

**Standard Operating Procedure (SOP)¹ for Clean Water Program
Review of Sewage Facilities Planning Module Component 1
SOP No. BPNPSM-PLNG-003
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Version 1.1**

This SOP describes the procedures by which the Clean Water Program will review and process Sewage Facilities Planning Module Component 1 (C-1) authorizations for new land development otherwise known as an Exception to the Requirement to Revise the Official Plan. The SOP is organized sequentially by activities that will be completed. The functional roles that are responsible for the activity are identified with the name of the activity.

This SOP is intended to comply with the Department of Environmental Protection's (DEP) Policy for Implementing DEP's Permit Review Process and Permit Decision Guarantee (021-2100-001) ("PDG Policy"). C-1 authorizations **ARE NOT** part of the PDG.

DEP's regulation, 25 Pa. Code §71.55(d), states that DEP may act on requests for exceptions to the requirement to revise official plans within 30 days of DEP's receipt of the properly completed and submitted components of DEP's sewage facilities planning module, and proper written documentation. The Pennsylvania Sewage Facilities Act, commonly known as Act 537 (the "Act"), Section 5(e)(2), states in part that DEP shall determine if a submission is complete within 10 working days of its receipt.

When DEP has delegated the authority to a local agency, multi-municipal local agency or county or joint county department of health the power and duty to review and approve C-1 authorizations (called supplements), DEP's regulation, 25 Pa. Code §71.59(c), states that the delegated agency shall determine if the submission is complete within 10 working days of its receipt, and that they shall render a decision on the supplement within 60 days of the date of a complete submission. It is recommended that the delegated agencies develop or modify their own SOPs for the review and processing of C-1 authorizations. The delegated agency's SOP should be in alignment with DEP's PDG Policy.

NOTE: Although this SOP makes reference to Sewage Facilities Planning Supervisors (Planning Supervisors), it is duly noted here that not every Region has a Planning Supervisor. If a Planning Supervisor does not exist, the Sewage Facilities Planning Chief (Planning Chief) will implement the steps in this SOP assigned to the Planning Supervisor.

NOTE: It is noted that where District Offices exist, planning modules may be mailed directly to the District Offices by the municipality. There is no intent to change that procedure.

I. Preliminary Data Management and Fee Processing (Administrative Staff and/or Sewage Planning Specialist (SPS))

The timeline for DEP to review a C-1 is:

¹ **DISCLAIMER:** The process and procedures outlined in this SOP are intended to supplement existing requirements. Nothing in the SOP shall affect regulatory requirements. The process, procedures and interpretations herein are not an adjudication or a regulation. There is no intent on the part of DEP to give the rules in this SOP that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

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- Completeness review – 10 working days from its receipt. Steps I – III should be completed within these 10 working days.
- Technical review – Within 30 calendar days from the end of the completeness review. Steps IV – VI should be completed prior to the 30 calendar days so that the municipality receives DEP’s final decision by or on that 30th day. It is recommended that the letter is mailed to the municipality 5 working days prior to the 30th day.

In fitting this review time within the PDG Policy and its steps for consistency, it is imperative that C-1 submissions be administratively processed as soon as they are received.

NOTE: Although this SOP is written within the framework of the PDG Policy, it is recommended that the completeness review and the technical review be completed simultaneously on C-1s due to the time constraints.

NOTE: Although Step I.A below refers to administrative staff performing the data management steps in this SOP, Regional or District Office personnel assignments may be different.

A. When a new C-1 is received, administrative staff will promptly:

1. Record the month, day, and year received (authorization received date) on each C-1 module and any loose attachments. Recording the time is optional.

NOTE: Administrative staff should handle the application fee according to their office policy but should not process it until such time that a determination is made by the application manager that the fee is correct.

2. Attach a route sheet (form letter **Plng-1**), which will stay with the project file, and a copy of the check (application fee) to the C-1. If no application fee is received, indicate this on the route sheet.
3. Enter the C-1 into a regional or district database or log, if one exists. This database or log is optional.
4. Assign the application a “DEP Code Number” created from the regional or district database or log.
5. Record the “DEP Code Number” onto the route sheet and both modules.

