

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of Program Integration

DOCUMENT NUMBER: 021-2100-001

TITLE: Policy for Implementing the Department of Environmental Protection (Department) Permit Review Process and Permit Decision Guarantee

EFFECTIVE DATE: November 2, 2012

AUTHORITY: Executive Order 2012-11

POLICY: This policy establishes a standardized review process and processing times for all Department permits. For the permits contained in the Permit Decision Guarantee, the Department guarantees to provide permit decisions within the published timeframes, provided applicants submit complete, technically adequate applications that address all applicable regulatory and statutory requirements in the first submission. Staff will follow a Department-wide standard process for receiving, prioritizing, accepting, reviewing, denying, and approving applications for permits or other authorizations.

PURPOSE: To establish a standard process for permit application reviews that:

- provides certain and predictable review timeframes for applicants who submit complete, technically adequate applications that address all applicable regulatory and statutory requirements;
- articulates clearly and concisely expectations for applicants that result in complete, technically adequate applications that address all applicable regulatory and statutory requirements;
- establishes expectations for Department staff aimed at achieving greater efficiency, clarity and consistency across regions and programs;
- improves the Department's internal tracking and coordination of permit applications; and,
- rescinds and replaces the Policy for Implementing the DEP Money-Back Guarantee Permit Review Process 013-2000-001, as amended.

APPLICABILITY: This policy is intended to provide a standard review procedure for all Department permits and authorizations. All applications for permits, registrations and plan approvals are subject to the Permit Review Process outlined in this Policy regardless of their inclusion in the Permit Decision Guarantee. The Permit Decision Guarantee shall apply only to those applications, listed in Appendix A, that are complete, technically adequate, and address all applicable regulatory and statutory requirements. Appendix A of the policy provides the guarantee timeframes for those Department permits and authorizations that are contained in the Permit Decision Guarantee.

It also applies to County Conservation Districts' permit review staff when completing delegated duties on behalf of the Department during the registration or evaluation of permit applications or modifications. The term "Department" referenced throughout the policy includes County Conservation District review staff. The policy is not to be applied where it conflicts with statutory or regulatory requirements.

DISCLAIMER:

The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DEP to give these guidelines that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH:

27 pages, including appendix

I. General Information

A. Effective Date of Policy

This policy will become effective upon publication as final in the *Pennsylvania Bulletin*.

B. Definitions

1. *“Accepted”* – The term for an application status, when after conclusion of the Completeness Review, Department staff determine an application to be complete and technically adequate. Once accepted, an application will move to the Technical Review.
2. *“Applicant”* – For the purpose of this policy, it is the entity (i.e., an individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision or an agency of Federal or State government) that submits an application to conduct an activity authorized by the Department, such as the person responsible for owning, maintaining, and/or operating all or part of the overall project. This term is also defined in other Department policies as project sponsor.
3. *“Application Manager”* – The specific Department staff member that will be responsible for the processing of an application and will be the primary contact for the project management, a.k.a. reviewer, permit reviewer or permit writer.
4. *“Application Type”* – For the purpose of this policy, may include: New, Renewal, Amendment, Modification, Transfer, and Change of Ownership.
5. *“Complete and Technically - Adequate Application”* – An application package that includes all necessary documents and information, which is provided in sufficient detail to perform a Technical Review.
6. *“Completeness Review”* – Process by which Department staff will review applications to determine if they are complete and technically adequate, addressing all applicable regulatory and statutory requirements.
7. *“Elevated Review Process”* – Process whereby staff will raise issues, requests for clarifications and instances in which applications failing to appropriately respond to technical deficiencies arise, to superiors, including regional, central office bureau staff and if merited to the Secretary.
8. *“Permit Decision Guarantee Timeframe”* – The length of processing time that a permit decision will be guaranteed by the Department, provided an applicant submits complete, technically adequate applications that address all applicable regulatory and statutory requirements in the first submission. This length of time and included permits are outlined in Appendix A.

9. “*Permits*” – Authorizations issued by the Department, giving approval to perform a regulated activity. For the purpose of this policy, “permits” includes the authorization types such as: permits, plan approvals and registrations under general permits. This definition does not include certifications and licenses.
10. “*Permit Decision Guarantee*” – The guarantee from the Department that a permit application will be reviewed as expeditiously as possible within the Permit Decision Guarantee timeframe, which is applicable only to those complete, technically adequate applications that address all applicable regulatory and statutory requirements included in Appendix A.
11. “*Processing Time*” – The total number of business days beginning with the acceptance of a complete and technically adequate application and ending with the final action by the Department. The length of time does not begin until the application passes completeness review and it moves forward for technical review.
12. “*Renewal Application*” – An application to continue an activity authorized under an existing permit in its current form with no proposed changes that is submitted within the renewal timeframe required by the permit. Applications to recommence existing permits where changes are proposed, or for which new statutory or regulatory requirements necessitate a change to the current permit, shall be considered new applications.
13. “*Substantive Project or Design Changes*” – This would be a design change at the desire of an applicant mid-stream, while under technical review. A new application will have to be submitted with new fees. Substantive project or design changes resulting from technical deficiency letters will not require new applications or fees.
14. “*Technically Complex Application*” – An application that by its nature is more complex than a standard application. These applications receive more flexibility in terms of the review process than standard applications and are noted with an asterisk in Appendix A.
15. “*Technical Review*” – The in-depth technical review, conducted by Department staff, whereby a determination is made whether an application meets all regulatory and statutory requirements required for issuance.

