

**Standard Operating Procedure (SOP)¹ for Clean Water Program
New and Reissuance Sewage Individual NPDES Permit Applications
Final, November 9, 2012
Revised, October 11, 2013
Version 1.8**

This SOP describes the procedures by which the Clean Water Program will process applications for new and reissuance (renewal) municipal sewage (POTW) and non-municipal sewage individual NPDES permit applications. The authorization types covered by this SOP are “MISF1” (Minor Sewage Facility <0.05 MGD), “MISF2” (Minor Sewage Facility ≥0.05 and <1 MGD), “MISF3” (Minor Sewage Facility with CSO), “MASF1” (Major Sewage Facility ≥1 and <5 MGD), “MASF2” (Major Sewage Facility ≥5 MGD) and “MASF3” (Major Sewage Facility with CSO).

This SOP is intended to comply with DEP’s Policy for Implementing the Department of Environmental Protection (Department) Permit Review Process and Permit Decision Guarantee (021-2100-001) (“PDG Policy”). Only certain types of applications are subject to the Permit Decision Guarantee (PDG) described in the PDG Policy. New individual sewage permit applications **ARE** part of the Permit Decision Guarantee (PDG), with a guaranteed permit decision within **188 business days** (this is applicable to MISF1, MISF2, MISF3, MASF1, MASF2 and MASF3 authorization types). Renewal sewage individual permit applications **ARE NOT** part of the PDG.

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.

In general, administrative staff will check the fee category in eFACTS or use the NMS query at *Permits – Authorizations – Which Auth Type to Use* (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.

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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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 Central Office to change the fee category in eFACTS.

NOTE – 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 – Only the following clients are exempt from Chapter 92a permit application fees: DEP, EPA, PFBC, DCNR, PennDOT, 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. Prepare the physical check payment for transmission to the regional business office following Management Directive OAM-1000-01, and enter the fee payment against the authorization in eFACTS, unless the client is fee exempt. A copy of the check will be made and placed in the application file. 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.
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.

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.

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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 “Sewage Publicly Owned (Muni)” or “Sewage Non-Publicly Owned (Non-Muni),” 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. For municipal sewage use 4952 for primary SIC code.
 4. Ensure the Client ID and Other ID of the PF are identical to those for the authorization, otherwise update the PF.
- D. Push Master Auth to NMS (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 pushed to NMS already (otherwise, push the Master Auth to NMS).
- 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.

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.

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

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- 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. If the applicant is eligible and has submitted the application for “Minor Sewage Facilities”:
 - a. Three (3) copies of the completed, signed Minor Sewage Facilities application (3800-PM-BPNPSM0342b) (after one copy has been sent to other agencies, if applicable). All applicable sections of this application must be completed. If a section is not filled out and the application manager believes it is not applicable to the facility, the application will be considered acceptable. The minimum testing required in the Influent and Effluent Testing Information Section must be completed per the application instructions.
 - b. One signed copy of the General Information Form (1300-PM-BIT0001), which should be reviewed for adequacy.
 - c. Copies of the Act 14 notification letters sent to the municipality and county along with copies of the receipt card with signatures.
 - d. Copy of a topographic map identifying the discharge point(s).
 - e. For new or expanding facilities, a copy of the Act 537 planning approval letter.
 - f. Process flow diagram (only for facilities ≥ 0.1 MGD).
 - g. Bypass and sewer overflow details (if applicable).
 - h. CSO system map (if applicable).
 - i. The application does not contain significant inconsistencies or errors as determined by the application manager.

NOTE – if the applicant has submitted a new application for Minor Sewage Facilities but is not eligible to use this form, the application manager will prepare a letter that denies the application, for the Program Manager’s signature. The template in NMS found at *Letters – Application Denial Letter* will be used. See Step III F.

2. If the applicant has submitted the application for “Major Sewage Facilities”:
 - a. Three (3) copies of the completed, signed Major Sewage Facilities application (3800-PM-BPNPSM0009b) (after one copy has been sent to other agencies, if applicable). All applicable sections of this application must be completed. If a section is not filled out and the application manager believes it is not applicable to the facility, the application will be considered acceptable. The minimum testing required in the pollutant group tables according to the instructions must be completed.
 - b. One signed copy of the General Information Form (1300-PM-BIT0001), which should be reviewed for adequacy.
 - c. The facility and discharge(s) identified on a topographic map(s).
 - d. Copies of the Act 14 notification letters sent to the municipality and county along with copies of the receipt card with signatures.

