

ORR Implemented ARC Recommendations
Tracking Sheet

Updated: 2-21-17

Recommendation	Recommended Action	Status
<u>Environmental Recommendations</u>		
<u>Air Quality Recommendations</u>		
<p>A-1 <i>Subject: Air Toxics Rules</i></p>	<p>The Committee makes the following recommendations regarding Air Toxics rules:</p> <ul style="list-style-type: none"> ▪ The parts of R 336.1224 dealing with compounds that are considered volatile organic compounds (VOCs) should be rescinded. Portions of R 336.1224 are redundant because R 336.1702 requires a control technology review for VOCs. VOC-based emission control is more effective under R 336.1702 and this entire regulation exceeds federal standards. ▪ R 336.1225 should be amended and specifically include the following: <ul style="list-style-type: none"> • Limit permit modification reviews to those increases in a Hazard Index exceeding 10% above the previously permitted baseline. • Exempt sources that are identified in a MACT source category. • Exempt clean fuels such as natural gas, low sulfur #2 fuel oil, and non-chemically treated biofuels. • Exempt pollution control projects for existing sources from the air toxic regulations. • Limit the number of air toxics to the federal HAPS list. • Make the acceptable exposure limits consistent with other nearby states. • Stop requiring permit holders to conduct elaborate and costly stack tests to provide emissions research data, since the DEQ does not use this information for subsequent permit reviews. ▪ R 336.1228 should be rescinded. This rule allows the Air Quality Division to go beyond the requirements of the rule for any reason. 	<p>Implemented.</p>
<p>A-2 <i>Subject: Mercury Rules: Part 15 Rules, (R 336.2501 – 2514)</i></p>	<p>Amend Part 15 rules to add a statement that stays compliance with Rules 336.2512, 336.2503(2)(a) & (6), 336.2509(1) and 336.2513(1)(a) & (3) until January 1, 2015. The Michigan Mercury Rules requirements will be effective on this date unless an applicable federal rule to control mercury has been published in the Federal Register. Once the applicable federal rule to control mercury has been published, the Michigan Mercury Rules should be rescinded.</p>	<p>Implemented.</p>

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<p>A-3 <i>Subject:</i> Additional Rule 201 (Permit to Install) Exemptions</p>	<p>Michigan should adopt a new exemption rule for minor sources with <i>de minimis</i> potential to emit. This exemption rule should be similar to the minor new source review thresholds adopted by the U.S. Environmental Protection Agency (USEPA) for its own permitting program in Indian Country (40 CFR, Subpart C), and should read as follows:</p> <p>“New sources with a potential to emit less than the following amounts in an attainment area would be exempt from the requirement to obtain a permit to install:</p> <table border="0"> <tr><td>CO</td><td>10 tpy</td></tr> <tr><td>NOx</td><td>10 tpy</td></tr> <tr><td>SO2</td><td>10 tpy</td></tr> <tr><td>VOCs (non-carcinogenic)</td><td>5 tpy</td></tr> <tr><td>PM</td><td>10 tpy</td></tr> <tr><td>PM10</td><td>5 tpy</td></tr> <tr><td>PM2.5</td><td>3 tpy</td></tr> <tr><td>Lead</td><td>0.1 tpy</td></tr> <tr><td>Fluorides</td><td>1 tpy</td></tr> <tr><td>Sulfuric Acid Mist</td><td>2 tpy</td></tr> <tr><td>Hydrogen Sulfide</td><td>2 tpy</td></tr> <tr><td>Total Reduced Sulfur</td><td>2 tpy</td></tr> <tr><td>Reduced S Compounds</td><td>2 tpy</td></tr> <tr><td>MSW Combustors</td><td>2 tpy</td></tr> <tr><td>MSW Landfills</td><td>10 tpy</td></tr> </table> <p>In non-attainment areas, the NAA compound-specific thresholds would be:</p> <table border="0"> <tr><td>CO</td><td>5 tpy</td></tr> <tr><td>NOx</td><td>5 tpy</td></tr> <tr><td>SO2</td><td>5 tpy</td></tr> <tr><td>VOCs (non-carcinogenic)</td><td>2 tpy</td></tr> <tr><td>PM</td><td>5 tpy</td></tr> <tr><td>PM10</td><td>1 tpy</td></tr> <tr><td>PM2.5</td><td>0.6 tpy</td></tr> <tr><td>Lead</td><td>0.1 tpy</td></tr> </table>	CO	10 tpy	NOx	10 tpy	SO2	10 tpy	VOCs (non-carcinogenic)	5 tpy	PM	10 tpy	PM10	5 tpy	PM2.5	3 tpy	Lead	0.1 tpy	Fluorides	1 tpy	Sulfuric Acid Mist	2 tpy	Hydrogen Sulfide	2 tpy	Total Reduced Sulfur	2 tpy	Reduced S Compounds	2 tpy	MSW Combustors	2 tpy	MSW Landfills	10 tpy	CO	5 tpy	NOx	5 tpy	SO2	5 tpy	VOCs (non-carcinogenic)	2 tpy	PM	5 tpy	PM10	1 tpy	PM2.5	0.6 tpy	Lead	0.1 tpy	<p>Implemented.</p>
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A-4 <i>Subject:</i> Rule 206 Process Deadlines	R 336.1206 must be more specific and must include a definition for “administratively complete”. The rule should be amended to: <ul style="list-style-type: none"> ▪ Include a definition of “administratively complete” in Part 1. ▪ Require the Air Quality Division (AQD) to make an “administratively complete” determination within 10 days of the receipt of the application. ▪ Require AQD to act (issue or deny) on all minor source Permit to Install (PTI) applications within 180 days of receipt. This should include “opt-out” PTIs. ▪ Require AQD to act (issue or deny) all major source and major modification PTI applications within 240 days from the date of receipt. ▪ Allow for the extension of these deadlines with the mutual consent of both the applicant and the DEQ. 	Implemented.
A-5 <i>Subject:</i> Dispersion Modeling Guidance Document	The DEQ should organize a stakeholders group by January 1, 2012 to develop a new Policy Guidance Document (PGD) that considers the new National Ambient Air Quality (short-term) Standards (NAAQS) for NOx and SO2. Finalization of the new PGD should become effective no later than March 1, 2012. This PGD should be modified, with stakeholder consensus, within 90 days of USEPA’s promulgation of any subsequent new or revised NAAQS.	Implemented.
A-6 <i>Subject:</i> Averaging Times and Compliance Testing – AQD Operational Memorandum No. 18	The DEQ should review Air Quality Division’s Operational Memorandum No. 18 to ensure it is consistent with federal test methods and make changes to the Memorandum if necessary. Stakeholder input should be included in any change to the Memorandum.	Implemented.
A-8 <i>Subject:</i> Michigan Continuous Emission Monitoring Rules (Part 11)	R 336.2170 should be amended to be consistent with the federal reporting requirements and limited to semi-annual reporting of excess emissions. The present Michigan rule requires quarterly reporting.	Implemented.
A-9 <i>Subject:</i> Visible and Particulate Emission Limitations	The Air Quality Division (AQD) should develop a Policy Guidance Document addressing the use of visible emissions limits of less than 20% opacity in permit conditions. The process for developing the document should include stakeholder input and require any opacity limits that are more stringent than what is allowed by R 336.1301(1)(a) to be negotiated between the applicant and the AQD. The guidance document should be developed by June 1, 2012.	Implemented.

