

## **SECTION .0200 – COASTAL POST-CONSTRUCTION STORMWATER PERMITS**

### **15A NCAC 01X .0201 PROJECT ELIGIBILITY**

The following PCSW Permit Applications shall be ineligible for express review:

- (1) PCSW Permit Applications submitted by an individual who does not meet the requirements of being an Experienced Consultant, as defined in 15A NCAC 01X .0102(6), familiar with coastal soil performance and stormwater control design standards and specifications in North Carolina.
- (2) Transfers.
- (3) Renewals.
- (4) Applications for high density projects that propose or modify four or more primary stormwater control measures, as defined in 15A NCAC 02H .1002(37); 15A NCAC 02H .1002 is incorporated by reference, including subsequent amendments, and may be accessed at <http://reports.oah.state.nc.us/ncac.asp> at no charge.
- (5) Applications for projects that will impact another PCSW Permit, unless Applications for both projects are submitted jointly.
- (6) Applications for projects that will overlap with another PCSW Permit, unless Applications for both projects are submitted jointly.
- (7) Applications for projects whose construction or permitting would cause another PCSW Permit to become out of compliance, unless Applications for both projects are submitted jointly.
- (8) Applications for projects that would require a variation pursuant to 15A NCAC 02H .1003(6) or would modify a project subject to a variation previously granted; 15A NCAC 02H .1003 is incorporated by reference, including subsequent amendments, and may be accessed at <http://reports.oah.state.nc.us/ncac.asp> at no charge.
- (9) Applications for projects that would require a Director's Certification pursuant to 15A NCAC 02H .1040(7) or would modify a project subject to a Director's Certification previously granted; 15A NCAC 02H .1040 is incorporated by reference, including subsequent amendments, and may be accessed at <http://reports.oah.state.nc.us/ncac.asp> at no charge.
- (10) Applications for projects that are out of compliance at the time of submission or review, unless approval of the Application would bring the project into compliance. This provision does not allow applicants to apply for renewal of expired PCSW Permits as part of a Request for Express Review.
- (11) Applications that have been previously returned pursuant to Rule .0203(4) of this Section or 15A NCAC 02H .1042(3)(a)(ii), or denied pursuant to 15A NCAC 02H .0140(5); 15A NCAC 02H .1042 is incorporated by reference, including subsequent amendments, and may be accessed at <http://reports.oah.state.nc.us/ncac.asp> at no charge.
- (12) Applications for projects that the Department determines to be too complex, unconventional, irregular, or that utilize New Stormwater Technologies approved pursuant to 15A NCAC 02H .1050(15) that have been approved by the Department for less than five years; 15A NCAC 02H .1050 is incorporated by reference, including subsequent amendments, and may be accessed at <http://reports.oah.state.nc.us/ncac.asp> at no charge.
- (13) Applications for projects that do not provide all submission requirements from Rule .0202 of this Section.

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