



Integrated Permit System
Government of Puerto Rico



PERMITS MANAGEMENT OFFICE



SISTEMA INTEGRADO DE PERMISOS

CON EL NUEVO SISTEMA
INTEGRADO DE PERMISOS,
PUERTO RICO
LO HACE MEJOR.
GOBIERNO DE PUERTO RICO

Act # 161 December 1st, 2009

- Puerto Rico Permits Process Reform Act

Integrated Permits System (SIP)



The SIP is a virtual structure that is composed of three new government agencies with their own responsibilities but guided by a same group of values, a mission and vision.

Principles

- This Act establishes a new structure to evaluate, grant or deny permissions, based on the following precepts, among others:
- Total transparency to the processes of evaluation, approval or denial of permits;
- Clear and simple requirements and regulations;
- Substantial reduction in the time to obtain Government permits;
- Effective, real and timely fiscalization
- Modernization, reliability, agility, certainty and efficiency to facilitate investment in Puerto Rico.

Major Changes

- Electronic filing, processing and digitization of documents.
- Standardization and improvements in administrative processes.
- Training of personnel in different areas of work.
- Pre-consults process
- Customer Service Representative Figure
- Other Agencies Process Integration
- Recommendations
- Green Permits Concepts

Process Flow



OGPE
Oficina de Gerencia de Permisos

- Permit Application
- Case Evaluation
- Final Decision



**Permit
Granted**

**Permit
Denied**



JUNTA REVISORA
DE PERMISOS Y USO DE TERRENOS

- Revision Process
20 days
- Resolution (120
days)



