



# 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: 643 853 080

# 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 actions.

# 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, Acting Director  
DEP Office of Program Integration  
Rachel Carson State Office Building,  
400 Market Street, P. O. Box 2063,  
Harrisburg, PA 17101-2063

**Email Comments to:** [RA-EP-OPI@pa.gov](mailto: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](http://www.dep.state.pa.us)

Click on the Permit Decision Guarantee button.



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# Questions?