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A-10 <i>Subject:</i> R 336.1330	The Air Quality Division should engage with USEPA to determine what it would take to get USEPA approval to rescind R 336.1330. Based upon that feedback, the DEQ should engage with stakeholders to determine whether to rescind or modify the rule, or take no further action.	Implemented.
A-11 <i>Subject:</i> R 336.1901 - General Nuisance Rule	With stakeholder involvement, rulemaking should be undertaken to clarify how R 336.1901 is to be used in the Permit to Install process. R 336.1901 should be limited to responding to and resolving <i>known</i> odor issues and other nuisances. As part of this review, all templates and standard language will be reviewed to assure the appropriate use of R 336.1901.	Implemented.
A-13 <i>Subject:</i> Stakeholder Involvement in SIP Development	The Air Quality Division of the DEQ should conduct stakeholder reviews to solicit more non-agency input in drafting State Implementation Plans (SIPs).	Implemented.
A-14 <i>Subject:</i> Addition of New Permit to Install Exemptions and Clarification of Existing Exemptions	Amend the R 336.1201 permitting requirements to add new exemptions, and further clarify the current exemptions included in R 336.1278 – R 336.1290.	Implemented.
A-16 <i>Subject:</i> Volatile Organic Compounds (VOCs) – R 336.1611 and R 336.1707(3)-(4)	The DEQ should work with stakeholders to simplify the process for demonstrating compliance with these rules for Renewable Operating Permit facilities.	Implemented.
A-18 <i>Subject:</i> R 336.1349	R 336.1349 is obsolete and should be rescinded.	Implemented.
A-19 <i>Subject:</i> Limiting Compounds Required For Annual MAERS Report	Continue to use the existing default MAERS air toxics emission factors as an optional calculation tool for industry, but clearly identify which air toxics have been calculated using USEPA-supplied emission factors in the annual MAERS reports. Furthermore, the DEQ should be prohibited from developing new air toxics rules using D and E-rated emission factors.	Implemented.
A-20 <i>Subject:</i> Putting a Hold on the 18-Month	Amend R 336.1201(4) to provide for a “hold” on the 18-month timeframe if a permit decision has been appealed. The following bold language should be added to Rule 336.1201(4):	Implemented.

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Construction Window for A PTI	<p align="center"><i>“If the installation, reconstruction, or relocation of the equipment, for which a permit has been issued, has not commenced within, or has been interrupted for, 18 months, then the permit to install shall become void, unless (a) otherwise authorized by the department as a condition of the permit to install, or (b) the installation permit is the subject of an appeal by a party other than the owner or operator of the air contaminant source that is the subject of the installation permit, in which case the date of termination of the permit is not later than eighteen months after the effective date of the permit plus the number of days between the date in which the permit was appealed and the date on which all appeals concerning the permit have been resolved”.</i></p>	
<u>Remediation Recommendations</u>		
R-1 <i>Subject:</i> Groundwater/Surface-Water Interface (GSI)	Seek amendments to Part 31, Part 201, and R 299.5716 to address the following goals regarding the GSI pathway: <ol style="list-style-type: none"> 1. GSI compliance evaluation should be based on surface water and not groundwater. 2. Prohibit excessive data demands. 3. Focus on designated uses and surface-water-quality standards in the surface water and not in groundwater or pore water. 4. Expand the bases for site-specific criteria, including non-numeric criteria. 5. Evaluate appropriate plume characteristics, such as using plume-average concentrations except where there is, or will likely be, an acutely toxic effect occurring in surface water. 6. Expressly recognize that natural attenuation may be acceptable in lieu of active treatment. Generally describe what is needed to show natural attenuation. 7. Use sustainability parameters in the response-activity choice factors. 8. Expressly state that no permit is needed under Part 31 for a GSI response activity. 9. Surface water subject to GSI regulation should not include all wetlands or storm-water retention ponds. 10. Develop new rule provisions or statutory changes for groundwater plumes infiltrating storm sewers based on the quality of the water exiting the storm sewer outfall and its impact on surface waters. 	Implemented. PAs 190 & 446 of 2012

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R-4 <i>Subject: Part 201 Rules</i>	<p>On or before April 1, 2013, the DEQ should rescind all rules (Parts 1, 4, 5, 7, 9, and 10) promulgated under Part 201 except the portion of the Part 7 rules related to establishing generic cleanup criteria and screening levels. Concurrent with this process, DEQ should promulgate a streamlined and efficient rule package that contains only rules that are:</p> <ul style="list-style-type: none"> ▪ Necessary for program implementation; and ▪ Performance-based rather than prescriptive. 	Implemented. PA 446 of 2012
R-5 <i>Subject: Risk-Based Closures and Site-Specific Criteria</i>	<p>Consistent with the increased flexibility to create site-specific criteria under the 2010 Part 201 amendments, the DEQ should encourage the increased use and approval of risk-based site-specific closure limits in order to facilitate closure of more sites. In addition, Part 201 and the Part 201 rules should be amended to allow for non-numeric site-specific criteria.</p>	Implemented. PA 446 of 2012
R-6 <i>Subject: Effective Solubility and Free Phase Contamination</i>	<ol style="list-style-type: none"> 1. The DEQ should immediately discontinue applying the unpromulgated alternative criteria for gasoline that are based on USEPA effective-solubility formulas and that are attached to the DEQ Draft Q&A document dated May 12, 2011, and should use the existing promulgated criteria. 2. To the extent the DEQ believes that new criteria are appropriate for “free phase” contamination, it must seek the appropriate changes to Part 213 or promulgate new criteria under Part 201 pursuant to the Administrative Procedures Act. 3. In developing any new criteria to address free-phase contamination, the DEQ should use science and look to national best practices. 4. The DEQ should allow regulatory flexibility when evaluating “free phase” situations where there is no demonstrated impact to groundwater present. 	Implemented. PA 446 of 2012
R-7a <i>Subject: Underground Storage Tank Inspection Delegation and Certification (R 29.2071 – R 29.2077)</i>	<p>The rule set relating to Underground Storage Tank Inspection Delegation and Certification (R 29.2071 – R 29.2077) should be rescinded.</p>	Implemented.

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R-7c <i>Subject:</i> Transportation of Flammable and Combustible Liquids (R 29.2201 – R 29.2234)	The rule set relating to Transportation of Flammable and Combustible Liquids (R 29.2201 – R 29.2234) should be rescinded because it is redundant with existing transportation regulations.	Implemented.
R-7d <i>Subject:</i> Compressed Natural Gas (CNG) Vehicular Fuel Systems (R 29.4601 – R 29.4652)	The Compressed Natural Gas (CNG) Vehicular Fuel Systems program (R 29.4601 – R 29.4652) is related to fire safety and should be transferred from the DEQ to the Bureau of Fire Services (within LARA) through an executive order. Further, the Michigan-specific amendments to the national codes should be rescinded and the current national codes should be adopted by reference.	Implemented.
R-7e <i>Subject:</i> Production, Storage, and Handling of Liquefied Natural Gas (R 29.4671 – R 29.4672)	The rule set relating to Production, Storage, and Handling of Liquefied Natural Gas (R 29.4671 – R 29.4672) should be rescinded because there are no applicable facilities (existing or planned) in the state.	Implemented.
R-7f <i>Subject:</i> Storage and Handling of Flammable and Combustible Liquids (R 29.5101 – R 29.5516)	<ol style="list-style-type: none"> 1. Transfer the Storage and Handling of Flammable and Combustible Liquids program (including Rules 29.5101 – R 29.5516) from the DEQ back to the Bureau of Fire Services (within LARA) through an executive order. 2. The Bureau of Fire Services should amend these rules to rescind the current Michigan-specific amendments to the national codes and then adopt by reference the current national codes (without state-specific amendments). 3. Concurrent with the rulemaking by the Bureau of Fire Services in Recommendation #2 above, the DEQ should determine if there are remaining environmental concerns specifically related to the PIPP Part 5 rules (R 324.2001 – R 324.2099) pertaining to aboveground storage tanks. If environmental concerns are identified, they should be evaluated against the best practices in neighboring states to determine whether additional regulations by the DEQ are truly necessary. 	Implemented.
R-7g	The Liquefied Petroleum Gas (LPG) program (R 29.6001 – R 29.6097) is related to fire safety and should be transferred from the DEQ to the Bureau of Fire Services (within LARA) through an	Implemented.

