

Step 4: Final Decision

When Can DEC Make a Final Decision?

Minor Projects:

DEC must make a permit decision on minor projects within 45 days of determining the application complete.

Major Projects:

1. If no hearing is held, DEC makes its final decision on the application within 90 days of its determination that the application is complete.
2. If a hearing is held, DEC notifies you and the public of a hearing within 60 days of completeness determination, and the hearing must begin within 90 days of the completeness determination.

Once the hearing ends, DEC must issue a final decision on the application within 60 days after receiving the final hearing record.

Who Makes the Final Decisions on Applications?

The Regional Permit Administrator normally issues permits for projects not requiring a public hearing.

Generally, the Commissioner makes the decision if DEC holds a public hearing.

What Happens If DEC Does Not Act Within the Uniform Procedures Act Time Periods?

Time periods may be extended by mutual written consent of the applicant and DEC. If DEC fails to make a final decision within the required time period, you can notify the Chief Permit Administrator at DEC, Division of Environmental Permits, 625 Broadway, Albany, NY 12233-1750, by certified mail, of that failure. DEC must then mail its decision to you within five working days or else the permit is deemed granted, subject to standard conditions.

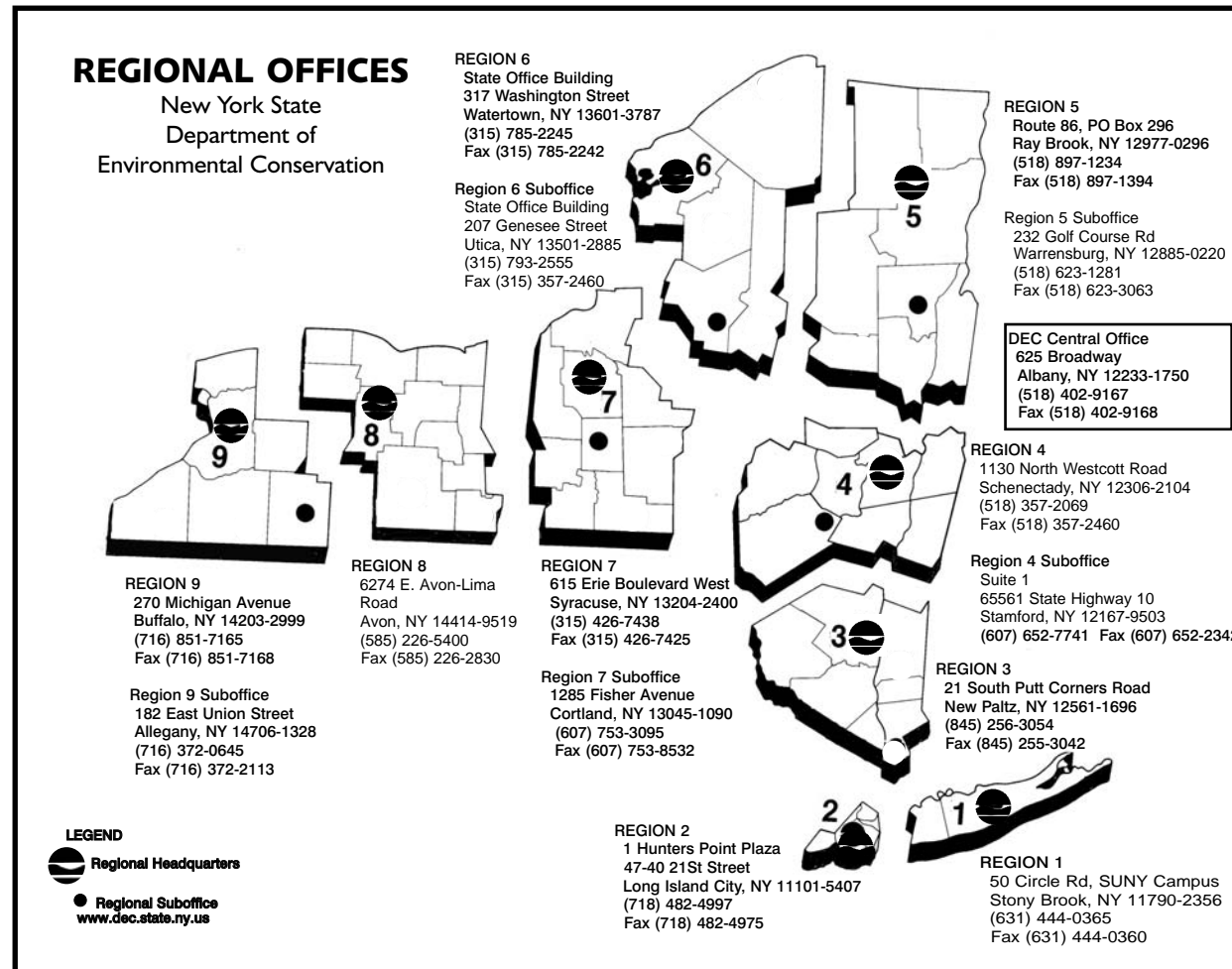
Once I Get My Permit, Will I Be Able to Renew, Modify or Transfer It, if Necessary?

Yes. Any request to renew, modify or transfer a permit must be in writing. Requests for permit transfers require completion of a short **DEC Application for Permit Transfer** form. DEC must then make its decision within 15 days.

In the case of a modification, the request must include an explanation of the reason for the proposed change. In cases involving substantial modifications to a project, DEC may decide that a renewal or modification will be treated as a new application.

Specific Questions?

Contact DEC's Environmental Permits at the appropriate regional office.



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New York



How to Apply FOR A DEC PERMIT

Applicant's Guide to the Uniform Procedures Act



New York State
Department of Environmental Conservation
George E. Pataki, Governor
Erin M. Crotty, Commissioner

What is the Uniform Procedures Act?

The procedures for administering the Department of Environmental Conservation's key regulatory permits are standardized in the Uniform Procedures Act, Article 70 of the Environmental Conservation Law (ECL). The Act provides time frames and procedures for:

- filing and reviewing applications
- providing public notice
- holding public hearings
- reaching final decisions

The Act is intended to:

- ensure a fair, timely, thorough review
- eliminate inconsistent procedures
- encourage public participation

How Do I Apply for a Permit?

Step 1: File an Application

Step 2: Respond to DEC Comments

Step 3: Respond to Public Comments

Step 1: File an Application

Obtain appropriate application materials, including application form and instructions from any DEC regional office. Contact the regional Environmental Permits staff in DEC for advice on completing the forms and on any other requirements to complete your application.

Request a preapplication conference with DEC staff to clarify project objectives, clarify DEC requirements, get a preliminary reaction to your proposal and discuss alternative approaches. Be willing to adjust your project proposal to meet DEC requirements.

File the application with the Regional Permit Administrator.

