



**REPORT TO THE
LEGISLATURE**

DECEMBER 2024

Annual Permitting Efficiency Report

Tracking the Minnesota Pollution Control Agency's efforts to maintain efficiency in completing environmental permits, and helping to support our state's economy.

Legislative charge

Minn. Stat. § 116.03, subd. 2b.

Report to Legislature

The commissioner shall prepare an annual permitting efficiency report that includes statistics on meeting the goal in paragraph (a) and the criteria for Tier 1 and Tier 2 by permit categories. The report is due August 1 each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal. In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from initial submission of the application to the day of determination that the application is complete.

The report must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the agency's website and submitted to the governor and the chairs and ranking minority members of the House of Representatives and Senate committees having jurisdiction over environment policy and finance.

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Executive summary

(Current review period: July 1, 2023 – June 30, 2024)

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|------|------|------|------|------|------|------|------|------|
| Priority permits that met goal | 97% | 94% | 97% | 99% | 98% | 98% | 99% | 98% | 98% |
| Non-priority permits that met goal | 40% | 46% | 63% | 61% | 92% | 83% | 46% | 76% | 67% |
| All permits that met goal | 74% | 87% | 93% | 93% | 96% | 96% | 89% | 91% | 95% |

The Minnesota Pollution Control Agency (MPCA or agency) is committed to ensuring Minnesotans have healthy air, sustainable lands, clean water and a better climate. The MPCA works collaboratively to implement policies that achieve results. The following report is an assessment of the agency's permitting efficiency as an indicator for our ability to issue environmentally protective permits while also supporting economic growth.

The MPCA manages more than 28,000 air, water and land permits at 22,500 sites (facilities can have more than one permit). The overall permitting efficiency continues to be very good especially regarding the **MPCA's priority permits which meet permit timeliness goals 98% of the time** and which also represent economic growth and new job opportunities for the state. However, the table below shows that there are some permit types that are difficult to issue within the provided timelines. Priority permits are defined as needing construction for new or expanding projects and they tend to be the most technically complex and controversial projects.

During this review period, the agency saw more non-priority permits, defined as the more routine permitting such as reissuances of an existing permit with no substantive change or construction. The agency faces challenges on completing routine permits by the deadline. While 67% of those permits meet their timing goals, we know we have work to do and are committed to identifying how those improvements can be made to get that number closer to 90 percent.

The table above represents permit applications received in 2024 and permit applications that have not met the goal are listed in the Appendix B.

Tier 1 permits are permits that do not require individualized actions or public comment periods. These permits have a 90-day issuance goal. Tier 2 permits are permits that require individualized actions or a public comment period and have a 150-day issuance goal or a 210-day issuance goal for publicly owned wastewater treatment facilities. During the review period, the MPCA received 2,248 Tier 1 and 332 Tier 2 applications.

The agency returned 2% of applications as incomplete for this review period.

Although permitting efficiency continues to be very good for priority permits issued by the agency as a whole, a more detailed look at the media – air, land, and water – shows that not all permitting programs achieved the permitting efficiency goals. Improvement efforts are underway, and some permitting changes have begun in calendar year 2024 to help address permitting issues, as discussed in the Improvement efforts section.

Permit type by media in 2024

| Media | Tier | Priority | 2024 |
|---------------|--------------|------------------------------------|------|
| Air Permits | Tier 1 | Priority permits that met goal | 100% |
| | | Non-priority permits that met goal | 91% |
| | | All permits that met goal | 91% |
| | Tier 2 | Priority permits that met goal | 0% |
| | | Non-priority permits that met goal | 6% |
| | | All permits that met goal | 5% |
| | Tier 1 and 2 | Priority permits that met goal | 9% |
| | | Non-priority permits that met goal | 57% |
| | | All permits that met goal | 51% |
| Land Permits | Tier 1 | Priority permits that met goal | 50% |
| | | Non-priority permits that met goal | 33% |
| | | All permits that met goal | 43% |
| | Tier 2 | Priority permits that met goal | 50% |
| | | Non-priority permits that met goal | 18% |
| | | All permits that met goal | 33% |
| | Tier 1 and 2 | Priority permits that met goal | 50% |
| | | Non-priority permits that met goal | 21% |
| | | All permits that met goal | 36% |
| Water Permits | Tier 1 | Priority permits that met goal | 99% |
| | | Non-priority permits that met goal | 98% |
| | | All permits that met goal | 99% |
| | Tier 2 | Priority permits that met goal | 69% |
| | | Non-priority permits that met goal | 64% |
| | | All permits that met goal | 65% |
| | Tier 1 and 2 | Priority permits that met goal | 99% |
| | | Non-priority permits that met goal | 76% |
| | | All permits that met goal | 97% |

New in this report, the table above is a more detailed look at the Tier 1 and 2 priority and non-priority permits according to media – air, land, and water – for permit applications received in 2024.

Air and water Tier 1 permits met permitting efficiency goals 91% and 99% of the time, respectively. Tier 1 land permits met the permitting efficiency goal 43% of the time. Tier 1 permits are permits that do not require individualized actions or public comment periods. These permit types have a 90-day issuance goal.

Five percent of all air Tier 2 permits, 33% of all land Tier 2 permits and 65% of all water Tier 2 permits met the permitting efficiency goal. Tier 2 permits are permits that require individualized actions or a public comment period and have a 150-day issuance goal or a 210-day issuance goal for publicly owned wastewater treatment facilities. These permits are more complicated to process and require substantial amounts of information to be provided by the party seeking the permit. These permit types also require public notice periods, public engagement, coordination with federal permitting authorities at the U.S.

Environmental Protection Agency, and may also be subject to environmental review requirements. The list of permit types by media in each tier can be found in Appendix A.

During the review period, the MPCA received 2,248 Tier 1 and 332 Tier 2 applications and 95% of those applications resulted in permits issued within the 90-day, 150-day or 210-day issuance goal.