II. Process Guidance

The policy of the Department is to minimize processing time while ensuring adherence to all applicable regulatory and statutory requirements and prioritizing permit applications. The Department’s performance, and that of its staff, will be measured by time lapsed for Department processing.

A. Possible Processing Delays

Ancillary activities required or in addition to the Department's review of the permit application that may delay the final permit decision. Examples of these activities include:

1. Submission, processing and review of financial assurance instruments;
2. Resolution of outstanding violations or compliance actions against the applicant, where state law requires those violations be resolved before permits are issued or renewed;
3. Reviews due to the need for approval by or coordination with a federal, state or municipal agency, including related decisions by such agencies;
4. Reviews by other Department programs, the purpose of which is to provide technical information to the reviewing program, and therefore cannot be accomplished concurrently;
5. Other complex, but necessary factors, such as the need for air modeling, risk assessments, the completion of a harms-benefits analysis or permit coordination;
6. Circumstances where public meetings or hearings are held, or draft final permits are issued and additional public comment is needed;
7. Time necessary to address additional public comment opportunities for areas of special concern such as Environmental Justice areas;
8. Factors outside of the Department's control, e.g. natural disasters or emergency responses that may require immediate use of resources or render Department resources unavailable; and,
9. Applications submitted pursuant to a Consent Order and Agreement, Department Order, consent decree or an Order of the Environmental Hearing Board or other judicial body.

Many permits decisions cannot be made until the above actions have been taken and resultant issues resolved. To the greatest extent possible, the Department will complete its review of permit applications expeditiously, however, the above situations may delay the Department's final permit decision.

B. Permit Review Hierarchy

1. The Money-Back Guarantee Policy and associated review process are rescinded and replaced in their entirety by this policy. Further, the Department, unless required by law or regulation, will not review permit applications solely on a "first-in-first-out" basis. When an application is received, the Regional Director, Director of District Mining Operations or Director of District Oil and Gas Operations will provide direction to staff on the priority of the permit application.

The prioritization or hierarchy of permit applications for review will be as follows:

- i. Applications necessary for the protection of public health, safety or the environment from imminent threats or that are necessary to support the restoration of the environment or that support broader environmental improvement goals.
 - ii. Applications necessary for economic development projects that create and/or retain jobs in Pennsylvania, leverage private investment in Pennsylvania, and/or provide significant economic benefit to Pennsylvania communities.
 - iii. Applications within the Permit Decision Guarantee that do not meet any of the criteria in 1. (i.) and (ii.) above.
 - iv. Applications for which the Permit Decision Guarantee is voided.
 - v. Applications that do not meet the above criteria will be completed on a “first-in-first-out” basis.
2. Application Types – The following application types will be reviewed in hierarchical order as listed:
 - i. New applications that meet the criteria of B.1. (i. – v.) above, in order.
 - ii. Amendment, Modification, Transfer, or Change of Ownership applications that meet the criteria of B.1. (i. – v.) above, in order.
 - iii. Renewal applications for permits that will expire without action by the Department that meet any of the criteria in B.1. (i. – v.) above, in order.
 - iv. Renewal applications for permits that have been legally extended for greater than five years or time period authorized in applicable regulatory and statutory requirements and meet any of the criteria in B.1. (i. – v.), in order.
 - v. Renewal applications for permits that have been legally extended for less than five years or time period authorized in applicable regulatory and statutory requirements and meet any of the criteria in B.1. (i. – v.).
 - vi. All others.

C. Permit Coordination

The Department will follow the Permit Coordination Policy 021-2000-301, when reviewing applications or proposed projects to ensure efficient use of resources, thorough environmental review and consistent Department action on proposed projects before the

commencement of operations, construction or other activities that require Department permits.

D. Permit Review and Approval

All permits will be reviewed following the process detailed in this policy. The Permit Decision Guarantee shall apply only to those applications listed in Appendix A that are complete, technically adequate and address all applicable regulatory and statutory requirements. It is the Department's intention to review annually, and as necessary, update the applications listed in Appendix A.

III. Accountability

A. Applicant Responsibilities

1. Request a Pre-Application Conference

A pre-application conference is the foundation for improved understanding and communication between the potential applicant and the Department. The pre-application conference allows the Department, consultant and applicant to discuss project details and seek clarification on applicable regulatory and statutory requirements. Upon request, the Department will schedule pre-application conferences when deemed necessary.

