

**Standard Operating Procedure (SOP)¹ for Clean Water Program
New and Reissuance Industrial Waste and Industrial Stormwater
Individual NPDES Permit Applications
SOP No. BCW-PMT-001
Final, November 9, 2012
Revised, April 6, 2026
Version 1.7**

This SOP describes the procedures by which application managers in the Clean Water Program will process applications for new and reissuance (renewal) industrial waste (IW) and industrial stormwater individual NPDES permits. The authorization types covered by this SOP are “MIIW1” (Minor IW Facility without ELG), “MIIW2” (Minor IW Facility with ELG), “MAIW1” (Major IW Facility < 250 MGD), “MAIW2” (Major IW Facility ≥ 250 MGD), “CAAP1” (CAAP Individual Permit), and “NSIR” (NPDES Pmt Stormwater Industrial Site Runoff (Individual)).

Where the only discharges associated with a facility are precipitation-induced, including the containment, treatment and release of stormwater, the authorization type should be “NSIR.” Where there is at least one process-related discharge (standalone or commingled with stormwater), including non-contact cooling water, boiler blowdown and other non-stormwater discharges, the authorization type should be one of the other IW authorization types, as applicable.

Under the Governor’s Executive Order 2023-07 (Building Efficiency in the Commonwealth’s Permitting, Licensing, and Certification Processes), DEP has 198 business days to take a final action on new IW and IW stormwater individual NPDES permit applications. Failure to take action within this period of time may result in a refund in the application fee (“PAYback”). Renewal applications have no fee and therefore are not subject to Payback.

The Clean Water Program will refer to existing guidance and the Bureau of Point and Non-Point Source Management’s Program Clarification Memo on Permit Coordination (March 5, 2013) when evaluating the need to coordinate issuance of individual NPDES permits with other permits.

I. Preliminary Data Management and Fee Processing (Administrative Staff)

For decision-making with respect to data management activities, administrative staff will follow the eFACTS Program-Specific Guidance for 92a NPDES Authorizations, Facilities and Fees.

When applications are received, administrative staff will promptly:

A. Create the authorization record in eFACTS.

1. Select the proper auth type code and verify that the correct fee was submitted.

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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In general, administrative staff will check the fee category in eFACTS or use the [Authorizations SSRS report](#) (which displays the eFACTS fee category) to determine the proper auth type code. If the application identifies a fee category that does not match the fee category in eFACTS, administrative staff will request assistance from the Permits Chief to resolve the discrepancy.

If it is determined that the wrong fee category was selected on the application, and therefore the wrong fee amount was submitted, administrative staff will follow the latest version of Management Directive OAM-1000-01 (“Deposit of Fees, Fines, Penalties and Other Revenue”) to resolve the fee discrepancy.

If it is determined that eFACTS contains the wrong fee category, or otherwise the fee category has changed, administrative staff will contact the Bureau of Clean Water, Data Management Division to change the fee category in eFACTS.

NOTE 1 – For Chapter 92a authorizations, the selected auth type must match the fee category of the linked primary facility (PF) to allow issuance of the authorization.

NOTE 2 – Only the following clients are exempt from Chapter 92a permit application fees: DEP, EPA, PFBC, DCNR, PennDOT, Turnpike Commission, Amtrak and Port Authorities. Any other applicant requesting a fee exemption must be referred to the Central Office Bureau of Regulatory Counsel for review.

2. If a physical check was submitted, prepare the physical check payment for transmission to the regional business office following Management Directive OAM-1000-01. A copy of the check will be made and placed in the application file. Record all payments in eFACTS for both physical and electronic payments. Where the fee has not been submitted, treat it as an underpayment in accordance with the Management Directive.
 3. Select the proper application type (this SOP covers only NEW and RENEW), using the appropriate regional organization code. Where the client previously was covered by a General Permit and must now apply for an individual permit or the decision is otherwise made to convert the permit to an individual permit, the application type should be NEW.
 4. Associate the proper client and site to the project/authorization. If necessary, create the client, site, client/site relationship, at least one subfacility (SF) and the PF. Assign the proper fee category to the PF.
 5. Enter the date the application was received (“Recvd”) and the date administrative staff creates the authorization (“Admin”) into eFACTS’ Application Screen, unless a fee is not received. If a fee is not received, do not enter the application into eFACTS until the fee is received.
 6. If required by eFACTS to create the authorization, select the lead reviewer as the Permits Chief. If the Permits Chief identifies the application manager at this step, the assigned application manager may be selected for the lead reviewer.
 7. Select the Master Auth or set the current authorization to be the Master Auth, as appropriate.
 8. Create a subtask of “COMPL” (B/E Completeness Review) under the Completeness Review task in eFACTS, and enter a start date that corresponds to the date the application was received.
- B. Enter consultant information.

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If a consultant is identified on the application, select the appropriate client or otherwise create the consultant as a client on the Application Screen.

- C. Enter or otherwise review and update PF Details.
 - 1. Update PF Mailing Address (client address) and Location Address (site address) in accordance with the application, as necessary, including phone numbers and email addresses.
 - 2. Update the PF Kind to “Industrial Waste” or “Stormwater - Industrial,” as necessary.
 - 3. Update the SIC or NAICS code for the PF per the application, as necessary, and identify one SIC and/or NAICS code as the “Primary” code.
 - 4. Ensure the Client ID and Other ID of the PF are identical to those for the authorization, otherwise update the PF.
- D. Validate Master Auth for WMS (if not done so previously), unless the current auth is the Master. If the current auth is not the Master Auth, ensure the Master Auth linked to the current auth has been validated for WMS already (otherwise, validate the Master Auth for WMS).
- E. Mail a complete copy of the application to Erie County Health Department (ECHD), Allegheny County Health Department (ACHD), or Delaware River Basin Commission (DRBC) if applicable, unless administrative staff is aware that the applicant mailed a copy directly to those agencies.
- F. If Module 5, Cooling Water Intake Structure (3800-PM-BCW0008h) was submitted with the application, email the complete application including relevant study reports to the U.S. Fish and Wildlife Service (IR1_ESPenn@fws.gov), National Marine Fisheries Service (karen.greene@noaa.gov and nmfs.hq.esa.consultations@noaa.gov), and Pennsylvania Fish and Boat Commission (hgahagan@pa.gov) for a 60-day comment period.

II. Prioritization and Assignment (Permits Chief)

Once Step I is completed by administrative staff, the application will be given to the Permits Chief. The Permits Chief will:

- A. Prioritize the application in accordance with the “Permit Review Hierarchy” contained in the PDG Policy. The Permits Chief will note on the application file or a permit tracking sheet the hierarchy number as contained in the Policy.
- B. Assign an application manager (i.e., “lead reviewer”) to the application unless this has been done previously. The Permits Chief will enter the name of the application manager into eFACTS for the authorization unless administrative staff has already completed this step.
- C. Optionally, route a copy of the application or a permit tracking sheet to Operations staff for a determination of non-compliance issues that may affect permit issuance.
- D. Notify the regional Late Application Coordinator if the application is for a permit renewal and was submitted late.

III. Completeness Review (Application Manager)

Application managers should finish the Completeness Review within 10 business days of DEP’s receipt of an application.

