



HOUSE BILL 366: Regulatory Reform Act of 2021, Sec. 3: Study Express Permitting Expansion

2021-2022 General Assembly

Committee:		Date:	February 23, 2022
Introduced by:		Prepared by:	Kyle Evans Staff Attorney
Analysis of:	Sec. 3 of S.L. 2021-117		

OVERVIEW: Section 3 of S.L. 2021-117 requires the Department of Environmental Quality (DEQ) to study and report on additional positions and funding needed, as well as any changes in State or federal laws and regulations necessary, to expand the express permitting programs to include additional types of permits typically required for job creating and real estate development or redevelopment activities. DEQ must provide its report and recommendations to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division no later than March 1, 2022.

This section became effective August 23, 2021.

CURRENT LAW:

Under current law, DEQ must offer an express review program to provide express permit and certification reviews in all its regional offices for the following programs:

- Stormwater permits.
- Stream origination certifications.
- Water quality certifications.
- Erosion and sedimentation control permits.
- Permits under the Coastal Area Management Act.

Participation in the express review program is voluntary, and the program is supported by fees. Maximum permit application fees range from \$4,000 to \$5,500, depending on the number of permits needed that are subject to express permitting.

BILL ANALYSIS:

Section 3 of S.L. 2021-117 requires DEQ to study and report on additional positions and funding needed, as well as any changes in State or federal laws and regulations necessary, to expand the express permitting programs to include additional types of permits typically required for job creating and real estate development or redevelopment activities. Additional permits considered in the study must include, at a minimum, permits for facilities not discharging to the surface waters of the State and permits to apply petroleum contaminated soil to land.

DEQ must provide its report and recommendations to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division no later than March 1, 2022.

EFFECTIVE DATE: This section became effective August 23, 2021.

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Director



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