

ESCGP-2 Transition Plan

Upon publication as final of the ESCGP-2 on December 29, 2012 the following transition plan will take effect. For the purposes of this transition plan, submissions to the Department will not be considered received until they are date stamped at the appropriate district office.

ESCGP-2

After December 29, 2012, any NOI for ESCGP-2 will be accepted and processed in accordance with the Policy for Implementing the Department of Environmental Protection (Department) Permit Review Process and Permit Decisions Guarantee (PDG), Document No. 021-2100-001.

ESCGP-1

During the time period from December 29, 2012 through January 28, 2013 (30-days) NOIs for new coverage, renewals, subsequent phases and major modifications will be accepted and processed in accordance with PDG guidelines. In accordance with the PDG and 25 Pa. Code §102.6(c), applicants who submit incomplete applications will be notified and given 60 days to respond. If the Department does not receive a response within 60 days, the NOI will be considered withdrawn. NOIs submitted and received by the Department on or before January 28, 2013 that are not withdrawn or denied may be approved for coverage under ESCGP-1.

EXAMPLE: An NOI submitted for coverage under ESCGP-1 is submitted on January 17, 2013, is determined to be incomplete and the applicant is notified of the deficiencies on January 24, 2013. In this scenario, the applicant will have until March 25, 2013 to provide a response to the Department. If an acceptable response is received by the Department prior to March 25, 2013, the Department will issue coverage under ESCGP-1.

ESCGP-1 expires on April 12, 2013. Due to the expiration of ESCGP-1, the Department must act on all NOIs submitted for coverage under ESCGP-1 by that date. Any NOI submitted to the Department between December 29, 2012 and January 28, 2012 for coverage under ESCGP-1 with outstanding deficiencies 60-days after the applicant was notified of the deficiencies will be considered withdrawn.

Additionally, any project that was authorized for coverage under ESCGP-1 prior to this date will have coverage administratively extended under the terms and conditions of ESCGP-1 for the remainder of the time period of the original coverage.

EXAMPLE: ESCGP-1 coverage was originally obtained on December 12, 2012 for a period of 5 years. In this scenario, the ESCGP-1 coverage will remain in force until either December 12, 2017, the date that the Department approves a notice of termination (NOT) for the permit or the date that Department revokes permit coverage, whichever comes first.

After January 28, 2013 any NOI for new projects, renewals, subsequent phases and major modifications must be submitted in accordance with the ESCGP-2 terms and conditions on the new forms. All

applications submitted after January 28, 2013 will be processed in accordance with the terms and conditions of ESCGP-2 and PDG guidelines.

Amendments to NOIs for projects that have not been authorized for coverage under ESCGP-1 will be accepted until January 28, 2013. If, after January 28, 2013 an applicant proposes a modification to a pending NOI, the Department may consider modification to constitute a new project and may require resubmission of the project under the terms and conditions of ESCGP-2.

Minor amendments to plans for projects that have been authorized under ESCGP-1 do not require a submission of new permit applications or a transition to coverage under ESCGP-2.