



RICK SNYDER
GOVERNOR

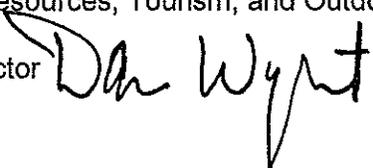
STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

VIA E-MAIL

TO: Senate Appropriations Subcommittee on Environmental Quality Members
Senate Natural Resources, Environment, and Great Lakes Committee Members
House Appropriations Subcommittee on Environmental Quality Members
House Natural Resources, Tourism, and Outdoor Recreation Committee Members

FROM: Dan Wyant, Director 

DATE: May 25, 2012

SUBJECT: Part 13 Reports for Fiscal Year 2011

As required in Section 1311 of Part 13, Permits, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached are reports on permit and license activity during fiscal year 2011 for permits and licenses administered by the Department of Environmental Quality (DEQ) for which applications were received.

No applications were received for the following permits/license:

- Section 3503, Use of water in mining iron ore permit
- Section 9112, Soil erosion and sedimentation control permit
- Section 11542, Municipal solid waste incinerator ash landfill operating license amendment
- Section 63103a, Ferrous mineral mining permit
- Section 63514 or 63525, Surface coal mining permit
- Section 63704, Sand dune mining permit
- Section 76109, Aboriginal records and antiquities permit

If you have any questions, please feel free to contact Jane Schultz, Assistant Chief, Administration Division, at 517-241-2113; or you may contact me at 517-373-7917.

Attachments

cc/att: Ellen Jeffries, Director, Senate Fiscal Agency
Mary Ann Cleary, Director, House Fiscal Agency
John Nixon, Director, State Budget Office (SBO)
Dennis Muchmore, Governor's Office
Dick Posthumus, Governor's Office
Jacques McNeely, SBO
Jennifer Harrison, SBO
Jim Sygo, Deputy Director, DEQ
Jamie Clover Adams, Director of Policy and Legislative Affairs, DEQ
Maggie Cox, Legislative Liaison, DEQ
William Creal, DEQ
Liane Shekter Smith, DEQ
James M. Kasprzak, DEQ
Jane Schultz, DEQ

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Land and Water Management Consolidated Applications.¹

Applications

Received	4,246 ²
Administratively incomplete when received	1,238
Average time for completeness determination (days)	NA ³
Number processed under Section 1309	NA ⁴

Decisions

Approved	3,887
By processing deadline	3,855
After processing deadline	32
Denied	44
By processing deadline	39
After processing deadline	1
Average processing time (days)	15 days ⁵ /
Applications decided after deadline that were not processed in sequence	NA ³
Amount refunded under Section 12307	\$ 97.50

¹ Includes Floodplain (Section 3104), Inland Lakes and Streams (Section 30104), Wetlands (Section 30304), Dam construction (Section 31509) High risk erosion areas (Section 32312), Bottomlands (Section 32503), and Critical dune (Section 35304) permits. Activities regulated under these statutory provisions are processed through a consolidated permit application form. Since an activity often requires an authorization under more than one regulatory provision, it is not feasible to separate and report on decisions under each of these sections independently.

² Total decisions made is less than total applications received because some applications remain in process, were withdrawn, or were closed due to lack of response from the applicant.

³ The database is not capable of tracking this information.

⁴ The database is not capable of tracking this information. One staff person is the primary contact for each application, even though multiple programs may be involved.

⁵ Average processing time is calculated on the number of days from the end of the application period to the date of the permit decision.

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Part 41, Sewerage System Construction Permit (Wastewater)

Applications

Received	413
Administratively incomplete when received	100
Average time for completeness determination (days)	6
Number processed under Section 1309	NA

Decisions

Approved	391
By processing deadline	387
After processing deadline	4*
Denied	2
By processing deadline	2
After processing deadline	2
Average processing time (days)	32
Applications decided after deadline that were not processed in sequence	0
Amount refunded under Section 12307	NA

*Delays with three applications were due to slow responses by the applicants. Rather than deny the applications and process new applications when the applicants were ready, staff determined it was more appropriate to continue to work with the applicants. There was also one application held up until the discharge permit was issued as that established the necessary controls.

Part 41 construction permits are not subject to fees so there were no refunds.

