

1 NOT INCLUDE A CERTIFICATION OR LICENSE.

2 "PERMIT APPLICATION." THE DOCUMENT SUBMITTED TO THE

3 DEPARTMENT BY AN APPLICANT THAT, IF APPROVED, GRANTS A PERMIT TO

4 AN APPLICANT.

5 "PERMIT DECISION." THE ISSUANCE OR DENIAL OF A PERMIT.

6 "PERMIT DECISION DELAY." THE FAILURE OF THE DEPARTMENT TO

7 ISSUE A PERMIT DECISION WITHIN:

8 (1) THE TIME PERIOD SPECIFIED BY STATUTE OR REGULATION

9 OR BY THE RELEVANT TIME PERIOD ESTABLISHED UNDER 4 PA. CODE

10 CH. 7A SUBCH. H (RELATING TO PERMIT DECISION GUARANTEE FOR

11 THE DEPARTMENT OF ENVIRONMENTAL PROTECTION); OR

12 (2) 30 DAYS AFTER THE SUBMISSION OF A PERMIT APPLICATION

13 OR REQUEST FOR PLAN APPROVAL OR OTHER AUTHORIZATION WHEN NO

14 TIME PERIOD IS SPECIFIED BY STATUTE, REGULATION OR 4 PA. CODE

15 CH. 7A SUBCH. H.

16 "PERMIT PROGRAM." THE OPERATION AND MANAGEMENT OF PERMITS

17 IDENTIFIED WHICH ARE SUBJECT TO PERMIT DECISION DELAY.

18 SECTION 2402-C. INITIAL REVIEW BY DEPARTMENT.

19 WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE

20 DEPARTMENT SHALL REVIEW ALL PERMIT DECISIONS AND PERMIT DECISION

21 DELAYS DURING THE IMMEDIATELY PRIOR CALENDAR YEAR AND SUBMIT A

22 REPORT OF FINDINGS TO THE CHAIRPERSON AND MINORITY CHAIRPERSON

23 OF THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF THE

24 SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE

25 ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF THE HOUSE OF

26 REPRESENTATIVES.

27 SECTION 2403-C. THIRD-PARTY REVIEW UNDER PERMIT PROGRAM.

28 (A) ESTABLISHMENT AND ADMINISTRATION OF PERMIT PROGRAM.--

29 WITHIN ONE YEAR OF THE ISSUANCE OF THE INITIAL REPORT UNDER

30 SECTION 2402-C, THE DEPARTMENT SHALL ESTABLISH AND IMPLEMENT A

1 PERMIT PROGRAM. THE DEPARTMENT SHALL CONTRACT WITH THIRD-PARTY
2 LICENSED PROFESSIONALS FOR THE PURPOSE OF ADMINISTERING THE
3 PERMIT PROGRAM.

4 (B) TRANSFER OF INFORMATION.--WITHIN ONE YEAR AFTER THE
5 ESTABLISHMENT OF THE PERMIT PROGRAM UNDER SUBSECTION (A), THE
6 DEPARTMENT SHALL TRANSFER INFORMATION REGARDING PERMIT DECISIONS
7 AND PERMIT DECISION DELAYS TO THE THIRD-PARTY LICENSED
8 PROFESSIONALS WITH WHOM THE DEPARTMENT HAS CONTRACTED.

9 (C) FEES.--FEES COLLECTED BY THE DEPARTMENT FROM PERMIT
10 APPLICATIONS IN THE PERMIT PROGRAM SHALL BE REMITTED TO THE
11 RESPECTIVE THIRD-PARTY LICENSED PROFESSIONALS WITH WHOM THE
12 DEPARTMENT HAS CONTRACTED FOR THE PERMIT PROGRAM.

