Permit Review Process & Permit Decision Guarantee

Department of Environmental Protection
Nov. 28, 2012

Dial-in number for audio is: 1-877-668-4493
Access code: 647 455 718
Today’s Speakers

Kurt Klapkowski
Director, Bureau of Oil and Gas Planning & Program Management

Brian Babb and Eric Draper
Permit Chiefs

Joe Adams
Chief, Resource Management & Well Development Division
1. Welcome/Background
2. SOP – Drill and Operate a Well
3. SOP – ESCGP-1 and ESCGP-2
4. Questions & Comments

Note: WebEx Technical Support is available at 866-229-3239
Today’s presentation:
- Both SOPs will be discussed. Questions will be taken at the conclusion of both presentations to allow enough time to cover both SOPs.

SOPs are available on DEP’s website
- Dynamic documents and will be updated to reflect changes in permit review processes

Shared responsibilities
- Operators - Complete and accurate applications
- DEP – Timely reviews and decisions
SOP – Drill and Operate a Well
Permit Prioritization, Coordination, and Assignment

- Permits Chief
  - Assigns permit to Applications Manager
  - Prioritizes permits in accordance with “Permit Review Hierarchy”
  - Determines if permit coordination is necessary

- Fee Processing and Data Management
  - All authorizations date stamped
  - Fourteen digit API number assigned
  - “Objection Log” checked
  - Permit fee verified/deposited
Completeness Review:

- “Checklist for Administrative Completeness Review”
- Create authorization in eFACTS
- If permit deemed incomplete:
  - Minor Deficiencies – contact applicant (10 day response)
  - Major Deficiency – permit denied (applicant may appeal)
    Fee not returned.
- If permit deemed complete:
  - Permit accepted and forwarded to technical reviewer
  - A permit applicant can check status at:
    [http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx](http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx)
Technical Review (Application Manager)

- Review in accordance with statutes and regulations
- If minor deficiency exists:
  - Permit applicant contacted (10 days to respond)
- If major deficiency exists:
  - Technical Deficiency Letter mailed to applicant
  - Statutory or regulatory deficiency will be noted
  - If acceptable response provided, review continues
  - If unacceptable response provided (or no response), “Elevated Review” process will be followed.
Final Permit Processing (Administrative Staff)

- Confirmation that “objection date” has passed
- Any special permit conditions recorded in eFACTS
- Copy of signed permit mailed to operator
- Signed permit scanned to file server for use by field personnel
- Original permit (and related authorizations/attachments) filed in Central Files.
SOP
Erosion and Sediment Control
General Permit 1/2
SOP – ESCGP-1/2

• Preliminary Data Management and Fee Processing (Admin)
  – Date stamp on receipt
  – Expedited Review vs. Standard Review
  – Initiate eFACTS entry
  – Process application fee

• Permit Prioritization & Coordination
  – Permit Chief prioritizes application in accordance with “Permit Review Hierarchy”
  – Permit Chief determines if coordination is required in accordance with “Permit Coordination Policy”
  – Permit Chief assigns Application Manager (i.e., lead reviewer)
Completeness Review (Application Manager)

- Conducted within 10 business days
- Conformance to Administrative Completeness Checklist
- Minor Deficiency: contact applicant via telephone and/or e-mail
  - Telephone Log Maintained for deficiencies
- Major Deficiency: Send deficiency letter to applicant
  - Applicant has 60 calendar days to provide information
  - If major deficiency unresolved, application is considered incomplete and withdrawn.
  - Application fee will not be returned
  - If major deficiency is resolved, review of authorization proceeds
Technical Review (Application Manager)

- Application Manager considers NOI Instructions/Tech. Guides
  - Erosion and Sediment Pollution Control Program Manager
- If application is technically inadequate
  - Minor technical deficiency: Contact applicant by phone or e-mail. (1 day to resolve)
  - Major technical deficiency:
    - Technical Deficiency Letter sent to applicant
    - PDG timeframes no longer apply
    - Application Manager may offer meeting opportunity
    - Applicant has 60 days to resolve deficiency
    - If no resolution in 60 days, follow “Elevated Review” process
Technical Review (Application Manager) (cont)

- Complete Technical Review
  - Generate either draft denial letter or draft acknowledgement of coverage letter
  - Application package submitted to Permits Chief and Program Manager for review and consideration
- Return final documentation to administrative staff for processing
- PA Bulletin Notice published
Website Information

For more information, visit [www.dep.state.pa.us](http://www.dep.state.pa.us)

Click on the Permit Decision Guarantee button.
Questions?

E-mail:
ra-epoilandgas@pa.gov