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When the application manager receives the application from the Permits Chief, the application manager will:

- A. Review the application for administrative completeness and overall technical adequacy. A complete and technically adequate application includes the following, not including the fee that is addressed in Step I:
 1. Three (3) copies of the completed, signed Individual Industrial Waste Facilities application (3800-PMBCW008b), or the Individual Industrial Stormwater application (3800-PMBCW0403b) (only one copy is required for electronic submissions). All applicable sections (modules) of this application must be completed and all pertinent attachments such as site maps and diagrams must be submitted in accordance with the application instructions. If a section is not filled out and the application manager finds it is not applicable to the facility, the application will be considered acceptable. The minimum testing required per the instructions must be completed.
 2. One signed copy of the General Information Form (1300-0210-PM-BITPIO0001), which should be reviewed for adequacy.
 3. The facility and discharge(s) identified on a topographic map(s).
 4. Copies of the Act 14 notification letters sent to the municipality and county where the facility is located along with copies of the receipt card with signatures.
 5. For new facilities or existing facilities with proposed significant changes to its discharges (e.g., new discharges at an existing facility, flow increases, etc.), either a) a notarized copy of a publication in a local newspaper within the county where the facility is located with a statement of the publication dates or b) separate clippings of each notice that show publication dates. The documentation must show that the notice was published at least once per week for four consecutive weeks.
 6. The application does not contain significant inconsistencies or errors as determined by the application manager.
 7. Four complete Whole Effluent Toxicity (WET) test reports, if required by the existing permit, unless these reports have been submitted previously. In addition, a WET Analysis Spreadsheet must be completed if required by the existing permit.
 8. Other information that may be required by the existing permit.

NOTE 3 – If the existing permit includes limitations or conditions that are based on a variance in federal regulations, and those regulations require the submission of a request to continue the variance with the permit renewal application but the request was not received, the application may be considered complete if all other criteria are met. The application manager will contact the applicant by phone or email for clarification that the application does not wish to continue the variance. If the applicant wishes to continue the variance, the application manager will request submission of the written request, meeting applicable federal requirements, within 15 business days.

NOTE 4 – In general, if the applicant submits an older application form that is not the most recent, the application manager may deem any information that is missing a non-significant or significant deficiency, at the application manager's discretion. If the application is not denied as a result, the application manager will notify the consultant or applicant that a more recent version of the application is available for future use.

- B. Follow the procedures contained in the SOP for Management of Late NPDES Permit Renewal Applications (BPNPSM-ENF-001) if the application is for a permit renewal and was received late.

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C. Complete the following data management tasks in eFACTS:

1. Create, or otherwise review and edit, all Discharge Point (DP) subfacilities (SFs) listed in the application. Enter or otherwise review and edit SF latitude and longitude (if necessary, reconcile the differences between the application and existing permit with the applicant). Snap DPs to the NHD using the NHD Locator Tool in eFACTS.
2. Review and edit the PF latitude and longitude, using the coordinates reported on the application or the central point of the treatment facility.
3. Select, if necessary, the Type of Discharge (use all applicable types available to best characterize the discharge) and enter the Design Flow for each DP. For IW discharges, the Design Flow is the maximum daily flow the facility is capable of discharging at its maximum rate of production or water usage, and may be taken from the permit application. For discharge points associated with stormwater, bypasses or emergency overflows, use a Design Flow of “0.” For commingled process-related discharges with stormwater, use the Design Flow associated with the process-related discharges.
4. If a wasteload allocation (WLA) exists for any discharge associated with the facility in an EPA approved TMDL, the application manager will record the name of the TMDL and the WLAs for specific parameters in the DP – TMDL screen.
5. Review and update Treatment Plant (TP) SF details. If no TP SF exists, create the TP SF and enter all pertinent treatment plant details including but not limited to hydraulic design capacity, average annual design flow, and organic design capacity, as applicable.

NOTE 5 – If the industrial waste facility also has a sewage treatment plant, the sewage treatment plant must be identified through its own PF and TP SF. The fee category of the sewage treatment plant PF must be “Op Cert Only.”

6. Link all applicable SFs to the authorization record.
 7. Push Validate the authorization from eFACTS to WMS. If the authorization cannot be pushed validated to WMS and if the problem(s) cannot be resolved by the application manager, the application manager will first work with administrative staff to resolve the problem(s) and then contact the Bureau of Clean Water, Data Management Division if administrative staff cannot resolve them.
- D. If none of the criteria in A.1 – 8 are found to be deficient, the application manager will proceed to Step III G. No “completeness letter” will be issued.
- E. For **renewal** applications, if the application is incomplete, follow the procedures contained in the SOP for Management of Late, Incomplete, and Deficient NPDES Permit Renewal Applications (BCW-ENF-001).
- F. For **new** applications, if the application is incomplete and the deficiencies are determined to be non-significant (i.e., an item that in the application manager’s judgment can be corrected within one business day), the application manager will contact the applicant (or the applicant’s authorized representative) by phone to explain the deficiency and offer the opportunity to submit the necessary materials informally by the end of the next business day to make the application complete. The application manager may or may not (at the application manager’s discretion) follow up the phone call with an email to the applicant and/or consultant.

NOTE 6 – The application manager should attempt to communicate with the applicant directly. Where this fails, the application manager may attempt to communicate with the consultant, if any.

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A phone log will be kept by each 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. All phone logs will be retained with the application file during and following permit issuance, or otherwise a database or spreadsheet will be used and made accessible to allow others to check latest correspondence for a case if the application manager is out of the office.

After the necessary materials have been received (receipt by email or fax is acceptable except when original signatures, plans or seals are needed), and assuming the application can then be considered complete, the application manager will then proceed to Step III G.

The application manager will prepare a letter that denies the application for the Program Manager's signature if one of the following occurs:

1. The applicant fails to submit the requested information by the next business day following a phone call (or multiple attempts to contact the applicant or consultant by phone) or;
2. The application manager is unable to contact the applicant or consultant by phone within 5 business days or;
3. The submission does not correct the original non-significant deficiencies or;
4. The deficiencies are determined to be significant.

The template in WMS found at *Letters – Application Denial Letter* will be used. The eFACTS authorization record will be closed out by using the disposition code "Denied." A subtask of "DENC" (Application Incomplete – Denied) will be entered into eFACTS against the Completeness Review Task, with start and end dates corresponding to the date of the letter. The application fee will not be returned. A new application fee will be required as part of a resubmission.

- G. Enter an end date for the "COMPL" subtask, when the application is deemed complete.

IV. Technical Review and Preparation of Permit (Application Manager)

Following the Completeness Review, the application manager will determine effluent limitations, monitoring requirements, and facility-specific permit conditions and prepare the permit documents. Applications will be reviewed in order of priority; in the event of a conflict, the matter will be resolved by the Permits Chief.

- A. Enter a "DR" (Decision Review) subtask in eFACTS under the Technical Review task, with a start date corresponding to the date following the determination that the application is complete.
- B. For renewals, verify that an inspection has occurred in the past five years.

The application manager will review the Inspections file and/or run the [Inspections SSRS Report](#) to verify that the facility has been inspected within the past five years. If not, the application manager will request that regional Operations staff schedule an inspection. The application manager does not, however, need to wait for the inspection to occur before issuing the permit.

Application managers may visit IW facilities and conduct field work to determine water quality modeling parameters at the application manager's discretion and as processing time allows.

- C. Check for unresolved violations.

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The application manager will run the [Open Violations by Client SSRS Report](#) to determine whether there are any unresolved violations associated with the client that will affect issuance of the permit (per CSL Section 609). If there are unresolved violation(s), the application manager will identify the violation(s) in the draft permit cover letter and indicate that the application may not be issued as a final permit if the violation(s) are not resolved.

