



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
LANSING



LIESL EICHLER CLARK  
DIRECTOR

VIA E-MAIL

TO: Senate Appropriations Subcommittee on Natural Resources and  
Environmental Quality Members  
Senate Environmental Quality Committee Members  
Senate Natural Resources Committee Members  
House Appropriations Subcommittee on Natural Resources and  
Environmental Quality Members  
House Natural Resources and Outdoor Recreation Committee Members

FROM: Liesl Eichler Clark, Director *LEC*

DATE: December 27, 2019

SUBJECT: Report on Permitting and Licensing

In accordance with Section 1311 of Part 13, Permits, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached is the Department of Environment, Great Lakes, and Energy's (EGLE) report on permitting and licensing for fiscal year 2019.

If you need further information, please contact Amy Epkey, Senior Deputy Director, at 517-284-5002; or you may contact me at 517-284-6708.

Attachment

- cc/att: Chris Harkins, Director, Senate Fiscal Agency
- Mary Ann Cleary, Director, House Fiscal Agency
- Chris Kolb, Director, State Budget Office
- Jennifer Flood, Legislative and Public Affairs Director, Governor's Office
- Emily Laidlaw, Policy Director, Governor's Office
- Abbey Frazier, Senate Fiscal Agency
- Austin Scott, House Fiscal Agency
- Jacques McNeely, State Budget Office
- Jennifer Harrison, State Budget Office
- Carly Kirk, State Budget Office
- Aaron B. Keatley, Chief Deputy Director, EGLE
- Amy Epkey, Senior Deputy Director, EGLE
- Sarah M. Howes, Legislative Liaison, EGLE
- David Fiedler, Regulatory Affairs Officer, EGLE
- Paul McDonald, EGLE
- Dale Shaw, EGLE
- Mary Ann Dolehanty, EGLE
- Mike Neller, EGLE
- Eric Oswald, EGLE
- Jack Schinderle, EGLE
- Teresa Seidel, EGLE
- Adam Wygant, EGLE



# Permitting and Licensing Report

Report Period:  
Fiscal Year 2019  
Authority:  
MCL 324.1311

## EXECUTIVE SUMMARY

The Michigan Department of Environment, Great Lakes, and Energy’s (EGLE) mission is to protect Michigan’s environment and public health by managing air, water, land, and energy resources. One of the ways EGLE achieves its mission is by assuring permits and licenses are issued in accordance with environmental standards.

Section 1311 of Part 13, Permits, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, requires EGLE to report information on individual permitting and licensing programs. Section 1301 of Part 13 includes 43 permits and licenses, of which 27 are administered by EGLE. The 27 permits and licenses represent only a subset of EGLE’s total permitting and licensing programs.

In fiscal year 2019, 29,549 applications were received for all 62 EGLE permit and license categories. Below is a summary of the actions taken in 2019:

Action Taken	Number of Applications	Percentage
Approved	28,297	97%
Withdrawn	171	0.6%
Denied	387	1.3%

The number of permits approved, withdrawn, and denied will not always add up to the number of permit applications received in a fiscal year as some applications are received in one fiscal year and approved, withdrawn, or denied in another fiscal year. Denials of permits occur when the applicant does not meet the regulations or due to lack of information provided to process the application.

The average time to determine administrative completeness and to approve an application for all EGLE permits and licenses were 11 and 45 days, respectively. Additional details regarding the permits and licenses are attached.