For the 5% of permit applications that do not result in permit issuance by the goals, reasons for the permit issuance delay are tracked and reported in Appendix B of the report. The reasons of delay are many, but can predominately be broken down into reasons remedied by the applicant or reasons better addressed by the agency.

Reasons for Delay in 2024

| Tier | Priority | Applicant Related Delay | Agency Related Delay |
|---------------|---------------------|--------------------------------|-----------------------------|
| Tier 1 | Priority | 7 (62%) | 5 (38%) |
| | Non-priority | 1 (12%) | 7 (88%) |
| Tier 2 | Priority | 8 (35%) | 15 (65%) |
| | Non-priority | 10 (12%) | 70 (88%) |

The table above shows the reasons for delay by Tier and permit priority. Previous reports have not summarized the reasons for permit issuance delay, but understanding the reasons for delay offers insight into areas for improvement in the permitting process. For example, while a permit application may be called administratively complete within the first 30-days, a more in-depth technical review of the application may result in agency permit staff to notify the applicant that the permit application is technically incomplete, or is missing information. Waiting for the applicant to provide the missing or incomplete information creates a delay during which the agency cannot work on the permit.

For priority permits, this period of back and forth contributes to delays in achieving the 90-day permitting efficiency goal for Tier 1 62% of the time. While Tier 2 priority permits are delayed 35% of the time by issues largely remedied by the applicant.

Other reasons for the delay are areas of improvement by the agency – this is discussed in the Improvement efforts section below. A “lack of staff” and “no significant external reasons for delay” are the two most frequent responses by agency staff for permit delays. “No significant external reasons for delay” are an indicator for permitting process improvements, which are ongoing and vary across the media. See further discussion in the Improvement efforts section below.

Permitting programs across the agency are consistently evaluating ways to balance the needs of all Minnesotans from efficiently issuing permits on timelines that people can count on, to conducting a thorough technical analysis, and engagement with Minnesotans on the potential human and environmental impacts of the permitted activities, particularly in overburdened communities.

Addressing a lack of staff for permitting programs has been a long-standing and program specific endeavor. Recent agency staffing resources have been focused on maintaining existing services rather than increasing staff for the agency’s regulatory work.

Some program specific funding for additional staff occurred during the 2023 and 2024 legislative sessions, with programs hiring permitting staff in late 2023 and throughout calendar year 2024. In 2023, the Solid Waste program received funding for seven new staff and created a new unit dedicated to

permitting. The agency is in the process of hiring the new staff for this solid waste permitting unit. In 2023 and 2024, the Air permitting program received funding for staff to work on the development of a cumulative impacts analysis rule, which will expand and govern the analysis for permit decisions in environmental justice areas, and for the development of new rules governing air toxics regulations for facilities that emit air toxics in certain counties in Minnesota. Once the rules are adopted, the staff will be dedicated to permitting. Additionally, in 2024, the MPCA requested and received additional air permitting staff to focus on permitting in environmental justice areas.

The Minnesota Legislature has taken significant steps toward assessing and addressing inequalities that arise from environmental pollution. The agency's analysis shows that people who live in areas with more low-income residents or more people of color are more than twice as likely as the state average to have polluting facilities nearby and are nearly three times as likely as those in the rest of the state to face risks to their health from pollution emitted by those facilities. The MPCA is committed to focusing permitting in environmental justice areas in the state, which will require greater analysis, community engagement, and time during the permitting process.

Background

This report results from concerns expressed about the length and uncertainty associated with regulatory processes, including environmental review and permitting. In 2010, the Legislature directed the Office of the Legislative Auditor (OLA) to review the environmental review and permitting programs of the Environmental Quality Board (EQB), the MPCA, the Minnesota Department of Natural Resources (DNR) and local units of government. A range of businesses and elected officials suggested that the structure and process of permitting at that time was negatively affecting the business climate and economic growth in Minnesota. Permitting and environmental review process reform was identified by those raising concerns as an important step for Minnesota state government to facilitate job creation in the state.

To address these concerns, Governor Dayton issued Executive Order 11-4 (EO11-04) on January 24, 2011. The Executive Order required MPCA and DNR to adopt a 150-day goal for reaching a permit decision following the determination by the appropriate agency that the permit application is complete. This same goal was then established in Session Laws 2011, Chapter 4, codified in Minn. Stat. § 116.03. The statutory goal differs from the executive order goal in that the statutory goal begins counting time upon the initial submission of an application, instead of when the application is determined to be complete by the agency. This law is referred to as the Permitting Efficiency Law, and requires, among other things, the MPCA to determine, within 30 business days of receipt of a permit application, whether the application is substantially complete, and to inform the applicant of the deficiencies if the application is incomplete. The Permitting Efficiency Law also requires the MPCA and the DNR to submit semi-annual reports to the Governor and the Legislature on August 1 and February 1 of each year.

In 2014, the Permitting Efficiency Law was amended, changing the requirement to only annual reports due on August 1 to the Governor and the Legislature. The Law also established Tier 1 and Tier 2 permit categories. Tier 1 permits are permits that do not require individualized actions or public comment periods. These permit types have a 90-day issuance goal. Tier 2 permits are permits that require individualized actions or a public comment period and have a 150-day issuance goal. The list of permit types in each tier can be found in Appendix A.

In 2017, the law was amended to set a new goal of 210 days for Tier 2 permits issued to publicly owned wastewater treatment facilities.

MPCA's environmental permitting programs

The MPCA manages more than 28,000 air, water, and land permits at 22,500 sites (facilities can have more than one type of permit). Most permits are issued for a period of five years although a few permit types are issued for 10-year terms or are non-expiring. Permits are issued to businesses, governmental units, and individuals, and cover a wide range of facilities and activities. Permits are required for the construction and operation of facilities that discharge or emit (or have the potential to discharge or emit) specifically defined pollutants and for certain activities.