- D. Review the designated and existing use of the waterbody. Consult with the regional biologist to determine the appropriate use if any of the following are true:
1. The waterbody is missing from Chapter 93.
 2. The waterbody is actively being monitored and assessed.
 3. The waterbody is on the [existing use list](#).
 4. There is information available that would suggest the existing use is different than the designated use (e.g., Class A, Wild Trout).
 5. There is any question as to the existing or designated use.
- E. For new, additional, or increased discharges to HQ or EV waters, conduct an anti-degradation analysis for the fact sheet.
1. Application managers will follow the guidelines contained in DEP's "Water Quality Antidegradation Implementation Guidance" (391-0300-002) and consult with the Bureau of Clean Water, Water Quality Division as needed.
 2. Under the authority of 25 Pa. Code § 93.4c, the use of chlorine for disinfection will not be authorized unless the application includes a socioeconomic justification (SEJ) that justifies the need for chlorine as opposed to other alternatives. If the use of chlorine is approved, the average monthly effluent limitation will be set to 0.02 mg/L ("non-detect") and the appropriate Part C language for TRC limits below method detection limits will be used.
- F. Determine pollutants of concern and effluent limitations.
1. Refer to the SOP for Establishing Effluent Limitations for Individual Industrial Permits (BCWPMT-032) and Establishing Water Quality-Based Effluent Limitations and Permit Conditions for Toxic Pollutants in NPDES Permits for Existing Dischargers (SOP No. BCW-PMT-037) to determine pollutants of concern, whether to apply limits or monitoring only to pollutants of concern, and to determine numeric limitations for the permit.
 2. For all dischargers to the Chesapeake Bay watershed, the procedures identified in DEP's Phase III Watershed Implementation Plan (WIP) Supplement (latest version) will be followed to determine the need for Total Nitrogen and Total Phosphorus annual net load limitations (cap loads) and monitoring requirements, unless a proposed deviation is discussed with and agreed to by the Bureau of Clean Water, NPDES Permitting Division. In the event that a Significant Chesapeake Bay IW discharger requests more nutrient load for effluent limitations than prescribed in the Phase III WIP Supplement, the application manager will follow the procedures for the IW reserve and coordinate with the Bureau of Clean Water, NPDES Permitting Division.
 3. For existing facilities with Whole Effluent Toxicity (WET) requirements in the current permit, application managers will review WET results and determine reasonable potential, monitoring requirements and limits in accordance with the SOP for Whole Effluent Toxicity (WET) (BCWPMT-031). For new facilities and existing facilities without WET requirements in the current permit, the application manager will consider the factors contained in the SOP for Whole

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Effluent Toxicity in determining the need to impose WET monitoring requirements for the new or renewed permit.

G. Determine parameter monitoring frequencies.

1. For new facilities, application managers will use Table 6-4 of DEP's Technical Guidance for the Development and Specification of Effluent Limitations (362-0400-001) ("Permit Writer's Manual") unless the application manager includes site-specific rationale for different monitoring frequencies in the fact sheet.
2. For existing facilities in which there is no history of non-compliance with effluent limitations over the past two years according to DMR data, and the existing monitoring frequencies are less stringent than Table 6-4, the existing frequencies may be continued in the renewed permit.
3. For existing facilities in which there are effluent violations in the past two years, and existing monitoring frequencies are less stringent than Table 6-4, the monitoring frequencies for parameters with violations should be increased to match those in Table 6-4.
4. For new parameters introduced into renewed permits, in which the application manager desires for the permittee to collect data to verify reasonable potential for the subsequent permit application review, the application manager may select any reasonable monitoring frequency that is greater than or equal to once per year.
5. For existing facilities in which there is no history of non-compliance with effluent limitations over the past two years according to DMR data, the application manager may use the statistical procedures in EPA's guidance, "Interim Guidance for Performance - Based Reductions of NPDES Permit Monitoring Frequencies" (April 1996) to conduct a parameter-by-parameter analysis on eligibility for reduced monitoring frequency. If this is done, the application manager will document the calculations and decisions in the fact sheet.
6. When permits for Significant Chesapeake Bay IW dischargers are renewed, application managers will continue nutrient monitoring at the same frequency as in existing permits or, if the application manager believes that less frequent monitoring is acceptable, no less than 1/week as 24-hour composites is recommended. New permits for Significant Chesapeake Bay IW dischargers should monitor nutrients at no less than 1/week using 24-hour composites. Non-significant IW dischargers should receive monitoring requirements in permits if there is any possibility of a net increase in nutrients as a result of facility processes, and monitoring frequencies should be established using the general guidance in the Phase III WIP Supplement.
7. The application manager should establish influent monitoring in the permit anytime effluent limitations are based on the difference between influent and effluent loads or concentrations (net).
8. The application manager may establish in-stream monitoring where data are determined to be important for verifying the assumptions of water quality modeling or that regulatory requirements will be achieved, including but not limited to temperature.

H. Determine sample types.

1. For existing facilities in which there is no history of non-compliance with effluent limitations over the past two years according to DMR data, existing sample types may be used in the renewed permit or, at the discretion of the application manager, the sample types in Table 6-4 of the Permit Writer's Manual may be used.

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2. For new or expanding facilities, Table 6-4 will be used to establish sample types unless site-specific justification is provided in the fact sheet to deviate from Table 6-4.

I. Determine compliance schedules, where applicable.

If the application manager's analysis concludes that existing numeric limits should be made more stringent or that new limits should be imposed in a renewed permit, the application manager will consider the following in establishing interim and final dates and limits:

1. For Effluent Limitation Guidelines (ELGs) promulgated by EPA, no compliance schedule may be authorized in the permit, i.e., the ELGs must be achieved upon permit issuance unless otherwise authorized in federal regulations.
2. For WQBELs and other TBELs in which the permittee has demonstrated its ability to comply by meeting the proposed limit at least 75% of the time considering existing performance data, no compliance schedule should be established in the draft permit.
3. For WQBELs and other TBELs in which the permittee has demonstrated it cannot comply, or otherwise no information is available to determine whether it can comply, the draft permit will contain a schedule to meet final effluent limits that should not exceed three years. In establishing the length of time provided to comply, the application manager will take into consideration whether site-specific studies may be completed in the interim before final limits take effect. Application managers should consult the SOP for Establishing Water Quality Based Effluent Limitations and Permit Conditions for Toxic Pollutants in NPDES Permits for Existing Dischargers (SOP No. BCW-PMT-037) to develop the compliance schedule and permit conditions. In the event the applicant requests more time during the draft permit comment period, the application manager may extend the compliance date in the final permit to no more than five years from the permit effective date, unless a court issues an order allowing more time for compliance or otherwise a Consent Order and Agreement is executed that provides a longer period of time to comply.
4. If the time provided to comply with a final numeric limit will exceed one year, the application manager will include a Part C condition in the permit that provides for interim milestones prior to achieving final compliance at increments not exceeding one year. Where the interim milestone is not readily divided into stages for completion, the compliance schedule will require progress reports toward completion of the interim milestone at increments not exceeding one year.
5. Where a required or voluntary facility expansion will occur sometime during the permit term, application managers will request a schedule for inclusion in the permit, if not already part of the application. If specific dates for final limits cannot be determined, the permit may contain narrative compliance schedule milestones (e.g., "upon completion of construction"). IF the permit also includes, as a condition in Part C, the requirement to submit a WQM permit application at least 90 days prior to the anticipated start of construction.

NOTE 7 – In WMS, two "tiers" of limits would be entered in this case, with the second tier coded to go into effect in the last month of the permit term. Application managers will need to change the calendar dates to narrative dates in the WMS-generated permit document. When notification is received of the anticipated startup date, the changes will be updated in WMS.

J. Record the limits and monitoring requirements into the Sample Point Limits module of WMS.

1. Where parameters subject to grab sampling have an instantaneous maximum (IMAX) limit, the IMAX limit will be coded into the "Conc 3" field so that the permittee is subject to reporting the result on DMRs (e.g., TRC).

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2. Where an ELG is “non-detect,” use the Target Quantitation Limit (TQL) from the permit application instructions as the permit limit; if there is no published TQL, identify a reasonable quantitation limit (QL) through an investigation of commercial lab capability or through the Bureau of Laboratories, and use the QL as the permit limit. Application managers will 1) enter the QL in WMS, and 2) enter “< QL” on the permit document and DMRs.
3. Where a WQBEL is less than the TQL: 1) enter the TQL into WMS, 2) enter the WQBEL in Part A of the permit document, 3) enter “< TQL” on the DMRs, and 4) use the Part C condition for WQBELs Below Quantitation Limits (Part C 116).

K. Review 316(a) variance requests.

The application manager will consider all new and renewal 316(a) variance requests for limits based on alternate thermal criteria using the SOP for WQBELs, DEP’s “Implementation Guidance For Temperature Criteria” (391-2000-017), and by consulting with regional biologists, the Permits Chief, and the Bureau of Clean Water, Water Quality Division.

