

# **Standard Operating Procedures for Processing Municipal and Residual Waste General Permit Applications**

**Bureau of Waste Management**



**Revised 9/18/2014**

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## **Standard Operating Procedures (SOPs)<sup>1</sup> for Processing Permit Applications Municipal and Residual Waste – General Permits**

This SOP describes the procedures by which staff in the Waste Management Program will conduct administrative reviews and technical reviews of General Permit application materials, including new applications, renewal applications, registrations, determinations of applicability (DOA), and modifications. The procedures herein describe the Bureau’s process for management of general permit applications in accordance with the Policy for Implementing the Department of Environmental Protection’s (Department) Permit Review Process and Permit Decision Guarantee, 021-2100-001, and Policy for Permit Coordination, 021-2000-301.

All General Permit Applications are included in the Permit Decision Guarantee (PDG), with a permit decision guaranteed within the timeframes specified in the following table:

Table 1

Application Type	Total Processing Time (in business days)
New & Renewal*	143
Registration or Modification to a Registration	43
DOA or Modification to a DOA	86
Modification to the original General Permit	100

\*Application Managers should follow the “General Permit Renewal Procedure” described in Attachment 1 once a general permit has 15 months remaining prior to expiration.

Please note that the Processing Time for an application does not begin until the application is accepted as “Complete”.

### **I. Receipt of Application:**

A. When applications are received, staff will:

1. Stamp the application with the date received.

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<sup>1</sup> DISCLAIMER: The process and procedures outlined in this Standard Operating Procedure (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.

2. Create the authorization record in eFACTS.
  - a. Select the proper authorization type code and verify that the correct fee was submitted.
  - b. Select the proper application type using the appropriate regional organization code.
  - c. Associate the proper client address (PF) and site address to the project/authorization.
  - d. Enter the date the application was received.
  - e. Enter or review/update Primary Facility (PF) and Sub Facility (SF) details.
  - f. Assign an Application Manager to the application, and enter the Application Manager as the lead reviewer. If an Application Manager has not been assigned, enter the Permits Chief as the lead reviewer.
  - g. If a consultant is indicated on the application and the consultant already exists as a “client” in eFACTS, enter the consultant’s information on the “Consultant” tab of the authorization record. If the consultant does not have a client record in eFACTS, create a client record for the consultant. When creating a new client record for a consultant and the “client type” (i.e., corporation, individual, etc.) is not known, select “other” from the menu.
3. Copy the check (application fee) and attach the copy to the application with the account information redacted. The original check should be processed in accordance with Management Directive OAM-1000-01, *Deposit of Fees, Fines, Penalties and Other Revenue*.
4. Give the application package to the Permits Chief.

**II. Correspondence with the Applicant:** All written and verbal correspondence with the Applicant should be documented and retained in the application file in accordance with the Department’s applicable Records Retention and Disposition Schedule and Management Directive 210.5, *The Commonwealth of Pennsylvania State Records Management Program*, including copies of letters and emails to and/or from the Applicant. Discussions during face-to-face meetings should be documented in meeting notes or minutes. All documentation should be retained with the Applicant’s file and made accessible to other Bureau staff to

allow others to check the latest correspondence in cases where the Application Manager, or other assigned staff, is out of the office.

**III. Coordination and Prioritization:** Upon receipt of an application package, the Permits Chief or assigned staff will:

- A. Determine whether or not enhanced public participation is needed, in accordance with the Environmental Justice Public Participation Policy, 012-0501-002.
- B. Determine whether coordination with other programs is needed, in accordance with the Department's Policy for Permit Coordination, 021-2000-301. Note on the application file or permit tracking sheet whether permit coordination is needed so that the Application Manager is aware of needed coordination.
- C. Prioritize the application in accordance with the "Permit Review Hierarchy" contained in Section II.B of the Department's Permit Review Process and Permit Decision Guarantee Policy, 021-2100-001. Note the hierarchy number, as contained in the Policy, on the application file or permit tracking sheet.
- D. Route the application to the assigned Application Manager.