With few exceptions, the MPCA almost exclusively implements federal regulatory programs on behalf of the U.S. Environmental Protection Agency (EPA), as the EPA's delegated authority. Without this delegation, many of the current permittees the MPCA serves, and new applicants would be required to seek necessary permits directly from the EPA's Regional Office in Chicago (Region 5). While many of the requirements of these environmental permits are mandated by federal regulations, state laws and the MPCA's permitting processes often allow for increased flexibility and customer assistance, which results in greater overall efficiency than otherwise achievable working directly with the EPA.

Most permits must undergo a rigorous public participation process to ensure that interested parties (from citizens to other governmental units) have an opportunity to provide input. This process requires a public notice of the draft permit – at a minimum of 30 days – and may include public meetings or hearings. The MPCA must review, consider and respond to all written comments received and revise draft permits, where appropriate. While this public participation process provides valuable public insight to the final permit, it adds time to the permit review and issuance process.

To reduce time, when possible, the MPCA uses a variety of permits to provide flexibility as well as to meet the needs of the regulated community. The use of general and registration permits allows the MPCA to cover similar facilities under a standardized permit, applying standardized requirements for all permittees using these types of permits. For most general permits, there is only one statewide public notice period; therefore, applicants that qualify do not need a public notice for their specific facility. Facilities that qualify for a general permit receive their permit much faster than those needing an individual (facility-specific) permit.

Types of permits issued by the MPCA include:

Air permits – Individual, general, and registration permits for facilities that emit defined air pollutants such as particulate matter, sulfur and nitrogen compounds, and carbon monoxide. Permitted facilities include power plants, refineries, manufacturing plants and dry cleaners.

Land permits – Individual and general permits for facility operations to prevent or minimize the release of pollutants such as landfill leachate, oil, gas, and other hazardous materials. Permitted facilities include municipal and industrial waste transfer stations and landfills, facilities that have below and aboveground storage tanks, and hazardous waste storage and treatment facilities.

Water permits – Individual and general permits for facilities that discharge pollutants such as treated sewage, sediment, residual chlorine, and phosphorus to surface and groundwater of the state. Permitted facilities include animal feedlots, municipal and industrial wastewater treatment facilities, stormwater conveyance systems from construction projects, industrial sites and municipalities, and extensions of sewer systems.

Priority permits

The mission of the MPCA's permitting programs is to protect and improve the environment and human health, as well as support jobs and economic development in the state. To achieve this goal, it is the MPCA's policy to prioritize permits for new or expanding projects, which typically represent new

economic opportunities and jobs. These **“priority”** permits are defined as needing some sort of construction at the site. A new permit or the significant modification of an existing permit is required for these projects. Often these are the most technically complex and controversial projects and, therefore, require more time to issue. The remaining projects (called **“non-priority”** permits) are generally routine permit re-issuances that do not require substantive changes or involve construction and, therefore, are typically less time-sensitive to permittees. Permittees covered under these existing permits are allowed to continue to operate until MPCA staff can be assigned to work on the permit reissuance.

Improvement efforts

Agency data management system improvements

The MPCA continues to upgrade its permitting data management system, called Tempo (the MPCA’s environmental database), to improve utility for staff and permittees. The MPCA added new online features, which will allow permittees to update and submit permitting data electronically, and improvements for staff management of permits in Tempo. These changes improve ease of access and faster submittals for the permittees and speed up the over-all permitting process.

Most recently, the agency updated services for electronic permit applications for the feedlot program and sanitary sewer extensions. These updates allow nearly all sanitary sewer extension permits to be auto-issued based on data submitted and only a few will require staff review before issuance, ensuring municipalities can fully utilize Minnesota’s construction season.

The agency began work to bring on wastewater related reports and permit applications into Tempo in May 2024. These efforts are priority work for development resources. On September 5, 2024, the MPCA updated existing air permit online services for air administrative and reissuance permits. In fall 2024, work begins on online application services to allow for major and minor amendments for registration and individual permits air permits. Finally, the MPCA has initiated work on a solid waste application service, with first release expected in calendar year 2025. The agency also continues to implement continuous improvement projects to streamline permitting processes, provide flexibility to regulated parties, and increase engagement with communities while still ensuring we issue technically and legally defensible permits that protect human health and the environment.

All permitting programs continue to engage with permit applicants to accommodate changes to their projects, time extensions to our information needs, and flexibility in permit language all at the expense of permit timeliness. With respect to community needs, we continue to refine our process for addressing environmental justice, an area of focus with EPA and the state.

Here are a few of the efforts by permitting programs in the last year to create new permitting efficiencies:

Air permitting program improvements

In early 2023, the air permitting program completed a thorough review of its existing permitting process and found that delays in permitting came from three areas: a lack of staff, waiting for permit applicants or incomplete information on application forms and no significant external reasons for delay. While staff selected “no significant external reasons for delay” a more rigorous review was needed to identify the issues staff were experiencing in the permitting process. As a result of the review, several projects were initiated as a result of the effort and have been implemented in the last year:

- Internal process improvements, including streamlining permit application reviews can be made by updating the existing air permit online services. As discussed above, online services will be updated as early as fall 2024.

- Providing assistance to permit applicants and their consultants will improve permit applications and cut down on delays during the technical review period. Several efforts have been made in the last year to provide additional services to applicants:
 - Early and increased review of mathematical calculations in the air permit application is now part of the 30-day completeness review so that applicants have early feedback on deficiencies otherwise caught later in the permitting process.
 - New calculation template for applicants, which streamlines the MPCA review. These forms are not mandatory but made available to applicants to increase the efficiency of the technical review.
 - Increased communication on a set schedule with applicants during the permitting process means that projects keep moving with all parties, including consultants.
 - In addition to better communication with the applicants, an email inbox at: AQ.Permit.Forms.MPCA@state.mn.us for applicants to send in questions.