OIGPE
Oficina del Inspector General de Permisos

**Complaint Process
(Fraud)**

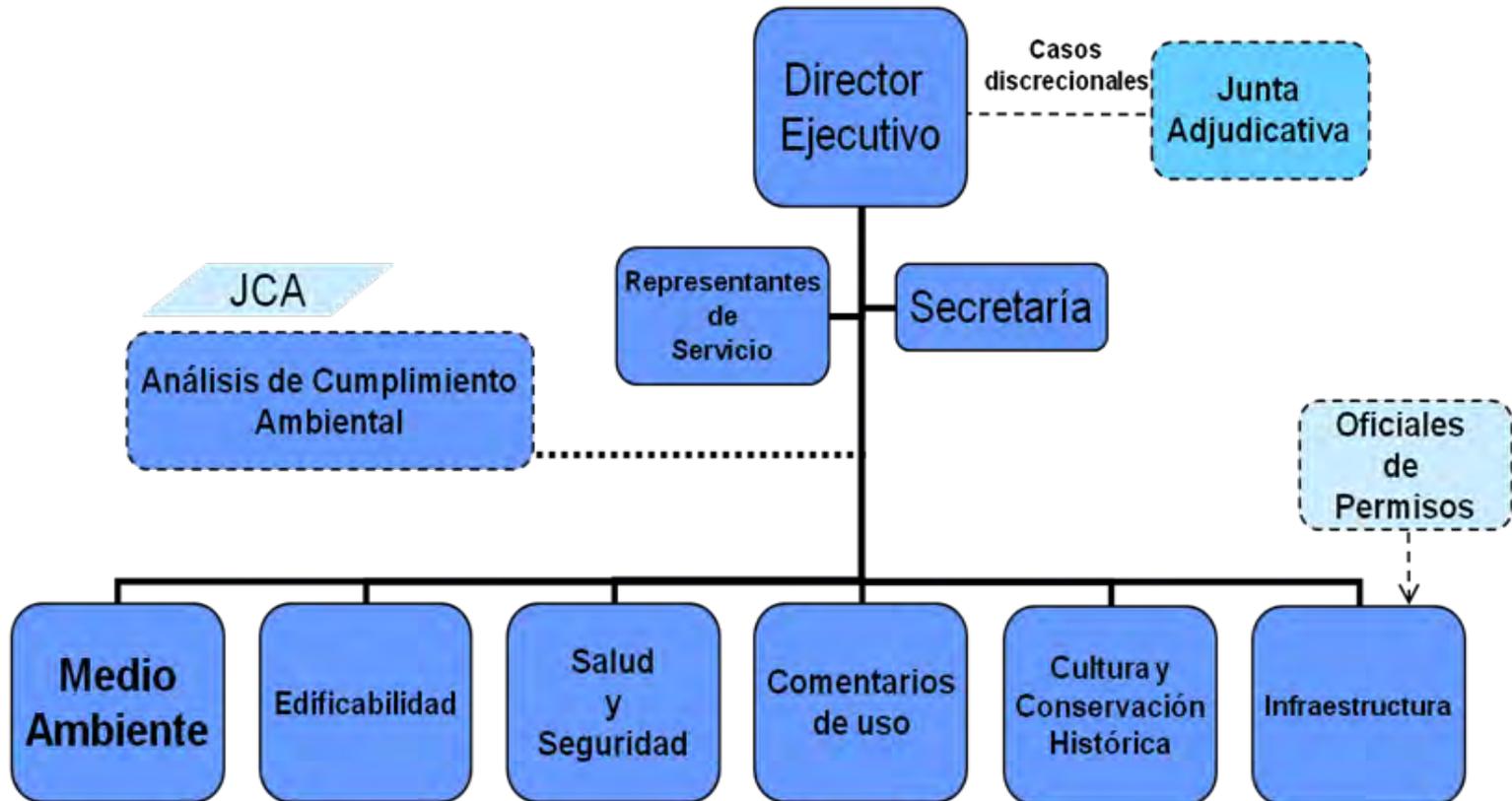


JUNTA REVISORA
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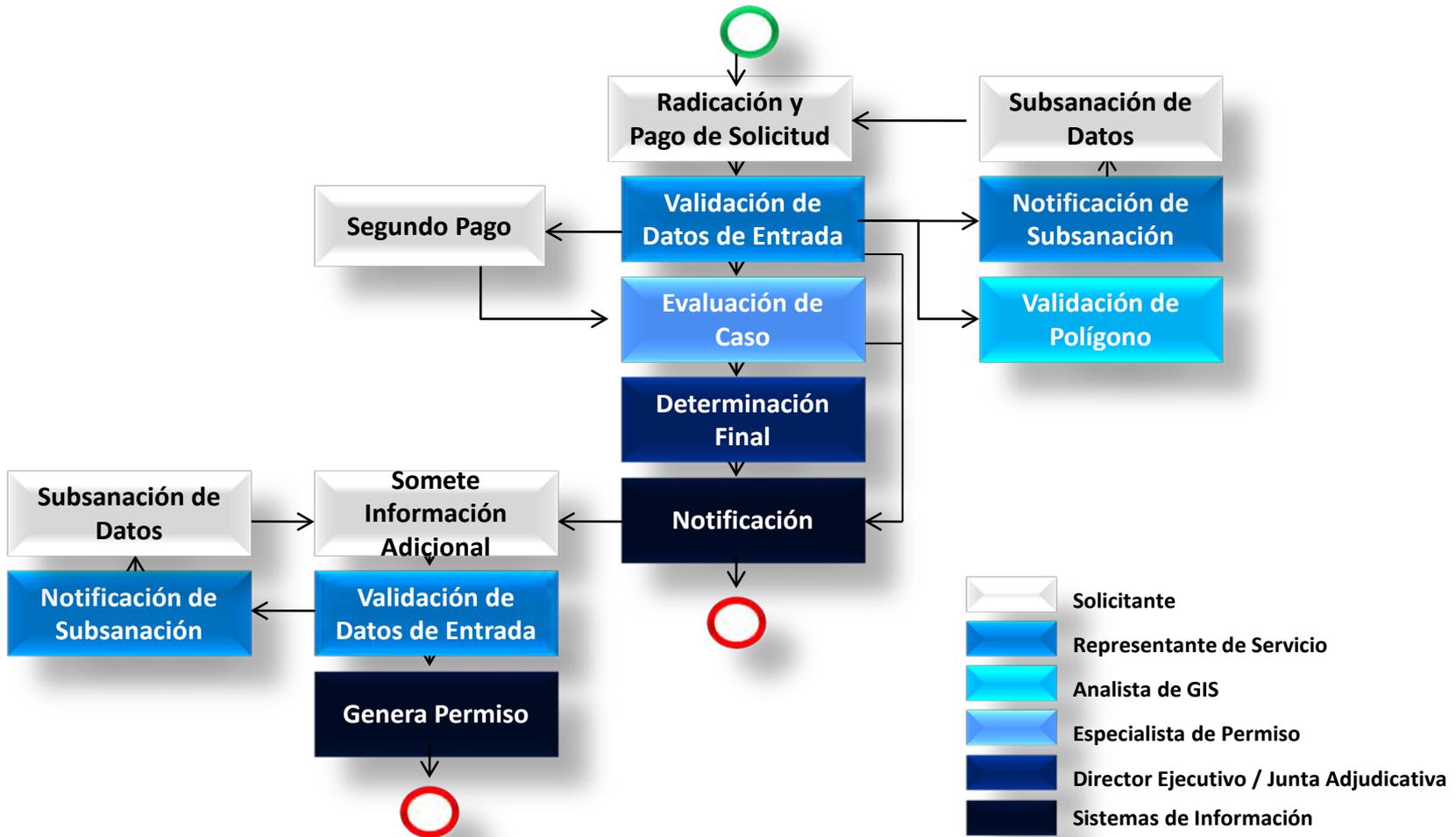
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Organization