For the applicant and the applicant's consultant, the time invested in a pre-application conference pays dividends in the form of complete and technically adequate submissions, and shorter processing times resulting from a better understanding of the project and complicated matters prior to application submission. Further, these meetings are critical and highly recommended when large scale, multi-permitted facilities are involved and spans multiple counties or, or if federal permit coordination will be required. If an applicant chooses to forego a pre-application conference, when one is advised by the Department, the Permit Decision Guarantee may be voided.

In many cases, permit applications are complicated and challenging, due to the relationship of the numerous and overlapping environmental laws and regulations. Therefore, it is strongly recommended that applicants employ consultants with expertise in the areas of environmental permitting sought to aid in completion of permit applications.

Under this policy, Applicants and their Consultants are responsible for:

- i. Contacting the Department as soon as it is possible to provide a description (project summary, maps, etc.) of the proposed project, and requesting a pre-application conference.
- ii. Remaining in contact with the Department throughout the development of the project details and technical design will ensure a thorough understanding by Department staff, assure adherence to applicable

regulatory and statutory requirements to gain insight into potential regulatory concerns that could delay permit issuance and to work with Department to identify solutions.

2. Submit a Complete and Technically Adequate Application

The Applicant is responsible for submitting a complete and technically adequate application which meets all applicable regulatory and statutory requirements and contains all information needed by the Department to make a final permit decision. Failure to do so will void any Permit Decision Guarantee. Applications that fail to meet Department requirements for completeness will be denied, unless stated otherwise in applicable statutes and regulations. Applications that require revisions, additions, corrections or supplements take much longer to review, and thus the Department cannot provide certainty regarding the permit processing timeframe.

Once an application has been accepted by the Department as complete, any substantive project or design changes to that application made by the applicant will require a new application package to be submitted following appropriate program requirements and procedures and, as applicable, will void the Permit Decision Guarantee. Substantive project or design changes resulting from technical deficiency letters, or from information or input taken through public comment or hearings, will not require new applications or fees.

3. Track Progress and Provide Information

Applicants and their consultants are responsible for tracking the progress of their review by accessing *eFACTS on the Web*, the Department's publicly-available data management system. Applicants are also responsible for providing timely responses to requests for information and to deficiency letters. Applicants must ensure that responses provided are technically accurate and respond fully to the request for additional information. Applicants are responsible to ensure that responses to information requests meet all applicable regulatory and statutory requirements.

B. Department Responsibilities

1. Maintain Technical Guidance, Permit Forms and Fact Sheets

Program Bureaus will be responsible for developing and maintaining all technical guidance, permit forms, fact sheets, application checklists and other materials necessary to provide clear and concise expectations for applicants. All permit applications will include a checklist outlining required application materials and information. No regulation will be proposed as final without all complimentary guidance, policy, forms and fact sheets being developed and available for public comment concurrent to the finalization of the regulation.

All public documents such as technical guidance, permit forms, fact sheets and application checklists must be reviewed, and if necessary revised, and republished, every three years.

2. Provide Frequent and Focused Training

A significant training program will accompany this policy to provide for successful implementation. Department staff will develop and implement training for regional staff and the regulated community including their consultants, which will include changing the current models and relationships related to preparation of applications and permit reviews. Training for Department staff will focus on, but will not be limited to, program expectations and performing accurate and consistent permit reviews. Training for the management of expectations on the part of the regulated community is also needed, and will be provided.

As a regulatory agency, the Department's role is to review applications based on applicable regulatory and statutory authority to ensure that projects with appropriate environmental protections proposed are permitted in a reasonable timeframe. The Department also has an obligation to provide clear expectations on public participation for the regulated community and stakeholders interested in permits being reviewed.

3. Maintain Open Lines of Communication

The Department will ensure that throughout the application review process, communication is maintained with the applicant, other regulatory partners, local officials and the public. This communication may include notification of major milestones in the process through the Department's publicly available data management system and communicating as early as possible upon the determination of a deficiency.

4. Schedule and hold Pre-Application Conferences

Department staff will:

- i. Encourage Applicants and their consultants to participate in pre-application conferences, to the greatest extent possible.
- ii. Schedule pre-application conferences when they are requested and deemed to be necessary. Assistant Regional Directors will arrange these conferences in most cases and will also coordinate pre-application conferences for large scale, multi-permit projects. Conference attendees must include the applicant, the applicant's consultant, the Regional Director if necessary, and representatives of the applicable programs. The Department will also include, as necessary, applicable partners (such as County Conservation Districts) in the pre-application conferences. For very large, high-priority economic development projects, the Regional Director will take the lead role in terms of coordinating meetings for the

Department. For District Oil and Gas Offices and District Mining Offices the Permits Chief or Manager will arrange these conferences.