Land permitting program improvements

The Solid Waste permitting program has created a new permitting unit, bringing on an additional supervisor, permit engineers and hydrogeologists. With additional capacity, work is being redistributed so that permit engineers can specialize on specific industry sectors. These changes result in a larger number of staff working on permits in general, but also allows engineers to be experts on specific permit types, which facilitates their issuance of permits more quickly.

The Solid Waste permitting program has built automated reports that help supervisors and managers track the permitting process more closely. The creation of these tools will allow the program to look at areas of the process that are taking the most time and allow for the program to address them and create more efficiencies and shorten the timeframe for permits, from application to issuance.

Water permitting program improvements

Water permits make up a substantial portion of the total permit applications received by the agency each year and include some of the most technically complicated and controversial permits. The wastewater program is unique as it crosses three divisions of the MPCA working together toward a shared goal of protecting human health and the environment from the disposal of sewage and industrial waste. In the summer of 2024, leadership from the across the agency met over three days to evaluate how to ensure the cross-agency wastewater program supports a connected and transparent permitting system, with the goal of improving workflow and permit issuance timelines. Over the next four months, the wastewater program will initiate projects to create process efficiencies, including identify and sequence Municipal and Industrial permits ready for effluent limit review and improve cross-program permitting process flow with a shared understanding of roles and responsibilities.

The MPCA is committed to identifying opportunities for carrying out projects to implement improvements to create efficiencies in the permitting process, such as clarifying roles and responsibilities, setting achievable expectations and goals, and establishing planned communication across the program. The deployment of these improvements will include data collection and review to determine the degree of improvement achieved.

Data

Table 1: Tier 1 and Tier 2 permit applications from July 1, 2023 – June 30, 2024

| Tier | Priority | Received | Withdrawn | Returned | Determined Complete | Issued (total) | Issued (within goal) | Issued (missed goal) | % issued within goal* | Pending (total) | Pending (still within goal) | Pending (missed goal) |
|--------------|--------------|-------------|-----------|-----------|---------------------|----------------|----------------------|----------------------|-----------------------|-----------------|-----------------------------|-----------------------|
| 1 | Non-priority | 121 | 2 | 6 | 113 | 104 | 100 | 4 | 93% | 9 | 6 | 3 |
| | Priority | 2147 | 6 | 0 | 2141 | 2106 | 2095 | 11 | 99% | 35 | 32 | 3 |
| 2 | Non-priority | 284 | 13 | 16 | 255 | 88 | 77 | 11 | 49% | 167 | 99 | 68 |
| | Priority | 91 | 5 | 8 | 78 | 30 | 25 | 5 | 51% | 48 | 29 | 19 |
| TOTAL | | 2643 | 26 | 30 | 2587 | 2328 | 2297 | 31 | 95% | 259 | 166 | 93 |

*% issued within goal: includes applications received minus those withdrawn, returned, and pending still within 90- and 150-/210-day timeliness goal.

NOTE: The 210-day Tier 2 goal calculations for municipal wastewater permits were first introduced in the FY2018 Annual Permitting Efficiency Report.

Table 2: Tier 2 permit applications from March 4, 2011 – June 30, 2024

| Priority | Received | Withdrawn | Returned | Determined Complete | Issued (total) | Issued (within goal) | Issued (missed goal) | % issued within goal* | Pending (total) | Pending (still within goal) | Pending (missed goal) |
|--------------|--------------|------------|------------|---------------------|----------------|----------------------|----------------------|-----------------------|-----------------|-----------------------------|-----------------------|
| Non-priority | 11022 | 351 | 712 | 9959 | 6009 | 3721 | 2288 | 47% | 3950 | 1978 | 1972 |
| Priority | 10437 | 80 | 193 | 10164 | 9548 | 9331 | 217 | 95% | 616 | 366 | 250 |
| TOTAL | 21459 | 431 | 905 | 20123 | 15557 | 13052 | 2505 | 73% | 4566 | 2344 | 2222 |

*% issued within goal: includes applications received minus those withdrawn, returned, and pending still within 150- or 210-day timeliness goal.

NOTE: The 210-day Tier 2 goal calculations for municipal wastewater permits were first introduced in the FY2018 Annual Permitting Efficiency Report.

Applications received

| Tier | Medium | Priority | Non-priority | Total |
|--------------------|---------------|--------------|--------------|--------------|
| 1 | Air Permits | | 52 | 52 |
| | Land Permits | 5 | 4 | 9 |
| | Water Permits | 2,141 | 58 | 2,199 |
| | Total | 2,146 | 114 | 2,260 |
| 2 | Air Permits | 24 | 75 | 99 |
| | Land Permits | 13 | 23 | 36 |
| | Water Permits | 54 | 185 | 239 |
| | Total | 91 | 283 | 374 |
| Grand Total | | 2,237 | 397 | 2,634 |

This table lists the count of all applications received by MPCA during FY 2024 by environmental medium and legislative priority status (where priority refers to construction-related permits and non-priority refers to non-construction-related applications).

This view does not count such activities as permit/coverage terminations, notifications, pre-applications, confidentiality determinations, fee-processing activities, closure orders, and some types of registrations and modifications for certain environmental permitting programs, or applications where it was determined that no permit is required. Applications that were withdrawn or returned, and those for which permits were denied, are included in this table. Applications that are exempted from the timeliness goals due to funding are also included in this table.

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Tier 1 timeliness

| | | issued <= 90 | issued > 90 | pending <= 90 | pending > 90 | |
|--------------|---------------|--------------|-------------|---------------|--------------|--------------|
| Priority | Medium | | | | | Total |
| Priority | Land Permits | 2 | | 1 | 2 | 5 |
| | Water Permits | 2,092 | 11 | 31 | 1 | 2,135 |
| Non-priority | Air Permits | 39 | 3 | 4 | 1 | 47 |
| | Land Permits | 1 | | 1 | 2 | 4 |
| | Water Permits | 56 | 1 | | | 57 |
| | Total | 2,190 | 15 | 37 | 6 | 2,248 |

This table lists the count of all legislative Tier 1 applications (those not requiring individualized action and having a 90-day issuance goal) received during FY 2024 broken down by environmental medium and legislative priority status (where **priority** refers to construction-related permits and **non-priority** refers to non-construction-related applications).