**IV. Completeness Review:** With the exception of Registrations, Completeness Reviews will be conducted in accordance with Section 271.822 of the Municipal Waste Regulations, 25 Pa Code §271.822, or Section 287.622 of the Residual Waste Regulations, 25 Pa Code §287.622, whichever is applicable. Applications for Registrations will be reviewed for completeness in accordance with Section VI below (Registrations, DOAs & Modifications to Coverage under a General Permit).

- A. Review of Application: Upon receipt of an application, the Application Manager or other assigned staff will:
  - 1. Review the application based on the priority assigned to the application.
  - 2. Review the application for administrative completeness, as determined based on the regulatory and statutory requirements of 25 Pa Code §271.822, or 25 Pa Code §287.622, whichever is appropriate, as well as the permit application checklist. An administratively complete application includes the following:

- a. All forms indicated on the appropriate application checklist were submitted with the package, including the appropriate number of copies. All applicable sections of the application must be completed. If a section is not filled in and the Application Manager believes it is not applicable to the facility, the application may be considered acceptable.
  - b. All necessary attachments to the forms.
  - c. The appropriate application fee.
3. Review the application for technical adequacy. A technically-adequate application should contain the necessary information, maps, fees, and other documents, and said items should be of sufficient detail for a technical review of the application to be conducted, as described in the Department's Policy for Permit Review Process and Permit Decision Guarantee, 021-2100-001.
  4. Review the application to determine whether bonding is necessary in accordance with Section I. of the "Standard Operating Procedures for Reviewing Financial Assurances" document.
- B. Complete Applications: When an application is determined to be complete based on Section IV.A above, the Application Manager or other assigned staff will:
1. Prepare a Notice of the application's receipt for publication in the *Pennsylvania Bulletin*. If the application is for a new permit; permit renewal; major modification to an original general permit, as defined in 25 Pa Code §271.144(b), or 25 Pa Code §287.154(b); or DOA under a general permit, public notice of the application's receipt is published in the *Pennsylvania Bulletin*, commencing a public comment period, if required.
  2. Prepare and send an Acceptance Letter explaining the technical review process and identifying any other needed permits. The letter should also contain information regarding the PDG timeframe for the application.
  3. Update the eFACTS record to note that the application was determined to be complete. eFACTS will begin recording the processing time for the application.
  4. Distribute copies of the application to Regional and District offices, as appropriate.
  5. Proceed to Section V or VI, based on the type of application submitted.

- C. Incomplete Applications: When an application is determined to be incomplete based on Section IV.A above, the Application Manager or other assigned staff will:
1. Prepare a letter notifying the applicant that the application is incomplete, in accordance with paragraphs a or b below. The letter should identify the specific information, maps, fees, and documents that are necessary to make the application administratively complete and technically adequate, and provide a deadline to respond. The applicant's response is required within 90 calendar days (63 business days) of the date of the deficiency letter.
    - a. For Municipal Waste applications, the letter will be sent within 30 calendar days of receipt, in accordance with 25 Pa Code, §271.822(b).
    - b. For Residual Waste applications, the letter will be sent within 60 calendar days of receipt, in accordance with 25 Pa Code §287.622(b).
  2. If the applicant fails to provide the information, maps, fees and documents within 90 calendar days of receiving the notice of incompleteness, deny the application in accordance with 25 Pa Code §271.822(c), or §287.622(c), whichever is applicable.
    - a. Prepare a letter for the Program Manager's signature that denies the application. The letter must specify where the application is deficient, including specific applicable regulatory and statutory citations.
    - b. Close out the eFACTS authorization.
    - c. Prepare a Notice of the application's denial for publication in the *Pennsylvania Bulletin*.
  3. Upon receipt of additional information, the Department will determine if the application is complete based on the criteria in 25 Pa Code §271.822 or 25 Pa Code §287.622, whichever is applicable, and Section IV.A above.
  4. If the submittal of additional information is not sufficient to make the application complete, the application will be denied in accordance with paragraph IV.C.2, above.

**V. New & Renewal General Permit Applications and Applications for Modification to a**

**General Permit:** See Figure 1, attached. When applications for new and renewal general permits or applications for modifications to an original general permit are received, the applications are processed in accordance with Sections I-IV, above, before conducting a technical review as described in this section.

