

15A NCAC 01X .0106 PROCESSING OF REQUESTS FOR EXPRESS REVIEW

The processing of Requests for Express Review shall be performed as follows:

- (1) To be considered for express review under these Rules, an applicant shall submit a Request for Express Review and intake fee via AccessDEQ, including the information required pursuant to Rules .0104, .0202, and .0302 of this Subchapter. Current fees may be found at <https://www.deq.nc.gov/accessdeq/express-permitting> or in AccessDEQ. The Department shall provide the applicant with notice once the necessary fees have been received. Fees are nonrefundable.
- (2) Upon receipt of a Request for Express Review and intake fee, the Department shall perform an administrative review to make an initial determination of applicability pursuant to Rule .0103 of this Section, eligibility pursuant to Rules .0201 and .0301 of this Subchapter, and availability pursuant to Rule .0105 of this Section. The Department is under no obligation to perform any form of technical review of the materials submitted prior to the Pre-Application Review Meeting.
- (3) Once an initial determination of applicability, eligibility, and availability is made by the Department, notice shall be provided to the applicant and a Pre-Application Review Meeting shall be scheduled with the applicant and their Experienced Consultant.
- (4) During the Pre-Application Review Meeting, the Department, applicant, or applicant's Experienced Consultant shall discuss the project, jointly review the submitted application materials, and advise regarding any initially identified deficiency issues. If the Request for Express Review involves a PCSW Permit, both the applicant and applicant's Experienced Consultant shall be required to attend the Pre-Application Review Meeting. If, during the Pre-Application Review Meeting, it is determined that the project is ineligible for express review or the Application is incomplete, the Request for Express Review may be denied. If required information is identified as missing during the Pre-Application Review Meeting, an extension may be granted for up to three business days to submit the required information, after which time a determination regarding the Request for Express Review shall be made. If these identified items are not submitted by the extension deadline, the Request for Express Review shall be considered incomplete and shall be denied.
- (5) If the Request for Express Review is granted, the next available Acceptance Date shall be assigned to the Application and the application review shall proceed in accordance with Rule .0203 or .0303 of this Subchapter.
- (6) Once an Acceptance Date is assigned to the Application, the applicant shall submit the necessary fees via AccessDEQ or by check submitted to the regional office with jurisdiction over the project location. Current fees may be found at <https://www.deq.nc.gov/accessdeq/express-permitting> or in AccessDEQ. The Department shall provide the applicant with notice once the necessary fees have been received. Fees are nonrefundable.
- (7) If the necessary fees have not been received by the Department via AccessDEQ or by check submitted to the regional office with jurisdiction over the project location one business day prior to the Acceptance Date, the Acceptance Date shall be cancelled.
- (8) If the Department determines, after granting the Request for Express Review, that the project is ineligible for express review, the Department shall conclude the Express Review in accordance with Rules .0203(4) or .0303(4) of this Subchapter.
- (9) Receipt of an Application as part of a Request for Express Review shall not constitute receipt or submission of an application for purposes of the timeframes set forth in G.S. 143-214.7(b6) or in G.S. 113A-54.1(a).

History Note: Authority S.L. 2023-134, s. 12.13.(b); G.S. 143B-279.13;
Eff. July 1, 2025.