13 (D) AGENT OF COMMONWEALTH.--A THIRD-PARTY LICENSED
14 PROFESSIONAL WITH WHOM THE DEPARTMENT HAS CONTRACTED FOR THE
15 PERMIT PROGRAM SHALL BE DULY RECOGNIZED AS AN AGENT OF THE
16 COMMONWEALTH FOR THE PERMIT PROGRAM TO RESOLVE EACH PERMIT
17 APPLICATION WHICH IS SUBJECT TO A PERMIT DECISION DELAY AND
18 PERMIT DECISIONS UNDER SUBSECTION (E).

19 (E) SELECTION.--A PERMIT APPLICANT MAY SELECT A THIRD-PARTY
20 LICENSED PROFESSIONAL WITH WHOM THE DEPARTMENT HAS CONTRACTED
21 FOR THE PERMIT PROGRAM TO REVIEW THE PERMIT APPLICATION.

22 SECTION 2404-C. ANNUAL REPORTS.

23 NO LATER THAN JANUARY 31 OF EACH YEAR, THE DEPARTMENT SHALL
24 SUBMIT TO THE GENERAL ASSEMBLY AN ANNUAL REPORT WHICH, AT A
25 MINIMUM, SHALL CONTAIN THE FOLLOWING INFORMATION FROM THE
26 IMMEDIATELY PRIOR CALENDAR YEAR:

27 (1) THE NUMBER OF PERMIT APPLICATIONS RECEIVED.

28 (2) THE NUMBER OF PERMIT APPLICATIONS REVIEWED BY THE
29 DEPARTMENT AND THIRD-PARTY LICENSED PROFESSIONALS WITH WHOM
30 THE DEPARTMENT HAS CONTRACTED FOR THE PERMIT PROGRAM.

1 (3) THE AVERAGE TIME FRAME FOR PERMIT DECISIONS BY THE
2 DEPARTMENT AND THIRD-PARTY LICENSED PROFESSIONALS WITH WHOM
3 THE DEPARTMENT HAS CONTRACTED FOR THE PERMIT PROGRAM.

4 (4) THE NUMBER AND AVERAGE WORKLOAD OF THIRD-PARTY
5 LICENSED PROFESSIONALS WITH WHOM THE DEPARTMENT HAS
6 CONTRACTED FOR THE PERMIT PROGRAM.

7 (5) THE NUMBER AND AVERAGE WORKLOAD OF STAFF MEMBERS
8 WITHIN THE DEPARTMENT REVIEWING PERMIT APPLICATIONS,
9 ORGANIZED BY EACH REGIONAL OFFICE OF THE DEPARTMENT.

10 SECTION 2405-C. RULES AND REGULATIONS.

11 THE DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS
12 NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE.

13 SECTION 2406-C. APPLICABILITY.

14 THIS ARTICLE SHALL APPLY TO ALL PERMITS REQUIRED TO COMPLY
15 WITH STATUTES AND REGULATIONS ADMINISTERED BY THE DEPARTMENT.

16 SECTION 2407-C. EFFECT OF ARTICLE.

17 NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT OR
18 OTHERWISE ALTER THE DEPARTMENT'S AUTHORITY TO REVOKE A PERMIT
19 FOR FAILURE TO COMPLY WITH THE LAWS OF THIS COMMONWEALTH.

20 SECTION 14. SECTION 2702(A) AND (A.1)(2) OF THE ACT ARE
21 AMENDED TO READ:

22 SECTION 2702. PETITION FOR REASSESSMENT.

23 (A) GENERAL RULE.--A TAXPAYER MAY FILE A PETITION FOR
24 REASSESSMENT WITH THE DEPARTMENT WITHIN [90] 60 DAYS AFTER THE
25 MAILING DATE OF THE NOTICE OF ASSESSMENT.

26 (A.1) PETITION FOR REVIEW OF TAX ADJUSTMENT NOT RESULTING IN
27 AN INCREASE IN LIABILITY.--

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29 (2) A TAXPAYER MUST FILE A PETITION FOR REVIEW UNDER
30 THIS SUBSECTION WITHIN [90] 60 DAYS OF THE MAILING DATE OF