



# HOUSE BILL 259: 2023 Appropriations Act, Sec. 12.12: Stormwater Permitting Revisions

2023-2024 General Assembly

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<b>Committee:</b>		<b>Date:</b>	December 6, 2023
<b>Introduced by:</b>		<b>Prepared by:</b>	Jennifer McGinnis
<b>Analysis of:</b>	Sec. 12.12 of S.L. 2023-134		Staff Attorney

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**OVERVIEW:** *Section 12.12 of S.L. 2023-134 makes various changes to statutes governing review and approval of applications for stormwater permits. Specifically, the section:*

- *Establishes a variety of deadlines, including:*
  - *10 days for the Environmental Management Commission (Commission) to perform a review of a new application to determine if the information is administratively complete, and notify the applicant accordingly. The deadline is also applicable to resubmittal of applications previously determined to be incomplete.*
  - *A 70-calendar day technical review period, which can be extended if the Commission determines that additional information is required to continue processing the application. Upon receipt of additional information from an applicant, the Commission has 30 calendar days to complete the technical review and issue the permit, issue the permit with modifications, deny the permit, or request additional information.*
- *Prohibits the Commission, once it has requested additional information, from subsequently requesting additional information that was not previously identified as missing or required, except if required for the technical review based on any new information, changed circumstances, or changed designs provided by the applicant. Where the Commission identifies information that should have been requested, but was not, the Commission can include conditions in or modifications to the permit upon issuance addressing this information but cannot deny the permit because of the missing information.*
- *Requires the Commission to develop an application package checklist identifying the items and information required for an application to be considered administratively complete.*
- *Provides that all permits for which an expiration date is specified must be issued for a term not to exceed eight years.*

*This section becomes effective July 1, 2024.*

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