

**Bureau of Air Quality
Prioritization Pilot
10/9/2023**

In October 2023, the Pennsylvania Department of Environmental Protection (DEP) has implemented a permit pilot program that will run through the end of the calendar year. The intent of the program is to demonstrate that high quality complete permit applications, coupled with adequate staff time for review, can result in quicker permitting processes. The pilot program will charge a higher fee for expedited review of certain selected permits and will require high quality permit applications. This program is strictly voluntary which allows DEP to charge a higher fee. Existing staff will work overtime hours to review pilot program permits to eliminate or minimize interference with current permitting processes.

Scope: The Air Quality Program will implement a Prioritization Pilot in the Northwest Regional Office for the General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21).

Air Quality General Permit GP-21: The Department of Environmental Protection (Department) has issued the General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21).

Underground coal mines can release methane as a byproduct of the coal mining process. Methane and other gases are evacuated to the surface through the mine's ventilation system and coal-mine gas vent boreholes. The purpose of utilizing a coal-mine methane enclosed flare is to reduce emissions of methane being released into the atmosphere and is currently being done on a voluntary basis.

A General Permit is a pre-approved plan approval and operating permit which applies to a specific category of sources, if the Department determines that those sources can be adequately regulated using standardized specifications and conditions. (35 P.S. § 4006.1(f)). As part of the General Permit process, the Department establishes best available technology (BAT) requirements for new sources. Those BAT requirements include equipment, devices, methods, or techniques as determined by the Department, which will prevent, reduce, or control air emissions to the maximum degree possible and which are available or may be made available (25 Pa. Code § 121.1). BAT is an analysis of control techniques that are determined at the time of the issuance of a plan approval.

Eligibility Criteria: In order to be eligible for the Prioritization Pilot, applicants shall agree to the following:

1. The facility cannot be a Title V facility.
2. The facility cannot be located within an Environmental Justice Area as defined in DEP's Environmental Justice Policy, Document No. 015-0501-002.
3. The applicant cannot have any outstanding compliance issues at other DEP-permitted sites in Pennsylvania.
4. The prioritized review permit application must be submitted through the OnBase Electronic Form Upload tool. The applicant must include a copy of the check to be submitted by mail with the electronically uploaded application.
5. All eligibility criteria must be acknowledged by the applicant as being satisfied through completion of an application cover page created by DEP that lists the eligibility criteria and is signed by the applicant.
6. The applicant must agree to accept electronic versions of documents to participate in the Prioritized Permit Review.

There are situations that may occur during the review of applications that met all eligibility criteria for a prioritized review, that would result in the prioritized review being voided. In these cases, the application would no longer be eligible for continued prioritized review but would still be processed as an application to use the general permit. The following situations would render an application ineligible for continued processing through a prioritized review.

1. The application is determined to be administratively incomplete.
2. The application contains serious technical deficiencies.
3. The application contains technical deficiencies after an initial technical deficiency notification that would result in the need for second technical deficiency notification.
4. The applicant fails to respond to a deficiency notification within the deadline provided.

Fee and Timeframe: The application fee is \$4,350, as compared to the standard application fee of \$2,900. The proposed pilot review time is 10 business days. Current regulatory review time is 30 calendar days.

Air Quality GP-21 - Prioritized Review Process