B. At this point, if the Regional or District Office policy is to have the SPS input the project into eFACTS, then administrative staff should route the module to the appropriate SPS for that area. Otherwise, administrative staff should continue with eFACTS entry, Step I.B.1.

1. The C-1 will be properly entered into the eFACTS database according to [eFACTS guidance](#) on PRP/PDG, Sites and Clients. A diligent effort is expected in regards to cross referencing clients and sites so appropriate linking of records can occur and duplicate record entry is avoided. Any numbers or codes that eFACTS generates specific to the entry of the new project will be recorded on the C-1 itself. For instance, the creation of a planning module record in eFACTS will generate an APS, Client, Site and Auth Id number that must be recorded on the module and route sheet for future reference.

NOTE: If the C-1 will be linked to an already existing Site, and that existing Site had previously been denied, the status of that Site will be “Proposed But Not Materialized”. The addition of a new authorization being linked to the existing site does not automatically change

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the status of the Site back to “Active”. You must bring up the existing Site and manually change the status back to “Active”.

2. On the Applications Screen, Authorization Tab, General Tab, enter the date the application was received (“Recvd”), enter the date the staff creates the authorization (“Admin”) and enter the lead reviewer (“Lead Review”) as either the Planning Supervisor or if the Planning Supervisor already identified the application manager, then enter the assigned application manager (if the SPS is entering the eFACTS information, then they are the lead reviewer). In some offices, the SPS already has an assigned geographic area.

NOTE: The lead reviewer can be changed at any time and is, for the purpose of this SOP, also referred to as the “application manager.”

3. If a consultant is identified in Section D of the C-1, then the consultant’s information should be input into eFACTS on the Applications Screen, Authorization Tab, Consultant Tab. Consultants are tracked as clients in eFACTS. An existing client can be selected as the consultant or a new client can be created as the consultant.
4. On the Authorizations Screen: The Standard Task “Completeness Review (COMPL) Begin Date” should automatically populate with the authorization received date. Input the same date into the Completeness Review Subtask “B/E Completeness Review (COMPL) Begin Date”.
5. *Regional office staff (either administration or SPS)* should fill out the route sheet and route the C-1 application to the Planning Supervisor. Specific office policy may require that any time the module changes hands, the module should go through the administrative staff for tracking purposes.

District office staff (SPS) should brief the Planning Supervisor weekly on the applications received so that the Planning Supervisor could assess coordination needs and prioritize the projects. In general, a weekly email to the Planning Supervisor that identifies applications received is acceptable.

II. Coordination, Prioritization and Assignment of Application Manager (Planning Supervisor)

Once Step I is completed by administrative staff and/or application manager, the application will be routed to the Planning Supervisor. The Planning Supervisor as soon as possible will:

- A. Determine whether coordination with other applications or programs is required. If this is the case, the Planning Supervisor will note this on the C-1 route sheet so that the application manager is aware of needed coordination.
- B. Prioritize the planning modules in accordance with the “Permit Review Hierarchy”, Section II.B of the PDG Policy. The Planning Supervisor will note on the C-1 route sheet the hierarchy number as contained in the policy.
- C. Assign an application manager to the C-1 unless this has been done previously. If the Planning Supervisor assigns the application manager or changes the application manager, then the Planning Supervisor will enter this information into eFACTS on the Application Screen, Authorizations tab, “Lead Review” section.
- D. If the Planning Supervisor determines that the processing time for technical review completion is different than the standard regulatory time frame of 30 calendar days, then the Planning Supervisor will record this date on the C-1 route sheet. This processing time shall NOT include the completeness review time of 10 working days.

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- E. Route the C-1 application to the application manager.

III. Completeness Review (Application Manager)

When the application manager receives the C-1 from the Planning Supervisor, the application manager will:

- A. Check the route sheet to determine if there is a need to coordinate the C-1 review with another application or program. If the Planning Supervisor indicated, or the application manager determines that there is a need for coordination, the application manager will set up the coordination. This coordination could take the form of emails, phone conversations, meetings, etc.
- B. If a pre-application meeting had been held, pull the meeting notes and attach them to the module packet for historical reference and review. If appropriate, include any additional DEP staff from the pre-application meeting in the review coordination.
- C. Check the route sheet for the authorization hierarchy number and place it in the work load queue appropriately.
- D. When the C-1 is at the top of the queue, it is highly recommended that both the completeness review and the technical review occur simultaneously. If this is not possible, review the application for administrative completeness and overall technical adequacy.

