STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

TO: Members of Senate Natural Resources and Environmental Affairs Committee
Members of Senate Subcommittee on DEQ Appropriations
Members of House Great Lakes and Environment Committee
Members of House Subcommittee on DEQ Appropriations

FROM: Steven E. Chester, Director

DATE: November 28, 2007

SUBJECT: Reports required by Section 1311 of the Natural Resources and Environmental Protection Act, P.A. 451, as Amended (NREPA)

We are respectfully submitting reports required by Section 1311 of the NREPA. Specifically, the attached reports detail permit activity for fiscal year 2007 for permits administered by the Department of Environmental Quality (DEQ) as defined in MCL 324.1301(d), except those for which no applications were received. No applications were received for the following permits:

- Use of water in mining iron ore, Section 3503
- Municipal solid waste incinerator ash landfill operating license amendment, Section 11542
- Metallic mineral mining permit, Section 63103a
- Surface coal mining permit, Section 63513 or 63525
- Sand dune mining permit, Section 63704
- Aboriginal records and antiquities permit, Section 76109

As the attached reports demonstrate, overall the DEQ has been successful in processing permit applications within requisite time frames. The DEQ received 7,687 applications for the subject permits during this reporting period. Recognizing incomplete applications and applications that spanned multiple reporting periods, 7,228 decisions were made. Of these, 7,002, or 97 percent, were made within the required processing period. Of the permit requests completed, 7,007, or 97 percent were issued.

As detailed in past reports, Part 13 continues to pose significant burdens for the DEQ in meeting our responsibilities under NREPA. We look forward to working with the Legislature to address these issues.

Should you require further information, please contact Carol Linteau, Legislative Liaison, at 517-241-7396, or you may contact me.

Enclosures
cc: Governor Jennifer M. Granholm
Senator Michael Bishop
Senator Mark Schauer
Representative Andy Dillon
Representative Craig DeRoche
Mr. Jim Sygo, Deputy Director, DEQ
Ms. Carol Linteau, Legislative Liaison, DEQ

Part 13 REPORT
October 1, 2006 – September 30, 2007

Permit: Land and Water Management Consolidated Applications.[1]

| | | |
|---|---|---|
| **Applications** | | |
| Received | | 5890[2] |
| | Administratively incomplete when received | 2200 |
| | Average time for completeness Determination (days) | Not Available[3] |
| | Number processed under Section 1309 | Not Available[4] |
| **Decisions** | | |
| Approved | | 5188 |
| | By processing deadline | 5015 |
| | After processing deadline | 171 |
| Denied | | 186 |
| | By processing deadline | 176 |
| | After processing deadline | 8 |
| Average processing time (days) | | 61 days[5] |
| Applications decided after deadline that were not processed in sequence | | Not Available[6] |
| Amount refunded under Section 12307 | | $2,952.50 |

[1] Includes Floodplain (section 3104), Inland Lakes and Streams (section 30104), Wetlands (section 30304), Dam construction (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 Land and Water Management Division database is not capable of tracking this information.

[4] The Land and Water Management Division 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 based on the number of days from the end of the application period to the date of the permit decision.

[6] The Land and Water Management Division database is not capable of tracking this information.

Part 13 REPORT
October 1, 2006 – September 30, 2007

Permit: Mineral Well Permit (62509)

Applications

| | | |
|---|---|---|
| Received | | 4 |
| | Administrative incomplete when received | 1 |
| | Average time for completeness Determination (days) | 14 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 5 |
| | By processing deadline | 5 |
| | After processing deadline | 0 |
| | | |
| Denied | | 0 |
| | By processing deadline | |
| | After processing deadline | |
| | | |
| Average processing time (days) | | 10 |
| Applications decided after deadline that were not processed in sequence | | 0 |

| | | |
|---|---|---|
| Amount refunded under Section 12307 | | $0 |

Part 13 REPORT
October 1, 2006 – September 30, 2007

Permit: Oil & Gas Well Drilling Permit (61525)

Applications

| | | |
|---|---|---|
| Received | | 712 |
| | Administrative incomplete when received | 219 |
| | Average time for completeness Determination (days) | 23 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 700 |
| | By processing deadline | 685 |
| | After processing deadline | 15 |
| | | |
| Denied | | 26 |
| | By processing deadline | 22 |
| | After processing deadline | 4 |
| | | |
| Average processing time (days) | | 23 |
| Applications decided after deadline that were not processed in sequence | | 0 |

| | | |
|---|---|---|
| Amount refunded under Section 12307 | | $675.00 |

Part 13 REPORT
October 1, 2006 – September 30, 2007

Permit: Part 41 – Wastewater

Applications

| | | |
|---|---|---|
| Received | | 880 |
| | Administrative incomplete when received | 219 |
| | Average time for completeness Determination (days) | 6.6 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 937 |
| | By processing deadline | 917 |
| | After processing deadline | 20* |
| | | |
| Denied | | 9 |
| | By processing deadline | 5 |
| | After processing deadline | 4 |
| | | |
| Average processing time (days) | | 33.8 |
| Applications decided after deadline that were not processed in sequence | | 0 |

| | | |
|---|---|---|
| Amount refunded under Section 12307 | | N/A |

*Delays were based on the applicant's requests, other priority projects that didn't impact the application in question, or may have been critical projects for environmental improvements where denying the application for technical problems would not be acceptable.