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<i>Subject:</i> Liquefied Petroleum Gas (LPG) (R 29.6001 – R 29.6097)	executive order. Further, the Michigan-specific amendments to the national codes should be rescinded and the current national codes should be adopted by reference.	
R-9 <i>Subject:</i> Due Care for Indoor Air Inhalation at a Property Subject To MIOSHA Standards	The Part 201 inhalation criteria and due care related rules (R 299.5714(6), R 299.5724(6) and R 299.51013(5)), and if necessary, Part 201, should be modified and amended so that indoor air inhalation risk at workplaces could be addressed at the option of an owner or operator of property by applying MIOSHA and federal (USEPA) workplace exposure criteria for both workers and non-workers in workplaces in lieu of generic Part 201 criteria and without regard to whether or the extent to which the chemical in question is being used in the workplace. This would include the deletion of the limitations contained in R 299.5714(6)(a)-(c), R 299.5724(6)(a)-(c) and R 299.51013(5)(a)-(c). In addition, if generic soil gas criteria are promulgated, the criteria should be based on indoor air or inhalation exposure limits established under MIOSHA if established for the chemical in question.	Implemented. PA 446 of 2012
R-10 <i>Subject:</i> Soil Relocation Statute (MCL 324.20120c) and Associated Rules	The DEQ should implement Section 20120c to permit the relocation of contaminated soils within facility or property so long as due care or other measures are implemented which prevent human exposure or harm to the environment. In addition, the state should amend MCL 324 20120c and amend R 299.5542 to adopt proposed revised R 299.4110(l) in order to reduce regulatory burdens in connection with the proper relocation of soil under Part 201.	Implemented. PA 446 of 2012
R-11 <i>Subject:</i> Source Control Requirements under MCL 324.20114(1) and R 299.5526(4)	R 299.5526(4) should be amended to facilitate a clear understanding of the requirements of MCL 324.20114(1), including what constitutes a “source” subject to the Section.	Implemented. PA 452 of 2014
R-13 <i>Subject:</i> Part 201 Due-Care Plans Submitted As Response-Activity Plans For SBA Loans	Develop a Policy Guidance Document that creates an expedited period for reviews of due-care plans in the SBA-loan context. Further, it would be helpful to the regulated community if the DEQ created a Policy Guidance Document outlining the content that the DEQ believes would comply with the due-care-plan requirement for SBA loans.	Implemented.
R-15 <i>Subject:</i> Quality Review Team	Discontinue the DEQ’s Quality Review Team process, focusing instead on educating District staff and monitoring appropriately. The DEQ’s process to educate District staff and monitor decision-making should focus on achieving consistency, quality control, and collaboration with the regulated community.	Implemented.

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R-17 <i>Subject:</i> Review Part 201 Cross-References	The DEQ and Attorney General’s office should review all cross-references contained in the Part 201 rules and correct any errors.	Implemented.
<u>Resource Management Recommendations</u>		
RM-1 <i>Subject:</i> Liquid Industrial Waste Regulations	<p>The DEQ should develop rules and/or changes to the statute(s) governing liquid industrial waste to make the process of handling these materials more streamlined and cost effective for the regulated community while protecting human health and the environment. In the development of these rules and recommendations, the department should look at what rules can be eliminated and how the various rules can be consolidated.</p> <p>This rules package and/or statutory change recommendations must be evaluated in comparison to the federal standards and should be consistent with the programs in surrounding Great Lakes States. Any rules package and statutory changes should be presented to the Office of Regulatory Reinvention (ORR) by September 1, 2012.</p> <p>The development of the liquid industrial waste recommendations must consider:</p> <ul style="list-style-type: none"> ▪ The role of manifests in the hauling and disposal process. ▪ The development of an electronic manifesting system. ▪ <i>De minimis</i> and threshold quantities in determining applicability of the law or rule. ▪ Duplicative rules and standards between the various parts of the Act(s) governing liquid industrial waste. ▪ Whether certain insignificant materials such as used oil, wash water and other small or insignificant materials should be included in the Act. ▪ How liquid industrial waste is handled under the present laws and rules. ▪ Registration/licensing of liquid industrial waste haulers. ▪ The reasons for using a licensed hauler. ▪ Reasonable insurance and financial assurance requirements that reflect real risk and actual costs. ▪ Whether the current list of materials in the Act should continue to be listed. ▪ The option of regulating used oil as a universal waste. ▪ Consider regulating other LIW wastes streams as universal waste. 	Implemented.

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RM-2 <i>Subject:</i> Beneficial Reuse	The DEQ should develop, based on recommendations from stakeholders, a new comprehensive Beneficial Reuse Act. The recommendations of the stakeholder workgroup should be implemented by April 1, 2012 and legislation prepared by May 1, 2012.	Implemented. PAs 178, 179 & 180 of 2014
RM-3 <i>Subject:</i> Michigan Hazardous Waste Regulations	The DEQ should conduct a systematic review – including stakeholder and public comment – of the chemicals and wastes listed in R 299.9226, Table 205c (“U” listed); R 299.9219, Table 202 (“S” characteristic); and R 299.9223, Table 204b (“K” listed). The review should consider new information about the chemicals and wastes to determine if they should remain on the lists or be removed.	Implemented.
RM-4 <i>Subject:</i> Rescind/Repeal Michigan PCB Regulations	Michigan’s PCB rules (R 299.3301 – R 299.3319) should be rescinded. Make statutory amendments necessary to remove PCB regulations from Michigan statute (MCL 324.14701 – 324.14705).	Implemented. PA 446 of 2012
RM-5 <i>Subject:</i> Hazardous Waste Biennial Reporting Required Under the Federal Resource Conservation Recovery Act (RCRA) of 1976	The DEQ should convene a stakeholder workgroup to develop electronic biennial reporting for hazardous waste generators to streamline the process and eliminate duplicative reporting.	Implemented.
RM-6 <i>Subject:</i> Financial Assurance for Landfills	Part 115 should be amended to allow for additional financial assurance mechanisms, and to streamline and create a more cost effective method of assuring proper funds are available for landfill emergencies and closure.	Implemented.
RM-7 <i>Subject:</i> Hazardous Waste User Charge and Manifest Systems	The DEQ should convene a stakeholder group to redesign the hazardous waste user charge system to make it fair, simple and timely, and to develop electronic methods for minimizing the paperwork associated with the verification of hazardous waste manifests.	Implemented.
<u>Water Recommendations</u>		
W-2 <i>Subject:</i> Mercury Rule for National Pollutant	Allow an NPDES permittee with a water quality-based effluent limit (WQBEL) for mercury in the permit to account for inlet loading concentration when their contribution to the effluent is negligible. Language should be added to R 323.1211(7)(a) that states:	Implemented.

