



SPONSOR: Rep. Brady & Rep. Mulrooney & Sen. Poore
Reps. Baumbach, Jaques, Osienski, B. Short, Viola; Sen.
Walsh

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 443

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PERMITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 6004, Title 7 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 6004. Permit – Application; ~~hearing~~ hearing; extension.

4 (e)(1) The Secretary may renew or extend the term of a construction permit for up to 2 additional years, and in
5 either case, may forgo the process set forth in subsections (a) through (d) of this section if all of the following apply:

6 a. There has been no previous renewal or extension.

7 b. The permit holder certifies to the Secretary that there have been no material changes to the plans,
8 specifications, and other information set forth in the application previously submitted that would lead to a net
9 adverse environmental impact.

10 c. The permit holder submits a written request for renewal or extension to the Secretary within 3 years of
11 the date the permit was granted.

12 d. There are no other circumstances that, in the sole discretion of the Secretary, warrant conditioning the
13 grant of a renewal or extension on compliance with one or more of subsections (a) through (d) of this section.

14 (2) An extension or renewal granted under this subsection is final and is not appealable under § 6008 of this
15 title.

SYNOPSIS

This Act permits the Secretary of the Department of Natural Resources and Environmental Control to renew or extend the term of a construction permit under certain circumstances.