Part 13 Fiscal Year 2007 REPORT
October 1, 2006 – September 30, 2007

Permit: Part 117, Septage Waste Program, Business Licenses

Applications

| | | |
|---|---|---|
| Received | | 21 |
| | Administrative incomplete when received | 18 |
| | Average time for completeness Determination (days) | 27 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 16 |
| | By processing deadline | 16 |
| | After processing deadline | 0 |
| Denied | | 0 |
| | By processing deadline | 0 |
| | After processing deadline | 0 |
| Average processing time (days) | | 13 |
| Applications decided after deadline that were not processed in sequence | | 0 |

Amount refunded under Section 12307: 0

Part 13 Fiscal Year 2007 REPORT
October 1, 2006 – September 30, 2007

Permit: Part 117, Septage Waste Program, Land Site Permits

Applications

| | | |
|---|---|---|
| Received | | 24 |
| | Administrative incomplete when received | 24 |
| | Average time for completeness Determination (days) | 23 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 13 |
| | By processing deadline | 13 |
| | After processing deadline | 0 |
| Denied | | 0 |
| | By processing deadline | 0 |
| | After processing deadline | 0 |
| Average processing time (days) | | 9 |
| Applications decided after deadline that were not processed in sequence | | 0 |

Amount refunded under Section 12307 0

Part 13 Fiscal Year 2007 REPORT
October 1, 2006 – September 30, 2007

Permit: Part 117, Septage Waste Program, Vehicle Licenses

Applications

| | | |
|---|---|---|
| Received | | 120 |
| | Administrative incomplete when received | 115 |
| | Average time for completeness Determination (days) | 24 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 110 |
| | By processing deadline | 110 |
| | After processing deadline | 0 |
| Denied | | 0 |
| | By processing deadline | 0 |
| | After processing deadline | 0 |
| Average processing time (days) | | 18 |
| Applications decided after deadline that were not processed in sequence | | 0 |

Amount refunded under Section 12307 0

Part 13 REPORT
October 1, 2006 – September 30, 2007

Permit: Part 91, Soil Erosion and Sedimentation Control

Applications

| | | |
|---|---|---|
| Received | | 3 |
| | Administrative incomplete when received | 1 |
| | Average time for completeness Determination (days) | 17 |
| | Number processed under Section 1309 | 0 |

Decisions

| | | |
|---|---|---|
| Approved | | 3 |
| | By processing deadline | 3 |
| | After processing deadline | 0 |
| Denied | | 0 |
| | By processing deadline | |
| | After processing deadline | |
| Average processing time (days) | | 21 |
| Applications decided after deadline that were not processed in sequence | | 0 |

| | |
|---|---|
| Amount refunded under Section 12307 | 0 |

Part 13 REPORT
October 1, 2006 – September 30, 2007

License: Solid Waste Disposal Area Operating License, Section 11512

Applications

| | | |
|---|---|---|
| Received | | 26* |
| | Administratively incomplete when received | 7 |
| | Average time for completeness determination (days) | 16 |
| | Number processed under Section 1309 | 26 |

Decisions

| | | |
|---|---|---|
| Approved | | 25 |
| | By processing deadline | 25 |
| | After processing deadline | 0 |
| Denied | | 0 |
| | By processing deadline | N/A |
| | After processing deadline | N/A |
| Average processing time (days) | | 64 |
| Applications decided after deadline that were not processed in sequence | | 0 |

| | |
|---|---|
| Amount refunded under Section 12307 | $0 |

*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, 2006 – September 30, 2007

Permit: Solid Waste Disposal Area Construction Permit, Section 11509

Applications

| | | |
|---|---|---|
| Received | | 8* |
| | Administratively incomplete when received | 3 |
| | Average time for completeness determination (days) | 26 |
| | Number processed under Section 1309 | 8 |

Decisions

| | | |
|---|---|---|
| Approved | | 10 |
| | By processing deadline | 10 |
| | After processing deadline | 0 |
| Denied | | 0 |
| | By processing deadline | N/A |
| | After processing deadline | N/A |
| Average processing time (days) | | 115 |
| Applications decided after deadline that were not processed in sequence | | 0 |

| | |
|---|---|
| Amount refunded under Section 12307 | $0 |

*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.