

15A NCAC 02Q .0525 APPLICATION PROCESSING SCHEDULE

The Division shall adhere to the following schedule in processing permit applications:

- (1) The Division shall send written acknowledgment of receipt of an application to the applicant within 10 days of receipt of the application.
- (2) The Division shall review all permit applications within 60 days of receipt of the application to determine whether the application is complete or incomplete. The Division shall notify the applicant by letter:
 - (a) stating that the application as submitted is complete and specifying the completeness date;
 - (b) stating that the application is incomplete, requesting additional information, and specifying the date by which the requested information is required to be received by the Division; or
 - (c) stating that the application is incomplete and requesting that the applicant rewrite and resubmit the application.

If the Division does not notify the applicant by letter dated within 60 days of receipt of the application that the application is incomplete, the application shall be deemed complete. A completeness determination shall not prevent the Director from requesting additional information at a later date if such information is necessary to properly evaluate the source, its air pollution abatement equipment, or the facility. If the applicant has not provided the requested additional information by the date specified in the letter requesting additional information, the Director shall cease processing the application until additional information is provided. The applicant may request a time extension for submittal of the requested additional information. A completeness determination shall not be necessary for minor modifications pursuant to 15A NCAC 02Q .0515.

- (3) The Division shall determine within 60 days of receipt of a complete application if any additional information is needed to conduct the technical review of the application. A technical completeness determination shall not prevent the Director from requesting additional information at a later date when such information is necessary to properly evaluate the source, its air pollution abatement equipment or the facility. The Division shall complete the technical review within 270 days of receipt of a complete application or 10 days after receipt of requested additional information, whichever is later.
- (4) The Director shall send the public notice for public comment on the draft permit to affected states, to EPA, and to persons on the mailing list within 270 days after receipt of a complete application or 10 days after receipt of requested additional information, whichever is later.
- (5) If a public hearing is requested and approved by the Director for a draft permit, it shall be held within 45 days of the Director's decision to hold a public hearing.
- (6) The Director shall complete the review of the record and send the proposed permit to EPA:
 - (a) within 30 days after the close of the public comment period if there is no public hearing on the draft permit; or
 - (b) within 45 days after the close of the public hearing if there is a public hearing on the draft permit.
- (7) If EPA does not object to the proposed permit, the Director shall issue the permit within five days after:
 - (a) expiration of EPA 45-day review period; or
 - (b) receipt of notice from EPA that it will not object to issuance, whichever comes first.
- (8) If EPA objects to the proposed permit, the Director shall respond to EPA's objection within 90 days after receipt of EPA's objections.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108;
Eff. February 1, 1995;
Amended Eff. July 1, 1998;
Readopted Eff. April 1, 2018.