- iii. Seek as much information as necessary prior to the pre-application conference to ensure that all appropriate staff/programs are present and the outcome of the conference effectively outlines expectations and communicates next steps.
- iv. Provide an explanation of the number and type of permits required for the project, an explanation of the process and interrelationships of the various permits; discuss the need for or potential for public meetings or hearings; and, provide the applicant with the Permit Decision Guarantee timeframe for processing the necessary permits if a complete, technically adequate application addressing all applicable regulatory and statutory requirements is submitted.
- v. Assign an Application Manager to the project whether upon application submission or prior.
- vi. Respond to all inquiries from the Applicant through development of the project details and technical design to assure a thorough understanding by the Applicant of the regulatory requirements that could impact permit issuance. This does not mean that the Application Manager will review and comment on draft applications or applicant-proposed permit conditions prior to an application being submitted.

5. Completeness Review

Completeness reviews determine whether a submitted application package is complete and technically adequate, contains the necessary information, maps, fees and other documents, and whether these items are of sufficient detail for technical review of the application. This review should ensure that a complete application that addresses applicable regulatory and statutory requirements has been received. The provided permit application checklist will routinely serve as part of the Department's internal guidelines for determining completeness.

Completeness reviews will be conducted as quickly as possible, and should take no longer than ten business days, unless otherwise indicated by regulatory and statutory requirements. Even when the state or federal law or regulation provides for a longer time period, it will be the Department's policy to complete the review as quickly as possible.

Under this procedure, the Department will complete in order the following steps:

- i. Applications will be received by administrative staff and logged into the electronic tracking database, assuming any applicable fees are submitted.
- ii. Checks accompanying applications will be processed by administrative staff in accordance with the fee processing policy.

- iii. Applications will be delivered to the appropriate program for the completeness review. The completeness review will be performed by the Application Manager as quickly as possible, and should take no longer than ten business days, unless otherwise indicated by regulatory and statutory requirements. In making a completeness determination, the Department will rely on specific applicable regulatory and statutory requirements in addition to the permit application checklist.

Minor deficiencies or omissions that can be easily corrected should be addressed through a telephone call with the applicant and consultant. The expeditious correction of minor deficiencies may negate the need for an application to be denied as incomplete. The Program Manager or District Manager will be responsible for making that decision.

Department staff will not rely on personal preference or opinion, or regional interpretation of statute, regulation or guidance that is inconsistent with the Department's statewide interpretation. Staff should confer with the appropriate Bureau Director as necessary.

- iv. If complete, notification will be provided to the applicant via the Department's public permit tracking system, *eFACTs on the Web*. If multiple permits are required, the Assistant Regional Director will be responsible for identifying and coordinating the review of all permits. For District Oil and Gas Offices and District Mining Offices the Permits Chief or Manager will, as necessary, coordinate the review of other permits needed for the project. Further, upon acceptance of an application, the program(s) will complete any necessary public notices.

The processing time for the application does not begin until it is deemed by the Application Manager to be a complete application.

- v. If an application is incomplete, the Department will deny the application, unless required otherwise by applicable regulatory and statutory requirements, and notification of the denial will be provided to the Applicant.

If the application is deemed incomplete, the Application Manager will prepare a letter to deny the application. The letter will specify where the permit application fails to provide the information necessary to document that applicable regulatory and statutory requirements will be achieved. This letter will include specific applicable regulatory and statutory citations and will be reviewed and approved by the Section Chief and the Program Manager. For District Oil and Gas Offices and District Mining Offices the Permits Chief and the Manager will review and approve the letters.

If the application is deemed incomplete and the Department is required by applicable regulatory and statutory requirement to allow the applicant to

address the completeness requirements, the Application Manager will, in order to document that applicable regulatory and statutory requirements will be achieved, prepare and send a letter that specifies how the permit application fails to provide the information necessary. This letter will include specific applicable regulatory and statutory citations and will state, as necessary, that the Permit Decision Guarantee is no longer applicable. The letter will be reviewed and approved by the Section Chief and the Program Manager. For District Oil and Gas Offices and District Mining Offices, the Permits Chief and the Manager will review and approve the letters.

Should an Applicant choose to amend the application and resubmit the package, following appropriate program requirements and procedures, the Department will treat the resubmitted package as a new application.

6. Technical Review

Complete applications will be subject to a detailed technical review. Applicants will be notified in writing of technical deficiencies discovered during the Department review. Applicants will have one opportunity¹ to correct technical deficiencies. Technical deficiencies will void the Permit Decision Guarantee.

Technical reviews are to determine whether an application package contains the necessary scientific and engineering information and project design to address specific regulatory requirements.