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Discharge Elimination System (NPDES) Permits	<i>“If the mean effluent concentration is less than 10% greater than the mean inlet concentration (using 24 consecutive months of monitoring data) and does not exceed the mean inlet concentration by more than 0.5 PPT, then the permittee should be exempt from the PMP requirements and subject to annual monitoring.”</i>	
W-3 <i>Subject:</i> R 299.2933(4) Promulgated Under Part 41, Sewerage Systems, of the NREPA (MCL 324.4101 et seq.)	R 299.2933(4) should be rescinded.	Implemented.
W-5 <i>Subject:</i> Part 301 (Section 30105) Inland Lakes and Streams; Part 303 (Section 30312) Wetlands Protection; and Part 325 (Section 32512) Great Lakes Submerged Lands of the NREPA	Amend Michigan’s Inland Lakes & Streams, Great Lakes Submerged Lands, and Wetlands programs to adopt the USACE Nationwide permitting approach of allowing non-reporting general permits for minor projects below certain thresholds and individual permits for projects above those thresholds. Amend the Minor/General Permit Category revisions accordingly. To ensure consistent program implementation, these activities should be coordinated with any proposals from the Wetland Advisory Council.	Implemented. PA 98 of 2013
W-6 <i>Subject:</i> Implementation of General Federal Nationwide permits: State 401 and Coastal Zone Management Certification of U.S. Army Corps of Engineers (USACE) Nationwide Permits	The DEQ should review, with stakeholder involvement, all 44 USACE Nationwide Permits to determine if the current MDEQ Nationwide permit denials or additional conditions make sense or if they are more stringent than the federal requirements. To ensure consistent program implementation, these activities should be coordinated with any proposals from the Wetland Advisory Council.	Implemented.

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W-7 <i>Subject:</i> Sanitary Sewer Overflows Control	Revise the Part 21 rules (R 323.2101 et seq.) to explicitly direct the DEQ to permit the diversion of separate sanitary flow to a combined sewer retention treatment facility for settling, screening, disinfection and discharge in order to prevent sanitary sewer overflows (SSOs), provided such discharge to a combined sewer retention treatment facility does not violate water quality standards. In addition, the DEQ should permit a sewage system operator that is under an administrative order to abate storm water infiltration and inflow to its sanitary collection system, to divert flow from the separate sanitary system to a combined sewer retention treatment facility to provide the operator time to rehabilitate the sanitary collection system.	Implemented.
W-8 <i>Subject:</i> Agricultural Activities under Parts 301 and 303 of the NREPA	The DEQ should work with the agricultural community to resolve issues related to the manner in which certain agricultural activities are regulated under Parts 301 and 303. These include: <ul style="list-style-type: none"> ▪ the extent to which permits are required for activities directly relating to exempt activities, such as fencing for grazing; ▪ the cutting of trees and bushes within wetlands; and ▪ whether it is appropriate to limit the USEPA’s position regarding the <i>Huggett</i> ruling to only federal wetlands. <p>The primary consideration in resolving these issues should be to streamline the permit process, especially for activities that have a minimal impact on the environment.</p>	Implemented. PA 98 of 2013
W-11 <i>Subject:</i> Unduly Restrictive Requirements for NPDES Permitting of Storm Water Runoff at Airports	Provide DEQ with additional flexibility in helping airports manage ADFs in storm water. Adopt rules that require DEQ to develop a sector-specific general permit for airports consistent with federal regulations and USEPA’s Multi-Sector General Permit for Air Transportation facilities (Sector S-air transportation facilities) and that don’t impose requirements stricter than required under federal law.	Implemented.
W-13 <i>Subject:</i> DEQ Annual Wastewater Report	Rescind R 299.9001 – R 299.9007, which require annual wastewater reporting to the DEQ.	Implemented. PA 43 of 2012
W-15 <i>Subject:</i> Coordinating Storm Water Operators for Construction Sites with Local Enforcement of Soil Erosion and Sedimentation Control	Amend R 323.2190 to provide construction site owners the option of utilizing the services of the local Part 91 Soil Erosion and Sediment Control Inspectors to fulfill the inspection and compliance reporting requirements.	Implemented.

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W-16 <i>Subject:</i> NPDES Permitting for Construction Sites	The Part 21 rules governing storm water discharges from construction sites should be amended to allow for a process that will exempt sites where it can be demonstrated that there will be no discharge of sediment to a surface water body. This will eliminate the requirement that a certified storm water operator be hired for sites that are between 1 and 5 acres where it has been demonstrated that there will be no discharge of sediment to a surface water body, and will eliminate the requirement of a submittal and approval of an “application” for sites over 5 acres, in instances where there is no anticipated impact to surface waters.	Implemented.
W-17 <i>Subject:</i> Safe Drinking Water – Cross Connection Inspections of Residential, Commercial and Industrial Properties	Amend R 325.10113 to set a standard for the frequency of testing residential cross-connections. The standard should be based on data that is compiled and analyzed to determine the number and frequency of failures and identification of cross connection problems in residential, commercial and industrial properties. A cost/benefit analysis should be undertaken as well.	Implemented.
W-18 <i>Subject:</i> NPDES Water Treatment Additives	The DEQ should create a “notification only” process for well-defined water treatment additives (WTA) conditions that pose minimal toxicity concerns (e.g., the WTA would not be present at the discharge point to navigable waters in toxic amounts, including a conservative safety factor).	Implemented.
W-19 <i>Subject:</i> Mercury Standard for Groundwater	DEQ should work with the USEPA to revise the Great Lakes Initiative with respect to the groundwater/surface water interface criterion/wildlife protection value for mercury of 1.3 ng/l, by applying current science.	Implemented.
W-20 <i>Subject:</i> Part 301 - Inland Lakes and Streams – Permits Required For Drawdown Activities That Are Already Subject To Federal Energy Regulatory Commission (FERC) Authority	Eliminate the Part 301 permitting requirements related to temporary drawdown activities for entities that are already subject to a FERC license.	Implemented. PA 98 of 2013

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<u>General Recommendations</u>		
G-1 <i>Subject:</i> Rules More Stringent Than Federal	Identify existing DEQ state rules and specific requirements that are more stringent than federal. Evaluate these rules and specific requirements to determine the benefits received versus the additional cost of compliance. Then systematically review (based on priority) to revise or eliminate unjustified rules or specific requirements.	Implemented.
G-3 <i>Subject:</i> Administrative Rule Approval Process	The Committee recommends setting an expectation or requirement for the DEQ to take no more than 12 months for a proposed environmental administrative rule change. The process should incorporate steps to ensure adequate public comments and other discussions with stakeholders over accelerated schedules, as well as the use of innovative public input tools to increase public input and awareness of the proposed rulemaking.	Implemented.
G-4 <i>Subject:</i> DEQ Citation of Legal Authority	When making a written determination which affects the rights of a Michigan citizen or business, the DEQ should always cite the applicable legal basis (statute, administrative rule, or common law) for its determination.	Implemented.
<u>Inspections and Permitting Recommendations</u>		
5 <i>Subject:</i> Permit Application Review – Multiple Jurisdictions	Reduce (and eliminate redundancies where possible) the levels of permitting and approvals where appropriate public safety, health and environmental safeguards can be achieved by other means.	Implemented.
6 <i>Subject:</i> Create a Development-Friendly Culture throughout the State of Michigan – Adopt the Mantra of “Educate First, Enforce Second”	Create a Development-Friendly Culture throughout the State of Michigan – Adopt the Mantra of “Educate First, Enforce Second”.	Implemented.
8 <i>Subject:</i> Encourage Above the Minimum Continuing Education	Enforcing agencies should encourage building officials and inspectors they employ/contract with to complete more than the minimum required continuing education coursework.	Implemented.

