

**Summary of
Standard Operating Procedures (SOP) for New NPDES Individual Permit for
Stormwater Discharges Associated with Construction Activities**

NOTE: ALTHOUGH PRE-APPLICATION MEETINGS ARE NOT REQUIRED BY CHAPTER 102, THEY ARE STRONGLY RECOMMENDED. SUCH MEETINGS PROVIDE AN OPPORTUNITY FOR THE APPLICANT AND THE DISTRICT TO IDENTIFY AND ADDRESS POTENTIAL ISSUES PRIOR TO PERMIT APPLICATION SUBMISSION. THIS CAN SAVE VALUABLE TIME DURING THE REVIEW PROCESS AND POSSIBLY AVOID MANDATORY PERMIT WITHDRAWALS OR PERMIT DENIALS.

1. Application Completeness Review

- A. The District will review the application package within 15 business days of receipt to ensure that it is a complete and technically adequate application package.
- B. If the application is determined to be incomplete the District will send the applicant the incompleteness review letter. This letter will note that the incomplete submission of the application voids the Permit Decision Guarantee process but the Permit Review Process procedures will be followed. The applicant has 60 calendar days to provide the necessary information to make the application complete. The applicant may request, in writing, an extension of 60 days. The applicant will be notified in writing as to whether or not the request is granted. The notification will include a specific due date for the applicant's response and language providing the applicant a notice that failure to address the deficiencies or respond by the due date will result in the application being determined to be incomplete and considered withdrawn.
- C. If the applicant does not submit the necessary information to make the application complete within the time frame specified, including any extensions authorized in writing, the permit application will be considered withdrawn. The District will notify DEP. DEP will notify the applicant that the permit application is withdrawn. The fees associated with the filing of the permit will not be refunded.
- D. If the permit application is deemed complete, the District will send the completeness notification letter to the permit applicant. The letter will notify the applicant of their obligation to post a notice of the proposed project near the entrance to their premises and at the facility and the location where the discharge will take place, if the facility or location is remote from the premises. The Permit Decision Guarantee timeframe of 107 business days will be based upon the date of that letter.

NOTE: DAUPHIN COUNTY CONSERVATION DISTRICT IS NOT A PCSM DELEGATED DISTRICT. THEREFORE, THE PROCEDURES OUTLINED BELOW WILL BE FOLLOWED IN DAUPHIN COUNTY.

2. Technical Reviews of ESPC and PCSM Plans

- A. The District will conduct a technical review of the ESPC plan within 47 business days from the date the permit application is considered complete. If technical deficiencies exist in the ESPC plan, the District will forward the technical deficiencies to DEP. The DEP regional office will conduct a simultaneous review of the PCSM plan. Technical deficiencies, including those identified by the District in the review of the ESPC plan, will be documented in a technical deficiency letter to the applicant/owner and consultant. This letter will come from DEP. The letter will offer the applicant the opportunity to meet with the regional office and the District to discuss the technical deficiencies. The letter will also include the requirement that revised plans should be submitted within 60 calendar days of the date of the technical deficiency letter. If the applicant requests in writing to extend the time to respond beyond 60 days, the District will consult with the applicable permitting section chief to either grant or deny the request. The application manager will respond to the applicant's request in writing including a specific due date for the applicant's response and language providing the applicant a notice that failure to address the deficiencies or respond by the due date will result in the application being determined to be incomplete and considered withdrawn. This letter will note that the technical deficiencies in the application voids the Permit Decision Guarantee process but the Permit Review Process procedures will be followed. The revised ESPC plan will be submitted to the District and the revised PCSM plan to the regional office.

- B. If the applicant does not submit the necessary information to make the application complete within the 60 calendar day timeframe, the permit application will be considered incomplete and will be withdrawn. The District will notify DEP that the necessary information was not submitted within the established time frames. DEP will send the withdrawal of technically deficient letter to notify the applicant/owner and consultant that the permit application is withdrawn. The fees associated with the filing of the permit will not be refunded.
- C. If the plan is resubmitted DEP will coordinate the review of the revised plans to ensure that any revisions to either the PCSM plan or the ESPC plan are correspondingly revised in both plans as appropriate.
- D. The District will conduct a technical review of the resubmitted ESPC plan within 22 business days from the date of the resubmittal. If technical deficiencies remain in the ESPC plan, the District will forward the technical deficiencies to DEP. The DEP regional office will conduct a simultaneous review of the PCSM plan. If after the second technical review any technical deficiencies still exist with either the ESPC or PCSM plans DEP staff will meet to review the application. After that meeting DEP may decide to:
 - 1. withdraw the application
 - 2. deny the application, or
 - 3. proceed with the elevated review process.
- E. If the applicant does not submit the necessary information to make the application complete within the 60 calendar day timeframe, the permit application will be considered incomplete and will be withdrawn. The District will notify DEP that the necessary information was not submitted within the established time frames. DEP will prepare the withdrawal of technically deficient letter to notify the applicant/owner and consultant that the permit application is withdrawn. The fees associated with the filing of the permit will not be refunded.

3. Elevated Review Process

- A. When an applicant makes a request for an elevated review, or for applications that continue to be technically deficient, and for which the technical deficiencies have not been resolved satisfactorily within the established response timeframe, including any approved extension, will be subject to the elevated review process.
 - 1. The District will notify DEP of the request or need for the elevated review process. DEP staff will agree on a direction for final review of the permit application, which may include making a permit decision; having a face-to-face meeting with the applicant and the consultant(s); or having a telephone call with the applicant and consultant(s) to discuss the remaining technical deficiencies. Department staff will prepare a written summary of the meeting or phone call documenting decisions agreed to at the meeting or during the phone call.
 - 2. If the meeting results in an agreement to resolve the outstanding issues, the regional office will inform the applicant that all remaining technical deficiencies must be corrected and revised plans submitted within 10 business days of the date of the meeting. The Regional Director may provide the applicant with an additional 10 business days to respond. If resolution cannot be reached, the deficiencies must be elevated to the Bureau Director for review. The Bureau Director will provide direction on the permit decision which may be advancing with denial of the permit application.
 - 3. DEP, in coordination with any additional staff, including appropriate District staff, will conduct the necessary technical review of the resubmitted plans. The review will be completed within 5 business days of the date the revised plans were resubmitted. At the conclusion of this review, the permit decision will be made by the Department.
 - 4. If the applicant does not submit revised plans during the elevated review process, the DEP will make a permit decision based upon the permit application information available.

4. Permit Decision

- A. If the ESPC plan is found technically adequate, the District will forward appropriate documents to DEP.
- B. When these items are received from the District, DEP will review the permit application and make a decision to either approve the permit or deny the permit.
- C. If approved, DEP will prepare the permit documents including any special conditions; sign the permit; prepare the permit issuance cover letter; and distribute the permit and copies.
- D. If the permit is denied, for continuing technical deficiencies or for which a demonstration cannot be made that all applicable regulatory and statutory requirements have been met, the DEP regional office, after consultation with the District, will send the permit applicant a permit application denial letter noting that the permit is denied. All permit fees submitted with an application that is denied will be forfeited.
- E. If the applicant of a denied permit application wishes to continue to pursue approval of the project, the applicant must submit a revised permit application following appropriate program requirements and procedures and will be considered a new application.