L. Review 316(b) requirements and submissions.

Where applicable, the application manager will review submitted reports and existing regulatory and permit requirements for 316(b) intake structures and use the appropriate Part C language for the permit in consultation with the Bureau of Clean Water as needed.

M. If necessary, transmit a technical deficiency letter.

1. In the event, upon a detailed technical review of the application, the application manager determines that information beyond the scope of the Completeness Review is not available or otherwise there are technical problems with the application or proposals therein, the application manager will make a determination on whether the deficiency is significant or non-significant. In general, non-significant deficiencies are those that can be corrected quickly by the applicant (e.g., one day) so that there is only a minimal processing delay.
2. If the deficiencies are determined to be non-significant, the application manager will contact the applicant and/or the project consultant by phone and request a response by the close of the next business day. A phone log will be maintained by the application manager to record the results of all such conversations. A follow-up email may be transmitted at the application manager’s discretion.
3. If a) the non-significant deficiencies are not corrected by the timeline requested, b) multiple phone calls to the applicant and consultant fail to establish communication, or c) the application manager determines that the deficiencies are significant, the application manager will prepare a Technical Deficiency (TD) Letter using the WMS template at *Letters – Technical Deficiency Letter*.
4. For **renewal** applications, follow the procedures contained in the SOP for Management of Late, Incomplete, and Deficient NPDES Permit Renewal Applications (BCW-ENF-001) to address technical deficiencies.
5. For **new** applications, the number of TD Letters will be limited to one in most circumstances, and will be issued prior to development of the draft permit. The letter will request a response within 15 business days or a longer period of time at the application manager’s discretion (as long as it does not exceed the processing deadline in eFACTS). The application manager will enter a subtask of “SDN” (Send Deficiency Notice/Receive Response) into eFACTS with a start date corresponding to the date of the letter.

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- a. If the applicant responds to the TD letter within 15 business days or the alternative schedule, the application manager will enter an end date for the “SDN” subtask in eFACTS corresponding to the date the submission was received, review the submission and, assuming it addresses the concerns raised in the TD letter, proceed with Step IV.O.
- b. If the applicant fails to respond to the TD letter within 15 business days or the alternative schedule, or if the response fails to address the issues raised in the TD letter, the application manager will enter a subtask of “ELEV” (Elevated Review Process) and brief the Section Chief on the circumstances.
- c. If following the Elevated Review Process the decision is to deny the application, the application manager will prepare a pre-denial letter using the WMS template at *Letters – Pre-Denial Letter*. The application manager will prepare a PA Bulletin notice for the Special Notices section that indicates the tentative decision to deny the application. The PA Bulletin notice and pre-denial letter will contain the “statement of basis” (see 40 CFR § 124.7), i.e., the technical reason(s) for tentatively deciding to deny the application. The pre-denial letter and PA Bulletin notice will be mailed to the permittee via Certified Mail.
- d. Following the 30-day comment period after publication in the PA Bulletin, and assuming the applicant has not addressed the technical deficiencies, the application manager will deny the application by entering a “DENT” subtask (App Technically Deficient – Denied) into eFACTS, using start and end dates for the “DENT” subtask corresponding to the date of the decision, entering end dates for the “SDN” and “ELEV” subtasks, and preparing a letter that denies the application using the WMS template at *Letters – Application Denial Letter*. The authorization will be closed in eFACTS using the disposition code “Denied.” If the technical deficiencies are adequately addressed within the 30-day comment period, proceed to Step IV.O.

N. Review Per- and Polyfluoroalkyl Substances (PFAS)

1. Where there are detections of PFOA, PFOS, PBFS or HFPO-DA in the application screening analysis or where it is known that materials or wastes containing PFAS was or is used, stored, or disposed of at the facility, include Part C Condition 140, PFAS Reduction, in the permit.
2. Where the applicant indicated in Module 1 (3800-PM-BCW0008d) of the application that Aqueous Film Forming Foam (AFFF) containing PFAS is used at the facility include Part C Condition 141, BMPs for AFFF, in the permit.

O. Prepare the fact sheet.

1. For certain minor IW renewals, evaluate whether the facility should be considered a Major discharger.

For the following facilities, at a minimum, if not currently considered a Major discharger, the application manager will complete EPA’s NPDES Permit Rating Worksheet (June 1990 or latest version) and attach it to the fact sheet, unless a rating has been done in the previous five years: centralized waste treatment (CWT) facilities and electric power generating facilities.

If the rating is greater than or equal to 80 points, the application manager will document in the fact sheet that the facility will now be considered a Major discharger. Prior to final permit issuance, the application manager will email the rating sheet to the Bureau of Clean Water, Data Management Division to initiate the process of converting the facility to a Major discharger and to update the fee category in eFACTS. The application manager will ensure that Part B permit language concerning fees is modified to reflect the new rating and submit the draft

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permit to EPA. The pending authorization will be disposed as Entered in Error in eFACTS and a new authorization will be created with an Authorization Type that matches the updated fee category (i.e., Major IW), to be disposed as Issued once the permit is finalized.

2. At a minimum, all fact sheets for individual permits will contain (see 25 Pa. Code § 92a.53):
 - a. A brief description of the type of facility or activity being permitted.
 - b. The type and quantity of wastewater or pollutants evaluated in the permit.
 - c. Documentation that the applicable effluent limitations and standards including a citation of same are considered in development of the draft permit.
 - d. Documentation that applicable water quality standards will not be violated.
 - e. A brief summary of the basis for the draft permit limitations and conditions including references to applicable statutory or regulatory provisions.

In addition, for new, additional, or increased discharges to HQ/EV waters, the fact sheet will contain an anti-degradation analysis.

3. Application managers will develop **ONE** fact sheet per draft permit which incorporates all attachments and supporting data as pages in the Word document. Separate files should not be linked in the fact sheet document. For each re-draft, ONE fact sheet addendum should be generated.
4. Application managers will run the WMS template found at *Fact Sheets – Individual Industrial Waste*. For existing facilities, the application manager will select the optional templates listed below when generating the fact sheet, which provide DMR data and violations in table format:
 - i. Compliance History 2
 - ii. Compliance History 3
5. Any information that is missing on the first page will be manually entered into the fact sheet template and into the appropriate location in eFACTS. The application manager will manually enter a written summary of the review in the block on the first page. The first page that summarizes the application must always be present.
6. For Minor renewals where the application manager determines that water quality modeling is unnecessary and no changes will be made to the renewed permit, the fact sheet will contain, at a minimum, the first page as described in paragraph L.4, any additional pages that address the requirements identified in paragraph L.2, a compliance history summary as described in paragraph L.6.d, and attachments that provide documentation of existing effluent limitations, as applicable.
7. For new permits, Major renewals, and Minor renewals where the application manager determines that water quality modeling is necessary, the fact sheet will contain, at a minimum:
 - a. The first page as described in paragraph L.4.
 - b. A second section that will include a summary of discharge, receiving stream, and water supply information, per outfall. Information concerning public water supplies will be manually entered into the fact sheet template, at a minimum. For IW facilities (not stormwater), a description will be included on how the Q7-10 flow was determined.

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- c. For IW facilities with treatment plants, the third section will include a summary of the treatment facility, including design flows and capacities. If any information is missing, it will be manually entered into the fact sheet template and into the appropriate location in eFACTS.
- d. The fourth section will include a compliance history summary, which uses the optional templates selected when generating the fact sheet in step O.4 above.

In the course of the review of DMR data, if there are chronic and significant violations, defined as at least 6 reports in the past two years having at least one parameter with a result two or more times the limit, or if otherwise the application manager believes there are operational problems that should be discussed, the application manager will refer the situation to regional Operations staff for their consideration in pursuing further action. This step is included to ensure that Operations are aware of ongoing violations. This is not necessary if an existing process is in place to coordinate Operations' involvement with the permitting process during or prior to the technical review.