NOTE: The completeness review shall be fully completed before a determination (see Section III.F) is made on how to proceed with any administrative incomplete issue(s) that exist.

A complete and technically adequate application shall include or satisfy the following:

- 1. Check that the C-1 is the correct application form for this project. To qualify for an exception to the requirement to revise the official plan, the total number of residential lots in Section A.3 of the C-1 must not be greater than 10. If the total number of lots is greater than 10, or if the project is not for detached residential dwellings being served by onlot sewage disposal systems, the proposal is ineligible to use a C-1. The application manager will write a **denial letter that the project does not qualify as an exception to the requirement to revise the official plan** as noted in Step III.G.
- 2. **NOTE: This SOP recommends, for ease of handling, that a determination should be made during the completeness review whether or not a preliminary hydro-study should be included with this project.**

Check the physical location of the entire subdivision, including the residual tract against the municipality's official plan to verify that the project is not within a quarter mile of a well with nitrates greater than 5 mg/l. Also verify that there are no known geological conditions that DEP has determined may contribute to the potential for groundwater pollution from the onlot sewage disposal systems. If either case is present, the application manager will write a **denial letter that the project is administratively incomplete due to the fact that DEP has determined that a preliminary hydrogeologic study is required** as noted in Step III.F.2. If the official plan has no wells with high nitrates within a quarter mile or the project is not underlain by carbonate geology, continue with Step III.D.3. If the municipality has no official plan and no information is available about the nitrates in the groundwater in the area, the application manager should check for carbonate geology on map Pa or other available geologic maps. If these maps show the project is underlain by carbonate geology, discuss

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with the Regional Hydrogeologist, Planning Supervisor or Planning Chief on how to handle this issue.

3. Check Section K of the C-1 for the municipality's decision:
 - a. If signed by the municipality and checked "not acceptable", discuss plan of action with the Planning Supervisor.
 - b. If not signed and completed by the municipality and the applicant explains that the municipality had a complete C-1 for over 60 calendar days but made no decision on it, the applicant may claim it is deemed approved by the municipality. To verify this, check the dates on the module's "Completeness Checklist" from the municipality. The date on the "Completeness Checklist" is the date that the municipality accepted the C-1 as complete. If the municipality did indeed have the C-1 for over 60 calendar days without making a decision on it, or there is no "Completeness Checklist" included with the C-1 to check, discuss plan of action with the Planning Supervisor.
 - c. If not signed and completed by the municipality, and the applicant makes no claims of deemed approved by the municipality, it could be an oversight. The application manager has the discretion to either call the municipality and have them fax page 6 of the C-1 with Section K filled out or administratively incomplete the module.
4. Check Section L of the C-1 to determine the appropriate review fee for the project and verify that the applicant submitted the correct amount on the copy of the check attached to the module or either that the project is correctly exempt from the review fee.
 - a. If it is determined that the fee submitted is the correct amount, the application manager will communicate back to the administrative staff that they can proceed with the processing of the check to the regional business office according to the latest version of Management Directive OAM-1000-01 ("Deposit of Fees, Fines, Penalties and Other Revenue"). Administrative staff will also enter the fee payment against the authorization in eFACTS. Proceed with Step III.D.5.
 - b. If it is determined that the fee submitted is the incorrect amount, the application manager will follow the latest version of Management Directive OAM-1000-01 ("Deposit of Fees, Fines, Penalties and Other Revenue") to resolve the fee discrepancy. In summary, the applicant (or the applicant's authorized representative) will be contacted, made aware of the situation and given 5 business days to correct it. The application will remain in an administrative incomplete status until such time the situation is corrected or the 5 business days have elapsed without response. Upon notice from the applicant, the application manager will communicate back to the administrative staff on how to proceed with the fee. If 5 business days have elapsed without a response from the client, the application manager will proceed accordingly:
 - i. Overpayment – the application manager will communicate back to the administrative staff to deposit the check and initiate a refund of the fee overage amount. Proceed with Step III.D.5.
 - ii. Underpayment – the application manager will deem the C-1 to be administratively incomplete. A comprehensive letter with all administrative incomplete items will be prepared, therefore the completeness review must be finished prior to the letter being sent out. Proceed with Step III.D.5.
 - c. If it is determined that a fee should have been submitted but was not, it shall be considered to be an underpayment and the application manager will follow the latest