- A. **Technical Review:** Following the Completeness Review, staff will begin the technical review process based on order of priority. Any conflicts that arise will be resolved by the Permits Chief and Program Manager. If a resolution cannot be reached, the Bureau Director will be consulted.

The Application Manager will coordinate the following:

1. Review the application to ensure that the application contains all of the necessary scientific and engineering information, as well as project design, to address applicable regulatory and statutory requirements. A technical review of the application may include the following:
  - a. An evaluation of whether the proposed use of the waste is beneficial and whether the proposal is legally authorized by 25 Pa Code §271.811, or 25 Pa Code §287.611, whichever is applicable.
  - b. Evaluation of siting criteria and existing conditions, which may include a site visit.
  - c. Review of application forms, attachments and drawings for compliance with regulatory and statutory requirements which apply to the applicant's project. For renewal applications and modifications, evaluate changes proposed to the project.
  - d. Evaluation of the physical and chemical composition of the waste.
2. Review Public Comments: If public comments are received in response to the public notice published in the *Pennsylvania Bulletin* (Section IV.B.1), the Application Manager will:
  - a. Review the comments.

- b. Determine whether the permit application should or may be modified to address the comments.
- c. Prepare a Comment-Response document, in accordance with the Department's Policy on Public Participation in the Permit Application Review Process, 012-0900-003.
- d. Extension of the Public Comment Period: If an applicant proposes changes to a project proposal after the public comment period closes, the Department will consider whether it is appropriate or useful to afford an additional opportunity for public review and comment.

If the Department concludes that the public comment period should be extended, the Application Manager or assigned staff will publish the corresponding notice in the same venues in which the original notice was published and will notify all individuals who provided comments on the initial permit applications.

3. Technically Complete Applications: When the application is determined to be technically complete, the Application Manager will proceed to Section V.B below (Permit Decision).
4. Technically Deficient Applications: When an application is determined to be technically deficient, the Application Manager will:
  - a. Prepare a technical deficiency letter and send to the Applicant. The letter should:
    - i. Specify where the application is deficient, including citations of the specific statute(s) and/or regulation(s) that the application failed to meet.
    - ii. Notify the Applicant that the PDG is voided.
    - iii. Inform the Applicant of any appropriate public concerns.
    - iv. Offer the Applicant an opportunity to meet and discuss the deficiencies.
    - v. Include a 60 calendar day deadline for submitting a response.
  - b. Enter a subtask of "SDN" (Send Deficiency Notice/Receive Response) into eFACTS with a start date corresponding to the date of the technical deficiency letter.

- c. Proceed with one of the following categories:
  - i. If the Applicant submits a response to the technical deficiency letter within the 60 calendar day deadline, and based upon the information received, the application can be considered technically complete, the Application Manager will:
    - 1) Enter the date the applicant's response was received into eFACTS.
    - 2) Proceed in accordance with Section V.B (Permit Decision).
  - ii. If the Applicant fails to respond within the 60 calendar day deadline, or if the submittal of additional information is not sufficient to make the application technically complete, the Application Manager will:
    - 1) Enter the date the applicant's response was received into eFACTS.
    - 2) Proceed below to paragraph 5 (Elevated Review Process).
- 5. Elevated Review Process: Once the elevated review process is initiated, it must be completed within 15 business days. The Bureau Director and/or Deputy Secretary may be contacted in regard to any conflicts that arise during the elevated review process.
  - a. The Application Manager will immediately:
    - i. Notify the Permits Chief and Program Manager that the elevated review process is required.
    - ii. Enter the start date of the elevated review process into eFACTS.
  - b. Upon notification from the Application Manager, the Program Manger or Permits Chief will:
    - i. Notify the Regional Director of the need for elevated review.
    - ii. Arrange a time to discuss the details and deficiencies of the application with the Regional Director.
    - iii. Agree on a direction in which to proceed in regard to a permit decision with all involved staff. A face-to-face meeting with all involved staff and the Applicant and consultant(s) may be necessary to discuss the technical

deficiencies of the application before proceeding with a permit decision. If a meeting is necessary, the Program Manager or assigned staff will schedule a meeting with the Applicant and consultant(s) and all involved staff.