The table breaks out permit applications as either **issued** or **pending**, and tells whether the applications resulted in permit issuance within the 90 day goal. For pending applications, time is calculated from the application receipt date to the lesser of today's date or the end of the reporting period (FY 2024).

This table does not include permit applications that were terminated as returned, denied, or withdrawn. Additionally, this table does not include permit applications that are exempted due to funding.

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Tier 2 timeliness

| | | issued <= 150 | issued <= 210 | issued > 150 | pending <= 150 | pending <= 210 | pending > 150 | pending > 210 | |
|--------------|---------------|---------------|---------------|--------------|----------------|----------------|---------------|---------------|------------|
| Priority | Medium | | | | | | | | Total |
| Priority | Air Permits | | | 4 | 7 | | 6 | | 17 |
| | Land Permits | 5 | | | 3 | | 5 | | 13 |
| | Water Permits | 18 | 2 | 1 | 15 | 3 | 7 | 1 | 47 |
| Non-priority | Air Permits | 2 | | 3 | 28 | | 26 | | 59 |
| | Land Permits | 2 | | | 9 | | 9 | | 20 |
| | Water Permits | 58 | 15 | 8 | 37 | 25 | 18 | 15 | 176 |
| | Total | 85 | 17 | 16 | 99 | 28 | 71 | 16 | 332 |

This table lists the count of all legislative Tier 2 applications (those not requiring individualized action and having a 150-day issuance goal, or for municipal wastewater permit applications, a 210-day issuance goal) received during FY 2024 broken down by environmental medium and legislative priority status (where **priority** refers to construction-related permits and **non-priority** refers to non-construction-related applications).

The table breaks out permit applications as either **issued** or **pending**, and tells whether the applications resulted in permit issuance within the 150 or 210 day goal. For pending applications, time is calculated from the application receipt date to the lesser of today's date or the end of the reporting period FY 2024.

This table does not include permit applications that were terminated as returned, denied, or withdrawn.

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Appendix A – Tier 1 and 2 permit categories

Breakdown of permit types

Tier 1 (90 day goal)

| | |
|------------------------|---|
| Wastewater | Sewer Extension |
| Stormwater | Construction Stormwater General Permit |
| | Industrial Stormwater General Permit |
| Solid waste | General Concrete Permit |
| | Transfer station extensions |
| | Minor amendments for Solid Waste facilities |
| Air | Capped Permit – New and administrative changes |
| | Registration Permit – New and administrative changes |
| | Part 70 General Permit – New and administrative changes |
| | State General Permit – New and administrative changes |
| Hazardous waste | Administrative amendment |
| | Minor amendment |
| Feedlots | Construction short form |
| | Interim |

Tier 2 (150-day goal)

| | |
|------------------------------|--|
| Industrial wastewater | Individual Industrial permits |
| Stormwater | Industrial Stormwater Individual Permits |
| | MS4 General Permit |
| | MS4 Individual Permits |
| Solid waste | Utilization Project – Case Specific Beneficial Use Determination |
| | Utilization Project – Demonstration Research Project |
| | New Solid Waste Facility Permits (non PBR) – (landfills, transfer station, SSO/MSW compost facilities, etc.) |
| | Major amendments for Solid Waste facilities |
| | Reissuance of Solid Waste facility permits |
| Air | Individual Part 70 Operating Permit |
| | Individual State Operating Permit |
| | Reissuance of expiring Individual Part 70 or State Operating Permit |
| | Major Amendment to an individual permit |
| | Moderate Amendment to an individual permit |
| | Minor Amendment to an individual permit |
| | Administrative Amendment to an individual permit |
| | Applicability Determination |

| | |
|------------------------|--|
| Hazardous waste | Individual Permit |
| | Reissuance |
| | Major amendment |
| AST | Individual permit |
| | Reissuance |
| | Permit change |
| Feedlots | All other than Construction Short Form and Interim |

Tier 2 (210-day goal)

| | |
|-----------------------------|------------------------------|
| Municipal Wastewater | Individual Municipal permits |
|-----------------------------|------------------------------|

Appendix B

Reason for delay codes:

COMP – Unresolved compliance issues*

LACK – Lack of staff.

NORS – No significant external reasons for delay

WAIT – Waiting for information from applicant*

PBLC – Significant public engagement process.

CHRG – Changes in federal or state regulations or policies*

FDRV – Lengthy Federal or EPA review.

INAD – Technically inadequate application forms, components and/or supporting documents.

INCM – Incomplete info on required application forms, checklists, components, and/or supporting documents.

*Note that COMP, WAIT and CHRG may involve scientific or technical disagreement.

Appendix B - Tier 1 projects over 90 days, Tier 2 projects over 150 or 210 days, and reasons for delay

