

**ENVIRONMENTAL PERMIT REVIEW COMMISSION
AGENDA**

Monday, September 30, 2019, 1:00 p.m. – 3:30 p.m.

Michigan Department of Environment, Great Lakes, and Energy (EGLE)
Constitution Hall, Con Con Conference Room, Atrium Level South
525 West Allegan Street, Lansing, Michigan

Committee Members: Tony Anthony, Dennis Bittner, Theodore Bornhorst, Jamie Buckingham, Bryan Burroughs, Matthew Germane, Dave Hamilton, Mark Henne, Jeff King, Dana Kirk, Dirk Mammen, Lori Myott, Evan Pratt, Mark Prein, Brad Venman

Chair: Amy Epkey, EGLE Senior Deputy Director

Clerk: Candra Wilcox, EGLE Senior Executive Management Assistant

1. **Roll Call**
Candra Wilcox, EGLE
2. **Approval of Agenda**
Amy Epkey, EGLE
3. **Approval of Minutes from April 29, 2019, Meeting**
Amy Epkey, EGLE
4. **Petition for Permit Review Process**
Dave Fiedler, EGLE
5. **Petition for Contested Case Review Process**
Matthew Germane, EPRC
6. **Commissioner Email Accounts**
Candra Wilcox, EGLE
7. **2020 Tentative Meeting Schedule**
Amy Epkey, EGLE
8. **Public Comment**
9. **Adjournment**

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525 West Allegan Street, Lansing, Michigan

COMMISSION MEMBERS:

Members Present:

Bryan Burroughs	Jeff King	Mark Prein
Matthew Germane	Dirk Mammen	Brad Venman
Dave Hamilton	Lori Myott	
Mark Henne	Evan Pratt	

Members Present via Telephone:

Dennis Bittner	Theodore Bornhorst	Jamie Buckingham
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Members Absent:

Tony Anthony	Dana Kirk
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EGLE Staff:

Amy Epkey	Candra Wilcox
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1. Roll Call

Meeting was called to order at 1:05 p.m. Roll call was taken with a quorum present.

2. Approval of Agenda

Motion: Dave Maness made a motion to approve the agenda as provided; Dirk Mammen seconded the motion. The motion was approved by all members present.

3. Approval of Minutes from December 19, 2018, Meeting

Motion: Mark Henne made a motion to approve the minutes as provided; Dirk Mammen seconded the motion. The motion was approved by all members present.

4. Commission Email Accounts

State email address will be provided to commission members and all commission business should be conducted with the state email addresses.

5. Department of Environment, Great Lakes, and Energy Update

The department has transitioned to the Department of Environment, Great Lakes, and Energy effective April 22, 2019. There is a new [MiEnvironment](#) site where the department provides updates, current events, public announcements, and recaps of meetings.

There have not been any permit appeals submitted yet, however, there are processes in place for when appeals are submitted.

6. Michigan Office of Administrative Hearings and Rules (MOAHR) Updates

Julie McMurtry, MOAHR, introduced Susan Maul as the new administrative law specialist. Susan has over 30 years of experience with the department. Susan will assist any three-member panel selected to review potential future appeals.

7. Air Quality Division Permit Overview

Annette Switzer provided an overview of the permits issued by the Air Quality Division (AQD). There are two permitting programs, the New Source Review Permit to Install, which is a construction permit that is required before breaking ground; and the Renewable Operating Permit, which is an operating permit for larger sources.

8. Oil, Gas, and Minerals Division Permit Overview

Adam Wygant provided an overview of the permits issued by the Oil, Gas, and Minerals Division (OGMD). OGMD issues permits under Part 615, Supervisor of Wells, with approximately 70 permits issued annually; Part 625, mineral wells, with 10 or less permits issued per year; Part 631, ferrous mineral mining, with no permits issued in the last several decades; Part 632, non-ferrous metallic mining, with zero to two permits issued annually; Part 637, sand dune mining, with zero permits issued annually; and Part 635, coal mining, with zero permits issued annually.

9. Materials Management Division Permit Overview

Lonnie Lee provided an overview of the permits issued by the Materials Management Division (MMD). MMD processes approximately ten permits a year under Part 115, solid waste management.

10. Water Resources Division Permit Overview

Teresa Seidel provided an overview of the permits issued by the Water Resources Division (WRD). WRD issues permits under the Water Quality Protection and the Resources Protection programs. In 2017, WRD issued 4,574 permits for Water Resources; 591 permits for Part 41, wastewater construction; 1,518 for National

Pollution Discharge Elimination Systems (NPDES); 155 permits for groundwater; and 1,683 permits for aquatic nuisance control.

11. Public Comment

There were no public comments.

12. Adjournment

Motion: Evan Pratt made a motion to adjourn; Matt Germane seconded the motion. The motion was approved by all members present and the meeting was adjourned at 3:15 p.m.

