

**DATE:** April 25, 2024

**SUBJECT:** Highway Occupancy Permit Collaboration Workshops

**TO:** District Executives

**FROM:** Stephen Gault, P.E., PTOE, Acting Director  
Bureau of Operations



This Strike-off Letter (SOL) is time and resource neutral and establishes a formal process for holding weekly Highway Occupancy Permit (HOP) Collaboration Workshop Meetings. The purpose of the meetings is to offer HOP Applicant teams an opportunity to discuss specific questions, concerns, and/or design changes before resubmitting an HOP application in the Pennsylvania Department of Transportation's (PennDOT) ePermitting System (EPS) for another review cycle.

Each District will offer Collaboration Workshops weekly via Microsoft Teams. On a first-come-first-serve basis and Applicant teams will have the opportunity to sign up for a 20-minute time slot to discuss specific questions and/or concerns after receiving EPS review comments. Applicant teams cannot sign up for a meeting time slot prior to the first HOP application submission in EPS. Each District should provide at least six (6) 20-minute time slots per week.

Applicant teams shall follow the process outlined below for participating in the HOP Collaboration Workshops:

1. The Applicant team must email a meeting request to the appropriate contacts on the District's HOP review team. The Points of Contact for each District can be found in the "Links" section of EPS. The meeting request email must include:
  - a. EPS application number.
  - b. County, municipality, address, and brief description of the development.
  - c. Latest EPS review comments.
  - d. An agenda including discussion topics and/or questions about specific review comments. The discussion topics must be directly related to the EPS application number under review.
  - e. If the Applicant team is proposing design changes, marked-up plans indicating the changes must be included in the meeting request email prior to the meeting.
  - f. List of attendees and associated emails. The applicant/developer is encouraged to attend the meeting.
2. PennDOT will assign the Applicant team their 20-minute time slot, record it in the statewide database and send a meeting invite to requested attendees. The Applicant team may not request a specific time slot, and if all time slots are full, the meeting will be scheduled during the following week's Collaboration Workshop. The Applicant must request the meeting at least two (2) business days prior to the District's weekly meeting time identified in EPS. If a scheduled holiday falls on the District's Collaboration Workshop Day, the District may move the workshop to another day and time that week, or schedule applicants for the following week's workshop meeting.

3. During the meeting the Applicant team will follow the agenda sent to PennDOT in the meeting request email. PennDOT representatives on the call must have the authority to make decisions regarding proposed solution(s) and provide clarity to the comments in question. The expectation is not to approve plan changes or HOPs during the meeting.
4. The Applicant team is required to generate meeting minutes to document the discussions, feedback, and any decisions made. No later than two (2) business days after the meeting, the meeting minutes must be sent to the attendees. The District must provide any comments within one (1) week of receiving the meeting minutes. If no comments are received by the Applicant team, the meeting minutes are considered approved.
5. The final, approved meeting minutes must be included with the resubmission as a separate attachment in EPS. The meeting minutes should be marked as "PennDOT Correspondence" in EPS.

To inform applicants of the HOP Collaboration Workshops, the EPS response letter will include a description of the Collaboration Workshop Meetings and direct Applicants to the HOP Collaboration Workshop link in EPS. The availability, timeframe, and points of contact for each District will be provided via the EPS link.

The above policy is effective immediately and will be incorporated into the next update of PennDOT Publication 282: *Highway Occupancy Permit Operations Manual*. The following sections will be updated and have also been attached:

- Chapter 3.1 – Application Review Policy
- Appendix D5 – HOP Collaboration Workshop Guidelines

Should you have any questions or require additional information, please contact Michael Dzurko, Manager, HOP Unit, at 717.783.6080.

Attachment

4940/MJD/hmq

cc: Eliza Erickson, OTO Coordinator, Governor's Office  
Brent Sailhamer, Executive Director, ACEC/PA  
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MWR Read File  
DPF Read File

## CHAPTER 3 – APPLICATION REVIEW

### 3.1 – APPLICATION REVIEW POLICY

HOP applications for access to and occupancy of a highway, as defined in Chapters 441 and 459, by driveways, local roads or utilities, including required studies, plans, and other supporting documents are processed concurrently through PennDOT's Electronic Permitting System (EPS).

Applications for access to local roads not under PennDOT jurisdiction will be returned without action, with notice to the applicable municipality.

