

EXPRESS PERMIT REVIEW AND ONE-STOP PERMIT ASSISTANCE AND COORDINATION

N. C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

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This report fulfills the requirements of § 143B-279.15 to provide information on standard environmental permit processing times and an update of the Express Permit Review Program within the N. C. Department of Environment and Natural Resources (DENR). A breakdown of processing times for FY2009-10 is provided on the attached charts for Air Quality permits, Coastal Area Management Act (CAMA) permits, State Stormwater permits, Erosion and Sedimentation Control Plans, Water Quality 401 Wetland Certifications, Water Quality Land Application Non-Discharge Permits and Public Water Supply Plans. Both standard and express permit processing times are provided if there is an express component.

Information is provided on more than 8,600 permits issued by the department. Ninety-five percent of the permits issued under standard review and 100 percent of the permits issued under express review were issued in less than 90 days. Of the 767 express permits issued in FY2009-10, 94 percent were issued in 30 days or less. The number of permits issued, especially those related to construction, has declined due to the weak economy. There has been a 25 percent decline from the previous year in permits issued under standard review and a 10 percent decline in permits issued under express review. These percentages are not consistent in all programs.

Permits that require more than 90 days are the most complex permits, such as Title V Air Quality major permits, CAMA major permits and those that require redesign changes such as non-discharge land application permits. Lack of complete well-documented applications is the single biggest factor in a protracted review. Processing times for both the regular and express programs are similar to data reported in legislative reports during the last four years. However, the decline in the number of permits issued makes it difficult to develop totally comparable statistics.

Express permit review has consistently been quicker than standard review. Perhaps, the most accurate picture of processing times can be seen by comparing data for standard and express review for Erosion and Sedimentation Control Plans, Water Quality State Stormwater Permits and Coastal Area Management Act Major permits. More than 85 percent of all express permits issued were from these programs, and data from FY 2006-10 provides a more consistent picture.

Erosion and Sedimentation Plans

	Regular # Issued	Ave. Processing Time (Days)		Express # Issued	Ave. Processing Time (Days)
FY 2005-06	3374	21		469	4.2
FY 2006-07	3546	23		531	3
FY 2007-08	2972	22		601	3
FY 2008-09	2542	14		424	2
FY 2009-10	1663	24		443	3

Water Quality State Stormwater

	Regular # Issued	Ave. Processing Time (Days)		Express # Issued	Ave. Processing Time (Days)
FY 2005-06	601	56.6		378	18.6
FY 2006-07	597	81		444	24
FY 2007-08	780	67		403	15.7
FY 2008-09	831	60		264	10.9
FY 2009-10	816	55		176	12.6

Coastal Area Management Act Majors

	Regular # Issued	Ave. Processing Time (Days)		Express # Issued	Ave. Processing Time (Days)
FY 2005-06	107	87		42	38.4
FY 2006-07	173	107		48	35
FY 2007-08	195	106		42	33.9
FY 2008-09	204	104		36	34
FY 2009-10	146	107		21	34

The difference in review times can be attributed to pre-application meetings, strict adherence to deadlines for all parties, improved communication with the applicant and experienced staff dedicated to this program. The higher fees charged for express reviews are used to support this program, including staff positions.

One-Stop Permit Assistance and Coordination

Regional One-Stop Permit Assistance Coordinators help businesses, citizens and local governments obtain information on all of the state's environmental permits and requirements. They identify potential permits for proposed projects, arrange meetings with program staff and clients to encourage front-end planning and develop projected timelines. They also facilitate express permit review. In fiscal year 2009-10 the coordinators, held nearly 600 meetings with potential permit applicants, permitting staff, resource agencies and other interested parties. Examples of companies that benefited from this customized assistance include small businesses being impacted by new federal requirements, entrepreneurs looking at alternative energy sources and military installations desiring a single point of contact for multiple projects. In addition, their services are valuable during times of economic transition. The following are examples of this role:

- An out-of-state company recently purchased two facilities in western North Carolina. Company management was unfamiliar with North Carolina's laws and was seeking information about existing permits, transfer procedures, permit fees and environmental requirements. While searching the DENR website, a company executive noticed our permit coordination program and called to ask if this information could remain confidential. The coordinator provided him the necessary forms for multiple permitting programs, explained the transfer process and gave information on fees, as well as responded to his questions. The company executive stated, "This is excellent information. I appreciate your assistance, and you have been everything your title implied. Thanks for your quick response".
- A developer recently purchased a large foreclosed property in the coastal region. The subdivision had been partially built and a number of permits issued for the development. The coordinator provided the new owner a list and copy of existing permits and set up a meeting with all the DENR inspectors and relevant permitting staff. This meeting provided an update on the permitting status of the project and outlined next steps. These efforts brought together many loose ends, saved the developer money and time and should result in a completed project that is environmentally compliant.