For new and existing facilities, application managers will also run the [Open Violations by Client SSRS Report](#) to determine whether there are any unresolved violations associated with the client that will affect issuance of the permit (per CSL Section 609). If there are unresolved violation(s), they will be documented in the fact sheet. Review of the application will proceed, but the application manager will identify the violation(s) in the draft permit cover letter and indicate that the final permit may not be issued if the violation(s) are not resolved.

- e. The fifth section will contain a narrative on the selection of parameters of concern, an evaluation of WQBELs and TBELs, and the selection of monitoring frequencies and sample types.
- f. The sixth section will contain the recommended effluent limitations and monitoring requirements for the draft permit that were entered previously into WMS.
- g. Other optional templates including WET Testing and References may be selected, and the application manager may add any other information that explains the rationale for draft permit issuance.
- h. Additional content that addresses the requirements identified in paragraph L.2.
- i. Photographs, water quality modeling results, stream assessment results, memos, and historical documentation, as applicable, will be incorporated into the fact sheet as addendums or attachments.

P. Prepare the draft permit documents and issue the draft permit.

Submit a complete copy of the application to EPA Region 3 if the facility is a Major discharger, a Significant Chesapeake Bay discharger, or discharges directly to waters with an EPA-approved TMDL where the permittee is known to discharge the TMDL's parameter(s) of concern at detectable concentrations. The application should be sent, if possible, a few days prior to the issuance of draft permits to coordinate arrival of the application with the receipt of the WMS email that notifies EPA of the electronic transfer of a draft permit through WMS.

- 1. Application managers will run the template found at *Individual IW – Individual IW Stormwater Permit* for facilities discharging only stormwater, Application managers will run the template found at *Individual IW – Individual IW Permit* to generate the permit document for all other

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facilities, except for Significant Chesapeake Bay IW dischargers. For Significant Chesapeake Bay IW dischargers, the template found at *Individual IW – Bay Individual IW Permit* will be used to generate the permit.

The application manager will select appropriate Part C conditions from WMS when generating the permit. An inventory of WMS Part C conditions for IW permits and typical scenarios where these conditions should be used is presented in **Attachment A**. Application managers may use other site-specific language as appropriate.

NOTE 8 – Where decisions are made at a regional level to use specific Part C language in all permits of a certain type, and the language is not in WMS, the Permits Chief will notify the Bureau of Clean Water, NPDES Permitting Division of the language so that a standardized condition may be loaded into WMS, following receipt of statewide feedback, for use by all regions.

A description of each discharge, the stream code and RMI will be recorded on each Part A limit set page. Footnotes will be added to the page following the limit set page(s) to clarify limitations and refer the permittee to Part C conditions as appropriate.

2. All stormwater outfalls that contain monitoring requirements will be identified in Part A of the permit (this will automatically occur in the permit when monitoring requirements are entered into WMS). All outfalls that receive some or all of their contributions from stormwater will be identified in the Part C Stormwater condition.
3. Application managers will run the template found at *Letters – Individual NPDES Draft Permit Cover Letter* to serve as the cover letter for the draft permit. The application manager will review the letter carefully to ensure that correct and appropriate facility names, abbreviations, salutations, and other information from eFACTS are used and make edits as needed.

If the SSRS Report identifies unresolved violations, the application manager will select the optional paragraph named *Draft Permit Letter 3 - Unresolved Violations*, and manually enter information on the unresolved violations in the letter. This places applicants on notice that DEP may not be able to issue the final permit until the violations are resolved.

Other language concerning failure to maintain, failure to submit reports, and other issues may be added to the letter at the discretion of the application manager.

4. Application managers will run the applicable templates below for PA Bulletin Notices:
 - a. The template *PA Bulletin Notices – Draft Permits – NPDES Sewage and IW* will be used for PA Bulletin postings and will be issued as part of the draft permit package for posting by all applicants near the entrance to their premises.
 - b. The template *PA Bulletin Notices – Draft Permits – NPDES Chesapeake Bay* will be used for PA Bulletin postings for significant Chesapeake Bay facilities and other facilities with Bay “cap loads,” and will be issued as part of the draft permit package for posting by these applicants.
5. These documents, along with the fact sheet, will be provided to the Permits Chief. The application manager will sign the draft permit cover letter.
6. The Permits Chief will review the fact sheet to ensure general conformance with the regulations and the content of this SOP. The Permits Chief will sign the fact sheet if the Permits Chief is in agreement with the content, or otherwise return the package to the application manager for

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edits. After the fact sheet is signed, the Permits Chief will provide the permit package to administrative staff or the application manager for copying and data management.

NOTE 9 – Electronic signatures may be used by typing the signatory's name (font does not matter) or by using a signature graphic.

NOTE 10 – Application managers may not issue draft permits until the Permits Chief signs the fact sheet.

7. Administrative staff or the application manager will complete the following:
 - a. A start date for the subtask "DP" will be entered in eFACTS for the Technical Review Task. The start date is the date of draft permit issuance.
 - b. A "DRAFT" watermark will be applied to the electronic draft permit document, which will then be removed for the final permit.
 - c. All documents that will be issued as draft to the applicant will be set to a status of "Draft" and disposition of "Issued (Mailed)" in WMS. Documents that are not issued to the applicant will be set to a status of "Draft" and disposition of "Complete." **The "Date Disposed" of the draft permit, fact sheet and PA Bulletin Notice must exactly match the "DP" subtask start date in eFACTS.**
8. The application manager will determine whether the applicant will receive a hard copy or electronic version of the draft permit package. In general, if there is an email address listed for the client on the GIF, the draft permit package should be sent electronically to the client. The consultant(s) for the project, if any, should receive a copy of the electronic transmission. Where applicable, DRBC, ECHD and ACHD may be copied on the email.
 - a. If a decision is made to transmit the draft permit package electronically to the applicant, all documents associated with the package should be transmitted electronically (i.e., one component of the package should not be emailed while others transmitted in hard copy).
 - b. If the package will be transmitted electronically, the application manager or administrative staff will open the draft permit cover letter, fact sheet, public notice for posting, and draft permit document and save these documents as PDF (select File – Save As – PDF).

NOTE 11 – The application manager's name should be typed or a signature graphic should be placed in signature blocks for the electronic versions of draft permit cover letter and fact sheet prior to electronic transmissions to applicants.

- c. Application managers will transmit the email to the applicant and additional recipients generally using the language below for the email message.

"Dear _____,

In response to the receipt of your NPDES permit application, the Department of Environmental Protection (DEP) has made a tentative decision to issue the permit. Attached to this email is the draft NPDES permit document, a fact sheet explaining the basis for DEP's tentative decision, a public notice for posting, and a cover letter to accompany the draft permit. DEP will take comments on this proposed action for 30 days following publication of the draft permit in the PA Bulletin. Please contact me at this email address or at the number below if you have any questions.

Sincerely,

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[Signature]”

NOTE 12 – Alternatively, application managers may choose to use the cover letter language as generated through WMS in the email message and exclude the draft permit cover letter document attachment from the email.

NOTE 13 – If a draft permit cover letter will be attached to the email, the words “VIA ELECTRONIC MAIL” will be manually added to the top of the letter, below the date.

The application manager will attach PDF versions of the draft permit cover letter, fact sheet, public notice for posting, and draft permit document to the email.

