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: 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
• 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
• 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
• **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
• **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.)
• **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.)
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
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
• 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
• 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
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
• 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
• 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”
For more information, visit www.dep.state.pa.us

Click on the Permit Decision Guarantee button.
Questions?