DRAFT



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Environmental Permit Review Commission Preapplication Review

Dave Fiedler

Information Management Division

517-284-6705 | FiedlerD@Michigan.gov

Section 1315 of Part 13, Permits, of the Natural Resources Environmental Protection Act, 1994 PA 451

- Application dispute
- Applicant submits a form
- Director tries to resolve
- 3-member panel
 - Disclosure of Interest Form
 - Meeting w/ applicant and EGLE
 - Issues written recommendation
- Director agrees or disagrees w/ recommendation
- Not subject to review under Administrative Procedures Act or Judicature Act

Petition for Application Review



Michigan Department of Environment, Great Lakes, and Energy

ENVIRONMENTAL PERMIT REVIEW COMMISSION PETITION FOR PERMIT APPLICATION REVIEW

Permit or Application No. (On permit or application as assigned by EGLE)

The procedural authority for a permit review is Section 1315 of Part 13, Permits, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Additional pages may be attached.

PETITIONER'S NAME
[Redacted]

STREET ADDRESS
[Redacted]

CITY STATE ZIP CODE
[Redacted] [Redacted] [Redacted]

TELEPHONE NO.
([Redacted]) [Redacted] - [Redacted]

E-MAIL ADDRESS
[Redacted]

MAILING ADDRESS (if different from street address)
[Redacted]

CITY STATE ZIP CODE
[Redacted] [Redacted] [Redacted]

Issues in dispute, including the site location: [Redacted]

Relevant facts: [Redacted]

Data, analysis, opinion, and/or supporting documentation for the petitioner's position: [Redacted]

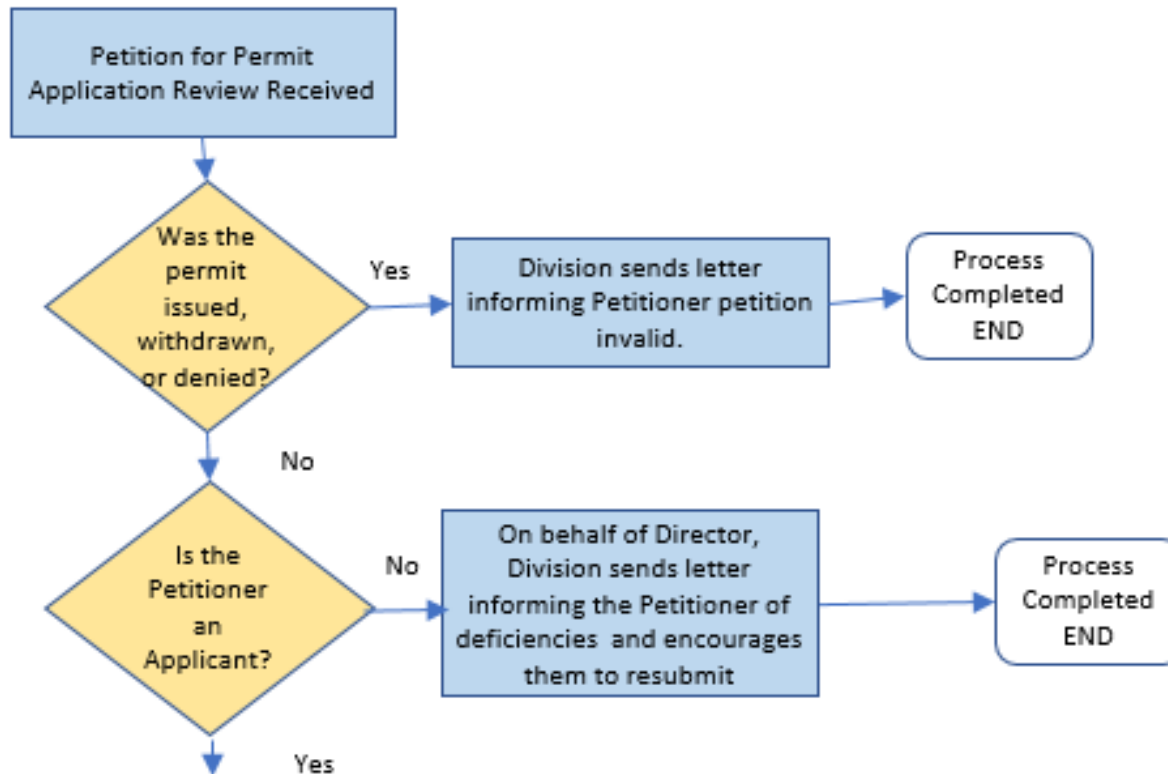
SIGNATURE OF PETITIONER DATE

Submit this completed petition and attachments to:
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
INFORMATION MANAGEMENT DIVISION
525 WEST ALLEGAN STREET
P.O. BOX 30473
LANSING, MI 48909-7973
TELEPHONE: 517-284-5004

