



# **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

## **Alisa Harris**

Special Deputy Secretary for External Affairs

## **Jeff Means**

Director, Bureau of Waterways Engineering and Wetlands

## **Kenneth Murin**

Environmental Program Manager

Wetlands, Encroachments and Training.=

## **Roger Adams, P.E.**

Environmental Program Manager

Dam Safety

# Agenda

- 1. Review of Chapter 105 Dam Safety and Waterway Management Rules and regulations**
- 2. Standard Operating Procedures (SOPs) for Permit Applications**
- 3. Questions & Comments**

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

# General

- 5 SOPs (to date) for Chapter 105 related authorizations
- Others will be added soon (e.g., Submerged Lands License Agreements (SLLAs) and other DEP processed General Permits)
- SOPs are available on DEP website
- SOPs are not static documents
- PRP/PDG Policy contains a list of PDG permits and authorizations handled by Chapter 105 Programs

# PDG Permits

- Authorization/application types covered by PDG:
  - New applications for a Dam Safety Permit for new dams, Water Obstruction and Encroachment Permit, and Environmental Assessment for waived activities, dam related activities, and 401 water quality certifications.
  - New General Permits processed by DEP (Nos. 5, 11, and 15)
  - New General Permits processed by CCD (No. 5)

# 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
- **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:

- Required attachments and supplementary information not included with application
- Signatures and seals not on applications, plans, reports, etc., where required (e.g., P.E.)
- Application is not completed as specified in the instructions

# Completeness Review Issues

- If application is not complete, application manager will determine if the issue(s) are “significant” or “insignificant”
- Significant deficiencies – **Deficiency letter – 60 days**
  - Example – did not include mitigation plan
- 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 dam 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

## Potential Issues:

- Submerged Lands License Agreement required.
- Flowage easements required.
- Financial Responsibility requirements not met.

# 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 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 Chapter 105 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
- 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 home page ([www.dep.state.pa.us](http://www.dep.state.pa.us)), selecting "Tools" and then "eFACTS"
- For assistance locating your application, 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](http://www.dep.state.pa.us)

Click on the Permit Decision Guarantee button.



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# Questions?