Evaluation Process



Reglamentos Derogados

1. Reglamento de Planificación Núm. 3
2. Reglamento de Planificación Núm. 4
3. Reglamento de Planificación Núm. 5
4. Reglamento de Planificación Núm. 12
5. Reglamento de Planificación Núm. 17
6. Reglamento de Planificación Núm. 25
7. Reglamento de Planificación Núm. 26
8. Reglamento de Planificación Núm. 27
9. Reglamento de Planificación Núm. 28
10. Reglamento de Planificación Núm. 30
11. Reglamento de Zonificación Especial para las Zonas No Urbanas de los Municipios Circundantes al Bosque Nacional del Caribe (El Yunque).
12. Reglamento para la Cuenca Hidrográfica de la Laguna Tortuguero.
13. Resolución 197 - Normas que Aplicarán a los Casos Especiales que Surjan dentro de las Áreas Especiales Establecidas en los Distritos R-0 en el Mapa de Zonificación del Área de la Parguera en el Municipio de Lajas.
14. Resolución JP-242- Autorizando Variaciones o Disposiciones Reglamentarias a Ser Utilizadas en 9 Proyectos Residenciales de Interés Social Bajo el Programa de Coparticipación del Sector Público y Privado para la Nueva Operación de Vivienda Auspiciado por el Departamento de la Vivienda.

Solar Energy Projects

- Permits
 - Recommendations
 - That no permits are required for solar projects
 - Location Consultation
 - Large Scale Solar Projects
 - Construction Permit
 - Solar Projects 1<24.9 MW
 - Large Scale Projects
 - Use Permit
 - Solar Projects 1<24.9 MW
 - Large Scale Projects

Solar Energy Projects

- Public Hearings Exemption
 - Solar Panels Projects **installed at the roof top** of any structure and with less than **1 MW capacity**.
 - All solar panels projects, including large scale, **located in industrial zoning district**
 - All solar panels projects, including large scale, **located in no zoning area** but in which industrial activities were already developed and caused a considerable terrain impact.
- For all other zonings **the Planning Board and OGPe reserves their rights to determine** if a Public Hearing will be required based on the public interest and the possible impacts over the resources and the community.

Solar Energy Projects

- **Design Parameter for Large Scale Projects**
 - Panels Height
 - Occupation Area
 - Yards Setbacks
 - Buildings and Accessory Uses
 - Parking Facilities
 - Fences and Towers
- **Five percent deviation shall be allowed.** More than that will be evaluated according the corresponding mechanism.

State of Emergency Act

- **Act #76** May 5, 2000
- **Joint Regulation for Construction Works and Land Uses**
 - Guides to establish the **expedite process** for the permits adjudication of the energy projects under **Act #76** and executive order 2010-34

Establishing a State of Energy Emergency

PROCESSES FOR CASES UNDER THE PROTECTION OF THE LAW NUMBER 76 AND EXECUTIVE ORDER NUMBER OE-2010-034 AND EXECUTIVE ORDER NUMBER 2011-47 AS AMENDED (ESTABLISHING A STATE OF ENERGY EMERGENCY)

- According to those orders it was established that it is a state priority to promote the development of new structure of power generation using alternate sources of petroleum fuels.
- **Rule 12.3 “Guides to set the procedure expedited procurement of energy projects under the protection of the law number 76 of may 5, 2000 and executive order OE 2010-34”,**
- The projects located under the provisions of this Act and order No. OE-2010-034 and order No. OE-2011-47 as amended, should have copy of the order as part of the documents submitted and specify that it is under this law and justify it.