In completing the technical reviews, Department staff will:

- i. Ensure that all applicable regulatory and statutory requirements are adequately addressed by the application. Specific and applicable regulatory and statutory requirements will be used to conduct these reviews.
- ii. Use Department guidance, which is a key part of this review. The Department's preference is that technical reports and engineering designs address technical guidance published by the Department as a means to meet all applicable regulatory and statutory requirements. When and if there are technical questions or alternate engineering designs proposed, the Application Manager will expeditiously elevate these to the Section Chief and Program Manager for consultation and resolution. For District Oil and Gas Offices and District Mining Offices the Permits Chief and the Manager will be consulted. If needed, the Program Bureau Director should be consulted if resolution cannot be quickly determined.

¹ More technically complex projects and applications may receive additional deficiency letters as appropriate prior to a decision point. This exception will not void inclusion in the Permit Decision Guarantee and will follow program specific guidance that is developed. The more technically complex projects and applications are noted with an asterisk ("*") in Appendix A.

- iii. Not rely on personal preference or opinion, or regional interpretation of statute, regulation or guidance that is inconsistent with the Department's statewide interpretation. Staff should confer with the appropriate Bureau Director as necessary.
 - iv. Process technically adequate and scientifically sound applications for final approval to minimize elapsed time in accordance with the Permit Decision Guarantee.
 - v. Where the Application Manager determines that the technical information submitted with the application does not meet technical guidance or standards published by the Department, the application must provide the scientific or engineering basis to support the application. Note that deviations from technical guidance can generally be approved, by the appropriate section chief and manager, when warranted, provided acceptable justification has been submitted. Minor deficiencies that can be easily corrected should be addressed through a telephone call with the applicant and consultant, and may negate the need for a deficiency letter. The Program Manager or District Manager will be responsible for making that decision.
 - vi. If an application fails to provide the technical information necessary to document that applicable regulatory and statutory requirements will be achieved, it is technically deficient and the Application Manager will prepare a technical deficiency letter. Again, all deficiencies noted must cite the statutory or regulatory obligation that the application has failed to meet and the Section Chief and the Program Manager will routinely review these letters. For District Oil and Gas Offices and District Mining Offices the Permits Chief and the Manager will review the letters.
- One² technical deficiency letter will be sent. Each deficiency cited must note the statute, regulation or technical guidance provision. Technical guidance provides a means to compliance, but may not be used or cited when issuing a permit denial. The letter will state, as necessary, that the Permit Decision Guarantee is no longer applicable and offer the applicant an opportunity to meet and discuss the deficiencies. The letter will include a deadline for submission of the deficient information.
- vii. Applicant responses that do not make the application technically adequate within the established response timeframe will be subject to the Elevated Review Process below. Applications that are made technically adequate within the established response timeframe will proceed to processing for final action.

² More technically complex projects and applications may receive additional deficiency letters as appropriate prior to a decision point. This exception will not void inclusion in the Permit Decision Guarantee and will follow program specific guidance that is developed. The more technically complex projects and applications are noted with an asterisk ("*") in Appendix A.

7. Elevated Review Process

Applications that are technically deficient, and for which the deficiencies have not been resolved satisfactorily within the established response timeframe, for any reason, will be subjected to the elevated review process. This process will include the following:

- i. The Program Manager will notify the Regional Director of the elevated review, and arrange a time to discuss the details of the application and the noted deficiencies. The Program Manager and the Regional Director may contact the Bureau Director and/or the Deputy Secretary for advice or assistance. For District Oil and Gas Offices and District Mining Offices the District Manager will notify the Bureau Director of the elevated review and arrange a time to discuss the details of the application and the deficiencies. The District Manager and Bureau Director may contact the Deputy Secretary for advice or assistance as necessary.
- ii. Complex projects involving multiple permit applications with multiple deficiencies may require a face-to-face meeting of all staff involved.
- iii. Staff will agree on a direction for final review of the permit application(s), which may include a face-to-face meeting with the Applicant and the consultant(s) or a telephone call with the Applicant and the consultant(s) to discuss the deficiencies. If the meeting or call results in a resolution, the Regional Director or District Manager may provide the applicant with an additional ten business days to respond. If resolution cannot be reached, the deficiencies must be elevated to the Bureau Director for review. The Bureau Director will provide direction on the permit decision which may be advancing with denial of the permit application (see 8 (iii.) below).
- iv. The Elevated Review Process will receive a high priority by Directors and will be completed within fifteen business days of first notification of elevated review by the Program Manager or District Manager. Note that the Assistant Regional Directors or the appropriate Bureau Division Chiefs may substitute for the Directors when needed to meet the fifteen business day deadline.

8. Permit Decision

i. Permit Decision Guarantee

The Permit Decision Guarantee will apply only to those applications listed in Appendix A that are complete, technically adequate applications that address all applicable regulatory and statutory requirements in the first submission.