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Section, 11509, Solid Waste Disposal Area Construction Permit

Applications

Received	9
Administratively incomplete when received	2
Average time for completeness determination (days)	28
Number processed under Section 1309	9

Decisions

Approved	5
By processing deadline	5
After processing deadline	0
Denied	0
By processing deadline	
After processing deadline	
Average processing time (days)	107
Applications decided after deadline that were not processed in sequence	0

Amount refunded under Section 12307 \$ 0.00

The number of decisions does not reconcile with the number of applications because an application may be received in one reporting period and the decision made in another.

PART 13 REPORT
October 1, 2010 – September 30, 2011

License: Section 11512, Solid Waste Disposal Area Operating License

Applications

Received	24
Administratively incomplete when received	1
Average time for completeness determination (days)	23
Number processed under Section 1309	24

Decisions

Approved	31
By processing deadline	31
After processing deadline	0
Denied	0
By processing deadline	
After processing deadline	
Average processing time (days)	69
Applications decided after deadline that were not processed in sequence	0
Amount refunded under Section 12307	\$ 0.00

The number of decisions does not reconcile with the number of applications because an application may be received in one reporting period and the decision made in another.

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Part 117, Septage Waste Program Business License

Applications

Received		19
	Administratively incomplete when received	11
	Average time for completeness determination (days)	30
	Number processed under Section 1309	NA

Decisions

Approved		19
	By processing deadline	15
	After processing deadline	4*

Denied		0
	By processing deadline	0
	After processing deadline	0

Average processing time (days)	5
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Applications decided after deadline that were not processed in sequence	0
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Amount refunded under Section 1307	\$ 0.00
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*Three renewal applications exceeded the Part 13 thirty day “application period” limit. Since there is no fee associated with the septage waste program license/permit renewal process no refunds were issued under this part and the business continued doing business as usual during the renewal process. Also, one new business applicant was in the process of purchasing an existing business. Due to an incomplete application and legal issues, this business did not qualify for a refund.

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Part 117, Septage Waste Program Vehicle Licenses

Applications

Received	90
Administratively incomplete when received	60
Average time for completeness determination (days)	16
Number processed under Section 1309	NA

Decisions

Approved	86*
By processing deadline	86
After processing deadline	0
Denied	0
By processing deadline	0
After processing deadline	0
Average processing time (days)	6
Applications decided after deadline that were not processed in sequence	0

Amount refunded under Section 1307 \$ 229.50

*Nine vehicles associated with renewal applications exceeded the Part 13 thirty day limit to determine the completeness of the application. Since there is no fee associated with the septage waste program license/permit renewal process no refunds were issued under this part and the licensed businesses continued doing business as usual during the renewal process.

Four businesses were refunded 15% of the fee paid for their new vehicles due to program exceeding the Part 13 deadline of thirty days to determine whether or not an application was complete.

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Part 117, Septage Waste Program Land Application Permits

Applications

Received	18
Administratively incomplete when received	6
Average time for completeness determination (days)	41
Number processed under Section 1309	NA

Decisions

Approved	17
By processing deadline	6
After processing deadline	11*
Denied	1
By processing deadline	1
After processing deadline	0
Average processing time (days)	7
Applications decided after deadline that were not processed in sequence	0

Amount refunded under Section 12307	\$ 0.00
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*One business renewing its licenses/permits had 11 existing land application sites. Since there is no fee associated with the septage waste program license/permit renewal process no refunds were issued under this part and the business continued doing business as usual during the renewal process.

There are no land application permits pending. The one application denied was due to the applicant's inability to submit the information needed to complete the application. Numerous requests by the DEQ for that information went unanswered.

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Part 615, Permit to Drill and Operate an Oil, Gas or Injection Well

Applications

Received	273
Administratively incomplete when received	74
Average time for completeness determination (days)	23
Number processed under Section 1309	19

Decisions

Approved	261
By processing deadline	261
After processing deadline	0
Denied	10
By processing deadline	10
After processing deadline	0
Average processing time (days)	17
Applications decided after deadline that were not processed in sequence	0
Amount refunded under Section 12307	\$ 0.00

PART 13 REPORT
October 1, 2010 – September 30, 2011

Permit: Part 625, Permit to Drill and Operate a Mineral Well

Applications

Received	25
Administratively incomplete when received	16
Average time for completeness determination (days)	26
Number processed under Section 1309	4

Decisions

Approved	31
By processing deadline	31
After processing deadline	0
Denied	0
By processing deadline	0
After processing deadline	0
Average processing time (days)	30
Applications decided after deadline that were not processed in sequence	0
Amount refunded under Section 12307	\$ 0.00