| Medium - Air Permits | Master AI Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|----------------------------|--|---------------------------|--------------|------|-------------------------|------------------|---|-------------------------|
| | 3M Chemical Operations Cottage Grove Facility - Additives | Administrative Change | non-priority | 2 | 11/15/2023 | | 228 | LACK; |
| | 3M Chemical Operations Cottage Grove facility - Utilities | Permit Change - Minor | non-priority | 2 | 11/9/2023 | | 234 | LACK; |
| | 3M Chemical Operations' Cottage Grove facility - Additives | Administrative Change | non-priority | 2 | 11/15/2023 | | 228 | LACK; |
| | acpi Wood Products LLC | Permit Change - Major | priority | 2 | 7/13/2023 | | 353 | WAIT; |
| | Ag Processing Inc - Dawson | Part 70 Permit Reissuance | non-priority | 2 | 8/10/2023 | | 325 | LACK; |
| | Al-Corn Clean Fuel LLC | Administrative Change | non-priority | 2 | 8/17/2023 | 5/7/2024 | 264 | NORS; |
| | American Peat Technology LLC | Part 70 Permit Reissuance | non-priority | 2 | 12/19/2023 | | 194 | LACK; |
| | Archer Daniels Midland - Mankato | Permit Change - Major | priority | 2 | 7/17/2023 | 5/13/2024 | 301 | INCM; |
| | Ardent Mills Flour Mill | Part 70 Permit Reissuance | non-priority | 2 | 10/9/2023 | | 265 | LACK; |
| | Benson Municipal Utilities | Part 70 Permit Reissuance | non-priority | 2 | 1/29/2024 | | 153 | LACK; |
| | Cambria Co | Administrative Change | non-priority | 2 | 7/24/2023 | | 342 | LACK; |
| | | Permit Change - Major | priority | 2 | 10/11/2023 | | 263 | LACK; WAIT; |

| Medium - Air Permits | Master AI Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|----------------------------|---|--------------------------------|------------------|------|-------------------------|------------------|---|-------------------------|
| | CertainTeed LLC | Administrative Change | non- priority | 2 | 10/12/2023 | 4/11/2024 | 182 | NORS; |
| | CHS Hallock | Administrative Change | non- priority | 2 | 7/21/2023 | | 345 | LACK; |
| | CHS Mankato | Permit Change - Minor | non- priority | 2 | 11/15/2023 | | 228 | LACK; |
| | | Permit Change - Major | priority | 2 | 11/22/2023 | | 221 | WAIT; |
| | District Energy Saint Paul Inc - Hans O Nyman | Permit Change - Minor | non- priority | 2 | 10/3/2023 | | 271 | LACK; |
| | Electro- Mechanical Industries Inc | Option D Issuance | non- priority | 1 | 10/5/2023 | 1/8/2024 | 95 | NORS; |
| | Energy Center Minneapolis LLC | Administrative Change | non- priority | 2 | 7/26/2023 | | 340 | LACK; |
| | Gopher Resource LLC | Administrative Change | non- priority | 2 | 9/11/2023 | | 293 | LACK; |
| | Green Plains Fairmont LLC | Administrative Change | non- priority | 2 | 9/25/2023 | | 279 | LACK; |
| | | Administrative Change | non- priority | 2 | 10/27/2023 | | 247 | LACK; |
| | Heartland Corn Products | Administrative Change | non- priority | 2 | 8/7/2023 | | 328 | LACK; |
| | Koda Energy LLC | Permit Change - Major | priority | 2 | 1/16/2024 | | 166 | LACK; |
| | Madison WWTP | Option D Issuance | non- priority | 1 | 8/29/2023 | 12/5/2023 | 98 | NORS; |
| | Mayo Medical Center - Rochester | Permit Change - Moderate | priority | 2 | 8/10/2023 | 6/5/2024 | 300 | WAIT; |
| | Minnesota Power - Boswell Energy Center | Permit Change - Minor | non- priority | 2 | 9/8/2023 | | 296 | LACK; |

| Medium - Air Permits | Master AI Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|----------------------------|--|------------------------------|------------------|------|-------------------------|------------------|---|-------------------------|
| | Northern Iron LLC | Administrative Change | non- priority | 2 | 10/13/2023 | | 261 | LACK; |
| | Northern Natural Gas Co - Faribault | Part 70 Permit Reissuance | non- priority | 2 | 8/28/2023 | | 307 | LACK; |
| | Pine Bend Landfill | Administrative Change | non- priority | 2 | 11/30/2023 | 5/13/2024 | 165 | LACK; |
| | Plymold | Administrative Change | non- priority | 2 | 9/27/2023 | | 277 | LACK; |
| | PotlatchDeltic Land and Lumber LLC - Bemidji Lumbermill | Permit Change - Minor | non- priority | 2 | 11/3/2023 | | 240 | LACK; |
| | RDF Stevens LLC | Administrative Change | non- priority | 1 | 1/23/2024 | | 159 | LACK; |
| | Shearer's Foods Perham LLC | Administrative Change | non- priority | 2 | 9/1/2023 | | 303 | COMP; |
| | Sheldahl Flexible Technologies Inc - West Facility | Part 70 Permit Reissuance | non- priority | 2 | 9/20/2023 | | 284 | LACK; |
| | Spectro Alloys Corp | Permit Change - Major | priority | 2 | 9/20/2023 | 4/29/2024 | 222 | WAIT; |
| | US Postal Service Management Support Service Ctr | Permit Change - Major | priority | 2 | 12/4/2023 | 5/20/2024 | 168 | LACK; |
| | US Steel Corp - MinnTac | Permit Change - Minor | non- priority | 2 | 11/3/2023 | | 240 | LACK; |
| | Virginia Department of Public Utilities | Part 70 Permit Reissuance | non- priority | 2 | 9/21/2023 | | 283 | LACK; |
| | West Fraser Bemidji | Permit Change - Major | non- priority | 2 | 12/26/2023 | | 187 | LACK; WAIT; NORS; |
| | West Fraser US EWP - Bemidji | Administrative Change | non- priority | 2 | 12/28/2023 | | 185 | LACK; |

| Medium - Air Permits | Master AI Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|----------------------------|--|-----------------------------|------------------|------|-------------------------|------------------|---|-------------------------|
| | Windom city of | Option D Issuance | non- priority | 1 | 10/16/2023 | 1/24/2024 | 100 | NORS; |
| | Windom Electric Plant | Option D Issuance | non- priority | 1 | 10/16/2023 | 1/24/2024 | 100 | NORS; |
| | Xcel Energy - Sherburne County Generating Plant | Permit Change - Major | priority | 2 | 12/22/2023 | | 191 | LACK; |
| | | Permit Change - Major | priority | 2 | 1/8/2024 | | 174 | NORS; |

