

SUBSTITUTE FOR
SENATE BILL NO. 277

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 27.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 27 PROGRAM REVIEW

2 SEC. 2701. AS USED IN THIS PART:

3 (A) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL
4 QUALITY.

5 (B) "PROGRAM" MEANS A PERMIT PROGRAM OR REGULATORY PROGRAM
6 ADMINISTERED BY THE DEPARTMENT UNDER THIS ACT.

7 SEC. 2703. (1) THE DEPARTMENT SHALL COMPLETE PROCESS
8 IMPROVEMENT OF 1 MAJOR PROGRAM BY FEBRUARY 1, 2012 AND 2 MAJOR
9 PROGRAMS EACH YEAR THEREAFTER UNTIL THE DEPARTMENT HAS COMPLETED

1 PROCESS IMPROVEMENT FOR ALL MAJOR PROGRAMS. THIS SUBSECTION DOES
2 NOT REQUIRE THE DEPARTMENT TO REPEAT PROCESS IMPROVEMENT FOR A
3 PROGRAM IF PROCESS IMPROVEMENT FOR THAT PROGRAM WAS COMPLETED
4 BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
5 SECTION.

6 (2) PROCESS IMPROVEMENT UNDER SUBSECTION (1) SHALL MEET ALL OF
7 THE FOLLOWING REQUIREMENTS:

8 (A) UTILIZE PROCESS MAPPING.

9 (B) BE CONDUCTED BY A TEAM THAT INCLUDES AT LEAST ALL OF THE
10 FOLLOWING:

11 (i) TWO CERTIFIED FACILITATORS, WHO SHALL ADMINISTER THE
12 PROCESS IMPROVEMENT.

13 (ii) A REPRESENTATIVE OF PERSONS REGULATED BY THE PROGRAM.

14 (iii) A REPRESENTATIVE OF MEMBERS OF THE GENERAL PUBLIC AFFECTED
15 BY THE PROGRAM.

16 (3) THE DEPARTMENT SHALL CONSIDER USING PEER REVIEWS BY OTHER
17 EPA REGION 5 STATES AND BENCHMARK ANALYSES AS PART OF PROCESS
18 IMPROVEMENT UNDER SUBSECTION (1).

19 (4) THE DEPARTMENT SHALL POST ON ITS WEBSITE A DESCRIPTION OF
20 THE PROCESS IMPROVEMENTS MADE FOR EACH MAJOR PROGRAM.

21 SEC. 2705. (1) THE DEPARTMENT SHALL DEVELOP METRICS FOR ALL OF
22 THE FOLLOWING:

23 (A) ENVIRONMENTAL IMPACTS.

24 (B) PROCESS PERFORMANCE. FOR A PERMIT PROGRAM, PROCESS
25 PERFORMANCE SHALL INCLUDE ALL OF THE FOLLOWING:

26 (i) A CALCULATION OF THE DEPARTMENT'S PER-PERMIT COST TO
27 ADMINISTER THE PROGRAM.

1 (ii) A REVIEW OF THE TIMELINESS OF THE PERMIT PROCESS FROM
2 RECEIPT TO APPROVAL OR DENIAL OF A PERMIT APPLICATION.

3 (C) A REVIEW OF SERVICE PRACTICES AFFECTING REGULATED PERSONS
4 AND THE GENERAL PUBLIC.

5 (2) THE DEPARTMENT SHALL POST ON ITS WEBSITE THE METRICS
6 DEVELOPED FOR THE PURPOSES OF SUBSECTION (1).

7 SEC. 2707. FOR EACH DIVISION OF THE DEPARTMENT, THE DEPARTMENT
8 SHALL SURVEY PERSONS REGULATED BY THAT DIVISION AND THE GENERAL
9 PUBLIC CONCERNING THE DIVISION'S SERVICE PRACTICES. BY FEBRUARY 1,
10 2012, THE DEPARTMENT SHALL COMPLETE THE SURVEYS AND POST AGGREGATE
11 SURVEY RESULTS FOR EACH DIVISION ON THE DEPARTMENT'S WEBSITE. THE
12 DEPARTMENT SHALL NOT POST ON ITS WEBSITE INFORMATION IDENTIFYING A
13 SURVEY RESPONDENT.