

October 2007

Water and Sewer Construction Permitting Expedited Review Program

A. Scope:

Legislation (Section 44-1-165 of S.1263) was passed that allows the South Carolina Department of Health and Environmental Control (the Department) to pilot an Expedited Review Program (ERP). The program chosen for this pilot study is the Water and Wastewater Construction Permitting, non-Delegated Review Program projects, with the pilot starting on **May 14, 2007**. During the pilot period, the Department will adjust staffing levels to accommodate the demand for expedited review. Applicants desiring consideration for the expedited review program should indicate by checking the box at the top of DHEC Form 1970 (2/2007)- Construction Permit Application Water/Wastewater Facilities. This application form may be found at: <http://www.scdhec.net/administration/library/D-1970.pdf>

B. Goal:

The goal is to have a project reviewed no later than ten (10) business days after being logged in as a complete administrative submittal.

C. Quality Reports:

The Department is expecting the highest of quality in applications that are selected for expedited review.

D. Procedures:

The Applicant seeking a water and/or wastewater construction permit will indicate interest in participating in this program by checking the ERP Box at the top of DHEC Form 1970 (2/2007)- Construction Permit Application Water/Wastewater Facilities.

1. Permit applications must be administratively complete in order to be considered for the program. This includes a check to cover the expedited review fee. Credit card payment is also acceptable. If payment is not received with the application, the project will be placed into the regular review line and the ERP cancelled.
2. All projects with the Expedited Review Box checked on the application will be placed in line, by chronological order, and kept there until:
 - a. The project has been chosen for expedited review;
 - b. The project is reviewed under normal circumstances;
 - c. The Applicant decides to no longer be considered for expedited review (this request must be submitted in writing from the Applicant); or
 - d. The Applicant is determined not to be eligible to participate in the program.
3. The number of review staff available for expedited review will determine the number of projects selected for review. A minimum of six (6) full time DHEC review engineers in the Construction Permitting Section is required for implementation of this program. These projects will be assigned based on when they were determined to be eligible for the program, in chronological order.
4. The review staff will only review the plans that were submitted and entered into the tracking system. An Applicant cannot submit a modified set of plans, when selected. The Department reserves the right to give priority to projects that are considered Environmental or Health Hazards (e.g., failing septic tanks, contaminated drinking water wells).

5. Projects submitted under the expedited program in the Coastal Zone must include the appropriate OCRM certification. Wastewater projects submitted under the expedited program must include the appropriate 208 COG certification, if applicable.
6. The Department staff will review the selected project.
 - a. The Department review staff will fax or e-mail any copies of letters to the Applicant and their Design Engineer, that identify deficiencies in the application in an effort to expedite the process. This will allow the design staff to begin work on the project immediately.
 - b. Unless the Department grants a specific time extension, the Applicant or their Design Engineer has until 5:00 p.m. on the second business day following the expedited review to address comments and submit them back to the Department.

***If the Department does not receive the response by the 5:00 p.m. deadline, the project will fall back into the normal review line without refund of the additional expedited review payment.**

7. Once the Department receives a response to their initial review letter, it will be reviewed and any additional comments on the project will be made, if necessary. If additional comments are given, the Applicant or their Design Engineer has until the close of business the following day to address the comments and submit them back to the Department.

E. Eligibility:

If the Applicant or their Design Engineer submits insufficient applications more than once they will not be eligible for participation in this program for a period of one year. Insufficiencies would include but is not limited to projects that: are not high in quality; are incomplete; fail to address review comments or; fail to submit payment on time.

The Department reserves the right to determine Applicants who have had significant non-compliance issues as not eligible for this program.

F. Fees:

All Applicants will have already paid the normal permit application fee as stated in Regulation 61-30, Environmental Protection Fees. The expedited fee is in addition to the normal permitting fees.

The expedited review fee must be submitted with the application submittal.

The fees are as follows: \$3,000 expedited review fee (\$5,000 for combined water and sewer projects) for participating in the program, plus the normal review fee as stated in Regulation 61-30, Environmental Protection Fees.

Example 1:	Wastewater pump station chosen for expedited review	
	Regulation 61-30 Review Fee:	\$350
	Expedited Review Fee:	\$3,000
	Total	\$3,350

Example 2:	Combined Project: Wastewater gravity sewer line of 5,000 feet and Water Distribution System of 5,000 feet, chosen for expedited review	
	Regulation 61-30 Review Fee (Wastewater)	\$200
	Regulation 61-30 Review Fee (Water)	\$400
	Expedited Review Fee (Combined Project):	\$5,000
	Total	\$5,600

G. Exceptions:

1. Expedited review selection will be suspended during a week when there are two or more state holidays.
2. Anyone (Applicant or Design Engineer) on the Suspended List is not eligible for expedited review for the noted One-Year time period.
3. The following projects will be ineligible for expedited review:
 - a. Projects with impacts to Navigable Waters that do not already have a Navigable Waters Permit;
 - b. Projects that are reviewed by Delegated Review Entities;
 - c. Projects that are under a Cease & Desist order; and/or
 - d. Projects that are under a compliance order.
4. If an application is determined to be administratively incomplete upon receipt by the Department, the project will not be considered for the ERP. The application must be considered administratively complete to be eligible.