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version of Management Directive OAM-1000-01 (“Deposit of Fees, Fines, Penalties and Other Revenue”) to resolve the situation. Return to Step III.D.4.b.ii.

- d. The application manager will document the date of notification of the incorrect fee to the applicant and how the situation was resolved. This notification will be recorded on the route sheet.
5. A C-1 module with Sections A–L completely filled out or otherwise marked as not applicable. All signatures should be included or the C-1 should explain why the signature is unnecessary. In other words, the C-1 is set up so that no section should be left completely blank.
6. A letter from the public water supplier stating they will serve the subdivision (if applicable).
7. A plot plan showing the entire subdivision with all lot lines mapped, all roads mapped and all soil tests mapped.
8. A 7.5” USGS topographic map with the physical location of the subdivision mapped.
9. “Site Investigation and Percolation Test Report(s)” for all suitable and unsuitable soil profile examinations and percolation tests. All reports must be signed by the person conducting the testing. This may or may not be the current local agency sewage enforcement officer (SEO). If a different SEO conducted the testing, a “Verification of Prior Testing” report (Document No. 3800-FM-BPNPSM0290B) should also be attached.
10. The Pennsylvania Natural Diversity Inventory (PNDI) search and resolution should follow the guidelines in the latest version of DEP’s “Policy for Pennsylvania Natural Diversity Inventory (PNDI) Coordination During Permit Review and Evaluation” (Document No. 021-0200-001). The PNDI Review Receipt must be included. Applicable jurisdictional clearance letters for any identified potential impacts must be included or a **concurrent review** as discussed in the PNDI Policy should be identified. The PNDI Receipts must not be older than two years from the date of the screening or if clearance letters are attached, the clearance letters from all jurisdictional agencies must not be older than two years from the date of issuance of the clearance letter.

NOTE: If the applicant requests that we perform the PNDI search for them, DEP responsibility only lies with conducting the search. All other PNDI resolution issues are the responsibility of the applicant. Jurisdictional agency(ies) responses or lack thereof within DEP’s review time may lead to a denial of this project.

NOTE: The option for DEP to conduct the search should be limited to only those situations where the applicant does not have access to the Internet.

- E. If none of the criteria in Steps III.D.1-10 are found to be deficient, the application manager will proceed to Step III.H.1. No “completeness letter” will be issued.
- F. If the C-1 is administratively incomplete, the application manager will make a decision as to whether the deficiencies are insignificant or significant:
 1. If the deficiencies are determined to be insignificant (i.e., an item that in the application manager’s judgment can be corrected within 1 or 2 business days), the application manager will contact the applicant (or the applicant’s authorized representative), the SEO or the municipality by phone to explain the deficiency and offer them the opportunity to submit the necessary materials informally to make the application complete. It is up to the discretion of the application manager as to the amount of time to give them to submit the necessary information; i.e., end of the next business day, last day of the completeness review or

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somewhere in between. **Please note that we cannot “stop the clock” on our review time.** The application manager may or may not (at the application manager’s discretion) follow up the phone call with an email to the applicant (or the applicant’s authorized representative), the SEO or the municipality.

A phone log will be kept by the application manager that details the name of the person contacted, the day and time of the conversation, and notes for all communications regarding the completeness and technical reviews. The phone log will be recorded on or attached to the route sheet and retained with the application file.

After the necessary materials have been received (receipt by email or fax is acceptable except when original signatures, plans or seals are needed), the application manager will review them.

- a. If the requested items are adequate, and the C-1 can be considered complete, the application manager will proceed to Step III.H.1.
- b. If the requested items are not adequate and they do not correct the original insignificant deficiencies, the application manager will prepare and issue a **denial** letter as noted in Step III.F.3 below.