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- e. Copy of a topographic map identifying the treatment facility, discharge point(s) including stormwater and CSO outfalls and service areas.
- f. A site plan or sketch identifying the treatment facility area, storm sewers and discharges.
- g. A process flow diagram.
- h. Bypass and sewer overflow details, if applicable.
- i. A CSO system map and NMS/LTCP documentation for CSOs, if applicable.
- j. For new or expanding facilities, a copy of the Act 537 planning approval letter.
- k. 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.
- l. The application does not contain significant inconsistencies or errors as determined by the application manager.

NOTE – 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 – 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 an insignificant 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.
- C. Complete the following data management tasks in eFACTS:
 1. Review and edit the PF latitude and longitude, using the coordinates reported on the application or the central point of the treatment facility.
 2. 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 differences between the application and existing permit with the applicant). Snap DPs to the NHD using the NHD Locator Tool in eFACTS.
 3. Select, if necessary, the Type of Discharge ("Sewage Effluent") and enter the Design Flow (average annual design flow) for each DP. For discharge points associated with stormwater, bypasses, overflows or CSOs, use a Design Flow of "0."
 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.

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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.
 6. Link all applicable SFs to the authorization record.
 7. Push the authorization from eFACTS to NMS. If the authorization cannot be pushed to NMS 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 Central Office Division of Operations, Monitoring and Data Systems if administrative staff cannot resolve them.
- D. If none of the criteria in A.1.a – i or A.2.a – l are found to be deficient, the application manager will proceed to Step III H. No “completeness letter” will be issued.
- E. If the application is incomplete and the deficiencies are determined to be insignificant (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 – 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.

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.

In the event the application manager is unable to contact the applicant or consultant by phone within 5 business days, the application manager will proceed to Step III F (for new applications) or Step III G (for renewal applications). 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 H. If the submission does not correct the original insignificant deficiencies, the application manager will proceed to Step III F (for new applications) or Step III G (for renewal applications).

- F. For **new** applications, if 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 if the deficiencies are determined to be significant, the application manager will prepare a letter that denies the application, for the Program Manager’s signature. The template in NMS 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. For **renewal** applications, if 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

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phone), or if the deficiencies are determined to be significant, the application manager will transmit a letter identifying the deficiencies. The template in NMS found at *Letters – Renewal Application Incomplete Letter* will be used. 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.

If the renewal application is satisfactorily corrected prior to the expiration date, the application manager will issue an administrative extension letter using the NMS template at *Letters – Administrative Extension Letter*. If the renewal application is not corrected prior to the expiration date, the application manager will notify the regional Operations Section for possible enforcement.

H. Enter an end date for the “COMPL” subtask, when the application is deemed complete.

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

Following completion of 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 NMS query at *Inspections & Inspectors – Inspections – Inspection History by Permit* to verify that an inspection has been done at the facility 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 sewage facilities and conduct field work to determine water quality modeling parameters at the application manager’s discretion and as processing time allows.

C. For new, additional or increased discharges to HQ or EV waters, conduct an anti-degradation analysis and document the analysis in the fact sheet.

Assuming that the applicant has completed an anti-degradation analysis as part of the Act 537 planning process and DEP has approved the selection of a surface water discharge, the application manager’s role will be to determine appropriate effluent limitations.

1. Application managers will follow the guidelines contained in DEP’s “Water Quality Antidegradation Implementation Guidance” (391-0300-002) and consult with the Division of Water Quality Standards in Central Office 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) (for HQ waters) 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.

D. Determine pollutants of concern and effluent limitations.

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1. Refer to the SOP for “Establishing Effluent Limitations for Individual Sewage Permits” 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 II 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 Central Office Division of Planning and Permitting.
 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). 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 Effluent Toxicity in determining the need to impose WET monitoring requirements for the new or renewed permit.
- E. Determine parameter monitoring frequencies.
1. For new facilities, application managers will use Table 6-3 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 pH, Dissolved Oxygen (DO) and Total Residual Chlorine (TRC), application managers will generally specify a monitoring frequency of “1/day,” “daily when discharging,” “1/shift” or “continuous.” In general, less frequent monitoring may be established only when the permittee demonstrates that there will be no discharge on days where monitoring is not required. For example, a facility that is always closed on Sundays and does not discharge may receive a monitoring frequency of “6/week.”