- (a) Should the Department fail to meet the established Permit Decision Guarantee Timeframe, a decision on the application shall be the

next actionable application within the appropriate permitting program. Specifically, upon failing to meet the established Permit Decision Guarantee Timeframe, the appropriate Program Manager and Regional Director or appropriate District Manager and Bureau Director will have five (5) business days to make an appropriate decision from the options listed in (ii.) through (iii.) below. If that timeline is not met, a meeting will be scheduled with the Secretary of the Department to determine why the deadline was missed.

ii. Approval

Applications that are complete and adequately demonstrate that they meet all applicable regulatory and statutory requirements with no remaining deficiencies will be approved in accordance with the applicable program procedures.

iii. Denial

Applications may be denied if they continue to possess technical deficiencies after two technical reviews, and cannot adequately demonstrate that they meet all applicable regulatory and statutory requirements. Applications that are denied will forfeit all fees. Denied applications will need to be re-submitted following appropriate program requirements and procedures and will be considered a new application.

9. Permit Application Tracking

The Department will maintain a Department-wide application processing system for tracking applications covered by this policy. Department programs are required to track the specifics of each application identifying dates associated with receipt, Completeness Review, Technical Review, the Elevated Review Process (if necessary), and finally Permit Decision.

To review and monitor progress made on application processing for the permits:

- i. Weekly permit tracking reports will be generated for Section Chiefs and Program Managers. Section Chiefs and Program Managers will meet bi-weekly to discuss processing times and address actions to avoid backlogs. For District Oil and Gas Offices and District Mining Offices these bi-weekly meetings should be held with the Permits Chief and District Manager.
- ii. Bi-weekly meetings will be held by Regional Directors, Assistant Regional Directors and Program Managers to discuss processing times and address actions to avoid backlogs. For District Oil and Gas Offices and District Mining Offices these bi-weekly meetings should be held with the Deputy Secretary, Bureau Director and District Manager.

- iii. Monthly reports will be generated for review by the Regional and Program Bureau Directors. Program Bureau Directors shall hold bi-monthly conference calls with applicable Field Operations Program Managers, District Managers and Assistant Regional Directors to discuss permit processing and to alert Deputy Secretaries to any potential problems with meeting the Permit Decision Guarantee.
- iv. Quarterly reports will be generated for Deputy Secretaries.

Appendix A
Permits included in the Permit Decision Guarantee (PDG)

Authorization Type Description	Application Type Code³	PDG Timeframe (Business Days)⁴
ACTIVE AND ABANDONED MINE OPERATIONS		
-Mining Coal Regulatory-		
Mining Stormwater General Permit	NEW	130
Coal Mining Blast Plan Approval	NEW	60
	AMEN	60
Underground Mining Permit*		
	NEW	380
	AMIN	200
	AMAJ	380
	TRAN	100
NPDES Coal Mine		
	NEW	130
	MOD	130
Surface Mining Permit		
	NEW	130
	AMIN	130
	AMAJ	130
	TRAN	130
Coal Mining Surface Mining Permit Sub F & G*		
	NEW	130
	AMIN	130
GP12 Coal Prep Plant Emissions Permit		
	NEW	70
	MOD	70
Preparation-Processing Plant Permit*		
	NEW	350
	AMIN	90
	AMAJ	130
	TRAN	90

³ An Application Type Code Dictionary can be found at the bottom of the table.

⁴ Permit Decision Guarantee Timeframe listed may differ from applicable statutory or regulatory requirements due to the change from calendar days to business days.

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Refuse Disposal Permit*		
	NEW	550
	AMIN	130
	AMAJ	300
	TRAN	90
Refuse Reprocessing Permit		
	NEW	130
	AMIN	130
	AMAJ	130
	TRAN	130
Exploration Mining Stormwater General Permit	NEW	30
-Mining Industrial Minerals Regulatory-		
Industrial Minerals Blast Plan Approval	NEW	60
Small Surface Mining Permit	NEW	120
Large Surface Mining Permit		
	NEW	150
	AMAJ	150
	AMIN	130
Large Surface Mining Permit for GW*		
	AMAJ	150
	NEW	150
Industrial Minerals Bonding Increment		
	NEW	70
	AMEN	70
AMS Mining Plans-Mine Opening Plans		
	NEW	43
	AMEN	43
GP105 Bluestone General Permit	NEW	120
Mining Industrial Minerals General Permit Short-term Construction		
	NEW	120
	AMIN	120
	AMAJ	120
Mining Stormwater General Permit		
	NEW	120
	MOD	30