- d. If the draft permit package is sent electronically, the application manager will set the email for “delivery receipt” (in Outlook select Options and check the box for “Request a Delivery Receipt”). If a delivery receipt email is not received within two business days, the application manager will communicate with the applicant (or consultant if applicant cannot be reached) by phone to confirm receipt of the draft permit package.
 - e. Draft documents (whether transmitted electronically or by hard copy) will be retained in WMS and a copy will be placed in the public file.
 - f. If Module 5 – Cooling Water Intake Structure (3800-PM-BCW0008h) was submitted with the application, email the draft permit, public notice, and fact sheet to the U.S. Fish and Wildlife Service (IR1_ESPenn@fws.gov), National Marine Fisheries Service (karen.greene@noaa.gov and nmfs.hq.esa.consultations@noaa.gov) and Pennsylvania Fish and Boat Commission (hgahagan@pa.gov).
9. If it is determined that a hard copy of the draft permit package will be issued, the date of draft permit issuance will be stamped or manually entered onto the draft permit cover letter.
 10. The notice that will be placed in the PA Bulletin will be prepared by the application manager or administrative staff and contain the elements required by 25 Pa. Code § 92a.82(b)(1)-(5).
 11. The EPA Discretionary indicator box will be checked on the WMS tab of the PF Details screen in eFACTS by the application manager anytime water quality criteria modifiers from a site-specific study will be used to establish effluent limits or where provisional water quality criteria will be used to establish effluent limits. “Site-Specific Criteria” will be entered into the Reason field. This will cause the transfer of WMS documents to a website for EPA review. If the facility is known to receive oil and gas wastewaters, the Receives O&G Wastewater code will be added in eFACTS, which will cause the transfer of WMS documents to a website for EPA review. If the facility is a Major or Significant Chesapeake Bay discharger, the transfer will occur automatically.
 12. If the permit established a limit using site-specific criteria or contains thermal limits based on a 316(a) variance the “Site-Specific Criteria” indicator and/or “316(a) Variance indicator” on the WMS tab of the Applications screen will be checked.
 13. If it is determined that a hard copy of the draft permit package will be issued, one or more copies of the complete draft permit package, consisting of the cover letter, draft permit, fact sheet and draft permit notice for applicant posting will be made for mailing to the applicant, consultant, DRBC, ECHD, and ACHD, as applicable. One hard copy will be retained for the case file.

Q. Review applicant, EPA, and public comments.

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1. The application manager will review comments received from the applicant (or the applicant's consultant) and decide whether the draft permit should or may be modified to address the comments. The application manager will consult with the Permits Chief, Bureau of Clean Water, and regional counsel, as necessary. If the permit will be issued, the applicant's comments will be addressed in the final permit cover letter. In general, the Bureau of Clean Water should be contacted for assistance where comments concerning the standard (Parts A and B) language of the permit are made unless the application manager has experience in addressing similar comments.
2. The application manager will review comments received from EPA. According to the Memorandum of Agreement (MOA) with EPA, EPA has 30 days to comment upon, object to or make recommendations on draft permits.

If EPA has not issued comments to the application manager within 30 days of receipt of the WMS email that notifies EPA of the draft permit, or otherwise has not noted by means of a written general objection within 30 days of notification that EPA will be providing specific written grounds for objections to the draft NPDES permit within 90 days of notification, EPA has waived its opportunity to comment or object to the permit and the application manager may proceed to finalize the permit.

If EPA comments at any time up to issuance of the final permit, the application manager should address each comment (or recommendation) in writing after consulting with the Permits Chief and/or Bureau of Clean Water, as determined necessary.

If, after responding to an initial comment or recommendation, EPA continues to request modifications to the permit that the application manager believes is unnecessary or inappropriate, the application manager will consult with the Permits Chief and Central Office for resolution with EPA.

If EPA provides a written objection to a draft permit, the application manager will consult with the Permits Chief and Bureau of Clean Water for resolution with EPA in accordance with 40 CFR § 123.44. This may include issuance of a revised draft permit to EPA and the applicant.

3. The application manager will review comments received from the public. In general, if there are five or more independent requests (from separate individuals or organizations that may be affected by issuance of a final permit) for a public hearing under Chapter 92a.82(d) for non-EV waters or at least one request for EV waters, or if the Permits Chief or Program Manager otherwise determine that there is "significant public interest" in holding a hearing, the application manager will coordinate with the regional community relations coordinator to schedule a public hearing and comply with Chapter 92a.83 concerning public notice. The subtask "PH" will be used in eFACTS to document the public hearing and enter a start date corresponding to the date the need for a public hearing was determined. Following the hearing and receipt of the hearing transcript, the application manager will prepare a Comment-Response document using the template in WMS at *NPDES Supporting Documents – Comment-Response*, attach it to the final issuance or denial letter, and copy all commentators on the letter. An end date will be entered into the "PH" subtask in eFACTS corresponding to the final permit issuance date. All commentators and the applicant will receive a copy of the Comment-Response document.

If public comments are received and a hearing is not held, the application manager will review the comments and decide whether the draft permit should or may be modified to address the comments. If the final permit is modified in response to public comments or is denied, the commentators will be copied on the final permit package or denial letter. Otherwise, there will be no formal communication with commentators unless the application manager, Permits Chief

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or Program Manager believe that separate correspondence should be issued to the commentators.

4. Application managers may not modify language in Parts A and B of the permit without consent from the Bureau of Clean Water, NPDES Permitting Division.

R. Decide whether to redraft the permit.

1. If the application manager decides to 1) make effluent limits more stringent, 2) make effluent limits less stringent where the application manager is aware there is public interest in the permit, 3) introduce effluent limits for parameters not in the draft permit, or 4) introduce significant (in the judgment of the application manager or Permits Chief) permit conditions following the draft permit comment period, a revised draft permit will be prepared and issued with a new public notice in the PA Bulletin. A revised fact sheet will be prepared to address the re-drafted permit. All previous documents in WMS will be retained to provide a historical record of the original draft documents.

If a draft permit is issued and then is not finalized for 6 months or more, and during this time standard permit language in WMS is modified in a way that would affect the permittee (the application manager will consult the Permits Chief for this determination), the application manager will prepare and issue a revised draft permit with a new public notice in the PA Bulletin. All previous documents in WMS will be retained to provide a historical record of the original draft documents.

S. Prepare final permit documents following the public comment period.

1. Application managers will enter an end date for the “DP” subtask 30 days following publication in the PA Bulletin.
2. If there continues to be unresolved violations associated with the facility that could, in the Permit Chief’s and/or Program Manager’s judgment, be addressed most effectively through issuance of the permit to require implementation of measures designed to achieve compliance, permit issuance may proceed despite the unresolved violations.
3. For new facilities where a WQM permit is required but a WQM permit application has not been received by the end of the draft permit comment period, the application manager will contact the applicant by phone to remind them that the NPDES permit will not be issued independently of the WQM permit. If the application manager is unable to contact the applicant by phone, or if 90 days elapse following the comment period and the WQM permit application has not been received, the application manager will deny the application as described in Step III E (for renewal applications or Step III F (for new applications).

For existing facilities that are required to upgrade or will be voluntarily upgrading, the application manager may proceed to issue the NPDES permit without the WQM permit (see paragraph IV I.5).

4. Following the review of comments, and assuming there are no unresolved violations or the violations will be addressed as described in paragraph P.1, the permit will not be re-drafted and coordination is not necessary or complete, the draft permit in WMS will be opened, anticipated effective and expiration dates on page 1 will be entered and other minor modifications will be made, and saved back to WMS as a new version. The application manager will then change the status of the document to “Final” and keep the disposition at “Pending.”

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NOTE 14 – If there are any changes to limits or monitoring requirements in the final permit as compared with the draft, those changes must be made to both the permit document and the WMS Limits module.

5. The application manager will generate the final permit cover letter using the WMS template at *Letters – Individual NPDES Final Permit Cover Letter* (or, if the NPDES permit will be issued with a WQM permit, the template at *Letters – Individual NPDES and WQM Final Permit Cover Letter* will be used). The application manager will review the letter carefully to ensure that correct and appropriate facility names, abbreviations, salutations, and other information from eFACTS are used and make edits as needed. The application manager will change the status of the document to “Final” and keep the disposition at “Pending.”
6. The application manager will generate the DMRs and DMR Instructions using the WMS template at *DMRs – Discharge Monitoring Reports*. The application manager will review the DMRs carefully to ensure that correct names and dates are listed, and make edits if needed. The application manager will change the status of the document to “Final” and keep the disposition at “Pending.”
7. The following Supplemental Reports will be generated from the *Supplemental Reports* folder in WMS and saved to WMS for all IW permits (exclude the Daily Effluent Monitoring form where there are no non-stormwater discharges):
 - i Daily Effluent Monitoring (3800-FM-BCW0435);
 - ii Non-Compliance Reporting Form (3800-FM-BCW0440); and
 - iii Lab Accreditation Form (3800-FM-BCW0189).