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for all of the Participants in the System		
10 <i>Subject:</i> Require Sufficient Code Knowledge before Provisional Registration of Building Inspectors	The Bureau of Construction Codes should enhance the experience requirements contained in Rule 408.30037 (work experience, professional licensure and education acceptable for initial registration) and establish new requirements that must be met before an individual is provisionally registered as a residential or commercial Building Inspector. Such requirements might include, for example, approved International Code Council (ICC) certification, other nationally recognized code certification, or a state authorized training credential.	Implemented.
12 <i>Subject:</i> Allow for Electronic Submittals of Plans	Amend the Occupational Code to allow state and local agencies to accept electronic documents by removing the requirement for wet-seal and signature.	Implemented. PA 178 of 2013
14 <i>Subject:</i> Permit Applications Processing - Parallel State Review	LARA should review its plan review and permitting processes to ensure parallel review for industrial, educational and health care based development projects in the most expeditious way possible. This review would ensure that plan reviews and permits are not occurring sequentially, but at the same time.	Implemented.
16 <i>Subject:</i> Create Single Permit for Water Heater Replacement	Create a single permit for a water heater replacement. It would require that the contractor be licensed as a plumbing contractor and mechanical contractor in the categories of venting and gas piping. This would not replace the current system, but allow for a new process that could lead to more efficient permitting.	Implemented.
17 <i>Subject:</i> Create Single Permit for HVAC Installation	Create a single permit for a HVAC installation. It would require that the contractor be licensed as an electrical contractor and mechanical contractor. This would not replace the current system, but allow for a new process that could lead to more efficient permitting.	Implemented.
21 <i>Subject:</i> Create an Applicant Checklist	LARA should provide a submission checklist to applicants to ensure a complete submission of applications for permits and plan review. A single checklist will be created for industrial and health care development projects. The checklist and application would be provided in a digital web-based document format. LARA should share this checklist with other local authorities as a template to encourage them to adopt a similar practice.	Implemented.
22 <i>Subject:</i> Provide for Pre-Project Meetings	State and local authorities should provide for in-person or internet-based pre-submission meeting where all parties can establish a relationship, review the project, the process for the permit, and help to establish reasonable expectations for the permit timeline for projects within their	Implemented.

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(including web-based meetings)	jurisdiction. This is an opportunity to share common plan review notes with the developer in advance to their submittal. This meeting should be provided for free when requested by the applicant.	
24 <i>Subject:</i> Create a Single Point of Contact for Projects of a Certain Size or Complexity	LARA, the MEDC, and the Department of Environmental Quality should establish a single point of contact for businesses to help them navigate through the permitting processes. The departments should work with the MEDC to determine the appropriate business demographic to gear this service towards and to obtain aid in marketing this service. The state should encourage local authorities to provide a similar service.	Implemented.
25 <i>Subject:</i> Utilize Customer Feedback Surveys	Maintain benchmark data and perform quarterly surveys of service levels.	Implemented.
<u>Insurance and Finance Recommendations</u>		
2 <i>Subject:</i> Savings and Loan Act, PA 307 of 1980 (MCL 491.102 et seq.)	Repeal of obsolete Savings & Loan Act.	Implemented. PAs 503, 449, 450, 451 and 452 of 2012
4 <i>Subject:</i> Payment of Wages and Fringe Benefits Act, PA 390 of 1978 (MCL 408.471 et seq.)	Amend the act to allow more community banks and credit unions to issue payroll debit cards.	Implemented. PA 440 of 2012
6 <i>Subject:</i> Mortgage Brokers, Lenders, and Servicers Licensing Act, PA 173 of 1987 (MCL 445.1651 et seq.)	Exempt from the act loans for business, commercial, or agricultural purposes, or to government or governmental agencies, or to organizations.	Implemented. PA 442 of 2012

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<i>Subject:</i> Consumer Mortgage Protection Act, PA 660 of 2002 (MCL 445.1631 et seq.)	Exempt from the act loans for business, commercial, or agricultural purposes, or to government or governmental agencies, or to organizations.	Implemented. PA 443 of 2012
<i>Subject:</i> Mortgage Lending Practices Act, PA 135 of 1977 (MCL 445.1601 et seq.)	Exempt from the act loans for business, commercial, or agricultural purposes, or to government or governmental agencies, or to organizations.	Implemented. PA 444 of 2012
7 <i>Subject:</i> Credit Union Rule 3	This rule, governing credit union credit committee and board of directors' lending activity, should be rescinded.	Implemented.
8 <i>Subject:</i> Credit Union Rule 4	The rule, regarding accounting for investments in mutual funds, should be rescinded and accounting for these types of investments should be governed by GAAP.	Implemented.
9 <i>Subject:</i> Credit Union Rule 7	The rule should be rescinded and minimum required allowances for loan and lease losses should be governed by GAAP and interagency guidance.	Implemented.
10 <i>Subject:</i> Credit Union Rule 8	This rule, regulating DFIR access to records, duplicates the requirements of MCL 408.4 and should be rescinded.	Implemented.
11 <i>Subject:</i> Bank Bulletins	DIFS should review all bank bulletins that pre-date adoption of the Banking Code of 1999 and rescind or update as appropriate and the DIFS website should be reconfigured to include a page for active, current materials and an archive page for superseded materials.	Implemented.
12 <i>Subject:</i> Credit Union Bulletin 2005-14-CU	This bulletin has been superseded by Bulletin 2008-08-BT. The DFIR website should be reconfigured to include a page for active, current materials and an archive page for superseded materials such as this bulletin.	Implemented.
13 <i>Subject:</i> Credit Union Bulletin 2004-01-OFIS	This bulletin has been superseded by Bulletin 2008-08-BT. The DFIR website should be reconfigured to include a page for active, current materials and an archive page for superseded materials such as this bulletin.	Implemented.
16 <i>Subject:</i> Credit Union Letter 2005-CU-11	DFIR should review and modify, if necessary, this letter in light of recent changes to national (NCUA) Reg Flex rules.	Implemented.

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17 <i>Subject:</i> Credit Union Letter 2002-CU-09	This letter references Credit Union Rule 7 and will need to be modified or withdrawn if that rule is rescinded.	Implemented.
18 <i>Subject:</i> Lack of Enforcement	More attention should be directed towards of the problem of unregulated financial services providers to improve the environment for legitimate providers, including the development of more public service announcements advising consumers of certain activities.	Implemented.
19 <i>Subject:</i> PA 350 of 1980	The legislature should examine the BCBSM rate review process in a larger context in light of the health care changes nationally such as PPACA and HIPAA.	Implemented. PAs 4 & 5 of 2013
20 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Remove the \$3 fee charged to an insurance producer each time they report a change of their mailing address (MCL 500.1238).	Implemented. PA 453 of 2012
21 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Amend the statute to read “If uniformly applied to all its insureds, an insurer may establish and maintain a premium discount plan an insurer may utilize factors in addition to those permitted by section 2111 for insurance if the plan is consistent with the purposes of this act” (MCL 500.2110a).	Implemented. PA 441 of 2012
22 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Allow an insurer to use additional factors in addition to those permitted by this section for insurance if the plan is consistent with the purposes of this act and reflects reasonably anticipated reductions or increases in an individual insured’s losses or expenses (500.2111).	Implemented. PA 441 of 2012
23 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	The detailed information requirement of MCL 500.2112 should be revised to require that the insurer (1) provide a one-page (or less) summary of the detailed information and (2) provide that detailed information on request (MCL 500.2112).	Implemented. PA 454 of 2012
24 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Eliminate the requirement that an agent who represents more than one insurer provide the lowest available quotation for automobile or home insurance (MCL 500.2116(1)(a)).	Implemented. PA 454 of 2012
25 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Three provisions require that affiliated insurance companies use the same underwriting rules and rating systems when they offer identical coverage and should be amended to eliminate this requirement. No other state has such a requirement (MCL 500.2117, 500.2119 and 500.2120).	Implemented. PA 421 of 2012