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Bluestone Surface Mining Permit	NEW	130
	AMIN	120
	AMAJ	120
Industrial Minerals Underground Mining Permit	NEW	160
	AMIN	120
NPDES Industrial Mineral Mine	NEW	120
	MOD	120
-Blasting Activity-		
Blasting Activity Permit	NEW	20
OIL & GAS MANAGEMENT		
Drill & Operate Well Permit	NEW	32
	REN	32
OG-71 Alternate Waste Management Practice	NEW	43
OG-24 Alternate Method of Casing, Plugging, Venting or Equipping a Well	NEW	43
OG-57 Waiver (Spring, Stream, Body of Water, or Wetland)	NEW	43
OG-58 Variance (Existing Building or Water Supply)	NEW	43
Drill & Operate Well Permit Alteration	NEW	32
	REN	32
Drill & Operate Well Permit Change in Use	NEW	32
Drill & Operate Well Permit Drill Deeper	NEW	32
	REN	32
Drill & Operate Well Permit Disposal/Enhanced Recovery	NEW	32
	REN	32
Drill & Operate Well Permit Client Transfer	TRAN	32
Drill & Operate Well Permit Re-drill	NEW	32
	REN	32

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
E&S Stormwater General Permit		
	NEW	43
	AMEN	43
	TRAN	22
Expedited E&S Stormwater General Permit		
	NEW	14
	AMEN	14
	TRAN	14
WASTE, AIR, RADIATION AND REMEDIATION		
-Environmental Cleanup & Brownfields: Storage Tanks-		
Site Specific Installation Permit	NEW	72
-Air Quality-		
Minor Facility Plan Approval State Regulation	NEW	130
Minor Facility Plan Approval New Source Performance Standards	NEW	130
Minor Facility Plan Approval National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)Standards (40 CFR Part 61)	NEW	130
Minor Facility Plan Approval MACT Hazardous Air Pollutants (40 CFR Part 63)	NEW	130
Major Facility Plan Approval State Regulation	NEW	150
Major Facility Plan Approval New Source Performance Standards	NEW	150
Major Facility Plan Approval National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)	NEW	150
-Municipal Waste-		
General Permits ⁵		
	NEW	143
	REN	143
	Registration	43
Determination of Applicability		86
	MOD	100

⁵ Information on Municipal and Residual Waste General Permits is available on the Department's website at www.dep.state.pa.us, keyword: Waste Management Permits.

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Landfill Permits		
	Min. Mod	143
Change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in the approved leachate collection and treatment method.	Maj. Mod	186
Change in gas monitoring or management plan, or both, except when installation of additional wells or improvements to the collection systems are proposed.	Maj. Mod	186
Change in the approved closure plan.	Maj. Mod	186
Acceptance for disposal of types of waste not approved in the permit.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 271.221 (relating to permit reissuance).	Maj. Mod	186
Change in approved design under § 271.231 (relating to equivalency review procedure) if the design has not been previously approved through an equivalency review.	Maj. Mod	186
The submission of an abatement plan.	Maj. Mod	186
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 271.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
Transfer Station Permits		
	Min. Mod	100
Change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in approved closure plan.	Maj. Mod	186
Acceptance for processing of types of waste not approved in the permit.	Maj. Mod	186
Change in residue disposal area, if applicable.	Maj. Mod	186
Change in approved design under § 271.231 if the design has not been previously approved through an equivalency review.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 271.221 (relating to permit reissuance).	Maj. Mod	186

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Transfer Station Permits (cont.)		
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 271.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
Resource Recovery Permits		
	Min. Mod	100
Change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in approved closure plan.	Maj. Mod	186
Acceptance for processing of types of waste not approved in the permit.	Maj. Mod	186
Change in residue disposal area, if applicable.	Maj. Mod	186
Change in approved design under § 271.231 if the design has not been previously approved through an equivalency review.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 271.221 (relating to permit reissuance).	Maj. Mod	186
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 271.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
Processing & Composting Permits		
	Min. Mod	100
Change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in approved closure plan.	Maj. Mod	186
Acceptance for processing of types of waste not approved in the permit.	Maj. Mod	186
Change in residue disposal area, if applicable.	Maj. Mod	186
Change in approved design under § 271.231 if the design has not been previously approved through an equivalency review.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 271.221 (relating to permit reissuance).	Maj. Mod	186

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Processing & Composting Permits (cont.)		
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 271.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
-Residual Waste-		
General Permits		
	NEW	143
	REN	143
	Registration	43
Determination of Applicability		86
	MOD	100
Landfill Permits		
	Min. Mod	143
Change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters, or a change in the groundwater monitoring plan for a facility permitted prior to the effective date of these regulations to comply with the requirements of Article IX (relating to residual waste management)."	Maj. Mod	186
Change in the approved leachate collection and treatment method.	Maj. Mod	186
Change in gas monitoring or management plan, or both, except when installation of additional wells or improvements to the collection systems are proposed.	Maj. Mod	186
Change in the approved closure plan.	Maj. Mod	186
The acceptance for disposal of types of waste not approved in the permit.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 287.221 (relating to permit reissuance).	Maj. Mod	186
Change in approved design under § 287.231 (relating to equivalency review procedure) if the design has not been previously approved through an equivalency review.	Maj. Mod	186
The submission of an abatement plan.	Maj. Mod	186
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 287.221.	Maj. Mod	186