In the event the application manager is unable to contact the applicant (or the applicant’s authorized representative), the SEO or the municipality by phone within the completeness review timeframe, the application manager will prepare and issue a **denial** letter as noted in Step III.F.3 below.

2. If the deficiencies are determined to be of a more significant nature, such that the corrected deficiencies would need to go through the municipality prior to being submitted to DEP, or that the deficiency could not possibly be corrected in time, the C-1 submission should be considered administratively incomplete. The application manager will prepare and issue a **denial** letter as noted in Step III.F.3 below.
3. The application manager will prepare for the Planning Chief’s signature, a **denial** letter (form letter **Ping-8A**) **due to** the application being **administratively incomplete**. It will be addressed to the municipality and will specify where the C-1 application failed to provide the information necessary for DEP to make an adequate decision. The letter will include specific statutory and regulatory citations, as well as citing application instructions and guidance language where necessary. It should clearly state that any resubmission will be treated as a completely new submission and that the technical review will not begin until DEP is satisfied that the submission is complete. The letter should be reviewed by the Planning Supervisor prior to being signed by the Planning Chief. Copies of this letter will be forwarded to all applicable: the developer, the consultant, the SEO, the local and county planning agencies, the SPS, the Planning Supervisor, the Planning Chief and the Regional or District file. In certain circumstances, copies may need to be sent to another agency or bureau. Proceed to Step III.H.2.

NOTE: If the applicant chooses to amend their application and resubmit the C-1, DEP will treat the resubmitted C-1 as a new application but will not charge another review fee. According to 25 Pa. Code §71.83(b), a second fee may not be charged for a resubmitted C-1 application which was denied during the completeness review unless there are substantial changes. A substantial change, such as adding more lots to the subdivision, would require a new C-1 submittal and an additional review fee. If the additional lots pushed the total number of lots over 10, the project no longer qualifies for the use of a C-1 planning module. The project must be resubmitted using a different planning form. Upon the submission of the new form, the appropriate fee for that form would also need to be submitted.

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G. Projects that do not qualify as an exception to the requirement to revise the official plan should be denied during the Completeness Review. The application manager will prepare for the Planning Chief's signature, a **denial** letter (form letter **Plng-8C**) **due to** the project **not qualifying** for the use of a C-1. It will be addressed to the municipality specifying why the proposal does not qualify as an exception to the requirement to revise the official plan and it will include specific statutory and regulatory citations. The letter should be reviewed by the Planning Supervisor prior to being signed by the Planning Chief. Copies of the letter will be forwarded to all applicable: the developer, the consultant, the SEO, the local and county planning agencies, the SPS, the Planning Supervisor and the Regional or District file. Return one copy of the C-1 with the denial letter to the municipality and include a postcard mailer with the denial letter to the consultant. Proceed to Step III.H.2.

H. Complete the following data management tasks in effects:

1. For a submission that is administratively complete:

On the Authorizations Screen: Delete any subtasks not being used and enter the date the completeness review Subtask is finished in "B/E Completeness Review (COMPL) End Date".

NOTE: On the Authorization Screen: The completeness review Standard Task "Completeness Review (COMPL) End Date" will automatically populate with the end date you input in the completeness review Subtask above.

2. For a submission that is administratively incomplete:

a. On the Authorizations Screen: Populate the completeness review Subtask "Application Incomplete – Denied (DENC) Begin Date" and "End Date" with the date on the denial letter.

NOTE: On the Authorizations Screen: Do not populate the completeness review Subtask "B/E Completeness Review (COMPL) End Date" or the system will automatically begin the technical review and will not let you deny the module at this point.

b. On the Applications Screen: Authorizations Tab, General Tab, populate the disposition status ("Disp Status") as DENIED and date disposed "Disposed" as the date on the denial letter. Proceed to Step VI.D.

IV. Technical Review (Application Manager)

Once a C-1 is accepted as complete, the application manager will perform a detailed technical review and should make a decision on the C-1 within 30 calendar days from the date DEP determined the application complete.

NOTE: The technical review shall be fully completed before a determination (see Section IV.M) is made on how to proceed with any technical deficiency(ies) that exist.

