



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Permit Review Process & Permit Decision Guarantee

Department of Environmental Protection
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Dial-in number for Audio is: 1-877-668-4493
Access code: 643 834 371

Today's Speakers



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Agenda

- 1. Review of Permit Review Process and Permit Decision Guarantee draft policies**
- 2. Questions & Comments**

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

Executive Order 2012-11



Directed DEP to Standardize:

- Permit review process
- Processing times for certain permits

Objective



“Good government means the efficient delivery of services, and that includes DEP permitting decisions. This process asks everyone to do a better job: DEP, businesses, non-profit organizations, local governments and consultants who work for these groups.”

DEP Secretary Mike Krancer

Permit Decision Guarantee

What's in it for me?

The new policies will add value by:

- Creating predictable review timeframes.
- Articulating clear expectations for applicants.
- Improving permit tracking & coordination.

Permit Decision Guarantee

What does it do for DEP?

- Demands higher quality, technically adequate applications.
- Eliminates permit review “back-and-forth.”
- Improves clarity and consistency across regions and programs.
- Articulates clear expectations.

Permit Review Process

Creates standard review procedures for all DEP permits and authorizations.

Also applies to DEP permit review delegated to:

- County Conservation Districts
- County Health Departments

Permit Review Hierarchy

Permits no longer reviewed on a “first-in-first-out basis.” Priority given to:

- Protection of public health, safety or environment from imminent threats.
- Economic development projects that create and/or retain jobs, leverage private investment and/or provide significant economic benefit.

Permits Included in PDG

Universe of 244 permits including:

- Active and Abandoned Mine Operations
- Oil & Gas Management
- Waste, Air, Radiation & Remediation
- Water Management

*for a full list please see Appendix A of the Draft Policy

Permit Decision Guarantee

DEP Responsibilities:

- Create/maintain technical guidance, permit forms and fact sheets.
- Provide frequent, focused and consistent training for staff.
- Maintain open lines of communication.
- Schedule & conduct pre-application conferences.

Permit Decision Guarantee

DEP Responsibilities:

- Conduct Completeness Review.
- Conduct Technical Review.
- Accurately track permit applications.
- Employ Elevated Review Process when necessary.
- Issue Permit Decision.

Permit Decision Guarantee

Applicant Responsibilities:

- Contact DEP to request Pre-Application Conferences.
- Submit complete and technically adequate applications.
- Provide timely responses to information requests and deficiency letters.

Improving Processing Times

Quality applications = timely reviews

- 42% -- Number of permits that were deficient over the last 10 years.
- 72% -- Amount of time DEP beats Moneyback Guarantee review times by at least 50% when permits are complete and have no deficiencies.

Improving Processing Times

Pre-application meetings are key!

DEP strongly encourages applicants to schedule meetings to:

- Ensure improved understanding and communication between applicant and DEP.
- Allows DEP, the applicant and consultants to discuss project details/clarify requirements.

Permit Decision Guarantee

Completeness Review:

- Applications do not qualify for PDG until they are considered complete and accepted.
- Completeness review will take no longer than 10 business days after receipt of application.

Permit Decision Guarantee

Completeness Review:

- PDG timeframe begins after Completeness Review is finished and application is accepted.
- Incomplete applications will be denied and applicant will be required to resubmit.*

* Unless otherwise indicated in statute or regulation.

Permit Decision Guarantee

Complete and Technically Adequate:

- Requires a complete application that is “accepted by DEP.”
- May not contain technical deficiencies.
- One deficiency (strike) removes the application from the guarantee.

“Two Strikes” Policy

- Triggered after a response to a Technical Deficiency Letter still fails to meet the applicable requirements.
- Once triggered, requires consultation between DEP Program Manager/Regional Director to determine appropriate path forward.



Possible Processing Delays

- Resolution of outstanding violations or compliance actions.
- Required approvals/coordination with other state, federal or municipal agencies.
- Complex modeling, risk assessments or harms-benefits analysis.
- Need for additional public input/comment.
- Applications affected by a judicial action.

Next Steps

- Expand DEP's GreenPort and electronic reporting.
- Explore Third Party Review of applications.
- Implement the "Lean Process."
- Examine other states' process improvement efforts.

Public Comments

Written comments should be submitted to:

Hayley Book, Director

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400 Market Street, P. O. Box 2063,
Harrisburg, PA 17101-2063

Email Comments to: RA-EP-OPI@pa.gov.

Comments submitted by facsimile will not be accepted.

Website Information



For more information about PDG and the draft policies, visit www.dep.state.pa.us

Click on the Permit Decision Guarantee button.



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Questions?