**15A NCAC 02H .1003 SIGNATURES ON PERMIT APPLICATIONS AND STORMWATER PROGRAM PROCEDURES.**

This Rule applies to the permitting processes set forth in Rules .1006, .1007, .1008 and .1009 of this Section.

(1) SIGNATURES ON PERMIT APPLICATION FORMS. Application forms shall be signed by one of following:

(a) In the case of a corporation or limited liability corporation (LLCs), by a principal executive officer of at least the level of vice‑president, or his authorized representative;

(b) In the case of a partnership, by a general partner and in the case of a limited partnership, by a general partner;

(c) In the case of a sole proprietorship, by the proprietor;

(d) In the case of a municipal, state or other public entity by either a principal executive officer, ranking official or other duly authorized employee; or

(e) The signature of another agent shall be accepted on the application only if accompanied by a letter of authorization signed by the appropriate authority as designated in Sub-Items (a) through (d);

(2) DELEGATION. For permits issued by the Division, the Director is authorized to delegate any or all of the functions contained in these Rules except the following:

(a) Denial of a permit application;

(b) Revocation of a permit not requested by the permittee; or

(c) Modification of a permit not requested by the permittee.

(3) PERMIT ISSUANCE. The following shall apply to stormwater management permits issued by the Division:

(a) Stormwater management permits issued for low density projects shall not require permit renewal.

(b) Stormwater management permits issued for projects that require the construction of engineered stormwater control measures shall be issued for a period of time not to exceed 8 years.

(c) Stormwater management permits shall be issued to the lessee, purchaser, developer or owner and shall cover the entire project as defined in 2H 1002.

(4) PERMIT DENIAL. If the Director denies a permit, then the letter of denial shall state the reason(s) for denial and any reasonable measures which the applicant may take to make the application approvable. Permit applications may be denied where necessary to effectuate:

(a) The purposes of G.S. 143, Article 21;

(b) The purposes of G.S. 143 215.67(a);

(c) Rules on coastal waste treatment, disposal, found in Section .0400 of this Section;

(d) Rules on "subsurface disposal systems," found in 15A NCAC 18A .1900. Copies of these Rules are available from the Division of Environmental Health, P.O. Box 29535, Raleigh, North Carolina 27626 0535; and

(e) Rules on groundwater quality standards found in Subchapter 2L of this Chapter.

(5) PERMIT REVOCATION OR MODIFICATION. Permits issued pursuant to these Rules are subject to revocation, or modification by the Director, upon 60 days’ notice by the Director in whole or part for good cause including but not limited to:

(a) Violation of any terms or conditions of the permit;

(b) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts;

(c) Refusal of the permittee to allow authorized employees of the Department of Environment and Natural Resources upon presentation of credentials:

(i) To enter upon permittee's premises on which a system is located in which any records are required to be kept under terms and conditions of the permit;

(ii) To have access to any copy and records required to be kept under terms and conditions of the permit;

(iii) To inspect any monitoring equipment or method required in the permit; or

(iv) To sample any discharge of pollutants.

(6) CONTESTED CASE HEARING. An applicant whose application is denied or who is issued a permit subject to unacceptable conditions shall have the right to seek a contested case hearing pursuant to G.S. 150B-23.

(7) COMPLIANCE. Any individual or entity found to be in noncompliance with the provisions of a stormwater management permit or the requirements of this Section is subject to enforcement procedures as set forth in G.S. 143, Article 21.