomplete applications and the need for additional information from permittees to complete the process.	Permitting delays occurred due to incomplete applications and need for additional information from permittees to complete permitting. Non-compliance and redesign added to delays.				New Federal Rules for major and area sources came into effect this year and there was significant need to re-prioritize staff resources.	Project complexities continue to rise, as do environmental agency concerns on such projects and staff turnover of other agencies involved in CAMA major permit review has led to delays.		
Estimated % of permits < 90 days	100%	77%	59%		100%	100%	50%	33%	100%	100%

CSC Version: 3/09/09

Note # 1: For CAMA Minor permits 973 were issued by local governments and 100 were issued by DCM.

	Permit Information for July 1, 2007 through June 30, 2008.								
Division	Land Resources - LQS	Environmental Health	Express Permitting						
Permit Type	Erosion and Sedimentation Control	Public Water Supply Plans	Express CAMA	Express 401	Express State Stormwater	Express Erosion Control	Express Non-Discharge (Note # 3)	Express Stream Determinations	Express Alternate Sewers
Total # of Applications	2972	2281	42	32	403	601	28	91	37
Standard Review Time (days)	30 days	(Note # 2)	75 days / extend to 150 days	30 days	30 days	3 days	90 days	14 days	30 days
Average Processing Time (days)	22	24	33.9	14.1	15.7	3	50.3	2.8	41.4
# of Applications (took < 30 days processing time)	2957	2069	9	28	349	601	N/A	91	
Ave. Time < 30 days	22	19	26.9	11.3	11.4	3	N/A	N/A	
# of Applications (took > 30 days processing time)	15	198	35	4	43	0	22	0	
Ave. Time > 30 days	35	95	35.1	33.7	39		44.1	N/A	
# of Applications (took > 60 days processing time)	0	108	1	0	6	0	5	0	
Ave. Time > 60 days	N/A	114	65	N/A	66.5	N/A	64.6	N/A	
# of Applications (took > 90 days processing time)	0	55	0	0	2	0	1	0	
Ave. Time > 90 days	N/A	154	N/A	N/A	112.5	N/A	115	N/A	
Reason(s) permit issuance took > 90 days (ex. Add info...)			Permitting delays occurred due to incomplete applications and the need for additional information from permittees to complete the process.						
Estimated % of permits < 90 days	100%	97%	100%	100%	100%	100%	96%	100%	100%

CSC Version: 3/09/09

Note # 2: 15A NCAC 18C .0301(c) -All reports, ... engineering plans and specifications and other data intended for approval shall be submitted to the Department at least 30 days prior to the date upon which action by the Department is desired.