Applications that are not complete and accurate as determined during the initial on-site review by HOP staff may be returned for additional information and correction before District Office review.

Applications that are complete and accurate will be thoroughly reviewed by required District staff reviewers before the application is approved, denied or returned to the Applicant for additional information, correction or amendment(s). Thorough reviews promote efficiency and reduce the application review cycles which occur if an application is returned before all reviewers review the package (e.g., additional amendments are often identified after the amended application is forwarded to the remaining reviewers if the remaining reviewers have not had an opportunity to review the current application package).

Every effort should be made to not add new comments during subsequent review cycles unless specifically pertaining to changes the applicant made to the application prior to resubmission, or due to comments a municipality or county have provided since the District's last review.

Every comment should include a specific reference to a section or sections of the applicable statute, regulation or policy that is prompting the comment. This way, the applicant will have a clear understanding that the issue commented on is compliant with the rules, regulations and/or policies of the Department, and will reduce confusion and the need to request further clarification.

If the applicant does require clarification of any comments made by the District, the District ~~will respond to the applicant in a timely manner.~~ **offers Collaboration Workshop Meetings, which are held weekly on a first come, first served basis, for the applicant to get clarification from the District. The HOP Collaboration Workshop link in EPS will direct applicants to a PDF listing each District and their points of contact. The applicant should use this list to send the appropriate District an email request with the information required in the guidelines.** This benefits all involved, as it can eliminate the need for additional review cycles, speed-up the permitting process and will allow the District to concentrate on other applications sooner. **Additional information regarding the HOP Collaboration Workshop is provided in Appendix D5.**

In some instances, it may be counterproductive for all reviewers to expend resources reviewing every submission if there are substantial initial comments significantly affecting the proposed design. Holding a project "scoping" meeting during the pre-application phase of the project and sharing appropriate checklists can provide great benefit by reducing the likelihood of encountering significant element of design concerns during the application review process.

Certain types of HOP applications must be reviewed by Central Office. Within Central Office, the Bureau of Maintenance (BOM), the Bureau of Operations (BOO), the Bureau of Design & Delivery (BODD), and the Office of Chief Counsel (OCC) may be involved in the review process depending upon the nature of the review submission. FHWA staff must also review and approve: (1) all non-utility permanent occupancy applications involving limited access highways on the Interstate system; (2) any utility application involving a limited access highway that is not in accordance with Design Manual, Part 5; (3) any proposed longitudinal occupancy of a limited access highway; and (4) any access to/from a limited access highway on the Interstate system.

Necessary reviews by the FHWA are undertaken after the Central Office review so that FHWA staff reviewers are aware of PennDOT's comments or concurrence. Similarly, final drafting and approval of documents by OCC may need to occur after design features and other matters have been approved by other reviewers before any necessary agreement can be finalized.

APPENDIX B2 – HOP STORM WATER FACILITY GUIDEBOOK.....B2-1

**APPENDIX “C” SERIES – OTHER HOP REFERENCE MATERIALS C-1**

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APPENDIX C1 – HOP PROJECT APPLICATION CHECKLISTS.....C1-1

APPENDIX C2 – GENERAL PERMIT NOTES.....C2-1

APPENDIX C3 – OUTLINE OF RIGHT-OF-WAY ACQUISITION PROCEDURES FOR HIGHWAY OCCUPANCY PERMITS.....C3-1

APPENDIX C4 – MINIMUM USE DRIVEWAY DESIGN FOR UNCONVENTIONAL GAS DRILLING AND HYDROFRACKING WELL SITES.....C4-1

APPENDIX C5 – SAMPLE ACORD FORM WITH INSTRUCTIONS.....C5-1

APPENDIX C6 – SIGNATURE AUTHORITY GUIDE (RIGHT-OF-WAY MANUAL, APPENDIX F)...C6-1

APPENDIX C7 – PRE-CONSTRUCTION CHECKLIST.....C7-1

APPENDIX C8 – HIGHWAY RESTORATION FIGURES.....C8-1

APPENDIX C9 – SAMPLE CONSTRUCTION PLANS .....C9-1

**APPENDIX “D” SERIES – INTERNAL PENNDOT POLICIES, PROCEDURES & DOCUMENTS D1-1**

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APPENDIX D1 – TRAINING.....D1-1