NOTE – Where monitoring frequency is established as 1/day, but there is no discharge on a particularly day, the permittee may remain in compliance with the permit by using a No Discharge Indicator (NODI) code on the “Daily Effluent Monitoring” supplemental form to identify the lack of a discharge on that day.

NOTE – For facilities with PLC or SCADA systems per 25 Pa. Code § 302.1208 that are capable of monitoring these parameters and alerting operators of concerns, personnel do not necessarily need to be on-site to collect samples to comply with the permit.
 3. 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 6-3, the existing frequencies may be continued in the renewed permit except as noted in Section IV E.2, above.
 4. For existing facilities in which there are effluent violations in the past two years, and existing monitoring frequencies are less stringent than Table 6-3, the monitoring frequencies for parameters with violations should be increased to match those in Table 6-3.
 5. 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.

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6. 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.
7. Significant Chesapeake Bay sewage dischargers will continue monitoring nutrients 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. In general, Phase 4 dischargers will monitor nutrients at a minimum frequency of 1/month as 24-hour composites and Phase 5 dischargers will monitor nutrients (Total N and Total P only) at a minimum frequency of 1/year as grab samples.
8. For POTWs with design flows greater than 2,000 GPD and for non-municipal sewage facilities that service municipalities or portions thereof, the application manager will establish influent BOD5 and TSS monitoring in the permit using the same frequency and sample type as is used for effluent unless the application manager believes that influent can be characterized adequately using a monitoring frequency less than that for effluent. The application manager may also impose influent BOD5 and TSS monitoring for other non-municipal sewage facilities where justified in the fact sheet.

F. 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 6-3 of the Permit Writer's Manual may be used.
2. For new or expanding facilities with design flows ≥ 0.1 MGD and existing facilities with effluent violations in the past two years with design flows ≥ 0.1 MGD, 24-hour composite sampling will be used for conventional and toxic pollutants except where grab sampling is appropriate (e.g., TRC, Fecal Coliform, pH, DO, etc.) and unless site-specific justification is provided in the fact sheet for a deviation.

G. 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, the application manager will consider the following in establishing interim and final dates and limits in a renewed permit:

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 does 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

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take effect. 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 or Act 537 Plan. 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 startup of construction.

NOTE – In NMS, 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 NMS-generated permit document. When notification is received of the anticipated startup date, the changes will be updated in NMS.

- I. Record the limits and monitoring requirements into the Limits module of NMS.
 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).
 2. Where a WQBEL is less than the most stringent MDL in Chapter 16, Tables 2A and 2B, the application manager will 1) enter the most sensitive MDL from Chapter 16 into NMS, 2) enter the WQBEL on the permit document, 3) enter “< MDL” on the DMRs, and 4) use the Part C condition for WQBELs Less Than Detection Limits (Part C 116).
- J. Review submissions related to CSOs.

If the applicant indicates “NO” to either of the questions regarding implementation of NMCs and the LTCP, a schedule to complete the report(s) must be submitted with the application. In general, the schedule should include completion of the report(s) within the next five years. If the schedule exceeds five years and the application manager, Permits Chief, Program Manager and Operations staff believes this is acceptable, a Consent Order and Agreement (COA) will be prepared to provide for the extended schedule. The milestones falling within the five year permit term will also be incorporated into the NPDES permit.

- K. 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.

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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 insignificant 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 NMS template at *Letters – Technical Deficiency Letter*. 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.
 4. 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 K. If the submission does not address the concerns in the TD letter, return to Step IV J.1.
 5. 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.
 6. If following the Elevated Review Process the decision is to deny the application, the application manager will prepare a pre-denial letter using the NMS 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.
 7. 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 NMS template at *Letters – Application Denial Letter*. The authorization will be closed in eFACTS using the disposition code "Denied."
- L. Prepare the fact sheet.
1. 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.

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- 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.

- 2. Application managers will develop ONE fact sheet per permit application (i.e., there will be no development of a “Water Quality Protection Report” and a “fact sheet,” but instead only one document will be generated).
- 3. Application managers will run the NMS template found at *Fact Sheets – Individual Sewage*. 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 project and review in the block on the first page. The first page that summarizes the application must always be present.
- 4. 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 K.3, any additional pages that address the requirements identified in paragraph K.1, a compliance history summary as described in paragraph K.5.d, and attachments that provide documentation of existing effluent limitations, as applicable.
- 5. 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 K.3.
 - a. 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. A description will be included on how the Q7-10 flow was determined.
 - b. 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.
 - c. The fourth section will include a compliance history summary.

