Permit Review Process & Permit Decision Guarantee

Department of Environmental Protection
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Dial-in number for Audio is: 1-877-668-4493
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Today’s Speakers

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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
“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
The new policies will add value by:

• Creating predictable review timeframes.
• Articulating clear expectations for applicants.
• Improving permit tracking & coordination.
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
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
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.
DEP Responsibilities:

• Conduct Completeness Review.
• Conduct Technical Review.
• Accurately track permit applications.
• Employ Elevated Review Process when necessary.
• Issue Permit Decision.
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.
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.
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.
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.
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 action.
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.
Written comments should be submitted to:

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400 Market Street, P. O. Box 2063,
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Email Comments to: 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.
Questions?