Department of Environment, Great Lakes, and Energy

All Permits and Licenses

October 1, 2018 - September 30, 2019

Permit/License	Identified in Part 13 of NREPA?	Section of NREPA or Other Statute	EGLE Division	Processing Deadline <sup>1</sup>	# of Applications Received - MCL 324.1311(a)	# of Applications Approved - MCL 324.1311(b)	# of Applications Withdrawn	# of Applications Approved by Deadline MCL 324.1311(b)	Average Time (Days) to Determine Administrative Completeness - MCL 324.1311(b)	Average Time (Days) to Approve Application - MCL 324.1311(b)	# of Applications Denied - MCL 324.1311(c)	# of Applications Denied by Processing Deadline - MCL 324.1311(c)	# of Applications Approved/Denied after Processing Deadline not Processed in Sequence Per Section 1307(9) - MCL 342.1311(d)	Amount of \$ Refunded As Provided in Section 1307 - MCL 324.1311(e)	# of Projects Requiring Multiple Permits per Section 1309 - MCL 1311(f)	If 10% or More Applications are not Processed Within the Timeline Explain What Will be Done to Eliminate Backlog - MCL				
Air Quality Permit to Install <sup>2</sup>	No	Part 55, Air Pollution Control, of NREPA	AQD	180 days from receipt of an application, 240 days if hearing held - R 336.1206(2)	419	369	16	355	14	1	87	114	2	2	0	NA	24	NA	NA	NA
Air Quality Renewable Operating Permit <sup>3</sup>	No	Part 55, Air Pollution Control, of NREPA	AQD	18 months	88	40	0	34	6	15	436	NA	0	NA	NA	NA	0	NA	NA	NA
Dry Cleaning Operation License	No	Part 133, Dry Cleaning, of the Public Health Code, 1978 PA 368	AQD	No statutory deadline	399	392	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Motor Vehicle Fleet Testing License	Yes	<a href="#">6521</a>	AQD	150 days; 90 days if hearing held	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Vehicle Testing License	Yes	<a href="#">6516</a>	AQD	150 days; 90 days if hearing held	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bottled Water Source Approval	No	Safe Drinking Water Act, 1976 PA 399	DWEHD	No statutory deadline	3	2	0	NA	0.5	2	0.5	0.5	NA	NA	NA	1	0	NA	NA	NA
Campground Construction Permit	No	Part 125, Campgrounds, Swimming Areas, and Swimmer's Itch, of the Public Health Code, 1978 PA 368	DWEHD	No statutory deadline	64	51	0	NA	NA	NA	NA	NA	0	NA	NA	NA	0	NA	NA	NA
Campground Operating License <sup>4</sup>	No	Part 125, Campgrounds, Swimming Areas, and Swimmer's Itch, of the Public Health Code, 1978 PA 368	DWEHD	Annual renewal license paperwork and payment due on December 31 to meet statutory deadline	1,345	1,206	0	NA	NA	NA	NA	NA	362	NA	NA	NA	0	NA	NA	NA
New Septage Waste Vehicle License <sup>5</sup>	Yes	<a href="#">11702</a>	DWEHD	151 days; 90 days if hearing held	112	109	0	105	3	3	12	NA	0	0	0	0	55	0	0	
Non Community Water Supply Permits (Type II) including treatment systems for public health purposes	No	Parts 8, 10, 11, of the Safe Drinking Water Act, 1976 PA 399	DWEHD	Administered by Local Health Departments with EGLE consultation	20	8	1	N/A	N/A	5	69	N/A	0	0	0	0	9	N/A	N/A	N/A
Public Swimming Pool Construction Permit	No	Part 125, Campgrounds, Swimming Areas, and Swimmer's Itch, of the Public Health Code, 1978 PA 368	DWEHD	No statutory deadline	92	100	3	NA	NA	NA	NA	NA	0	NA	NA	NA	0	NA	NA	NA
Public Swimming Pool License	No	Part 125, Campgrounds, Swimming Areas, and Swimmer's Itch, of the Public Health Code, 1978 PA 368	DWEHD	Annual renewal payment due on December 31 to meet statutory deadline	5,117	5,117	0	NA	NA	NA	NA	NA	0	NA	NA	NA	0	NA	NA	NA