The technical review will determine if the C-1 contains all of the scientific and engineering information necessary to address specific regulatory requirements and protect public health and the Commonwealth's environment. The absence of any of the following does not necessarily mean the C-1 should be denied. A final decision on whether the project qualifies as an exception to the requirement to revise the official plan will be made at the end of the technical review. Applications will be reviewed in order of due date unless noted otherwise by the Planning Supervisor.

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- A. On the eFACTS Authorization Screen, the application manager will populate the Standard Task “Technical Review (TECH) Begin Date” as the same day as or the next business day after the “End Date” of the “Completeness Review (COMPL) Standard Task”.
- B. On the Authorization Screen: Populate the technical review Subtask “Decision Review (DR) Begin Date” as the same date in Step IV.A above.
- C. When starting the technical review, the application manager should be able to understand what the project is about by reading the C-1 narrative. The narrative should do a thorough job in explaining the project.
- D. A site visit may be conducted by the application manager, if deemed necessary to clarify or verify information in the C-1.
- E. If the new land development within the C-1 will be served by a public water supply, written documentation from the water company must be attached stating that they will serve the project.
- F. The application manager should review the plot plan, checking location of lots, soil tests, isolation distances, residual tract waiver language (if applicable), right-of-ways, easements, wetlands, streams, etc., to determine the feasibility of the project. The plot plan must be prepared or previously prepared by a registered surveyor.
- G. The application manager should review the soils evaluation and determine if the soils evaluation is technically adequate and if enough soil tests were conducted to determine general site suitability for onlot systems for both the proposed development and the residual tract, unless a residual tract waiver has been obtained.
- H. If the soils evaluation were not observed or conducted by the current municipal SEO, a “Verification of Prior Testing” form must be completed and signed by the current SEO accepting the prior soils evaluation. Assess if the current SEO properly accepted the prior test results or should he have conducted additional soil testing.
- I. If marginal soil conditions are present, determine if the SEO and municipality acknowledged the marginal conditions of the soils and if the municipality adequately addressed the long term sewage disposal needs and type of disposal for this project.
- J. If the project proposes the use of an individual residential spray irrigation system (IRSIS), check that the C-1 narrative acknowledges the need for management and oversight of the system for the life of the system. One or more of the management provisions listed in 25 Pa. Code §72.25(h) must be chosen during the permitting process. If the C-1 discusses the potential management provision(s) that are being considered, the application manager should be comfortable that the potential method of operation and maintenance (O & M) is sufficient for the project.
- K. The project type and outline should be accurate on the PNDI “Project Environmental Review Receipt” included with the C-1. The search should be done on the complete project, including the residual tract, if any. All supporting documentation from jurisdictional agencies (when necessary) must be included or submitted to DEP before the end of the technical review due date (if applicant working on clearances concurrently with DEP review).
- L. If none of the criteria in Steps IV.C-K are found to be deficient, the application manager will proceed to Step VI.A.
- M. If, after the technical review is complete, it is determined that the C-1 has a technical deficiency(ies), the application manager will make a determination on whether the deficiency(ies) is/are significant or non-significant.

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1. In general, non-significant deficiencies are those that can be corrected quickly by the applicant (or the applicant's authorized representative), the SEO or the municipality with minimal processing delay. The application manager may place a call to the applicant (or the applicant's authorized representative), the SEO or the municipality to determine if the information can be received at the DEP office within the next 2 business days.
 - a. If the applicant (or the applicant's authorized representative), the SEO or the municipality indicates that the response time is not feasible, or if the requested information does not arrive within the next 2 business days, the application manager will prepare a **technical deficiency** letter (form letter) according to Step IV.M.3 below.
 - b. If the requested information is not adequate upon receipt and it does not correct the original insignificant technical deficiencies, the application manager will prepare a **technical deficiency** letter as noted in IV.M.3 below.
 - c. If the requested information is adequate upon receipt, and the C-1 can now be approved, the application manager will proceed to Step VI.A.
2. In the event of a significant deficiency, the application manager will immediately prepare a **technical deficiency** letter according to Step IV.M.3 below.
3. The application manager will prepare a **technical deficiency** letter (form letter **Plng-5**) for the Planning Supervisor's signature to the municipality specifying the specific statutory and regulatory obligations, including appropriate citations that the C-1 failed to meet. Project specific comments will be added at the discretion of the application manager. The letter may offer an opportunity to meet and discuss the deficiencies. The letter will include a deadline for submission of the deficient information. **Due to the regulatory 30 calendar day review time to act upon a C-1, this SOP recommends the response time to be at the discretion of the application manager based on the time left to meet the regulatory due date.** Copies of this letter will be forwarded to all applicable: the developer, the consultant, the SEO, the local and county planning agencies, the SPS, the Planning Supervisor and the Regional or District file.