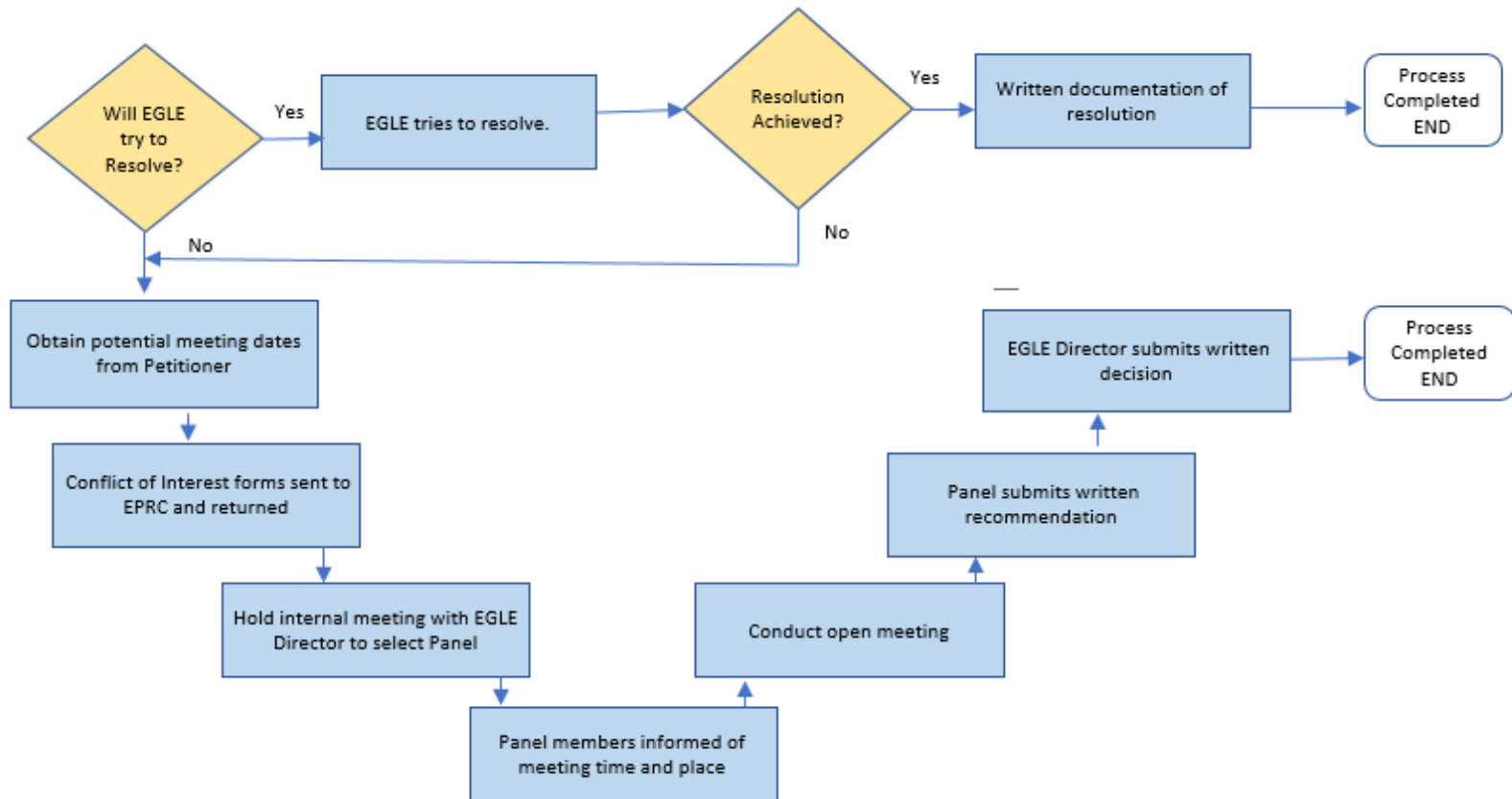
or send via e-mail to EGLE-PermitAppeal@Michigan.gov

EQP0202 (Rev. 07/2019)

Petition for Permit Application Review



Petition for Permit Application Review



PETITIONS TO DATE

	Petitioner 1	Petitioner 2
Petition Submitted	March 11, 2019	July 11, 2019
Location	Menominee County	Grand Traverse County
Permit Type	Part 303 – Wetlands	Part 303 – Wetlands Part 310 – Inland Lakes & Streams
Status	Petition denied – need to complete application	Petition denied – need to submit proper fee and complete application

Michigan Department of
Environment, Great Lakes, and Energy

800-662-9278

Michigan.gov/EGLE



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GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

2020 EPRC MEETING SCHEDULE

Effective: September 30, 2019

The **Environmental Permit Review Commission** 2019 regular meetings will be held in Constitution Hall, Con Con Room, South Tower, 525 West Allegan Street, Lansing, Michigan, on:

April 20, 2020	1:00 p.m.
September 28, 2020	1:00 p.m.

The meeting site is handicapped accessible, including parking. Individuals with disabilities who need mobility, visual, hearing, and/or other assistance for effective participation should direct a request for assistance to Candra Wilcox at 517-284-5004 in advance of the meeting.