



## Streamlining Permits for Economic Expansion and Development (SPEED) Program

### Questions & Answers (Q&A)

#### **Background**

[Act 54 of 2024](#) establishes the SPEED Program which allows interested permit applicants to utilize external Department of Environmental Protection (DEP) approved qualified professionals (QPs) to conduct an initial review of certain permit applications where the DEP or delegated county conservation district (CCD) will make a determination on the permit application, based on the QP's review of the application.

#### **General**

##### **1. What is the SPEED Program?**

SPEED is a voluntary program established by law to provide an expedited review process for eligible permits. Applicants may participate in this program and in certain instances select a QP to review their permit application or Notice of Intent (NOI). If an individual or business entity with one or more employees is interested in serving as a QP, DEP will review their credentials and determine whether they satisfy the program's eligibility requirements. If requested by an applicant, QPs will review applications and NOIs and identify any deficiencies, assist in resolving deficiencies, and provide DEP with a fact sheet containing its recommendation, a draft public notice for publication in the Pennsylvania Bulletin and, when appropriate, draft comment responses. DEP and/or CCDs will review the work of QPs, communicate application deficiencies to applicants, and take all final actions on applications and NOIs.

##### **2. Which authorizations are subject to SPEED?**

The following permits are eligible for the SPEED program:

- Chapter 127 State Only Air Quality Plan Approvals
- Chapter 102 Earth Disturbance Permits
  - Individual NPDES Permit
  - PAG-01 General NPDES Permit
  - PAG-02 General NPDES Permit
  - Erosion and Sediment Control Permit
  - Erosion and Sediment Control General Permit (ESCGP)
- Individual Chapter 105 Water Obstruction and Encroachment Permits for project impacts eligible for coverage under the federal PASPGP-6 Permit or its successor.
- Dam Safety Permits.

**3. What are the qualifications for someone to become a QP?**

QPs must hold all required professional licenses required by law and have a minimum of five (5) years of relevant permitting experience as identified in the SPEED Act and as further detailed in the Invitation for Bid (IFB) (links below). If accepted, the QP will be awarded a contract with DEP and placed on a statewide list. Prior to each assignment, the QP must certify the following: 1) they do not have any conflict of interest related to the applicant or the project to be permitted; and 2) they have not done work for the applicant within the last three years.

[Air Quality](#)

[Earth Disturbance](#)

[Individual Water Obstruction and Encroachment](#)

[Dam Safety](#)

**4. Will QPs need to follow DEP’s procedures when reviewing applications?**

Yes. QPs will be required to follow DEP established review procedures when reviewing applications and NOIs, including the completion of review reports, the preparation of draft deficiency letters with applicable regulatory citations, and the drafting of permit documents and conditions.

**5. Will training be provided to QPs?**

Yes. DEP is developing training modules for QPs.

**6. What if the QP doesn’t do a good job?**

SPEED requires that QPs be responsible for their review costs if they do not provide an adequate or timely review.

**7. Will QPs be statewide or region-based?**

QPs can review projects statewide.

**8. When does DEP expect to begin allowing the use of approved qualified professional reviewers?**

DEP will implement a phased rollout of the SPEED Program starting in the Spring of 2025. Check the DEP website periodically for updates.

**9. How much time does DEP/CCD have to select a QP for an interested applicant?**

Ten (10) business days from the date of the request. If 10 or more QPs are available, DEP/CCD will provide the applicant with three (3) QPs to choose from. If less than 10 QPs are available, DEP/CCD will select the QP.

**10. How much time does a QP have to indicate availability to review a permit in SPEED?**

Two (2) business days.

**11. How much time does a QP have to provide a review fee quote?**

Three (3) business days.

**12. Will the QP receive the application materials to assess the review and provide a quote?**

Yes.

**13. Will DEP collect the QP's fees upfront before the QP review starts?**

Yes. DEP will collect from the applicant both the permit fee and the amount quoted by the QP to complete the review. The QP will not begin work until the quoted amount is collected by DEP.