NOTE: One and only one technical deficiency letter will be sent. Therefore, the technical review of the module should be completed prior to sending the technical deficiency letter and all deficiencies should be addressed in the letter.

4. The application manager should enter the eFACTS Authorizations Screen and populate the technical review Subtask "Send Deficiency Notice/Receive Response (SDN) Begin Date" as the date on the letter, the "Due Date" as the date stated in the letter.
- N. When the requested information is received, the application manager will enter the eFACTS Authorizations Screen and populate the technical review Subtask "Send Deficiency Notice/Receive Response (SDN) End Date" with the date that the supplemental information was received.
1. The application manager will determine if the information received is adequate and if the C-1 can now be approved. If so, proceed to Step VI.A.
 2. If the C-1 is not made technically adequate within the established time frame, the C-1 will be subject to the Elevated Review Process per the PDG Policy.

NOTE: Applicants (or the applicant's authorized representative) may request the project be subject to the Elevated Review Process prior to DEP's final decision as per the November 13, 2012 memo from Mr. Dana Aunkst, Deputy Secretary of Field Operations concerning program clarification of the Elevated Review Process.

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- a. The application manager should enter the eFACTS Authorizations Screen and populate the technical review Subtask "Elevated Review Process (ELEV) Begin Date". Populate the "Due Date" with a date that the application manager deems to be appropriate so as to meet the regulatory due date.
- b. Route the C-1 to the Planning Supervisor and brief them on the project and circumstances leading to the elevated review.

V. Elevated Review Process (Application Manager to Bureau Director)

Applications that are technically deficient, and for which the deficiencies have not been resolved satisfactorily within the established time frame, for any reason, will be subjected to the Elevated Review Process. This process will include the following:

- A. The chain of command will be briefed of the elevated review starting with the Planning Supervisor, if applicable. The briefing should go all the way to the Regional Director. The Planning Supervisor or the Planning Chief should arrange a time to discuss the project and its deficiencies with all involved DEP review staff.
- B. Staff will agree on a direction for final review of the C-1 application which may include contacting the applicant and/or consultant. If this meeting or call results in a resolution, the Regional Director may provide the applicant some additional days to respond (as long as this will not put the C-1 over the regulatory 30 calendar day review period), or have staff proceed with final C-1 approval or denial processing. If resolution cannot be reached, the deficiencies must be elevated to the Bureau of Point and Non-Point Source Management Director for review. The Bureau Director will provide direction on the C-1 decision.
- C. The Elevated Review Process will receive the highest priority and will be completed by the Bureau Director within 15 business days (or lesser days so as not to put the C-1 over the regulatory 30 calendar day review period) of first notification by the Program Manager.
- D. The application manager should enter the eFACTS, Authorization Screen and populate the technical review Subtask "Elevated Review Process (ELEV) End Date" with the date that the decision to issue or deny is made.

VI. C-1 Decision (Application Manager, Planning Supervisor and Planning Chief)

NOTE: If the applicant had elected to handle PNDI coordination concurrently with DEP's review of the Plan, Plan Update or Minor Update Revision, do not issue the decision letter until all jurisdictional agency(ies) clearances have been received. The application manager should enter the eFACTS Authorization Screen and add the technical review Subtask "Pending other agency comments/approvals (PAC)".

Prior to the final decision on the C-1, the application manager should brief the Planning Supervisor on the final decision to be granted. The briefing may be accomplished through a phone call or email.