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Landfill Permits (cont.)		
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
Transfer Station Permits		
	Min. Mod	100
A change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in approved closure plan.	Maj. Mod	186
The acceptance for processing of types of waste not approved in the permit.	Maj. Mod	186
Change in residue disposal area, if applicable.	Maj. Mod	186
Change in approved design under § 287.231 if the design has not been previously approved through an equivalency review.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 287.221 (relating to permit reissuance).	Maj. Mod	186
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 287.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
Resource Recovery Permits		
	Min. Mod	100
Change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in approved closure plan.	Maj. Mod	186
Acceptance for processing of types of waste not approved in the permit.	Maj. Mod	186
Change in residue disposal area, if applicable.	Maj. Mod	186
Change in approved design under § 271.231 if the design has not been previously approved through an equivalency review.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 271.221 (relating to permit reissuance).	Maj. Mod	186
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 271.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
Resource Recovery Permits (cont.)		
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
Processing & Composting Permits		
	Min. Mod	100
A change in the approved groundwater monitoring plan, except for the addition or replacement of wells or parameters.	Maj. Mod	186
Change in approved closure plan.	Maj. Mod	186
The acceptance for processing of types of waste not approved in the permit.	Maj. Mod	186
Change in residue disposal area, if applicable.	Maj. Mod	186
Change in approved design under § 287.231 if the design has not been previously approved through an equivalency review.	Maj. Mod	186
Change in ownership, unless the owner is the permittee, in which case permit reissuance is required under § 287.221 (relating to permit reissuance).	Maj. Mod	186
Change in operator, unless the operator is the permittee, in which case permit reissuance is required under § 287.221.	Maj. Mod	186
Submission of a radiation protection action plan.	Maj. Mod	186
Form U with approved Waste Acceptance Plan (WAP)		11
Form U w/ RAD material		33
WATER MANAGEMENT		
-Safe Drinking Water-		
Public Water Supply Permit Community Water System Construction ⁶		
	NEW	120
	AMAJ	120
	AMIN	60
	TRAN	60
Public Water Supply Permit Community Water System Operations		
	NEW	20
	AMEN	20
	TRAN	60

⁶ Public water supply permit applications for innovative technologies are not included in the Permit Decision Guarantee.

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
-State Water Pollution Control-		
Water Quality Management (WQM) Part II, Industrial Wastewater Facility	NEW	65
WQM Part II, Sewage Facility	NEW	85
WQM Part II, Sewer Extensions & Pumping Stations	NEW	65
WQM Part II, Manure Storage Facility for CAFO	NEW	85
WQM Part II, Sewerage Treatment Plant Land Application	NEW	143
WQM Part II, Industrial Waste, Land Application	NEW	143
-National Pollutant Discharge Elimination System (NPDES)-		
NPDES Permit Stormwater Industrial Site Runoff (Individual)	NEW	188
Minor IW Facility without ELG	NEW	188
Minor IW Facility with ELG	NEW	188
Major IW Facility < 250 MGD	NEW	188
Minor Sewage Facility <0.05 MGD	NEW	188
Minor Sewage Facility >=0.05 and <1 MGD	NEW	188
Major Sewage Facility >=1 and <5 MGD	NEW	188
Minor Sewage Facility with CSOs	NEW	188
Major Sewage Facility >= 5 MGD	NEW	188
Major Sewage Facility with CSOs	NEW	188
Concentrated Animal Feed Operations Individual NPDES	NEW	143
Concentrated Aquatic Animal Production- Individual Permit	NEW	188
PAG-03 Discharge of Stormwater Associated with Industrial	NEW	57
PAG-10 Discharge Resulting from Hydrostatic Testing of	NEW	43
PAG-12 NPDES General Permit for Concentrated Animal Feeding Operations	NEW	43
-Dam Safety-		
Dam Safety Permit	NEW	157
Environmental Assessment Review for Dam-Related Activities	NEW	157
-Erosion & Sediment Control-		
NPDES Stormwater Construction Permit-Individual	NEW	107
	AMEN	107
	REN	107
	TRAN	22
Co-Permittee NPDES Stormwater Construction Permit-Individual	AMEN	22

Authorization Type Description	Application Type Code	PDG Timeframe (Business Days)
-Water Obstruction & Encroachment-		
GP-5 Utility Line Stream Crossings	NEW	50
GP-11 Maintenance, Testing, Repair, Rehabilitation or Replacement General Permit	NEW	86
Environmental Assessment for Waived Activities for Water Obstruction & Encroachment	NEW	86
Water Obstruction & Encroachment Permit		
	NEW	93
	AMAJ	93

Application Type Code Dictionary

CODE	DESCRIPTION
NEW	New
REN	Renewal
TRAN	Transfer
MOD	Modification
Min. Mod	Minor Modification
Maj. Mod	Major Modification
AMEN	Amendment
AMIN	Minor Amendment
AMAJ	Major Amendment