APPENDIX D2 – ADMINISTRATIVE COSTS .....D2-1

APPENDIX D3 – RECORDS RETENTION.....D3-1

APPENDIX D4 – CPO QUALITY ASSURANCE REVIEWS.....D4-1

**APPENDIX D5 – HOP COLLABORATION WORKSHOP GUIDELINES.....D5-1**

APPENDIX D6 – PROGRESSIVE SANCTION GUIDELINES .....D6-1

APPENDIX D7 – GENERAL CHECKLIST FOR REQUEST TO OCCUPY LIMITED ACCESS ROW .....D7-1

APPENDIX D8 – CONDITION STATEMENTS AND HOP AGREEMENTS.....D8-1

APPENDIX D9 – ADMINISTRATIVE LAW AND PROCEDURE FOR PENNDOT PERMITS.....D9-1

APPENDIX D10 – MUNICIPAL CAPITAL IMPROVEMENT (ACT 209) AND THE TRANSPORTATION PARTNERSHIP ACT (ACT 47).....D10-1

APPENDIX D11 – HOP RELATED COURT CASES.....D11-1

## **APPENDIX D5 – HOP COLLABORATION WORKSHOP GUIDELINES**

### Meeting Purpose:

The purpose of the Collaboration Workshop meetings is to give the Applicant team an opportunity to discuss specific questions, concerns, and/or design changes before resubmitting in EPS for another review cycle.

### Overall Process:

- Meetings occur at least once per week and are typically held the same day each week.
  - Duration should be consistent but at a length allowing for an appropriate amount of collaboration.
  - Meetings are held virtually via Teams.
- Applicant team will have the opportunity to schedule a meeting after receiving the first round of EPS review comments.
- Applicant teams sign up for a 20-minute time slot to discuss specific questions and/or concerns.
- Time slots are provided on a first come, first served basis.
- District to determine which day of the week and when the applicant should request the meeting.
- Each District should provide at least six (6) 20-minute time slots per week.

### Project Team/Applicant Process:

1. The Applicant team must submit a meeting request via email prior to that week's meeting. If request cannot be accommodated, applicant would receive next available time.
  - Meeting request must be submitted to the appropriate contacts on the District's HOP review team. The points of contact for each District can be found in the "Links" section of EPS.
  - Meeting request email must include:
    - EPS application number.
    - County, municipality, address, and brief description of the development.
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    - An agenda including discussion topics and/or questions about specific review comments. The discussion topics must be directly related to the EPS application number under review.
    - If the Applicant team is proposing design changes, marked-up plans indicating the changes must be included in the meeting request email prior to the meeting.
    - List of attendees and associated emails.
      - The applicant/developer is encouraged to attend.
2. PennDOT will assign the Applicant team their 20-minute time slot and send a meeting invite to requested attendees.
  - The project team may not request a specific time slot.
  - If all time slots are full, the meeting will be pushed to the following week's meeting.
  - The Applicant must request the meeting at least two (2) business days prior to the District's weekly meeting time identified in EPS.
  - If a scheduled holiday falls on the District's collaboration workshop day, the District may move the workshop to another day and time that week, or schedule applicants for the following week's workshop meeting.
3. During the meeting the Applicant team will follow the agenda sent to PennDOT in the meeting request email. PennDOT representatives on the call must have the authority to make decisions regarding proposed solution(s) and provide clarity to the comments in question. The expectation is not to approve plan changes or HOP's during the meeting.

**HIGHWAY OCCUPANCY PERMIT OPERATIONS MANUAL**  
**Appendix D5 – HOP COLLABORATION WORKSHOP GUIDELINES**

4. The Applicant team is required to generate meeting minutes to document the discussions, feedback, and any decisions made.
  - o Meeting minutes must be sent to the attendees no later than two (2) business days after the meeting. This ensures that decisions made are fresh on everyone's minds.
  - o The District must provide comments within one (1) week of receiving the meeting minutes. If no comments are received by the Applicant team, the meeting minutes are considered approved.
  - o Meeting minutes must be included with the resubmission as a separate attachment in EPS. Attaching the minutes as a separate attachment makes it easier for the review team to notice that document and get up to speed fast on what was discussed and decisions made prior to the resubmission. The meeting minutes should be marked as "PennDOT Correspondence" in EPS.



Policy:

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