**14. Will there be checks and balances to ensure that no conflicts of interest exist with an applicant or consultant?**

Individual QPs must certify to DEP that they have no conflict of interest before they can review an application.

**15. Does a QP have the right to refuse to review an application?**

Yes. The QP is making the decision to enroll in the program and which projects they will accept.

**16. SPEED defines a QP as an "Individual." Can consulting firms apply for SPEED?**

Consulting firms can apply for SPEED, but they must list all of their QPs individually on the bid form. DEP will review bids and qualify individual QPs in each program covered under the SPEED Act. If you're interested in becoming a DEP-approved qualified contractor, please review the invitations for bid (IFB) below:

[Air Quality](#)

[Earth Disturbance](#)

[Individual Water Obstruction and Encroachment](#)

[Dam Safety](#)

**17. Will QPs be qualified separately for each type of permit (105, 102, Dam Safety, Air)?**

Yes. Interested QPs must provide a separate bid package in each program for which they qualify.

**18. If a QP learns of an upcoming project, can they market/contact the applicant in order to be considered for the review?**

The applicant cannot determine which QP will review the application; only DEP has that authority. Therefore, even if the QP contacts a potential applicant, it does not mean that they will be selected by DEP.

**19. Will the QP get paid upfront for their review or after the review is completed?**

The QP will not receive payment until after the review is adequately completed and provided to DEP within the established review timeframe for that project. Upon receipt of an accepted Recommendation Report, DEP will remit payment to QP. Processing a payment from the Commonwealth may take 30-45 days.

**20. Could QPs potentially end up reviewing a project which may be in direct competition with their private client (e.g., reviewing a Wawa project and Sheetz is their corporate client)?**

Yes.

**21. How much time does a QP have to perform a permit review in SPEED?**

DEP/CCD will communicate the specific QP review timeframe for each application in SPEED upfront during the QP selection process. Initial reviews must be completed within 20% of the overall review timeframe established for that specific authorization. Up to two additional deficiency response reviews are allowed in SPEED. Each additional QP review beyond the initial review must be completed within 10% of the overall review timeframe established for the same authorization.

**22. Will approved QPs have to execute contracts with DEP?**

Yes. QPs will need to execute a two-year contract.

**23. Does the applicant still have to pay the application fees in addition to the QP review fee?**

Yes. The application fee is separate from the fee due to the QP for work performed.

**24. What happens after the QP is selected and the review fee is submitted by the applicant to DEP/CCD?**

DEP/CCD will hold a formal pre-submission meeting with the applicant and the selected QP to discuss the application. A Notice to Proceed will be sent to the QP but only after the pre-submission meeting has taken place, DEP has received the applicant's payment for the amount quoted by the QP, and DEP/CCD has received the no-conflict certification from the QP.

**25. For how long is the IFB solicitation open?**

The IFB is currently open indefinitely. DEP may suspend the solicitation temporarily in the future if a high number of bid packages are submitted at any given time to allow for the processing of those bids. DEP also reserves the right to close, cancel, or re-issue the solicitation at any time if it is in the best interest of the Commonwealth.

**26. Are PADOT and PA Turnpike projects eligible for this SPEED program?**

Yes.

**27. How will applications or NOIs under the SPEED program be submitted?**

Applicants who choose to participate in SPEED will be required to upload their applications, NOIs, and attachments using DEP's [Public Upload with Electronic Payment](#) (PUP) system.

**28. What does an expedited review involve?**

It involves a comprehensive evaluation of the permit application, adherence to all legal and technical requirements, and submission of a recommendation for a final decision.

**29. Who makes the final decision on the permit?**

DEP/CCD conducts the final review based on the recommendations of the QP and issues the permit decision.

**30. What recourse does an applicant have if the permit is denied?**

The applicant can appeal DEP's decision to the Environmental Hearing Board using the same process as any other permit.

**31. Is there a system to track application status?**

Yes. DEP is required under SPEED to establish a secure online tracking system for permit applications by January 7, 2025.

**32. What information will the tracking system provide?**

The system will display processing timelines, application milestones, and contact information for DEP representatives.