- iv. If the meeting results in a resolution, the Regional Director may provide the Applicant with an additional 10 business days to submit a response that addresses the technical deficiencies contained in the application and meets all regulatory and statutory requirements.
  - v. If the Applicant fails to provide a response that is sufficient to make the application technically complete within the additional 10 business days provided, or if a resolution cannot be reached, the deficiencies will be elevated to the Bureau Director, who will have 15 business days from the day of first notification, to provide direction on the application in regard to a permit decision. The elevated review process will receive the highest priority by the Bureau Director. Assistant Regional Directors or appropriate Bureau Division Chiefs may substitute for the Bureau Director when necessary in order to meet the 15 business day deadline.
- c. The Application Manager or assigned staff will enter the end date of the elevated review process into eFACTS.
  - d. Proceed to Section V.B below (Permit Decision).

**B. Permit Decision:** For applications included in PDG, the technical review must be completed and a permit decision must be made within the processing time identified in Table 1 of this SOP. Based on the outcome of the technical review, the Department will proceed with one of the following categories:

- 1. If the Department has not surpassed the PDG processing time, or PDG is void, the application will be approved or denied as follows:
  - a. Approval of Application

If the application is determined to be complete and meets all applicable regulatory and statutory requirements with no remaining deficiencies, the permit is recommended for approval. The Application Manager or assigned staff will:

- i. If the application was determined to require a bond during the completeness review (paragraph IV.A.4), follow the procedures outlined in Section II. of the “Standard Operating Procedures for Reviewing Financial Assurances” document.
  - ii. Create a draft general permit which will include, but shall not be limited to:
    - 1) All waste material that the general permit will authorize for processing and/or beneficial use, if applicable.
    - 2) The DOA or registration requirements.
    - 3) Specific operating requirements.
    - 4) Parameters for sampling and analysis.
    - 5) Frequency of monitoring.
    - 6) Recordkeeping requirements.
    - 7) Reporting requirements.
    - 8) For renewal applications, an evaluation of whether proposed changes to the permit are warranted. Major changes should be drafted and sent to the Applicant for comment.
  - iii. Provide the draft general permit to appropriate staff for review and comment. Review internal comments and modify the draft as appropriate.
  - iv. Send the draft general permit to the Applicant for review. Review comments submitted by the Applicant in response to the draft general permit and modify the draft as appropriate.
  - v. If permit coordination is needed, hold the permit application for coordination with all other permit applications in accordance with the Department’s Policy for Permit Coordination, 021-2000-301.
  - vi. If permit coordination is not needed or once permit coordination requirements are met, the permit will be issued to the applicant.
  - vii. Proceed to Section V.C below (Post Decision).
- b. Denial of Application

If the application contains technical deficiencies after two technical reviews; or the required bond is not submitted, approved or executed and the determination is made during the elevated review process that the application should be denied; and/or the Applicant cannot meet all applicable statutory and regulatory requirements, the application will be recommended for denial. The application manager or assigned staff will:

- i. Notify the Program Manager, Regional Director & Assistant Regional Director, where appropriate.
- ii. Prepare a letter, for the Program Manager's signature, that denies the application. The letter will:
  - 1) Specify where the application is deficient, including specific applicable regulatory and statutory citations.
  - 2) Copy the appropriate program staff, Regional Director, Legal Staff, and if applicable, the host county and municipality.

**Note:** The application fee is not returned for applications that are denied. If the Applicant chooses to amend and resubmit the application following appropriate Municipal and Residual Waste Program requirements and procedures, the resubmitted application is treated as a new application.

2. If the Department fails to meet the PDG processing time and PDG is still valid:
  - a. A decision on the application is prioritized as the next actionable application within the Municipal and Residual Waste Program.
  - b. The Program Manager and Regional Director will have five (5) business days to make a permit decision.

If the five (5) business day timeframe is not met, a meeting with the Secretary of the Department is scheduled to determine why the deadline was missed.

- i. If the application is determined to be complete and meets all applicable regulatory and statutory requirements with no remaining deficiencies, the permit is approved following the steps in paragraph V.B.1.a (Approval of Application).

- ii. If the application does not meet all applicable regulatory and statutory requirements or has remaining deficiencies, the permit is denied following the steps in paragraph V.B.1.b (Denial of Application).