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26 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	The statute regulating dwelling inspections should be amended to eliminate the criteria prohibitions relating to the structure but retaining the list of prohibited criteria --race, color, etc. - - contained in (e)	Implemented. PA 421 of 2012
27 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Eliminate the arbitrary deductible cap imposed (MCL 500.3109).	Implemented. PA 454 of 2012
<i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	Make the offering of "coordinated medical policy" discounts permissive (MCL 500.3109a).	PA 454 of 2012
29 <i>Subject:</i> Insurance Code, PA 218 of 1956 (MCL 500.100 et seq.)	The act requires that an insured be given the opportunity to present a grievance to the board of directors or other managerial body of an insurance company. The statute should be amended by striking the current language in (e) and replacing it with "provides an insured or enrollee the right to present a grievance orally or in writing before a designated impartial internal decision maker" (MCL 500.2213).	Implemented. PA 445 of 2012
32 <i>Subject:</i> R 500.2125-500.2155	These rules prohibiting the use of credit scores to determine insurance discounts should be rescinded in light of the Michigan Supreme Court's ruling that the practice was permissible under the Insurance Code.	Implemented.
36 <i>Subject:</i> Bulletin 2003-01-INS	This bulletin, providing guidelines for the use of credit scores to determine insurance discounts, should be revised or withdrawn in concert with the passage of legislation based on the NCOIL model regulating the practice.	Implemented.
37 <i>Subject:</i> Bulletin 2003-02-INS	This bulletin providing updated guidelines for the use of credit scores to determine insurance discounts should be revised or withdrawn in concert with the passage of legislation based on the NCOIL model regulating the practice.	Implemented.
38 <i>Subject:</i> Bulletin 2004-06-INS	This bulletin informing insurers of the effective date of the rules prohibiting the use of credit scores to determine insurance discounts should be withdrawn in light of the Michigan Supreme Court's ruling that the rules in question were illegal and that the practice is permissible under the Insurance Code.	Implemented.
39 <i>Subject:</i> Bulletin 2009-01-INS	This bulletin implementing a voluntary automobile insurance rate freeze program effective from February 3, 2009 to February 3, 2010 has expired and should be withdrawn.	Implemented.

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41 <i>Subject:</i> Bulletin 2009-11-INS and Order 09-023-M	The order and bulletin rescinded the 1997 Exemption Order as it pertained to property and casualty (automobile and home) forms. Rescind both and encourage DFIR towards the approach embodied in the 1997 Exemption Order which exempted forms from filing and prior approval.	Implemented.
42 <i>Subject:</i> Bulletin 2010-02-INS and Order 10-005-5	The order and bulletin rescinded the remainder of the 1997 Exemption Order making all forms subject to filing and prior approval. Rescind both and encourage DFIR towards the approach embodied in the 1997 Exemption Order which exempted forms from filing and prior approval.	Implemented.
43 <i>Subject:</i> Insurance Roundtable	Encourage DIFS to participate in industry roundtables to discuss regulatory issues.	Implemented.
44 <i>Subject:</i> Branch FEIN Number Requirement	Encourage DIFS to continue to work towards resolution of this issue.	Implemented.
45 <i>Subject:</i> MCL 500.225	Encourage DFIR to administer MCL 500.225 in an open and transparent manner to encourage legislators to participate in insurance activities coordinated by insurance and legislative associations including the NAIC and NCOIL.	Implemented.
46 <i>Subject:</i> MEDC Workers Compensation Activities	Encourage the MEDC to cease providing services in the workers compensation insurance marketplace.	Implemented.
<u>Liquor Control Recommendations</u>		
1 <i>Subject:</i> MLCC Operations – Electronic Communication	Increase the use of electronic communication. Increase the use of email with applicants, investigators, local law enforcement, and local governing bodies.	Implemented.
2 <i>Subject:</i> MLCC Operations - Enforcement Division	Separate Enforcement Division into two sections: Licensing Investigation and Violation Enforcement.	Implemented.

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3 <i>Subject:</i> MLCC Operations – Escorting Requirement	Eliminate the DTMB-required escorting at the Commission’s Lansing Office.	Implemented.
4 <i>Subject:</i> MLCC Operations – Mail Communications	Treat incoming documents differently depending on the level of their importance.	Implemented.
5 <i>Subject:</i> MLCC Operations – “Routine” Docket	Increase the use of “routine” licensing docket. Permit the Licensing Division Analysts to expand applications submitted for the Commission’s review under the “routine” docket. Those applications that are problematic can continue to be fully written up for Commission review.	Implemented.
8 <i>Subject:</i> Licensing – Closing Packets (General)	Improve efficiency of release of closing packets by simplifying the process. Expand staff cross-training and eliminate some of the closing requirements. For example, eliminate financial verification, stock issuance verification, and final inspection.	Implemented.
10 <i>Subject:</i> Conditionally Approved License	<p>Amend MCL 436.1501 by adding the following:</p> <p>“Upon proof of issuance of the Applicant’s current, temporary, or permanent certificate of occupancy by the local unit of government, the filing of an acceptable proof of financial responsibility form, and payment of the applicable licensing fee, an Applicant for a license may request, and the Commission shall grant or deny the request within 14 calendar days if requested, a conditionally approved retail license of the type requested in the application. The conditionally approved license shall be valid for up to 180 days from the date of issuance. The conditionally approved license shall be immediately suspended, however, should any of the following events occur during the pendency of the license:</p> <ul style="list-style-type: none"> a) The Commission issues a final order denying or approving the application that serves as the basis for the conditional license; b) The Applicant fails to maintain adequate proof of its financial responsibility; c) The conditionally approved licensee is found responsible for a violation of the Liquor Code resulting in a suspension or revocation of the subject license; d) The conditionally approved licensee fails to provide proof of compliance with any server training requirements imposed pursuant to MCL 436.1906. 	Implemented. PA 236 of 2013