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Public Water Supply Construction Permit (Type I)	No	Safe Drinking Water Act, 1976 PA 399	DWEHD	No regulatory deadline	1,065	1,042	4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA			
Renewal Septage Waste Business License <sup>6</sup>	Yes	<a href="#">11702</a>	DWEHD	151 days; 90 days if hearing held	14	14	0	13	1	N/A	49	NA	0	0	0	0	N/A	0	0	
Septage Waste Receiving Facility (SWRF) Operating Plan Approval	No	Part 117, Septage Waste Servicers, of NREPA	DWEHD	No statutory deadline	1	1	0	NA	NA	NA	NA	NA	0	NA	NA	NA	NA	NA	NA	
Septage Waste Servicing License	Yes	<a href="#">11702</a>	DWEHD	150 days; 90 days if hearing held	12	11	0	11	0	6	30	NA	0	0	0	0	10	0	0	
Septage Waste Site Permit	Yes	<a href="#">11709</a>	DWEHD	150 days; 90 days if hearing held	8	8	0	8	0	2	35	NA	0	0	0	0	7	0	0	
Septage Waste Storage Facility (SWSF) Construction Approval	No	Part 117, Septage Waste Servicers, of NREPA	DWEHD	No statutory deadline	2	2	0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Water Hauler License	No	Safe Drinking Water Act, 1976 PA 399	DWEHD	Annual renewal registration paperwork and payment due on 6/30 to meet statutory deadline	46	46	0	46	0	1	1	1	0	0	0	0	1	0	0	
Well Driller Contractor Registration	No	Part 127, Water Supply and Sewer Systems, of the Public Health Code, 1978 PA 368	DWEHD	Annual renewal registration paperwork and payment due on March 30 to meet statutory deadline. Registrations to be issued by May 1.	729	729	0	All renewals approved if submitted and paid on time by the applicant.	Variable based on timeliness of applicant.	NA	NA	NA	NA	0	NA	NA	NA	NA	NA	NA
Composting Registration	No	Part 115, Solid Waste Management, of NREPA	MMD	Authorization; no statutory deadline for issuance; internal deadline is 30 days if submittal is complete	17	10	0	NA	NA	NA	NA	NA	0	NA	NA	NA	NA	NA	NA	NA
Electronic Device Manufacturer's Registration	No	Part 173, Electronics, of NREPA	MMD	Authorization-90 days if application is a timely submittal	76	73	NA	73	Na	1	1	NA	0	NA	NA	NA	3	NA	NA	NA
Electronic Waste Recycler Registration	No	Part 173, Electronics, of NREPA	MMD	Authorization; no statutory deadline for issuance; internal deadline is 30 days if submittal is complete	26	25	NA	NA	NA	1	1	NA	0	NA	NA	NA	1	NA	NA	Na
Hazardous Waste Limited Storage Facility Operating License (Existing Facility)	No	Part 111, Hazardous Waste Management, of NREPA	MMD	140 days after complete application is received (may be extended to complete public participation)	0	NA	NA	NA	NA	NA	NA	NA	0	NA	NA	NA	NA	NA	NA	NA
Hazardous Waste Limited Storage Facility Operating License (New Facility)	No	Part 111, Hazardous Waste Management, of NREPA	MMD	120 days after complete application is received	0	NA	NA	NA	NA	NA	NA	NA	0	NA	NA	NA	NA	NA	NA	NA

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Hazardous Waste Management Facility Operating License (Existing Facility)	No	Part 111, Hazardous Waste Management, of NREPA	MMD	140 days after complete application is received (may be extended to complete public participation)	0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA				
Hazardous Waste Management Facility Operating License (New Facility)	No	Part 111, Hazardous Waste Management, of NREPA	MMD	120 days after complete application is received	0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA				
Hazardous Waste Management Notification of HW Activity (Site Identification Number)	No	Part 111, Hazardous Waste Management, of NREPA	MMD	None	2,404	2,404	0	NA	NA	NA	NA	NA	NA	NA	NA	NA				
Hazardous Waste Transporter Registration	No	Hazardous Waste Materials Transportation Act, 1998 PA 138	MMD	90 days if application is a timely submittal	101	101	0	101	0	NAV	NAV	NAV	NAV	NAV	NAV	NAV				
Liquid Industrial Waste Notification	No	Part 121, Liquid Industrial By-Products, of NREPA	MMD	90 days if application is a timely submittal	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV				
Liquid Industrial Waste Transporter Registration	No	Hazardous Waste Materials Transportation Act, 1998 PA 138	MMD	90 days if application is a timely submittal	78	78	0	78	0	NAV	NAV	NAV	NAV	NAV	NAV	NAV				
Medical Waste Regulatory Program	No	Part 138, Medical Waste, of the Public Health Code, 1978 PA 368	MMD	Authorization; 90 days if application is a timely and complete submittal	6908	6908	0	6908	NA	5	5	NA	0	NA	NA	0	0	2200	NA	NA
Municipal Solid Waste Incinerator Ash Landfill Operating License Amendment	Yes	<a href="#">11542</a>	MMD	120 days	0	NA	NA	NA	NA	NA	NA	NA	0	NA	NA	NAV	NA	0	NAV	NA
Scrap Tire Collection Site Registration	No	Part 169, Scrap Tires, of NREPA	MMD	Authorization; no statutory deadline for issuance-internal deadline is 30 days if submittal is complete	48	43	0	NAV	NAV	NAV	NAV	NAV	0	NAV	NAV	NAV	NAV	NA	NA	NA
Scrap Tire Hauler Registration	No	Part 169, Scrap Tires, of NREPA	MMD	Authorization-no statutory deadline for issuance-internal deadline is 30 days if submittal is complete	159	147	1	NAV	NAV	NAV	NAV	NAV	0	NAV	NAV	NAV	NAV	NA	NA	NA
Solid Waste Disposal Area Construction Permit	Yes	<a href="#">11509</a>	MMD	120 days	3	3	1	3	0	20	88	NA	0	NA	NA	0	0	0	NAV	NA
Solid Waste Disposal Area Operating License	Yes	<a href="#">11512</a>	MMD	90 days	49	42	0	40	3	20	73	NA	0	NA	NA	0	2	0	NAV	NA
Brine, Storage, or Waste Disposal Well Drilling or Conversion Permit or Test Well Drilling Permit	Yes	<a href="#">62509</a>	OGMD	20 days	30	13	16	13	0	28	1	NA	0	0	0	0	29	0	2	NA
Ferrous Mineral Mining Permit	Yes	<a href="#">63103a</a>	OGMD	120 days	0	0	0	0	0	NA	NA	NA	0	NA	NA	NA	0	0	0	NA
Nonferrous Metallic Minerals Mining Permit	No	Part 632, Nonferrous Metallic Mineral Mining, of NREPA	OGMD	182 days	0	0	0	0	0	NA	NA	NA	0	NA	NA	NA	0	NA	NA	NA