| Medium - Land Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|-----------------------------|--|---|------------------|------|-------------------------|------------------|---|-------------------------|
| | BAE Systems Land & Armaments LP | Permit Reissuance | non- priority | 2 | 12/1/2023 | | 212 | LACK; |
| | CHS Hallock | Permit Reissuance | non- priority | 2 | 8/16/2023 | | 319 | LACK; |
| | Clay Demolition Landfill | Permit Reissuance | non- priority | 2 | 10/3/2023 | | 271 | WAIT; |
| | Crow Wing County MMSW Landfill | Permit Reissuance | non- priority | 2 | 1/17/2024 | | 165 | LACK; |
| | Dakota Area Transfer | Permit Issuance | priority | 2 | 1/25/2024 | | 157 | LACK; |
| | Dan Reichert Property | Concrete Burial General Permit | priority | 1 | 12/5/2023 | | 208 | |
| | Itasca County Demolition Landfill/MSW Transfer Station | Permit Change - Major | non- priority | 2 | 10/10/2023 | | 264 | LACK; CHRG; |
| | Lyon County Demolition Landfill | Permit Reissuance | non- priority | 2 | 1/16/2024 | | 166 | LACK; |
| | Lyon County Sanitary Landfill | Permit Reissuance | non- priority | 2 | 1/17/2024 | | 165 | LACK; |
| | Mitchell Rohloff Property | Concrete Burial General Permit | priority | 1 | 2/26/2024 | | 125 | |
| | Morrison County Sanitary Landfill | Permit Reissuance | priority | 2 | 8/16/2023 | | 319 | LACK; |

| Medium - Land Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|-----------------------------|---|-----------------------------|------------------|------|-------------------------|------------------|---|-------------------------|
| | Northshore Mining Co | Permit Change - Minor | non- priority | 1 | 3/14/2024 | | 108 | LACK; |
| | Northwoods Transfer Station | Permit Change - Major | non- priority | 2 | 1/3/2024 | | 179 | WAIT; |
| | Olmsted County Kalmar Landfill | Permit Change - Minor | non- priority | 1 | 10/16/2023 | | 258 | LACK; |
| | Pope/Douglas Solid Waste Management | Permit Change - Major | priority | 2 | 9/20/2023 | | 284 | WAIT; |
| | Saint Louis County Regional Landfill | Permit Change - Major | priority | 2 | 11/2/2023 | | 241 | LACK; |
| | U of M - Fay Thompson Center for Environmental Management | Permit Reissuance | non- priority | 2 | 9/11/2023 | | 293 | LACK; |
| | United States Distilled Products Co | Permit Issuance | priority | 2 | 12/27/2023 | | 186 | WAIT; |

| Medium - Water Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|------------------------------|-------------------------------------|-----------------------------|------------------|------|-------------------------|------------------|--|----------------------|
| | 3M Hutchinson | Permit Change - Major | priority | 2 | 7/31/2023 | | 335 | NORS; |
| | 009-606-038 | Coverage Issuance | priority | 1 | 8/2/2023 | 2/27/2024 | 209 | WAIT; |
| | ABA Water Systems Inc | Permit Reissuance | non- priority | 2 | 10/2/2023 | | 272 | NORS; |
| | Albertville WWTP | Permit Reissuance | non- priority | 2 | 9/19/2023 | | 285 | NORS; |
| | Austin WWTP | Permit Reissuance | non- priority | 2 | 7/10/2023 | | 356 | NORS; |
| | Baarsch Farms LLC - Hollyhock | Coverage Issuance | non- priority | 2 | 8/3/2023 | 1/4/2024 | 154 | LACK; |
| | Bluestreak Dairy | Permit Issuance | non- priority | 1 | 8/9/2023 | 2/29/2024 | 204 | INCM; |
| | Campbell Extraction Pit | Coverage Issuance | non- priority | 2 | 12/14/2023 | | 199 | NORS; |
| | Cargill Animal Nutrition | Permit Issuance | non- priority | 2 | 11/2/2023 | | 241 | NORS; |
| | Columbus Collection System | Sewer Extension | priority | 1 | 10/3/2023 | 1/19/2024 | 108 | MISS; |
| | Daley Brothers LLC | Coverage Issuance | non- priority | 2 | 8/3/2023 | | 332 | WAIT; |
| | Daley Farms of Lewiston LLP | Permit Issuance | priority | 2 | 10/12/2023 | | 262 | WAIT; |
| | Dassel WWTP | Permit Reissuance | non- priority | 2 | 7/17/2023 | | 349 | NORS; |
| | Deephaven Collection System | Sewer Extension | priority | 1 | 9/13/2023 | 5/30/2024 | 260 | NORS; |
| | DENCO II LLC | Permit Reissuance | non- priority | 2 | 8/16/2023 | | 319 | NORS; |

| Medium - Water Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|------------------------|--|-----------------------|--------------|------|-------------------|---------------|---------------------------------|-------------------|
| | Denco II LLC - General Permit | Coverage Issuance | non-priority | 2 | 8/16/2023 | 6/1/2024 | 290 | NORS; |
| | Dennison WWTP | Permit Reissuance | non-priority | 2 | 11/13/2023 | | 230 | NORS; |
| | Eden Prairie Well House 6 & 7 | Coverage Issuance | non-priority | 2 | 1/16/2024 | | 166 | NORS; |
| | Evansville Collection System | Sewer Extension | priority | 1 | 12/26/2023 | 5/21/2024 | 147 | NORS; |
| | Fields of Saint Croix WWTP | Permit Change - Major | priority | 2 | 8/21/2023 | 2/7/2024 | 170 | NORS; |
| | Fountain WWTP | Permit Reissuance | non-priority | 2 | 11/29/2023 | | 214 | NORS; |
| | High Prairie Dairy LLC | Permit Issuance | non-priority | 2 | 7/14/2023 | 6/14/2024 | 336 | WAIT; |
| | ISD 2142 Pre-Kindergarten to Grade 12 N School | Permit Change - Major | priority | 2 | 8/10/2023 | | 325 | NORS; |
| | J&B Feedlot | Coverage Issuance | non-priority | 2 | 8/28/2023 | | 307 | WAIT; |
| | Keith Johnson Ellendale Site | Coverage Issuance | non-priority | 2 | 8/18/2023 | 5/15/2024 | 271 | WAIT; |
| | Lakefield WWTP | Permit Reissuance | non-priority | 2 | 7/17/2023 | | 349 | NORS; |
| | Lanesboro WWTP | Permit Reissuance | non-priority | 2 | 7/20/2023 | | 346 | NORS; |
| | Line 81 Red Lake River HDD Project | Permit Issuance | priority | 2 | 12/14/2023 | | 199 | NORS; |
| | Mabel WWTP | Permit Reissuance | non-priority | 2 | 11/30/2023 | | 213 | NORS; |