**C. Post Decision:** After a permit decision has been made, the Application Manager will:

- a. Enter the appropriate disposition and end dates in eFACTS.
- b. Publish appropriate notice of the permit action in the *Pennsylvania Bulletin*.
- c. If issued, post the general permit on the Department's website.
- d. If a comment response document was generated, distribute to the commentators and interested parties.
- e. Transmit the case files to the Program's file room.

**VI. Registrations, DOAs & Modifications to Coverage under a General Permit:** See Figure 1, attached. When applications for Registrations under a general permit are received, the completeness review is conducted in accordance with Section VI.A, below. The completeness review for DOAs is conducted in accordance with Section IV, above, before a technical review is completed as described in this section.

**A. Completeness Review for Registration Applications:**

1. Review the application for technical adequacy. A technically adequate application should contain the necessary information, maps, fees, and other documents, and said items should be of sufficient detail for a technical review of the application to be conducted, as described in the Department's Policy for Permit Review Process and Permit Decision Guarantee, 021-2100-001.
2. **Complete Applications:** When a registration application is determined to be complete, the Application Manager or other assigned staff will:
  - a. Prepare and send an Acceptance Letter explaining the technical review process and identifying any other required permits. The letter should also contain information regarding the PDG timeframe for the application.



1. Review the application to ensure that the application contains all of the necessary scientific and engineering information, as well as project design, to address regulatory and statutory requirements. A technical review of the application may include the following:
  - a. An evaluation of whether the proposed use is beneficial and whether the proposal is legally authorized by 25 Pa Code §271.811, or 25 Pa Code §287.611, whichever is applicable.
  - b. Evaluation of siting criteria and existing conditions, which may include a site visit.
  - c. Review of application forms, attachments and drawings for compliance with regulatory and statutory requirements which apply to the applicant's project. For renewal applications, evaluate changes proposed to the project.
  - d. Evaluation of the physical and chemical composition of the waste.
2. Review Public Comments: If public comments are received, the Application Manager will:
  - a. Review the comments.
  - b. Determine whether the permit application should or may be modified to address the comments.
3. Technically Complete Applications: When the application is determined to be technically complete, the Application Manager will proceed to paragraph VI.C (Permit Decision).
4. Technically Deficient Applications: When an application is determined to be technically deficient, the Application Manager will:
  - a. Prepare a technical deficiency letter and send to the Applicant. The letter should:
    - i. Specify where the application is deficient, including citations of the specific statute(s) and/or regulation(s) that the application failed to meet.
    - ii. Notify the Applicant that the PDG is voided.
    - iii. Inform the Applicant of any appropriate public concerns.
    - iv. Offer the Applicant an opportunity to meet and discuss the deficiencies.

- v. Include a deadline for submitting a response. The letter should include a deadline for response within 15 calendar days for registration applications, and 30 calendar days for DOAs.
  - b. Enter a subtask of “SDN” (Send Deficiency Notice/Receive Response) into eFACTS with a start date corresponding to the date of the technical deficiency letter.
  - c. Proceed with one of the following categories:
    - i. If the Applicant submits a response to the technical deficiency letter within the prescribed deadline, and based upon the information received, the application can be considered technically complete, the Application Manager will:
      - 1) Enter the date the applicant’s response was received into eFACTS.
      - 2) Proceed in accordance with Section VI.C (Permit Decision).
    - ii. If the Applicant fails to respond within the prescribed deadline, or if the submittal of additional information is not sufficient to make the application technically complete, the Application Manager will:
      - 3) Enter the date the applicant’s response was received into eFACTS.
      - 4) Proceed in accordance with paragraph V.A.5, above (Elevated Review Process) and Section VI.C below (Permit Decision).
- C. Permit Decision:** For applications included in PDG, the technical review must be completed and a permit decision must be made within the processing time identified on the Table 1 of this SOP. Based on the outcome of the technical review, the Department will proceed with one of the following categories:
- 1. If the Department has not surpassed the PDG processing time, or PDG is void, the application will be approved or denied as follows:
    - a. Approval of Application