Terms Set Forth in Law No. 76

- **All government agencies** with inherence in the projects submitted under the provisions of this law, and to which the Planning Board requested comments and/or endorsements, **will have the non-renewable term of five (5) business days** from the request for comments and/or endorsements, to present its endorsement or opposition to the application to be assessed. Not receive feedback, **past the term of five (5) business days, shall be understood into the endorsement of the proposal** .
- **It is established a period of ten (10) business days** from the moment the **corresponding environmental document is submitted** to which the **Environmental Quality Board (JCA)** has to express the accordance or opposition to the application to be assessed.
- Once the appropriate governmental entity has submitted the location consultation **with the corresponding environmental compliance consultation**, the Planning Board **will have a non-renewable term of fifteen (15) business days to evaluate** the location consultation.
- Once the location consultation has been approved, the corresponding governmental entity shall submit the draft for consideration by the Permit Management Office. **The OGPe will have five (5) business days** to evaluate and issue the corresponding permits once the project is submitted.

Notification Process

- In any proceedings in which it is required to notify interested parties **publication of only (1) one notice in two (2) newspapers of general circulation** will be sufficient. Furthermore, a banner stating the object of the work or project, the email address and the phone number of the relevant agency, among other things, will be placed in a prominent place.

Appellative Forum

- The party adversely affected by any resolution or order issued by any Agency will be solely responsible to submit an application for review before the Circuit Court of appeals. Any application for judicial review of the administrative agency concerned shall be submitted before this Court, within the jurisdictional **period of twenty (20) calendar days** counted from the date on which filed in auto copy of the notification of the resolution or final order of the Agency. The appellant shall notify the filing of the application for revision to the contested Agency and all interested parties within the established term; arranging, that compliance with such notice will be jurisdictional.

Services Fees

- Pursuant to article 7 of the law 76, the projects submitted under the protection of the aforementioned law shall be exempt from the payment of any stamp, voucher or fee is required for the grant of permits, recommendations, consultations and/or certifications.
- The energy projects submitted by governmental entities are exempt from the payment of charges for service.
- The energy projects submitted by private entities **will be charged a service equivalent to one half (50%)** established in the administrative order establishing rights receivable for the documents, studies and other services of the Planning Board or of the OGPe, existing, as appropriate.

General Dispositions

- a. Every **certification of design and installation** of systems of renewable energy **must be settled before the OGPe** or the Authorized Professional for such purposes.
- b. For such certification, the system **must have the equipment certified** and have been **installed by a certified installer** according to requirements included in this chapter and those applicable technical aspects of the Code adopted by the Energy Affairs Administration (AAE).

Requirements for Renewable Energy Systems Designers

- Renewable energy system designers will have to be **professional engineers** duly members of the CIAPR and licensed to practice the profession.

Section 55.2.1 Designs and Designers Duties Parameters

- a. Designs have to be **consistent with the existing conditions of the place.**
- b. Designs will be **made according to the applicable provisions of the “Reglamento Conjunto”**, the Code adopted by the AAE, the laws, regulations and those of other applicable codes.

Requirements for the Certification for Equipment to be Sold for Installation

All certification for equipment to be sold for installation will be processed through the OGPe by the Permits Manager of the Division of edificability, energy codes and construction.

- a. **equipment for photovoltaic systems**
- b. **equipment for wind systems**
- c. **electrical for renewable energy systems**
- d. **equipment for solar thermal systems**
- e. **any other renewable energy equipment**

In addition to the equipment above specifically, any other equipment that is going to sell or install within the jurisdiction of Puerto Rico with the intention that qualify for incentives from the law 73, above, Law 241, above, or any other analogous, to produce energy through the use of renewable sources, including but not limited to solar, wind, geothermal energy, ocean thermic, ocean kinetics, hydroelectric, recovery of methane through the use of high technology and alternating thermal conversion technology, will have to be assessed and certified, prior installation, by the AAE. The person concerned will have to submit an explanatory memorial that includes the following:

- 1. Technical specifications developed by the manufacturer**
- 2. Letter of guarantee by the manufacturer for a minimum term that the Administration understands relevant.**
- 3. Any other document that the AAE understands relevant and important for the early technical revision of the equipment**

Requirements for the Application of Recommendation on Works of Systems Renewable

Any request for recommendations on renewable systems works must contain the following documents:

