

4.7.3.2 Application and Review Process/Review of the Permit Application/ Enforcement Review/Active Enforcement Case

Applicability:

This topic describes the procedure for processing any construction or operating permit application that is forwarded to the department for issuance to a facility that is the subject of an active enforcement case.

Content:

It is crucial that the permit writers and the Enforcement Section communicate and coordinate prior to the issuance of any permit to a facility that is involved in an active enforcement case. This coordination will ensure that the permitting and enforcement activities are not inconsistent with each other and that a unified position is communicated to the permit applicant/facility owner.

Upon receipt of a permit application or a permit transmittal from a regional office, staff should check to determine if the facility is currently under an enforcement action. This can be accomplished by reviewing Screen 10 in WQIS and the enforcement correspondence list distributed by the Enforcement Section.

If the facility is in enforcement, a copy of the permit application should be routed to the appropriate staff member in the Enforcement Section for review and comment. The enforcement staff member will review the application and, if it does not conflict with the enforcement case, the permit writer will be notified to proceed with writing the permit. If there are conflicts or concerns, enforcement staff will communicate with the permit writer to develop an acceptable course of action.

Enforcement staff should be given an opportunity to review the draft permit before it is placed on public notice to make sure all enforcement related issues have been taken into account.

Legal References:

Other Links:

Key Words:

Enforcement, permit, enforcement review, active enforcement case

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