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	A conditionally approved license shall not be transferred from its current owner unless the Applicant also files a statement signed by the current owner consenting to the conditional license transfer.”	
13 <i>Subject:</i> Licensing – Permits	Allow for immediate issuance of certain permits. Those permits not requiring local law enforcement or local governing body approval should be available immediately upon payment of the fee and completing the application or receipt of the written request without any Commission investigation, local law enforcement recommendations, or Commission order. Permits that this immediate issuance allowance would apply to are: - Sunday Sales/Sunday Morning Sales - Additional Bar Permits - Specific Purpose Permits - Spirit Consumer Sampling Event Licenses - Beer & Wine Sampling Event Permits	Implemented.
14 <i>Subject:</i> Licensing – Local Conditions	The Commission should be more flexible on local governing body resolutions in allowing conditional resolutions.	Implemented.
15 <i>Subject:</i> Licensing – Inspections	Eliminate most final inspections. Except for applications where Commission approval requires specific inventory requirements, final inspections should be done by the local jurisdiction that is responsible for ensuring that a Certificate of Occupancy is issued. If it is necessary, a follow-up enforcement check could be done instead of a final inspection.	Implemented.
22 <i>Subject:</i> Licensing – Investigations (Staffing)	The licensing staff could be more fully cross-trained for more flexibility so that the staff can be shifted to different job functions that the work flow requires and address the different backlogs in different areas at various times.	Implemented.
34 <i>Subject:</i> MCL 436.1403 - Distribution - Franchise Law (Small Brewers)	Exempt from the Franchise Law contracts between a wholesaler and a microbrewer <i>or small winemaker</i> where that microbrewer’s <i>or small winemaker’s</i> volume through the wholesaler comprises less than 3% of that wholesaler’s book of business measured using case-equivalents. A “microbrewer” means a brewer producing less than 30,000 barrels/year. A “ <i>small winemaker</i> ” means a winemaker producing no more 50,000 gallons/year in this state. <i>**ORR recommends that this exemption be expanded to included small winemakers as indicated in italics above.</i>	Implemented.
53	The MLCC should remove all prohibitions on Secondary Use items that are provided by suppliers.	Implemented.

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<i>Subject: R 436.1321 - Contests and advertising articles (Secondary Use)</i>		
55 <i>Subject: MLCC Adjust the Per-Case ADA Fee (MCL 436.1205(13))</i>	The MLCC should use its existing authority to increase the per-case ADA fee.	Implemented.
57 <i>Subject: MLCC to Limit the Number of Products Available</i>	The MLCC should limit the number of products available.	Implemented.
59 <i>Subject: Microbrewer Parity with Winemakers</i>	Include microbreweries in provisions <u>currently</u> applied to small wine-makers.	Implemented.
61 <i>Subject: Allow Instantly Redeemable Coupons (IRC) to be more than one size for spirits</i>	Allow IRC's to include more than one size and allow them to read "750ml or larger," if desired	Implemented.
63 <i>Subject: Beer and Wine Excise Tax Collection (MCL 436.1409 and R 436.1621)</i>	Shift the collection of the excise tax on beer and wine produced outside of Michigan from the supplier to the distributors to increase efficiency.	Implemented.
72 <i>Subject: Liquor Control Code, Rules and Non-Rule Regulatory Activities (General)</i>	Years of piece-meal changes to the code have resulted in an accumulation of outdated, anachronistic, unclear and duplicative/superfluous language and requirements. Implementation of the recommendation contained in this report presents an opportunity to comprehensively clean up the code. Additionally, the MLCC should continue the work it began with ORR in 2011 to ensure that its rule and non-rule regulatory activities are up to date, simple, fair, and efficient.	Implemented.
<u>Natural Resources Recommendations</u>		
2	The Department's procedure for real estate appraisal review should be simplified so that the Department's reviewer is confirming only that the appraiser is approved to work for the state, that	Implemented.

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<p><i>Subject:</i> Land Appraisal Process</p>	<p>Uniform Standards of Professional Appraisal Practice procedures are followed and that the work conforms to those procedures, and that the Department is complying with its fiduciary duties. The Department should adopt procedures that encourage a detailed discussion between the appraiser and the review appraiser involving such issues as:</p> <ol style="list-style-type: none"> 1. Definition of the appraisal problem 2. Property rights being valued 3. Any hypothetical conditions or extraordinary assumptions being considered 4. Unique physical characteristics associated with the subject property 5. Appraisal methodology being proposed 6. General description of, and rationale for, the comparable sales data being proposed for consideration in the valuation section of the report <p>This consultation should proceed prior to the document development phase of the final report. In addition, the Department should more diligently maintain the list of approved appraisers, so that the list contains only appraisers in whom the Department has confidence, and should authorize the Real Estate Services section to add and remove names from the list.</p>	
<p>5 <i>Subject:</i> Land Ownership Strategy</p>	<p>The DNR should be more proactive in messaging its core land ownership strategy – there is a need to get better and more info out on what DNR is attempting to achieve with its strategy.</p>	<p>Implemented.</p>
<p>6 <i>Subject:</i> Hunting and Fishing Guides</p>	<p>Hunting and Fishing Guides should take advantage of technology, for example by providing functional base maps showing trout streams and real time regulations on legal gear.</p>	<p>Implemented.</p>
<p>7 <i>Subject:</i> Hunting and Fishing Promotion</p>	<p>The DNR should partner with Travel Michigan/MEDC to develop a marketing strategy for promoting hunting and fishing opportunities in Michigan. This could include using partnership models developed through the Michigan Wine Council for the promotion of Michigan wines and the Department of Agriculture for the promotion of Michigan food products. Strategies should be built around electronic marketing (including a branded web presence, social media, and applications for hand-held devices), printed publications, and earned media. Integrate those marketing strategies</p>	<p>Implemented.</p>

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	with the “Pure Michigan” branding campaign. Strategies should balance the need for informing the public of regulatory requirements as well as information that helps to promote Michigan as a destination for such activities for both residents and non-residents.	
8 <i>Subject: Hunting and Fishing Guides (Printing)</i>	The DNR should be allowed to bid out the printing of all digests/guides and the DNR should not be required to use DTMB unless DTMB can have them printed them at a competitive price.	Implemented.
9 <i>Subject: Hunting Blinds</i>	Review existing rules for placement and construction of ground blinds on state property; consider permission for placement of temporary blinds in zone 3.	Implemented.
10 <i>Subject: Review existing rules for placement and construction of ground blinds on state property; consider permission for placement of temporary blinds in zone 3.</i>	<ul style="list-style-type: none"> • The State of Michigan should initiate and coordinate an independent scientific peer review of the Michigan Department of Community Health’s (MDCH) process and protocols for establishing fish and wildlife consumption advisories. • The MDCH should establish a process and allow for public comment on Michigan fish and wildlife consumption advisories issued annually. • The MDCH should examine and streamline the annual Michigan Fish Consumption Advisory Guide to clarify and simplify risk communication with the public, including harmonizing advisories for sport-caught and commercially caught fish. • The MDCH should coordinate any public fish and wildlife consumption advisory with the DNR’s Fisheries Division, Wildlife Division, and with the Michigan Department of Agriculture and Rural Development, prior to issuing the advisory for the public. 	Implemented.
11 <i>Subject: Land Consolidation</i>	DNR needs to be relieved of the obligation in statute to sell for no less than “appraised” value on “surplus” lands.	Implemented. (PA 240 of 2012).
12 <i>Subject: Strategic Administrative Management of Minerals</i>	The State should review the administration and management objectives of all minerals (both leased and unleased) with the working goal to develop a management plan that will optimize the value to the state of its mineral resources. This plan must consider the current/future resource value, economic value, natural resource value and public interest.	Implemented via #5.
13 <i>Subject: Bait Fish</i>	Amend Fisheries Order 245 to relieve the angler of the obligation to keep a receipt when purchasing certified baitfish and require all baitfish producers selling in Michigan to produce, sell, and distribute only certified baitfish and roe to their customers (retail operators).	Implemented.