NOTE: Application managers in District Offices have the discretion of sending the final letter to the Regional Office for the Planning Chief's signature either by mail, email, or fax. The final letter will be signed and mailed out from the Regional Office. Notice will then be given to the application manager when the letter has been signed so that the application manager can proceed with closing out the application in eFACTS.

- A. **Approval:** C-1 applications that are complete and that adequately demonstrate they meet all statutory and regulatory requirements with no remaining deficiencies, **qualify as an exception to**

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the requirement to revise the official plan and therefore will be **approved**. The application manager will prepare for the Planning Chief's signature the approval letter (form letter **Plng-7B**) to the municipality. Project specific comments will be added at the discretion of the application manager. The letter should be reviewed by the Planning Supervisor prior to being signed by the Planning Chief. Copies of the letter will be forwarded to all applicable: the developer, the consultant, the SEO, the local and county planning agencies, the SPS, the Planning Supervisor, the Planning Chief and the Regional or District file. In certain circumstances, copies may need to be sent to another agency or bureau.

NOTE: The approval letter may contain additional or clarifying information or items that will need addressed prior to the issuance of an onlot sewage disposal permit by the local agency, such as a signed O & M agreement for the system.

Once the letter has been signed, the application manager will enter eFACTS and close out the following:

1. On the Authorization Screen: Populate the technical review Subtask "Decision Review (DR) End Date" with the date on the approval letter.

NOTE: On the Authorization Screen: The technical review Standard Task "Technical Review (TECH) End Date" with automatically populate with the end date you input in Step VI.A.1.

2. On the Applications Screen: Authorizations Tab, General Tab, populate the disposition status ("Disp Status") as ISSUED and disposed ("Disposed") as the date on the approval letter.
3. Proceed to Step VI.D.

- B. **Denial:** C-1 applications that are complete but possess technical deficiencies after the technical deficiency letter, and cannot adequately demonstrate that they meet all statutory and regulatory requirements unless those deficiencies are addressed, **do not qualify as an exception to the requirement to revise the official plan** and therefore will be **denied**. The application manager will prepare for the Planning Chief's signature, the denial letter (form letter **Plng-8B**) to the municipality. Project specific comments will be added at the discretion of the application manager. The letter will include specific statutory and regulatory citations. The letter should be reviewed by the Planning Supervisor prior to being signed by the Planning Chief. Copies of the letter will be forwarded to all applicable: the developer, the consultant, the SEO, the local and county planning agencies, the SPS, the Planning Supervisor, the Planning Chief and the Regional or District file. In certain circumstances, copies may need to be sent to another agency or bureau. Applications that are denied will forfeit all fees. Resubmitted applications will require new fees.

Once the letter has been signed, the application manager will enter eFACTS, and close out the following:

1. On the Authorization Screen: Populate the technical review Subtask "App Technically Deficient-Denied (DENT) Begin Date" and "End Date" with the "Elevated Review Process (ELEV) End Date".
2. On the Authorizations Screen: Populate the technical review Subtask "Decision Review (DR) End Date" with the date on the denial letter.

NOTE: On the Authorizations Screen: The technical review Standard Task "Technical Review (TECH) End Date" with automatically populate with the end date you input in Step VI.B.2.

3. On the Applications Screen: Authorizations Tab, General Tab, populate the disposition status ("Disp Status") as DENIED and disposed ("Disposed") as the date on the denial letter.

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4. Proceed to Step VI.D.
- C. **Deemed Applicable:** C-1 applications that have not received a DEP decision within 30 calendar days from receipt of a complete application will be deemed to be applicable. Proceed to Step VI.A above and follow the steps for the approval process using approval letter (form letter **Plng-7C**).
- D. The application manager will complete the route sheet and place it with the module packet.
- E. The application manager will code the C-1 for filing and forward to the regional Records Management Section. If the application manager has any other copies of the C-1 module, they can be discarded at this time.

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Final, June 11, 2014**

Version History

Date	Version	Revision Reason
August 11, 2015	1.1	Revised to add revision date to title; revised paragraph on page 1 to state that "...modules may be mailed directly to the District Offices by the municipality" instead of stating "by the applicant"; Step III.B was modified to attach pre-application meeting notes to the module as opposed to setting up a pre-application meeting.
June 11, 2014	1.0	Original version