If the application is determined to be complete and meets all applicable regulatory and statutory requirements with no remaining deficiencies, the permit is recommended for approval. The application manager or assigned staff will:

- i. If the application was determined to require a bond during the completeness review (paragraph IV.A.4), follow the procedures outlined in Section II. of the “Standard Operating Procedures for Reviewing Financial Assurances” document.
- ii. Prepare a cover letter using Program templates and the first page of the general permit. The conditions of the general permit as originally issued are attached.
- iii. If permit coordination is needed, hold the permit application for coordination with all other permit applications in accordance with the Department’s Policy for Permit Coordination, 021-2000-301.
- iv. If permit coordination is not needed or once permit coordination requirements are met, the permit will be issued to the applicant.
- v. Proceed to Section VI.D below (Post Decision).

b. Denial of Application

If the application contains technical deficiencies after two technical reviews; or the required bond is not submitted, approved or executed and the determination is made during the elevated review process that the application should be denied; and/or the Applicant cannot meet all applicable statutory and regulatory requirements, the application will be recommended for denial. The application manager or assigned staff will:

- i. Notify the Program Manager, Regional Director & Assistant Regional Director, where appropriate.
- ii. Prepare a letter, for the Program Manager’s signature, that denies the application. The letter will:
  - 1) Specify where the application is deficient, including specific applicable regulatory and statutory citations.

- 2) Copy the appropriate program staff, Regional Director, Legal Staff, and if applicable, the host county and municipality.

**Note:** The application fee is not returned for applications that are denied. If the Applicant chooses to amend and resubmit the application, following appropriate Municipal and Residual Waste Program requirements and procedures, the resubmitted application is treated as a new application.

2. If the Department fails to meet the PDG processing time and PDG is still valid:
  - a. A decision on the application is prioritized as the next actionable application within the Municipal and Residual Waste Program.
  - b. The Program Manager and Regional Director will have five (5) business days to make a permit decision.

If the five (5) business day timeframe is not met, a meeting with the Secretary of the Department is scheduled to determine why the deadline was missed.

- i. If the application is determined to be complete and meets all applicable regulatory and statutory requirements with no remaining deficiencies, the permit is approved following the steps in paragraph VI.C.1.a (Approval of Application).
    - ii. If it is determined that the application does not meet all applicable regulatory and statutory requirements or has remaining deficiencies, the permit is denied following the steps in paragraph VI.C.1.b (Denial of Application).
- D. **Post Decision:** After a permit decision has been made, the Application Manager will:
  - a. Enter the appropriate disposition and end dates in eFACTS.
  - b. Publish appropriate notice of the permit action in the *Pennsylvania Bulletin*.
  - c. Transmit the case files to the Program's file room.

VII.

**General Permit Renewal Procedure**

**Bureau of Waste Management**



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**15 Months Year before Expiration Date**

The Central Office Application Manager will send a notification letter to all permittees operating under a general permit (GP) by mail or email at least 15 months prior to the expiration date of the current GP to remind the permittees that their permit is expiring; inform them of what is required for renewal; and notify them that the renewal should be submitted at least 180 calendar days prior to the expiration date of the general permit. The correspondence also requests that the permittees notify DEP of their intention to either submit a renewal application or allow coverage under the permit to lapse. In addition, the letter requests that permittees submit any suggested changes to DEP within 60 calendar days. The Application Manager will Cc appropriate Regional Staff on the letter and send a list of all permittees that were contacted. The Regional Staff will review the list and add any permittees that were not initially included. Regional Staff will inform the Application Manager whether or not additional permittees were added to the list.

Responses by any of the permittees that may include suggested modifications to the General Permit and/or notification of intent to submit a renewal application will be copied and sent to the Regional Office Staff in which the permittee's facility is located.

The Central Office Application Manager will consult with Regional Office Staff to determine compliance of the existing permittees with the standard permit conditions. Based upon permittee compliance, the Central Office Application Manager will determine:

- if the standard permit conditions need to be modified,
- if a permittee needs to apply for an individual permit, or
- if the general permit should expire.

If it is determined that the general permit should be allowed to expire, all permittees operating under the general permit will be required to obtain an individual permit in order to continue operating.