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14 <i>Subject: ORV Policies and Procedures Manual</i>	During calendar year 2013, the DNR shall review the ORV Policy & Procedures manual and this review should include two public input forums held at times and places convenient to participation by interested parties.	Implemented.
<u>Occupational Licensing Recommendations</u>		
<u>Overall Recommendations</u>		
A1 <i>Subject: Self-Supporting Occupations</i>	The occupational fee structure for all licensees or registrants should be financially self-supporting so that fees cover the cost of regulatory oversight.	Implemented.
A4 <i>Subject: Continuing Education and Continuing Professional Development</i>	All new CE and CPD requirements should be authorized in statute for the specific occupation. Guiding principles adopted for consideration before a department supports the creation of CE & CPD.	Implemented.
A5 <i>Subject: Guidelines & Criteria for Licensing Occupations.</i>	LARA and other departments should continue to use the criteria in the document, Guidelines & Criteria for Evaluation of Proposed Regulatory Initiatives in Michigan to review potential new licensed occupations.	Implemented.
A6 <i>Subject: Sufficient Resources for New Regulations.</i>	New legislative requirements and or mandates relating to occupational licensing should provide for sufficient resources to carry out the new regulation.	Implemented.
A7 <i>Subject: Non-required mailings</i>	All non-required mailings by agencies to licensees or registrants should be reviewed for cost-effectiveness and necessity.	Implemented.
A8 <i>Subject: Reciprocity</i>	Evaluate the appropriateness of reciprocity of licensed occupations across states, and where appropriate, subject to ensuring appropriate safeguards in other states, encourage reciprocity.	Implemented.
A11 <i>Subject: Licensed Occupations Only</i>	Future regulation of occupations should be by licensing only, not registration or listings.	Implemented.
<u>Bureau of Corporations, Securities and Commercial Licensing Recommendations</u>		
B1 <i>Subject: Auctioneers</i>	The occupation of auctioneers should be de-regulated.	Implemented. PAs 151 & 152 of 2014

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B3 <i>Subject: Carnival Amusement Safety Board</i>	The Carnival Amusement Safety Board should be abolished. However, licensing should continue and fees should be increased to be sufficient to cover administrative costs of regulation, such as processing applications and issuing permits. Additional charges for the actual costs of the inspections should be assessed.	Implemented. PA 138 of 2013
B5 <i>Subject: Community Planners</i>	The occupation of community planners should be de-regulated.	Implemented. PA 153 & 154 of 2014
B9 <i>Subject: Immigration Clerical Assistants</i>	The occupation of immigration clerical assistant should be de-regulated.	Implemented. PA 174 of 2014
B10 <i>Subject: Interior Designers</i>	The state should no longer maintain a list of interior designers.	Implemented. PAs 265 & 193 of 2014
B12 <i>Subject: Ocularists</i>	The occupation of ocularist should be de-regulated.	Implemented. PAs 155 & 156 of 2014
B21 <i>Subject: Proprietary Schools & Solicitors of Proprietary Schools</i>	The Proprietary School Act should be reviewed to consider the bonding process and enforcement process under the Administrative Procedures Act, as well as the fee structure for licensing to make the regulation of proprietary schools financially self-sustaining. The regulation of proprietary school solicitors should be discontinued.	Implemented. PA 157 of 2014
<u>Bureau of Health Care Services Recommendations</u>		
D2 <i>Subject: Counselors, Marriage & Family Therapists, and Social Workers</i>	A stakeholder group of counselors, marriage & family therapists, and social workers should be established to work with LARA staff to review the relevant statutes regarding the need for existing exclusions, the definition of non-profits, and the potential combination of the occupational boards.	Implemented.
D3 <i>Subject: Dieticians & Nutritionists</i>	The occupations of dieticians and nutritionists should be de-regulated.	Implemented. PA 267 of 2014 (HB 4688 of 2013)
D7 <i>Subject: Board of Pharmacy</i>	The Public Health Code should be amended to allow the Board of Pharmacy to approve pilot projects within the occupation.	Implemented. PA 267 of 2013

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Recommendation	Recommended Action	Status
D8 <i>Subject: Psychologists</i>	The regulation of psychologists should be examined by the Department and interested stakeholders to determine if existing exclusions should be maintained.	Implemented.
D12 <i>Subject: Michigan Osteopathic Medicine Advisory Board</i>	Eliminate the Michigan Osteopathic Medicine Advisory Board by repealing MCL 390.662-664.	Implemented. PA 260 of 2013
<u>Bureau of Fire Services Recommendations</u>		
F1 <i>Subject: Underground Storage Tank Qualified Consultants</i>	The regulation of Underground Storage Tank Qualified Consultants and Certified Professionals should be de-regulated.	Implemented. PA 108 of 2012.
<u>Rulemaking Process Recommendations</u>		
9 <i>Subject: Use technology to increase public access to the rulemaking process</i>	The rule tracking mechanism on the ORR's website should be more user-friendly and its availability should be better promoted. Users should be able to receive customized e-mail notifications from the ORR as proposed rules go through the rulemaking process.	Implemented.
12 <i>Subject: Improve the understandability and visual appeal of rules</i>	Improve the look and feel of the administrative rules by using correct font, and differentiating text through use of bold and indentations. In addition, the ORR should make a focused effort to encourage departments to draft rules in an understandable, plain language style (including avoiding the use of double negatives).	Implemented.
<u>Workplace Safety Recommendations</u>		
1 <i>Subject: MIOSHA Standards Commissions</i>	Eliminate the Construction Safety, General Industry & Occupational Health Standards Commissions, and assign Director responsibility w/support of advisory committees. (Amend)	Implemented. PAs 415, 416 & 448 of 2012
2 <i>Subject: Clear and Convincing Standard for Exceeding Federal Standards</i>	Amend MCL 408.1014(7) to define what constitutes a "clear and convincing". (Amend)	Implemented. PA 447 of 2012

**ORR Implemented ARC Recommendations
Tracking Sheet**

Updated: 2-21-17

Recommendation	Recommended Action	Status
3 <i>Subject:</i> Standards Improvement Project	MIOSHA should update its rules to comply with the Standards Improvement Project.	Implemented.
4 <i>Subject:</i> Qualification, Training and Permit Requirements	Rules specifying qualifications of employees should be rescinded, as long as the standard requires the employer to limit the use of the equipment to trained & qualified employee (see R 408.15851). Rules R 408.11851, R 408.11913, R 408.1215, R 408.12231. (Amend)	Implemented.
5 <i>Subject:</i> Confined Spaces in Agricultural Operations	MIOSHA should engage with the agricultural community to evaluate the best way to regulate confined spaces in agricultural operations given that the relevant rules were accidentally rescinded. (Develop and Promulgate Rules)	Implemented.
6 <i>Subject:</i> Federal Standards Currently Under Review	MIOSHA should pursue a review of state rules, once the federal government has completed its review of the following standards: OH Part 301, OH Part 601, and OH Part 622. (Review and Adopt Rules)	Implemented.
7 <i>Subject:</i> MIOSHA Rule Requests That Exceed Federal Standards	MIOSHA should withdraw pending rule requests which include rules that exceed federal standards: 2009-064 LR, 2010-008 LR, 2010-009 LR, 2010-010 LR, and 2011-011 LR. (Withdraw Rule Requests)	Implemented.
8 <i>Subject:</i> MIOSHA Rule Sets to be Included with the Michigan Administrative Code	MIOSHA should move all rule sets under the Michigan Administrative Code (except for those recommended for rescission). (See OH Part 3303, OH Part 3401-3406, OH Part 3503-3506, OH Part 5001-5006).	Implemented.
9 <i>Subject:</i> Diving Operations	MIOSHA should review the various Diving Operations (CS Part 31, GI Par 79, OH Part 504) to potentially combine all of them into one standard, which should not exceed federal standards. (Review and Propose Rules)	Implemented.