If the facility is known to introduce chemical additives, generate and save the Chemical Additive Usage form (3800-FM-BCW0439).

If the facility uses a biological treatment process, generate and save the Biosolids Production and Disposal form (3800-FM-BCW0438) and Influent and Process Control form (3800-FMBPNPSM0436 and 3800-FM-BCW0450).

If the facility is known to receive hauled-in municipal and/or residual wastes, generate and save these forms (3800-FM-BCW0437 and 3800-FM-BCW0450).

If the facility has industrial stormwater outfalls, regardless of whether the discharge is commingled with other wastes, generate and save the Stormwater Annual Report (3800-PMBCW0083h).

Attach other supplemental reports, such as those for WET, as appropriate.

8. The Supplemental Report Inventory will be generated from the *Supplemental Reports* folder in WMS and saved to WMS. The application manager will check boxes for all reports that are attached to the permit.
9. The application manager will generate a fact sheet addendum using the WMS template at *Fact Sheets – Addendum* to document comments received following issuance of the draft permit and any changes to the final permit. The addendum will be signed by the application manager, Permits Chief and Program Manager, by typing the signatories' names into the signature block or adding a signature graphic, and will be attached to the front of the original fact sheet for the file.
10. The application manager will enter the anticipated effective and expiration dates into WMS. Note that the effective date for individual permits must be the first day of the month following

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permit issuance. The effective date will not be set to a date in the past and, in general, will not be “post-dated” for the future.

11. All documents will be printed and assembled in the following order: 1) final permit cover letter, 2) final permit, 3) DMRs, 4) Supplemental Report Inventory, 5) Supplemental Reports, and 6) Other attachments added to the package at the discretion of the application manager.

The applicant’s consultant, if applicable, will be copied on the final permit and cover letter. DRBC will be copied if the facility is in the Delaware River watershed. ACHD and ECHD will be copied if the facility is located in those counties. If the permit was modified in response to public comments, the appropriate commentator will be copied.

T. Record scheduled permit requirements into WMS.

1. The application manager or other staff at the discretion of the Program Manager will record scheduled permit requirements into WMS, using the Permit Schedules tab. The requirement and the due date for the requirement will be recorded. The following requirements will be entered and saved, at a minimum:
 - Compliance schedules relating to construction projects and interim and final limits; and
 - Other scheduled requirements with “hard dates” in permits, i.e., not contingent on other events.

NOTE 15 – Narrative dates in permit schedules or limits tables such as “upon completion of construction” cannot be entered into WMS at this time; therefore, a projected date would need to be used that may be adjusted at a later date.

2. Other scheduled permit requirements may be entered into WMS for schedule tracking purposes as deemed necessary (e.g., annual reports, etc.).

V. Final Review (Permits Chief)

The Permits Chief will complete the following tasks upon receipt of the final permit package:

- A. Review the fact sheet addendum and final permit documents, and sign the fact sheet addendum if the Permits Chief is in agreement with the content, or otherwise return the package to the application manager for edits.
- B. Verify that the minimum required documents from Step IV are in WMS as Final – Pending documents.
- C. Verify that any applicable permit coordination has been completed.

Where other DEP permits are required and a coordinated permit issuance is determined to be necessary, following the public comment period the Permits Chief will notify the Program Manager and Assistant Regional Director that the NPDES permit is ready for issuance, and the application manager will enter a “CRR” subtask (B/E Coordinated Application Required) subtask into eFACTS, with a start date corresponding to the day after the end of the comment period and an end date on the date of final permit issuance when authorization is given to issue the permit.

- D. If there are unresolved violations associated with the facility, the Permits Chief will discuss the matter with regional counsel and the Program Manager to decide whether the permit will be issued, will be denied, or whether issuance should be held for the development of an enforcement

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document. If issuance of coverage will be delayed for this reason, a “NC” (Non-Compliance Prohibits Final Decision) subtask will be entered under the Technical Review task.

- E. Submit the final permit package to the Program Manager.

VI. Final Decision (Program Manager)

The Program Manager will complete the following tasks upon receipt of the final permit package:

- A. Review the fact sheet addendum and final permit documents.
- B. Sign the final permit cover letter, the first page of the permit document and the fact sheet addendum if the Program Manager is in agreement with the content. If the documents will be issued electronically, the signature will be made by typing in the name on the signature line (font does not matter) or applying a signature graphic. This may be completed by the permits chief, application manager or administrative staff with the permission of the program manager. If the Program Manager is not in agreement with the content return the package to the Permits Chief for edits.

If the applicant is unwilling or unable to accept an electronic copy of the permit, wet signatures will be applied to the physical permit document, and an “/s/” indicator will be placed on the signature line on the electronic copy.

- C. Submit the final, signed permit package to administrative staff or the application manager (at regions’ discretion).

VII. Final Permit Processing (Administrative Staff or Application Manager)

Administrative staff or the application manager will complete the following tasks upon receipt of the final, signed permit package:

- A. Open the permit document in WMS, enter the issuance date, effective date and expiration date on Page 1, apply a signature indicator (“/s/”) on Page 1, and ensure that the correct effective and expiration dates are on Page 1. The document with the program manager’s electronic signature will be retained in WMS if the documents are sent electronically, otherwise where a wet signature was used, apply a signature indicator (“/s/”) to the document.
- B. Change the Disposition of the final permit cover letter, final permit, DMRs, Supplemental Reports, and all other documents that will be part of the final permit package issued to the applicant from “Pending” to “Issued (Mailed).” Change the Disposition of documents that are not part of the final permit package from “Pending” to “Complete.” Ensure there are no documents in the list with a Disposition of “Pending”.
- C. Enter an end date for the “DR” subtask in eFACTS corresponding to the issuance date.
- D. Issue the authorization in eFACTS.
- E. If the applicant agreed to accept the documents electronically, convert the Word documents to PDF and send via email. The email should notify the permittee that they must acknowledge receipt of the final permit documents. The application manager will retain a copy of the permittee’s written acknowledgment. Otherwise, mail the physical documents to the applicant and consultant (if applicable). The final permit cover letter will be sent via Certified Mail to the applicant only.

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All documents will be assembled in the following order: 1) final permit cover letter, 2) final permit, 3) DMRs, 4) Supplemental Report Inventory, 5) Supplemental Reports, and 6) Other attachments added to the package at the discretion of the application manager.

- F. Transmit copies of the permit package to the Bureau of Clean Water, ECHD, ACHD, DRBC, and other appropriate staff, as applicable.

