



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Point and
Non Point Source Management



Permit Review Process & Permit Decision Guarantee

Department of Environmental Protection
Nov. 27, 2012

Dial-in number for audio is: 1-877-668-4493

Access code: 649 617 646

Today's Speakers

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Agenda

- 1. Review of Clean Water Program
Standard Operating Procedures (SOPs)
for Permit Applications**
- 2. Questions & Comments**

Note: WebEx Technical Support is available at
866-229-3239

General

- 26 SOPs (to date) for NPDES and WQM permits
- SOPs for chemical additives and whole effluent toxicity have also been posted
- Others will be added soon (e.g., biosolids, sewage planning)
- SOPs are available on DEP website
- SOPs are not static documents
- PRP/PDG Policy contains a list of PDG permits and authorizations handled by Clean Water Program

General

- Authorization/application types covered by PDG:
 - New applications for individual NPDES permits (except MS4s, pesticides, small flow treatment facilities, and IW facilities > 250 MGD)
 - New NOIs for PAG-03 and PAG-10 General Permits
 - New applications for WQM permits (except WQG-01 and WQG-02 permits)
- Authorization/application types not covered by PDG include all renewals, amendments and transfers

General Steps in SOPs

- **Step 1:** DEP receives application, enters it into eFACTS, and processes check
- **Step 2:** Permits Chiefs prioritize application for review
- **Step 3:** Application managers (permit reviewers) conduct a “Completeness Review”
- **Step 4:** Application managers conduct a “Technical Review” for complete applications only

General Steps in SOPs (cont'd)

- **Step 5:** Application manager prepares final permit package (General NPDES Permits and WQM Permits) or prepares draft permit package (Individual NPDES Permits)
- **Step 6:** Permits Chief reviews final permit package and transmits to Program Manager for review
- **Step 7:** Program Manager makes a final decision, and the final action is published in PA Bulletin

Potential Issues

- **Step 1:** DEP receives application, enters it into eFACTS, and processes check

Potential Issues:

- Incorrect application fee submitted
- Incorrect application form submitted
- Incorrect or unclear information on form (e.g., client and site information, addresses, etc.)

Potential Issues

- **Step 3:** Application manager (permit reviewer) conducts a “Completeness Review”

Potential Issues:

- Incorrect application form submitted
- Required attachments and supplementary information not included with application
- Signatures and seals not on applications, plans, reports, etc., where required (e.g., P.E.)

Potential Issues

- **Step 3:** Application manager (permit reviewer) conducts a “Completeness Review”

Potential Issues:

- Application is not completed as specified in the instructions
- Required sampling and reporting is not completed

Completeness Review Issues

- If application is not complete, application manager will determine if the issue(s) are “significant” or “insignificant”
- Significant deficiencies – **denial**
 - Example – did not complete Act 14 notifications
- Insignificant deficiencies – **phone call**
 - Example – forgot to submit Act 14 notices
 - Generally, if the issue can be corrected in one business day, the deficiency will be considered insignificant

Potential Issues

- **Step 4:** Application manager conducts a “Technical Review” for complete applications only

Potential Issues:

- Conflicting information in application
- Design significantly deviates from recognized standards
- Regulatory requirements were not met

Technical Review Issues

- If deficiencies are identified during the technical review, the application manager will determine if the issue(s) are “significant” or “insignificant”
- Significant deficiencies – **Technical Deficiency Letter**
 - Example – a wastewater impoundment design is not in accordance with applicable regulations
- Insignificant deficiencies – **phone call**
 - Example – there are minor differences between an Engineer’s Report and design plans

Potential Issues

- **Step 5:** Application manager prepares final permit package (General NPDES Permits and WQM Permits) **or prepares draft permit package (Individual NPDES Permits)**

Potential Issues:

- Applicant does not agree with contents of draft permit

Potential Delays:

- EPA could object to permit issuance
- Significant public interest (public hearings, etc.)

Potential Issues

- **Step 6:** Permits Chief reviews final permit package and transmits to Program Manager for review

Potential Issues:

- Coordination with other permits
- Unresolved violations

Elevated Review Process

- How could an application reach this stage?
 - Inadequate or untimely response to a technical deficiency letter
- You may be contacted for a face-to-face meeting to discuss resolution of application issues
- Possible outcomes:
 - Permit is issued
 - Permit application is denied

▶ Tips for a Smooth Permitting Experience

- For complex projects, contact the appropriate regional office to schedule a pre-application meeting
- Follow the checklists and instructions within each permit application package in DEP's eLibrary system
- Do not hesitate to contact DEP for assistance and clarification of application requirements
- Ensure information is consistent throughout the application, plans, etc.

“Permit Queue”

- A major priority of the Clean Water Program until July 2013 is to make decisions on applications received prior to July 2012 Executive Order
- There are several hundred applications in the queue
- Certain applications may not be resolved by July 2013 (e.g., EPA objections)
- You may receive a letter requesting a response to deficiency letter(s) issued in the past so that timely decisions can be made

Other Important Information

- Your application may be tracked by going to DEP's *eFACTS on the Web* tool accessed via DEP's home page (www.dep.state.pa.us). Select "Tools" and then "eFACTS"
- For assistance in using *eFACTS on the Web*, contact DEP's Help Desk at 717.705.3768
- To locate your appropriate regional office, go to DEP's home page and select "Regional Resources"

Website Information



For more information, visit www.dep.state.pa.us

Click on the Permit Decision Guarantee button.



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Questions?