For existing facilities, if the facility has submitted results through the eDMR system, which can be determined by clicking on the Facility tab / Facility Maintenance button in NMS or by running the NMS query at *eDMR – User Info – Is Facility Using eDMR?*, the application manager will select the optional templates listed below when generating the fact sheet, which provide DMR data and violations in table format:

- Compliance History 2
- Compliance History 3

If the facility has not used eDMR, the Compliance History 1 optional template will be selected, and the application manager will, for Major and Significant Chesapeake Bay

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dischargers, manually enter a summary of no less than one year of DMR data and violations. For other facilities not using eDMR, the application manager will summarize violations over the past year, at a minimum.

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 NMS Query at *Violations – eFACTS – Open Violations for Client by Permit No.* 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 application may not be issued as a final permit 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 NMS.
 - 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 address the requirements identified in paragraph K.1.
 - 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.
- M. Prepare the draft permit documents and issue the draft permit.

Mail a complete copy of the application to EPA Region 3 if the facility is a Major discharger, a Significant Chesapeake Bay discharger, has an EPA-approved pretreatment program, 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 placed in the mail, if possible, a few days prior to the physical issuance of draft permits to coordinate arrival of the application with the receipt of the NMS email that notifies EPA of the electronic transfer of a draft permit through NMS. The application is the only hard copy information that will be mailed to EPA; all other relevant permit information will be transmitted electronically through NMS.

1. Application managers will run the template found at *Individual Sewage – Municipal Sewage Permit* for all POTWs other than Phases 1 through 4 Chesapeake Bay POTW dischargers, to generate the permit document. For Phases 1 through 4 Chesapeake Bay POTW dischargers, the template found at *Individual Sewage – Bay Municipal Sewage Permit* will be used to generate the permit.

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Application managers will run the template found at *Individual Sewage – Non-Municipal Sewage Permit* for all non-municipal facilities other than Phases 1 through 4 Chesapeake Bay Non-Municipal dischargers, to generate the permit document. For Phases 1 through 4 Chesapeake Bay Non-Municipal dischargers, the template found at *Individual Sewage – Bay Non-Municipal Sewage Permit* will be used to generate the permit.

NOTE – When municipalities contract operation of their POTWs to private entities, the application manager will use the Municipal Sewage Permit template. When private entities have ownership of a treatment facility serving a municipality, the application manager will use the Non-Municipal Sewage Permit template.

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

NOTE – 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 NMS, the Permits Chief will notify Central Office of the language so that a standardized condition may be loaded into NMS, 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. If CSO outfalls will be authorized by the permit, application managers will run the template found at *Individual Sewage – Part A CSO Page*, and populate the page with a listing of all CSO discharge points authorized by the permit. The page will be renumbered in the footer as necessary and will be placed after the last treatment outfall Part A page. If for example there is only one treatment outfall in the permit, the CSO page will be numbered as “2A.”
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 NMS query identifies unresolved violations and the Operations Section is not developing an enforcement document to address the violations or a schedule to correct the violations is not contained in the draft permit, the application manager will select the optional paragraph named *Draft Permit Letter 3*, 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 may be added to the letter at the discretion of the application manager.

4. Application managers will run the following templates for PA Bulletin Notices:
 - a. The template *PA Bulletin Notices – Draft Permits – NPDES Minor Renewals* will be used for PA Bulletin postings of draft renewals for minor facilities.
 - b. The template *PA Bulletin Notices – Draft Permits – NPDES New and Majors* will be used for PA Bulletin postings for new permits and draft renewals for Major facilities, and will be printed and issued as part of the draft permit package for posting by all applicants near the entrance to their premises.

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- c. The template *PA Bulletin Notices – Draft Permits – NPDES Chesapeake Bay* will be used for PA Bulletin postings for new permits and draft renewals for significant Chesapeake Bay facilities and other facilities with Bay “cap loads,” and will be printed and issued as part of the draft permit package for posting by these applicants.
5. These documents, along with the fact sheet, will be printed and 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 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 – 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. 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 NMS. Documents that are not issued to the applicant will be set to a status of “Draft” and disposition of “Complete.”
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 in NMS, save these documents as PDF to a local drive, and then close the Word documents in NMS (select File – Save As – PDF, then Back to NMS). A “DRAFT” watermark should be applied to the electronic draft permit document, which should then be removed for the final permit.