**13 Months before Expiration Date**

The Central Office Application Manager will attempt to call or email any permittee who has not responded to the notification letter to determine whether or not the permittee plans to submit a renewal application. Any correspondences will be copied and sent to the appropriate Regional Office.

Central Office will notify the Regional Offices of any permittees who still have not responded regarding their plan to submit or refrain from submitting a renewal application. Regional Inspectors will visit the facility of these permittees and, if the facility is still in operation, inquire as to whether or not the permittee intends to submit a renewal application.

The Central Office Application Manager will be notified of any pertinent information resulting from the visit.

**12 Months before Expiration Date**

For a general permit where renewal applications are expected, the Central Office Application Manager assembles suggested modifications from permittees and DEP staff. The Application Manager reviews the suggested changes and discusses with the Permits Chief and other DEP staff, as appropriate. The Application Manager will determine whether or not the suggested modifications by a permittee would yield a modified GP that is similar enough to an existing GP that the permittees would be able to effectively function within the existing permit's revised conditions. The Application Manager drafts a revised general permit with changes based on any appropriate suggestions, revised standards, and changes in permit format and standard conditions that were revised since the original GP was issued. The draft GP is reviewed by the Permits Chief. Any substantial changes to requirements in the GP will be discussed with the Program Manager. The Program Manager will decide if the draft should be discussed with the Bureau Director.

**Nine Months before Expiration Date**

The draft GP is circulated to the Regions and any other appropriate programs for review and comment. Any comments must be submitted within 30 calendar days.

If major modifications to an original general permit, as defined in 25 Pa Code §271.144(b), or 25 Pa Code §287.154(b) are proposed, the Application Manager prepares and submits notice of the proposed major modifications for publication in the *Pennsylvania Bulletin*.

**Eight Months before Expiration Date**

The Application Manager and Permits Chief evaluate comments received and revise the draft GP as appropriate within 2 weeks. The Program Manager is consulted, if appropriate.

If the revised draft GP contains minor modifications, the revised draft GP will be sent to all permittees that have applied for renewal for review and comment. Any comments to the minor modification must be submitted within 30 calendar days.

If major modifications to the original general permit were suggested, the 60-day public comment period for the *Pennsylvania Bulletin* submission begins. Any comments to the proposed major modifications by permittees should be submitted through this public comment process.

**Six Months before Expiration Date**

Regional Offices will be notified of any GP renewal applications that are received by Central Office. Any renewal Registrations or DOAs received by Central Office from permittees that were initially approved through a Regional Office will be sent to the appropriate Regional Office for review.

Central Office and Regional Offices will review any GP renewal applications received in accordance with the process outlined in Sections I-V of the SOP for GPs. If no renewal applications are received, appropriate Central Office Staff will determine whether or not the general permit will be renewed.

If comments are received from permittees or through the public comment process, the Application Manager will prepare a comment-response document in accordance with the "Policy on Public Participation in the Permit Review Process," 012-0900-003. The Application Manager will discuss the public comments and possible changes to the draft GP with the Permits Chief, as well as technical staff and the regional offices as appropriate. The Permits Chief will consult with the Program Manager and the Bureau Director on the comments and changes, if warranted.

### **Three Months before Expiration Date**

The Application Manager will prepare the revised GP for issuance. Upon completion, the revised GP will be sent to all appropriate Regional Office Staff. If any changes were made to the draft GP based on comments received by permittees or received during the public comment period, a copy of the revised GP will be sent to permittees who submitted a renewal application. Permittees will then be granted 30 calendar days to update their GP renewal application based on changes existing within the revised GP, if necessary.

### **Two Months before Expiration Date**

Regional Office Staff will conduct compliance checks for permittees who submitted a general permit renewal application. Regional Office Staff will also ensure that permittee site personnel are familiar with the revised general permit conditions, if applicable.

The Application Manager will inform the Executive Staff that the GP will be renewed and will prepare a *Pennsylvania Bulletin* notice.

### **General Permit Renewal (Issuance)**

The GP renewal will be issued with the effective date equal to the expiration date of the original GP.

The Central Office Application Manager will notify the Regional Offices of the GP renewal and will follow the Post-Decision procedure outline in Section V.C, above.

**VIII. General Permit Review Procedure**