Permit Information for July 1, 2009 through June 30, 2010										
Division	Water Quality	Water Quality	Water Quality	Water Quality	Air Quality			Coastal Management (Note # 1)		
Permit Type	Wetlands/stream determinations	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 Permits Issued	1,241	816	140	41	456	274	225	146	1,511	1064 (982 issued by local governments and 82 issued by DCM)
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	55	65.4	115	32	33	235	107	< 7 days	< 25 days
# of Permits (took < 30 days processing time)	844	309	31	5	262	133	37	0	1,511	1064
Ave. Time < 30 days	11	14.5	18.8	24.6	17	15	15	N/A	< 7 days	< 25 days
# of Permits that (took > 30 days processing time)	397	277	48	4	126	81	31	146	0	0
Ave. Time > 30 days	43	44.7	45.4	42	43	44	44	107	N/A	N/A
# of Permits (took > 60 days processing time)	0	128	24	6	68	60	40	137	0	0
Ave. Time . > 60 days	N/A	72.2	69.2	70.5	74	74	78	118	N/A	N/A
# of Permits (took > 90 days processing time)	0	102	37	26	0	0	117	110	0	0
Ave. Time . > 90 days	N/A	182.7	127.8	150	0	0	409	120	N/A	N/A
Reason(s) permit issuance took > 90 days (ex. Add info...)	Includes NCDOT - 401 Wetlands Permits and stream/buffer determinations		Significant "Add info" requests.				Standard review is 270 days to notice. Time waiting for "Add Info" for an application does not have a start or a stop time.	Project complexities continue to rise, as do environmental agency concerns about staff turnover in addition to the impact of budget situations.		
Estimated % of permits < 90 days	100%	88%	74%	37%	100%	100%	48%	25%	100%	100%

Note # 1: For CAMA Minor permits 973 were issued by local governments and 100 were issued by DCM. Where "N/A" appears there is no data and DCM does not track this information.

Permit Information for July 1, 2009 through June 30, 2010											
Division	Land Resources - LQS	Environmental Health	Express Permitting								
Permit Type	Erosion and Sedimentation Control	On Site Program	Public Water Supply Plans (Note # 2)	Express CAMA	Express Wetlands	Express State Stormwater	Express Erosion Control	Express Non-Discharge (Note # 3)	Express Stream Determinations	Express Alternate Sewers	On Site Wastewater
Total # of Permits Issued	1,663	51	1,269	21	24	176	443	13	28	8	5
Standard Review Time (days)	30 days	N/A	30 days	75 days / extend to 150 days	30 days	30 days	3 days	90 days	9 days	90 days	21 days
Average Processing Time (days)	24	25	13	34	7	12.6	3	23.1	1.4	37	17
# of Permits (took < 30 days processing time)	1,651	15	1,249	24	58	163	443	10	28	1	2
Ave. Time < 30 days	23	18	12	27	7	10.3	3	20.5	1.4	27	23
# of Permits that (took > 30 days processing time)	12	12	16	14	0	12	0	3	0	4	2
Ave. Time > 30 days	33	46	38	35	0	37.5	N/A	31.7	N/A	42	37
# of Permits (took > 60 days processing time)	0	5	3	1	0	1	0	0	0	3	1
Ave. Time .> 60 days	N/A	79	76	63	N/A	80	N/A	N/A	N/A	61	85
# of Permits (took > 90 days processing time)	0	20	1	0	0	0	0	0	0	0	0
Ave. Time .> 90 days	N/A	142	141	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A
Reason(s) permit issuance took > 90 days (ex. Add info...)		This is a two step process and there is generally a delay by the applicant before submitting a request for an Authorization to Construct.	Multiple "Add Info" requests by staff.								
Estimated % of permits < 90 days	100%	61%	100%	100%	100%	100%	100%	100%	100%	100%	100%

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. Applications that took less than 30 days to process include submittals approved and submittals that the review engineer provided comments within Days.

Note # 3: Permits do not include renewal applications, those reviewed in regional offices, or those under review at the DWQ Construction Grants and Loans.