

## DEQ Permit Deadlines

### DEMLR:

**For E&SC:** For new plans, that is a 30 day clock that doesn't stop, and we try to do preliminary review and ask for additional information within the first 21-25 days and ask the designers to respond before day 30. If they can get us the appropriate information before day 30 we approve the plan. If not, we have to Disapprove the plan before the end of day 30. Any revised plan submittal following a Disapproval starts a 15 day clock that doesn't stop. We attempt to do the preliminary review by day 10 to give the designer ample time to respond if we still need additional information. If the info can be provided, we approve. If not, we have to disapprove. In both cases the clock doesn't stop. Any resubmittal of a "Revised" plan after a disapproval or approval starts a 15 day clock that doesn't stop.

**For State Stormwater (Post-Construction SW):** The clock does not start until we have a complete plan and it resets if the provided information does not constitute a complete plan. If we have to ask for additional information after reviewing what has been submitted, a request for additional information letter will be sent to the applicant as the application submitted is not complete and the clock will start once we receive that information. If the resulting response does not complete the needed information to make the application complete, the clock resets. There is no "Pause" on the clock in this program.

### DCM:

For CAMA Major and Minor permits, if the Division of Coastal Management requests additional information from an applicant, the permit clock is placed on a temporary hold. The clock begins to run again once the information is received, but the clock is not "reset." In addition, DCM will not place a project on extended hold without the consent of the applicant. If an applicant does not agree with the need for additional information or prefers a permit decision based on information already provided, the division can either proceed with a permit approval or issue a permit denial with an opportunity for the applicant to seek a variance from the NC Coastal Resources Commission or appeal the decision to the Office of Administrative Hearings.

### DWR:

For a Point Source Discharge listed on the chart below it states the following:

**(c) Applications for permits and Renewals for Facilities Discharging to Surface waters. – NPDES General Permits (Trout Farms, single Family Residences, Cooling Water, Sand Dredging are examples of general permits) NPDES Individual Permits (Industrial and Municipal) 143-215.1(c)(4)(4)** Not later than 60 days following notice of intent or, if a public hearing is held, within 90 days following consideration of the matters and things presented at such hearing, the Commission shall grant or deny any application for issuance of a new permit or for renewal of an existing permit. All permits or renewals issued by the Commission and all decisions denying application for permit or renewal shall be in writing. **–If there is a public hearing the permit is required to be issued within 90 days of the public hearing, however, if significant changes are made to the permit the division will repeat this process on the significantly revised permit.**

**This paragraph is referring to NOI's (general permit applications)**

There is no deadline for having to issue or deny a NPDES individual permit application though NPDES puts all requests for a modification, expansion, or new permit at the front of the line. Renewals are performed as staff time allows.

**Non-Discharge:**

Pursuant to [15A NCAC 02T .0108](#), we are required to take a final action on all applications no later than 90 days following receipt of a complete application. Pursuant to [15A NCAC 02T .0107](#), if an application is found to be incomplete, the 90 day processing period required in GS 143-215.1(d) and Rule .0108 begins upon receipt of the additional information. If a final permitting action is not taken within 90 days, the application is considered approved per [GS 143-215.1\(d\)](#).

**Animal Operations (general):**

90 day clock reset during permit (modification) review requests 15A NCAC 02T .0107 & .0108

**Wetland/401/Stream Determinations:**

60 day clock resets due to permit review additional information requests pursuant to [15A NCAC 02T .0107](#). The federal clock is 120 days, is not tolled or reset by additional information requests, and must also be met.

15A NCAC 02T .01707 (b)(2) ....the 90 day processing period required in G.S. 143-215.1 and Rule .0108 of this Section begins upon receipt of a corrected application with required supporting information

(e) If an application is accepted and later found to be incomplete, the applicant shall be advised how the application or accompanying supporting information may be modified to make it complete. The staff shall advise the applicant:

(1) that the 90 day processing period required in G.S. 143-215.1(d) and Rule .0108 of this Section begins on the date the additional information is received; and

(2) that if all required information is not submitted within 30 days, the project will be returned as incomplete. Any resubmittal of a returned application shall be accompanied with a new application fee.