Improving the Chapter 102 Permitting Process

Agricultural Advisory Board
Harrisburg, PA
October 26, 2017
Stakeholder Meetings

- Seven Held Statewide in February/March 2017
- Morning Session - Permittees, Consultants, Engineers, Developers, elected officials
  - Total Statewide Attendees - 70
- Afternoon Session County Conservation Districts (CCDs)
  - Total Statewide Attendees - 112
The Questions

• What is working well with the current process?
• What is not working well with the current process?
• What changes should be made?
  — Process
  — Permits
  — Regulation
What We Heard – Good Things

• Pre-application meeting are good
• Working with CCDs
• Willingness to find solutions/flexibility
• Responsiveness of CCDs
• CCD familiarity with local issues
• GP process through CCD – smooth, quick
• Good communication between DEP and CCDs
What We Heard - The Bad

- Need a low impact/small project permit
- Takes too long to get a permit
- Inconsistency among Regions and CCDs
- BMP Manual needs updated
- Notice of Termination (NOT) process is confusing
- Co-Permittee Process is difficult
The Challenge

• Over the past decade, DEP’s operating budget and staffing have declined

• The number of Chapter 102 applications submitted has not declined

• Objective – seek ways to improve efficiency and make the permitting process less cumbersome without sacrificing environmental protection
What We Will Do – Short Term

- Develop a low environmental impact small project general permit (PAG-01)
- Develop additional guidance and permitting tools
- Improve co-permittee, recording of instruments and NOT process
- Publish Final Act 162 Guidance
What We Will Do – Medium Range

- Individual NPDES Permits – Process Changes

- SOPs - Review and Update All

- Training – Release of Training Modules for 102 permitting
What We Will Do – Long Term

• Evaluate revisions to Chapter 102 Regulation

• Revise the BMP Manual

• Develop electronic permit application and notice of intent (NOI) submission capabilities
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