

ESCGP-3 TRANSITION PLAN

ESCGP-3 Transition Plan

Upon publication as final of the ESCGP-3 on September 15, 2018, 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-3

After September 15, 2018, any NOI for ESCGP-3 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.

Beginning September 15, 2018, ESCGP-3 NOIs and associated documents and attachments submitted to the Bureau of District Oil and Gas Operations may be submitted as paper hard copies or through the electronic ePermit system. The Bureau of District Oil and Gas Operations will only accept applications submitted through the electronic ePermit system after December 29, 2018. All ESCGP-3 NOIs and associated documents and attachments required for submission to a delegated county conservation district or the Bureau of Waterways Engineering and Wetlands will continue to be hard copies until further notice.

ESCGP-2

Between September 15, 2018 and October 15, 2018 ESCGP-2 NOIs for new, 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 If the Department does not receive a response within 60 days, the NOI will be considered withdrawn. NOIs submitted and received by the Department on or before October 15, 2018 that are not withdrawn or denied may be approved for coverage under ESCGP-2.

***EXAMPLE:** An NOI submitted for coverage under ESCGP-2 is submitted on October 11, 2018, is determined to be incomplete and the applicant is notified of the deficiencies on October 18, 2018. In this scenario, the applicant will have until December 17, 2018 to provide a response to the Department. If an acceptable response is received by the Department prior to December 17, 2018 the Department will issue coverage under ESCGP-2.*

ESCGP-2 expires on December 29, 2018. Due to the expiration of ESCGP-2, the Department must act on all NOIs submitted for coverage under ESCGP-2 by that date. Any NOI submitted to the Department between September 15, 2018 and October 15, 2018 for coverage under ESCGP-2 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-2 prior to this date will have coverage administratively extended under the terms and conditions of ESCGP-2 for the remainder of the time period of the original coverage.

***EXAMPLE:** ESCGP-2 coverage was originally obtained on October 15, 2018 for a period of 5 years. In this scenario, the ESCGP-2 coverage will remain in force until either October 15, 2023, 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 October 15, 2018 any NOI for new projects, renewals, subsequent phases and major modifications must be submitted in accordance with the ESCGP-3 terms and conditions on the new forms. All applications submitted after September 15, 2018 will be processed in accordance with the terms and conditions of ESCGP-3 and PDG guidelines.

Amendments to ESCGP-2 NOIs for projects that have not been authorized for coverage under ESCGP-2 will be accepted until October 15, 2018. If, after October 15, 2018 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-3.

Minor amendments to plans for projects that have been authorized under ESCGP-2 do not require a submission of new permit applications or a transition to coverage under ESCGP-3.