NOTE – A signature indicator (“/s/”) 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 _____,

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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,

[Signature]

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

NOTE – 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 NMS and a copy will be placed in the public file.
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. The word “DRAFT” will be stamped on the draft permit document or a “DRAFT” watermark will be applied to the Word document.
 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 Discretionary indicator box will be checked in NMS by the application manager anytime the discharge is 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 name of the TMDL will be entered into the Reason field. This will cause the transfer of NMS documents to a website for EPA review. If the facility is known to receive oil and gas wastewaters, the Receives O&G WW indicator box will be checked in NMS, which will cause the transfer of NMS 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 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.
- N. 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, Central Office 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, Central Office 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 NMS 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 Central Office, 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 Central Office 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 NMS 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

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manager, Permits Chief 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 Central Office Division of Planning and Permitting.
- O. 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 NMS will be retained to provide a historical record of the original draft documents.
 2. If a draft permit is issued and then is not finalized for 6 months or more, and during this time standard permit language in NMS 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 NMS will be retained to provide a historical record of the original draft documents.
- P. 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 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 G.5).

4. Following the review of comments, and assuming there are no unresolved violations or the violations will be addressed as described in paragraph O.1, the permit will not be re-drafted and coordination is not necessary or complete, the draft permit in NMS 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 NMS 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: 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 NMS Limits module.

5. The application manager will generate the final permit cover letter using the NMS 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 NMS 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 NMS and saved to NMS for all sewage permits (if the Operations Section agrees, for limited cases the Hauled-In Municipal Wastes and Influent and Process Control forms may be excluded):
 - Daily Effluent Monitoring (3800-FM-BPNPSM0435);
 - Non-Compliance Reporting Form (3800-FM-BPNPSM0440);
 - Biosolids Production and Disposal (3800-FM-BPNPSM0438);
 - Hauled-In Municipal Wastes (3800-FM-BPNPSM0437);
 - Influent and Process Control (3800-FM-BPNPSM0436); and
 - Lab Accreditation Form (3800-FM-BPNPSM0189).

For Phase 1 – 3 Significant Chesapeake Bay Dischargers, the application manager will generate and save these forms:

- Nutrient Monitoring (3800-FM-BPNPSM0444);
- Nitrogen Budget (3800-FM-BPNPSM0445);
- Phosphorus Budget (3800-FM-BPNPSM0446); and
- Annual Nutrient Summary (3800-FM-BPNPSM0447).

For Phase 4 Significant Chesapeake Bay Dischargers, the application manager will include only the Nutrient Monitoring report out of the suite of Chesapeake Bay reports.

If the facility is known to receive hauled-in residual wastes, generate and save this form (3800-FM-BPNPSM0450).

If the facility has authorized CSO discharges, generate and save the CSO Supplemental Reports (3800-FM-BPNPSM0441 and 0442).

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 NMS and saved to NMS. The application manager will check boxes for all reports that are attached to the permit.

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9. The application manager will generate a fact sheet addendum using the NMS 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, 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 NMS. Note that the effective date for individual permits must be the first day of the month following 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.

Q. Record scheduled permit requirements into NMS.

1. The application manager or other staff at the discretion of the Program Manager will record scheduled permit requirements into NMS, 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 interm and final limits;
 - CSO LTCP and/or NMC Plan submission or implementation dates, if applicable; and
 - Other scheduled requirements with “hard dates” in permits, i.e., not contingent on other events.

NOTE – Narrative dates in permit schedules or limits tables such as “upon completion of construction” cannot be entered into NMS 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 NMS for schedule tracking purpose as deemed necessary (e.g., Chapter 94 reports, CSO 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 NMS as Final – Pending documents.
- C. Verify that any applicable permit coordination has been completed.

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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 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, or otherwise return the package to the Permits Chief for edits.
- 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:

1. Open the permit document in NMS, enter the issuance 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.
2. 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”.
3. Enter an end date for the “DR” subtask in eFACTS corresponding to the issuance date.
4. Issue the authorization in eFACTS.
5. Make copies, and mail the copies to the applicant, consultant, ECHD, ACHD and DRBC, as applicable, with a copy to Central Office Division of Operations, Monitoring and Data Systems and other appropriate staff. The final permit cover letter will be sent via Certified Mail to the applicant only.