ATTACHMENT A

Minor IW Permit Conditions (Uses Letters in “Other Requirements” Section)

Condition Name	Description	Typical Uses
Part C 2	Chlorine Minimization	All facilities using chlorine disinfection
Part C 3	Dry Streams	All facilities with discharges to dry swales, intermittent streams, storm sewers, etc.
Part C 4	“Annual Average” Definition	Where annual average limits are applied based on CRL water quality standards
Part C 7	Develop an Operation and Maintenance Plan	Where O&M concerns exist
Part C 8	Must Submit WQM Application (Plant Upgrades)	Use for existing IW or sewage facilities that are completing required or voluntary expansions in which the NPDES permit is not coordinated with the WQM permit
Part C 9	Peak Flow Management Plan	Where overflows/bypasses are occurring at a treatment plant due to peak flows
Part C 10	Osmotic Pressure Definition	Where OP is monitored in the permit
Part C 11	TTO Definition – Electrical ELG (40 CFR 469)	Where the 40 CFR 469 ELG applies (this does not contain a list)
Part C 12	TTO Definition – Metal Finishing ELG (40 CFR 433)	Where the 40 CFR 433 ELG applies (this does not contain a list)
Part C 13	Radiation Protection Plan	All permits where it is known that Marcellus wastewater is received
Part C 14	316(a) Variance Condition	Where thermal limits based on 316(a) variances are used in permits
Part C 15	Temperature 2 Degree Hourly Change	All discharges that may vary in temperature throughout the day
Part C 16	Chlorine Use at Power Plants	Power plants; this language is from the steam electric ELG
Part C 17	No Net Addition of Pollutants to NCCW	Non-contact cooling water discharges
Part C 18	No PCBs May Be Discharged	IW Permits (typically power plants)
Part C 19	Releases of Radioactive Material	Nuclear power plants and laundries
Part C 20	DRBC May Have Other Requirements	Discharges to Delaware River basin
Part C 21	Discharges to SP Waters – Delaware River	Discharges to special protection waters in Lower Delaware River basin
Part C 22	Temperature Limits for Delaware River (Non-Tidal)	Thermal discharges to non-tidal portions of Delaware River
Part C 23	Temperature Limits for Delaware River (Tidal)	Thermal discharges to tidal portions of Delaware River
Part C 24	DRBC Mixing Zones (Tidal)	Discharges to tidal portions of Delaware River
Part C 25	DRBC Mixing Zones (Non-Tidal)	Discharges to non-tidal portions of Delaware River
Part C 26	Submit Pollutant Reduction Report	Industrial stormwater discharges
Part C 27	ORSANCO Signage Requirement	Discharges to waters regulated by ORSANCO
Part C 29	Must Obtain WQM Permit (New Facilities)	When the NPDES permit is issued prior to the WQM permit for new facilities
Part C 30	Approval Required From DRBC	When the NPDES permit is issued prior to DRBC docket approval

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Condition Name	Description	Typical Uses
Part C 32	Cooling Tower Maintenance Chemicals	Cooling tower blowdown discharges

Major IW Permit Conditions (Uses Roman Numerals)

Condition Name	Description	Typical Uses
Part C 102	Chesapeake Bay Nutrient Definitions	Chesapeake Bay dischargers
Part C 103	Schedule of Compliance	All permits where multiple milestones are needed for compliance
Part C 112A	New Site-Specific Criteria Study	Where existing SSC are > 10 years old
Part C 112B	WQBELs for Toxic Pollutants	Where WQBELs for toxic pollutants are established in the final permit Part A; includes optional TRE requirements
Part C 114	Whole Effluent Toxicity – No Permit Limits	No limits for WET established in permit
Part C 115	Whole Effluent Toxicity – Permit Limits	Limits for WET established in permit
Part C 116	WQBELs Below Detection Limits	Any permit in which WQBELs established in Part A of the permit are less than the most sensitive MDL for the parameter in Chapter 16, Tables 2A and B
Part C 117	Time Extension to Meet WQBELs	Where 95.4 WQBEL time extensions apply
Part C 118	Chemical Additives	All industrial discharges that use biocides or maintenance chemicals (not stormwater only facilities)
Part C 119	TRC Schedule and Site-Specific Studies	All facilities that have interim and final TRC limits in Part A of the permit and it is known that the facility cannot currently achieve the final limits
Part C 120	TRC Limits Below MDLs	All permits with average monthly TRC limits < 0.02 mg/L
Part C 121	Heat Rejection Rate Limits	Power plants and others with heat rejection rate limits
Part C 122	316(b) New Facility Cooling Water Intakes	New Phase I facilities
Part C 123A	Industrial Stormwater Requirements	All IW facilities with stormwater discharges
Part C 124	Petroleum Marketing Terminals	PMTs
Part C 125	Concrete Batch Plant BMPs	IW stormwater - Concrete Batch Plants Only
Part C 126	Receipt of Natural Gas Wastewater	All permits where it is known that natural gas wastewater is received
Part C 127	Total Toxic Organics (List of Pollutants)	Where TTO is monitored in permit and the full list of TTO parameters is applicable
Part C 128	BMP Plan and Minimum Required BMPs for Aquaculture	Individual aquaculture permits
Part C 129	Drug and Chemical Usage for Aquaculture Facilities	Individual aquaculture permits
Part C 130	Delaware River PCB TMDL – New PMP and Monitoring	“Groups 1 and 2” discharges to Delaware River
Part C 131	Delaware River PCB TMDL – Continue PMP and Monitoring	“Groups 1 and 2” discharges to Delaware River

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Condition Name	Description	Typical Uses
Part C 132	Schuylkill River PCB TMDL – Monitoring Requirements	Discharges to the Schuylkill River
Part C 133	Water Treatment Plant Basin Cleaning	Water treatment plants with sedimentation basins
Part C 134	Groundwater Cleanup Conditions	Individual groundwater cleanup IW permits
Part C 135	Landfill Leachate Conditions	Landfill leachate discharges
Part C 136	ORSANCO Fecal Coliform	Discharges to waters regulated by ORSANCO
Part C 137	316(b) Existing Facility Cooling Water Intakes	IW facilities with cooling water intake structures which meet the requirements of 40 CFR 125.91(a)
Part C 138	Schuylkill River PCB TMDL – Submit Plan	Discharges to the Schuylkill River
Part C 139	BPJ for 316(b) Existing Facility Cooling Water Intakes	IW facilities with cooling water intake structures which do not meet the requirements of 40 CFR 125.91(a)
Part C 140	PFAS Reduction Plan (Detections)	PFAS pollutants were detected in effluent for renewal application sampling
Part C 140A	PFAS Reduction Plan (No Detections)	PFAS pollutants were not detected in effluent for renewal application sampling
Part C 141	BMPs for AFFF	Indication that a facility uses PFAS-containing AFFF
Part C 142	Schuylkill River PCB TMDL – Continue Monitoring	Discharges to the Schuylkill River

Version History

Date	Version	Revision Reason
4/3/2026	1.7	Added Part C 140A condition to Attachment A for major facilities that had no PFAS detections for renewal application sampling; updated eFACTS Data Received entry.
12/9/2025	1.7	Updated Section IV.O. to indicate that when an IW facility is modified from a Minor facility to Major facility or vice versa, the pending authorization should be set to Entered in Error and a new authorization created with an authorization type matching the updated fee category.
8/12/2025	1.7	Updated Sections I.F and IV.P.8.f to include PA Fish & Boat Commission as a recipient of the application and draft permit documents if Module 5 (Cooling Water Intake Structure) was submitted.
5/14/2025	1.7	Added paragraphs to Section I.F and IV.P.8.f instructing staff to email the application and draft permit documents to federal agencies if Module 5 – Cooling Water Intake Structure was submitted.
2/5/2024	1.6	Updated references of NMS to WMS; added information for electronic fee payments; added existing and designated use review; updated decision criteria for re-drafting permits; added requirements for updated PA Bulletin Process; updated electronic signature requirements; removed sections for completeness review and final permit review and processing.
10/11/2013	1.5	Added Section IV Q to indicate that minimum scheduled permit requirements will be recorded in NMS.
8/15/2013	1.4	Updated Section IV M relating to issuance of draft permits to specify that fact sheets prepared to support draft permits will be sent to applicants with other draft permit documents. In addition, procedures for electronic transmission of draft permit documents have been introduced.
7/16/2013	1.3	Updated Section II to indicate that the Permits Chief will notify the regional Late Application Coordinator if a permit renewal application has been submitted late. Updated Section III to indicate that incompleteness letters will be sent to permittees if a renewal application is significantly deficient.
3/7/2013	1.2	Added a reference to the Program Clarification Memo on Permit Coordination in the introduction, and removed the requirement for Permits Chiefs to verify coordination requirements in Section II before the completeness review. Added Part C 29 (issuance of NPDES permit prior to WQM for new facilities) and Part C 30 (issuance of NPDES permit prior to DRBC docket approval) to Attachment A.
12/28/2012	1.1	Clarified in Section I A.2 that if a fee is missing, it should be treated as an underpayment in accordance with the Management Directive.
11/9/2012	1.0	Original