- a. **Site plan** that includes the project location
- b. Details on the **scope of the project** and the **estimated charge** in kilowatts (kW).
- c. If the project is one **to be developed in stages**, the applicant will be required to **submit a work program** that includes the dates of beginning and end of each stage and the estimated charge to be connected at the end of each of the stages.
- d. **Explanatory Memorandum** that includes general description of the project:
 1. **Technology**
 2. **Nominal capacity** in kilowatts (kW)
 3. **Location** (physical address)
 4. **Geographical aspects** (topography, general description of the environment, etc.)
 5. **Identify if it is grid connected or stand alone.**
- e. **Determine if the project will be large-scale (> 100 kW) or small (< 100 kW).**

The Construction Permit Application Requirements

- Any request for permission shall include:
 - a. **Digital file of the plans** of the project scale, oriented to the North
 - b. **Plans of construction** for which permission is sought; **must be sealed and signed** by the responsible of them professional.
 - c. Additional complementary documents **sealed and signed** by the responsible of them professional.
 - d. The above documents **include** technical specifications, details of construction and equipment, and computations, without limiting to load, short circuit currents, drop in voltage, tension of pulled underground driver, structural design, and existing facilities conditions
 - e. The plans must **clearly specify** any proposed **relocation of existing lines**. In the event that the project proposes the relocation of a line of distribution, transmission or existing sub-transmission, is required a plan for the design of the relocation and another for the electricity infrastructure proposal.

The Construction Permit Application

- f. For **projects with hidden installations** and other cases in which the complexity of the design necessary it, it **must be included at levels a mono-lineal diagram** of the electrical system and its legend.
- g. The **levels have to show details of construction** that apply to the project, as the type of construction of line, the size and type of posts or structures, class and caliber of drivers, capacity and specifications of transformers, switches and gauges bases and lifts ground, among others.
- h. In addition to the above requirements, **when the renewable system is connected to the system of the Puerto Rico Electric and Power Authority (PREPA), the applicant shall submit or include footnotes** required by such an agency, as well as other necessary notes that:
 - 1. Explain the details in the drawings.
 - 2. Apply to the design to improve security and facilitate the construction of the project.
 - 3. Establish the contribution of the owner of the project to the OGPe.
 - 4. Detailing the work that will make the PREPA for the construction and connection of the project.
 - 5. Establish the requirements of PREPA with regard to easements.
 - 6. Describe improvements requested by the PREPA.
 - 7. Maps that clearly specify any proposed relocation of existing lines. In the event that the project proposes the relocation of a line of distribution, transmission or existing subtransmission, is required a plan for the design of the relocation and one for the proposed electricity infrastructure. In the plans for the relocation are illustrate the profiles of the proposal line. In addition, you have to submit a plane of measurement where illustrate new easements to be established and existing ones to cancel, as provided for in the regulation of easements for the **Puerto Rico Electric and Power Authority (PREPA)**.

Requirements for the Application of Energizing of the Project

- a. Once the project is built, **will be to certify the installation of the system of renewable energy, prior certification from the inspector of the work to ensure that it complies with the plans, regulations and applicable laws**, the owner or his authorized representative may apply to the authorized Professional permission for use. For this purpose the inspector of the work shall **certify that the project complies with all the parameters established for renewable energy systems**, such as:
 1. **The installer certification.**
 2. **Certification of the equipment.**
 3. **Design of the system certified by an engineer professional schematic final provided by the installer Layout Plan.**
 4. **Final description of the system:**
 - i. **final capacity.**
 - ii. **type of technology.**
- b. Once the **OGPE** or the Authorized Professional issue a permit of use for a project, in those cases in which **the renewable energy system is connected to the PREPA**, PREPA will energize the project **without delay**, unless you find deficiencies which endanger the life, safety or property.
- c. In any case in which the **PREPA** find the built work departs from certified before the OGPE plans, regulations and applicable laws, must initiate the corresponding administrative process and **immediately refer the case to the OGPe.**

Requirements for the Application of Energizing of the Project

a. Public Liability Insurance

1. It will require that every owner or operator of renewable energy systems **maintains** a policy of public liability covering damage to property and the person for **not less than \$1,000,000 per occurrence of \$1,000,000 in the aggregate.**
2. Such a policy will be in effect **during the entire construction and operation of the system.**
3. Evidence of this coverage will **be required prior to issuing of construction and use permits** under this regulation, but not as a prerequisite for the presentation of a request for permission.
4. If the system **will be interconnected** to the electric system of the electric power authority, that agency will be included as insured in the policy.