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6. Generate and save the PA Bulletin listing for the final permit issuance using the appropriate template in NMS.
7. Transmit the case files to the regional file room.

ATTACHMENT A

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

Base Template Name	Description	Typical Uses
Part C 1	SFTF Maintenance	Always use for individual SFTF/SRSTP permits
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 5	SBR Batch Discharge Condition	SBR facilities without post-equalization
Part C 6	Notification of Responsible Operator	New sewage facilities
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 13	Radiation Protection Plan	All Permits (where it is known that Marcellus wastewater is received)
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 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 27	ORSANCO Signage Requirement	Discharges to waters regulated by ORSANCO
Part C 28	Hauled-In Waste Restrictions	Where overflows/bypasses have occurred at a treatment plant due to peak flows and the facility is known to accept hauled-in wastes, at a minimum
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

Major Sewage Permit Conditions (Uses Roman Numerals)

Base Template Name	Description	Typical Uses
Part C 101	Chesapeake Bay Compliance Schedule	Significant Chesapeake Bay dischargers whose cap loads are not in effect
Part C 102	Chesapeake Bay Nutrient Definitions	Phase 4 and 5 Chesapeake Bay sewage dischargers

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Base Template Name	Description	Typical Uses
Part C 103	Schedule of Compliance	All permits where multiple milestones are needed for compliance
Part C 104	eDMR Use Requirement	Application manager's discretion
Part C 105	CSO-Related Bypasses (Maximizing Treatment)	Where CSO-related bypasses are known to occur
Part C 106	Large CSO Requirements	POTWs with CSOs (Municipalities \geq 75,000)
Part C 107	Small CSO Requirements	POTWs with CSOs (Municipalities $<$ 75,000)
Part C 108	Pretreatment Program Development	POTWs \geq 5 MGD and other POTWs as the need is determined (implement new program)
Part C 109	Pretreatment Program Implementation	POTWs \geq 5 MGD and other POTWs as the need is determined (continue existing program)
Part C 110	Solids Management for Non-Lagoon Treatment Systems	All POTWs that do not have lagoons
Part C 110A	Solids Management for Non-Lagoon Systems (Non-Municipal)	All non-municipal sewage facilities that do not have lagoons
Part C 111	Solids Management for Lagoons	All sewage facilities with lagoons
Part C 112	Toxics Reduction Evaluation	Where a treatment plant cannot meet a WQBEL and the source of the pollutant/toxicity is unknown
Part C 113	Corrosion Control Feasibility Study	For sewage permits, may be used in lieu of limits for Copper and Lead where such limits would be required based on RP analysis
Part C 114	Whole Effluent Toxicity – No Permit Limits	No WET limits established in permit
Part C 115	Whole Effluent Toxicity – Permit Limits	WET limits 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 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 123	Stormwater Requirements	All POTWs $>$ 1 MGD with stormwater discharges on-site and all IW facilities with stormwater discharges
Part C 126	Receipt of Natural Gas Wastewater	All permits where it is known that natural gas wastewater is received
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
Part C 132	Schuylkill River PCB TMDL – Monitoring Requirements	Discharges to the Schuylkill River
Part C 136	ORSANCO Fecal Coliform	Discharges to waters regulated by ORSANCO

**SOP – New and Renewal Individual Sewage NPDES Permits
Revised, October 11, 2013**

Version History

Date	Version	Revision Reason
10/11/2013	1.8	Added Section IV Q to indicate that minimum scheduled permit requirements will be recorded in NMS.
8/15/2013	1.7	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. Also added clarification in Section IV E that pH, DO and TRC should generally be monitored no less frequent than daily unless it is determined that there will be no discharge on particular days.
7/16/2013	1.6	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.
5/16/2013	1.5	Updated Section III A.2 for updated checklist requirements for the “Major Sewage Facilities” application form (3800-PM-BPNPSM009b).
3/7/2013	1.4	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.
1/11/2013	1.3	Added Part condition (Part C 110A) to Attachment A.
12/31/2012	1.2	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. Updated Section III A.1 for the “Minor Sewage Facilities” application form (3800-PM-BPNPSM0342b).
12/17/2012	1.1	Added Part C conditions (Part C 28 and Part C 112) to Attachment A.
11/9/2012	1.0	Original