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Oil or Gas Well Drilling Permit	Yes	<a href="#">61525</a>	OGMD	20 days	70	73	5	73	0	21	2	NA	0	0	0	57	0	16	NA
Revision of Surface Coal Mining and Reclamation Permit	Yes	<a href="#">63525</a>	OGMD	90 days	0	0	0	0	0	NA	NA	NA	0	NA	NA	0	NA	NA	NA
Sand Dune Mining Permit	Yes	<a href="#">63704</a>	OGMD	120 days	0	0	0	0	0	NA	NA	NA	0	NA	NA	0	NA	NA	NA
Small Native Copper Mine Permit		Part 634, Small Native Copper Mines, of NREPA	OGMD	45 days	0	0	0	0	0	NA	NA	NA	0	NA	NA	0	NA		NA
Surface Coal Mining and Reclamation Permit	Yes	<a href="#">63514</a>	OGMD	120 days	0	0	0	0	0	NA	NA	NA	0	NA	NA	0	NA	NA	NA
Drinking Water Laboratory Certification	No	Safe Drinking Water Act, 1976 PA 399	RRD	Every three years, EGLE certifies each laboratory in Michigan for the analysis of drinking water. Gregg Lundy, Laboratory Certification Officer, conducts an inspection of each laboratory and issues a report. He visits all 179 labs within a three-year period.	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Land/Water Consolidated Permit Applications	Yes	Includes the seven applications listed below	WRD	Varies depending on the Parts included in each application	5,608	5,103	253 (r	4,177	555	20	37	155	22	10	9	N/A	2,198	5,452	N/A
*Dam Construction, Repair, or Removal Permit	Yes	<a href="#">31509</a>	WRD	60 days; 120 days if hearing held	0	0	0	0	0	23	90	NA	0	NA	NA	NA	10		NA
*Department Permit for Critical Dune Area Use	Yes	<a href="#">35304</a>	WRD	60 days; 90 days if a hearing is held	0	0	0	0	0	25	47	62	0	0	0	NA	0		NA
*Dredging and Filling Bottomland Permit	Yes	<a href="#">32512</a>	WRD	90 days; 150 days if hearing held	0	0	0	0	0	19	34	89	0	0	0	NA	0		NA
*Flood Risk, High Risk, or Environmental Area Permit	Yes	<a href="#">32312</a>	WRD	60 days	0	0	0	0	0	20	30	158	0	0	0	NA	0		NA
*Floodplain Alteration Permit	Yes	<a href="#">3104</a>	WRD	90 days; 150 days if hearing held	0	0	0	0	0	19	45	314	0	0	0	NA	0		NA
*Inland Lakes and Streams Project Permit	Yes	<a href="#">30104</a>	WRD	60 days; 120 days if hearing held	0	0	0	0	0	20	38	156	0	0	0	NA	0		NA
*State Permit for Dredging, Filling or Other Activity in Wetland	Yes	<a href="#">30304</a>	WRD	90 days; 150 days if hearing held	0	0	0	0	0	20	50	162	0	0	0	NA	0		NA
Aquatic Nuisance Control Permit Application	No	Part 33, Aquatic Nuisance Control, of NREPA	WRD	By April 15 or 30 days after a complete application for individual permits, or April 15 or 15 days after a complete application for a certificate of coverage under a general permit, whichever is later	1980	1939	33	1939	0	NA	NA	NA	0	0	0	NAV	NAV		
Groundwater Discharge Permit <sup>7</sup>	No	Part 31, Water Resources Protection, of NREPA	WRD	For all permits 180 days from date of complete application	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV

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All Permits and Licenses

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Local Soil Erosion and Sedimentation Control Permit <sup>8</sup>	Yes	<a href="#">9112</a>	WRD	30 days	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV	NAV				
NPDES (Non-Storm Water) Permit <sup>9</sup>	No	Part 31, Water Resources Protection, of NREPA	WRD	For new or increased uses 180 days from date of complete application; for reissued permit by September 30 of next year from when complete application submitted	561	314	36	207	107	NAV	NAV	NA	0	NA	NA	NA	214	NA	NA	NA
NPDES Storm Water (Industrial) General Permit <sup>10</sup>	No	Part 31, Water Resources Protection, of NREPA	WRD		1336	1242	53	1239	3	NAV	11	NA	NA	0	NA	NA	612	NA	NA	NA
Sewerage System Construction Permit	Yes	<a href="#">4105</a>	WRD	150 days; 90 days if hearing held	559	532	2	532	3	10	28	NA	0	NA	NA	0	56	NA	NA	NA
Submerged Log Removal from Great Lakes Bottomlands Permit	Yes	<a href="#">32603</a>	WRD	90 days after date of public hearing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sunken Aircraft or Watercraft Abandoned Property Recovery Permit	Yes	<a href="#">76109</a>	WRD	30 days after department consults with underwater salvage and preserve committee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Use of Water in Mining Iron Ore Permit	Yes	<a href="#">3503</a>	WRD	150 days; 90 days if hearing held	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTALS</b>					<b>29,549</b>	<b>28,297</b>	<b>171</b>	<b>15,955</b>	<b>696</b>	<b>11</b>	<b>45</b>	<b>93</b>	<b>387</b>	<b>12</b>	<b>9</b>	<b>1</b>	<b>3,646</b>	<b>7,652</b>	<b>18</b>	

Footnotes:

NA = not applicable

NAV = not available

NREPA = Natural Resources and Environmental Protection Act, 1994 PA 451, as amended

<sup>1</sup> For all permits identified in Part 13, processing time means the following time period after the close of the application period. Application period means the period starting when an application for a permit is received and ending when the application is considered to be administratively complete.

<sup>2</sup> Also subject to annual reporting under MCL 324.5522(8) & (9)

<sup>3</sup> Also subject to annual reporting under MCL 324.5522(8) & (9)

<sup>4</sup> Totals do not align due to ability of campground owners to apply for a 1-year, 2-year, or 3-year operating license.

<sup>5</sup> Three new vehicle licenses missed statutory deadline. 1 would have met the deadline but was not issued until payment received, 1 was because the vehicle was not located in the county the business is licensed in and we had to arrange for another CHD to inspect the vehicle, 1 was because a neighboring CHD performed the inspections for a non-participating county. It is my recommendation that no fees be returned due to these circumstances.

<sup>6</sup> One business license renewal exceeded the deadline, but they have no fee, so a refund is not applicable.

<sup>7</sup> This data will be available on March 1, 2020 which is the reporting deadline required by statute [MCL 324.3124(5)]

<sup>8</sup> These permits are issued by County agencies.

<sup>9</sup> Annual report is also required by statute [MCL 324.3121(5)]. This includes permits issued for ballast water, biosolids, concentrated animal feeding operations, and industrial and municipal sources.

<sup>10</sup> Annual report is also required by statute [MCL 324.3119(7)]. This includes permits issued for construction sites, industrial permits, and construction site permits.

AQD = Air Quality Division

DWEHD = Drinking Water and Environmental Health Division

MMD = Materials Management Division

OGMD = Oil, Gas, and Minerals Division

RRD = Remediation and Redevelopment Division

WRD = Water Resources Division