| Medium - Water Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|------------------------------|---|----------------------|------------------|------|-------------------------|------------------|--|----------------------|
| | Magnetation Plant 4 | Permit Reissuance | non- priority | 2 | 7/19/2023 | 7/1/2024 | 347 | NORS; |
| | McGregor WWTP | Coverage Issuance | non- priority | 2 | 9/11/2023 | | 293 | NORS; |
| | MDNR Crystal Springs State Fish Hatchery | Permit Reissuance | non- priority | 2 | 9/25/2023 | | 279 | NORS; |
| | MDNR Peterson State Fish Hatchery | Permit Reissuance | non- priority | 2 | 10/20/2023 | | 254 | NORS; |
| | Milestone Materials - Golberg Quarry | Permit Reissuance | non- priority | 2 | 10/26/2023 | | 248 | NORS; |
| | Minneapolis Water Works - Fridley | Permit Reissuance | non- priority | 2 | 1/10/2024 | | 172 | NORS; |
| | MNDOT Enterprise Rest Area | Permit Reissuance | non- priority | 2 | 10/30/2023 | | 244 | NORS; |
| | Murdock WWTP | Permit Reissuance | non- priority | 2 | 11/6/2023 | | 237 | NORS; |
| | North Oaks Collection System | Sewer Extension | priority | 1 | 10/23/2023 | | 251 | MISS; |
| | Order of Saint Benedict WWTP | Permit Reissuance | non- priority | 2 | 8/23/2023 | | 312 | NORS; |
| | Perham Resource Recovery Facility | Permit Reissuance | non- priority | 2 | 10/27/2023 | | 247 | NORS; |
| | Rahr Malting Co | Permit Reissuance | non- priority | 2 | 11/13/2023 | | 230 | NORS; |

| Medium - Water Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|------------------------|---|-----------------------|--------------|------|-------------------|---------------|---------------------------------|-------------------|
| | Randall Collection System | Sewer Extension | priority | 1 | 9/11/2023 | 6/26/2024 | 289 | NORS; |
| | Reading WWTP | Permit Issuance | priority | 2 | 1/2/2024 | | 180 | NORS; |
| | Red Rock Rural Water System – Lindstrom WTP | Permit Issuance | priority | 2 | 10/17/2023 | | 257 | NORS; |
| | Richland Grain Feedlot | Coverage Issuance | non-priority | 2 | 8/18/2023 | 3/15/2024 | 210 | LACK; |
| | Rosemount Collection System | Sewer Extension | priority | 1 | 1/18/2024 | 6/13/2024 | 147 | INCM; |
| | Saint Paul Regional Water Services McCarron WTP | Permit Change - Major | non-priority | 2 | 12/4/2023 | | 209 | WAIT; |
| | Shakopee Collection System | Sewer Extension | priority | 1 | 7/5/2023 | 10/24/2023 | 111 | WAIT; |
| | | Sewer Extension | priority | 1 | 10/16/2023 | 2/14/2024 | 121 | MISS; |
| | Staples WWTP | Permit Reissuance | non-priority | 2 | 8/29/2023 | | 306 | NORS; |
| | Stephen WWTP | Coverage Issuance | non-priority | 2 | 7/3/2023 | 1/2/2024 | 183 | NORS; |
| | Stewart WWTP | Permit Reissuance | non-priority | 2 | 10/2/2023 | | 272 | NORS; |
| | Tom Anderson Farm - Springfield | Coverage Issuance | non-priority | 2 | 7/24/2023 | 12/29/2023 | 158 | WAIT; |

| Medium - Water Permits | Master Ai Name | Activity Type | Priority | Tier | App Received Date | Issuance Date | Days in house (rec'd to FY end) | Reasons for Delay |
|------------------------|---|-----------------------|--------------|------|-------------------|---------------|---------------------------------|-------------------|
| | Trent Frederickson Farm - Sec 25 | Coverage Issuance | non-priority | 2 | 8/1/2023 | 5/9/2024 | 282 | WAIT; |
| | Two Harbors WWTP | Permit Reissuance | non-priority | 2 | 11/15/2023 | | 228 | NORS; |
| | Victoria Collection System | Sewer Extension | priority | 1 | 8/24/2023 | 11/30/2023 | 98 | INCM; |
| | Whispering Ridge Homeowners Association of Zimmerman Inc | Permit Change - Major | priority | 2 | 1/16/2024 | | 166 | NORS; |
| | Willow River WWTP | Permit Reissuance | non-priority | 2 | 8/14/2023 | | 321 | NORS; |
| | Windom Wash LLC | Permit Reissuance | non-priority | 2 | 10/2/2023 | | 272 | NORS; |
| | Woods at Eagle Lake WWTP | Permit Change - Minor | non-priority | 2 | 8/2/2023 | | 333 | NORS; |
| | WP38C - Property Structure Mitigation Master Agreement Construction Services (MACS) | Coverage Issuance | priority | 1 | 12/21/2023 | 4/8/2024 | 109 | INCM; |