

15A NCAC 01X .0303 REVIEW OF APPLICATIONS

The review of an ESC Plan Application shall proceed as follows:

- (1) Upon granting a Request for Express Review pursuant to Rule .0106(5) of this Subchapter, the Department shall review the ESC Plan within five business days of the Acceptance Date and shall make a determination to:
 - (A) Request additional information, clarification or revision;
 - (B) Approve the ESC Plan;
 - (C) Approve the ESC Plan with modification;
 - (D) Disapprove the ESC Plan; or
 - (E) Transfer the ESC Plan to the standard ESC Plan review process;
- (2) When a request for additional information, clarification, or revision is made by the Department, the applicant shall respond with the requested information, clarifications, or revisions within five business days from receipt of the request, beginning the first business day after the request is received.
- (3) Upon receipt of the information in Item (2) of this Rule, the Department shall review the ESC Plan and additional information within five business days, starting with the first business day after receipt and shall make a determination in accordance with Item (1) of this Rule.
- (4) No more than one request for additional information, clarification, or revision shall be made under Sub-Item (1)(A) of this Rule. If additional information, clarification, or revision is required after one request, or if the Department determines, after granting the Request for Express Review, that the project is ineligible for express review, the ESC Plan shall either be disapproved or transferred to the standard ESC Plan review process. If transferred, the date of receipt of the Application for purposes of G.S. 113A-54.1 or G.S. 113A-57 shall be the date upon which the transfer occurs.

History Note: Authority S.L. 2023-134, s. 12.13.(b); G.S. 143B-279.13; G.S. 113A-54.1; G.S. 113A-57; Eff. July 1, 2025.