

HOUSE BILL No. 4018

January 13, 2011, Introduced by Rep. Yonker and referred to the Committee on Regulatory Reform.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 1301 (MCL 324.1301), as amended by 2009 PA 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1301. As used in this part:

2 (a) "Application period" means the period beginning when an
3 application for a permit is received by the state and ending when
4 the application is considered to be administratively complete under
5 section 1305 and any applicable fee has been paid.

6 (b) "Department" means the department, agency, or officer
7 authorized by this act to approve or deny an application for a
8 particular permit.

9 (c) "Director" means the director of the state department

1 authorized under this act to approve or deny an application for a
2 particular permit or the director's designee.

3 (d) "Permit" means a permit or operating license required by
4 any of the following sections or by rules promulgated thereunder,
5 or, in the case of section 9112, by an ordinance ~~or resolution~~
6 adopted thereunder:

7 (i) Section 3104, floodplain alteration permit.

8 (ii) Section 3503, permit for use of water in mining iron ore.

9 (iii) Section 4105, sewerage system construction permit.

10 (iv) Section 6516, vehicle testing license.

11 (v) Section 6521, motor vehicle fleet testing permit.

12 (vi) Section 8310, restricted use pesticide dealer license.

13 (vii) Section 8310a, agricultural pesticide dealer license.

14 (viii) Section 8504, license to manufacture or distribute
15 fertilizer.

16 (ix) Section 9112, local soil erosion and sedimentation control
17 permit.

18 (x) Section 11509, solid waste disposal area construction
19 permit.

20 (xi) Section 11512, solid waste disposal area operating
21 license.

22 (xii) Section 11542, municipal solid waste incinerator ash
23 landfill operating license amendment.

24 (xiii) Section 11702, septage waste servicing license or septage
25 waste vehicle license.

26 (xiv) Section 11709, septage waste site permit.

27 (xv) Section 30104, inland lakes and streams project permit.

1 (xvi) Section 30304, state permit for dredging, filling, or
2 other activity in wetland. Permit includes an authorization for a
3 specific project to proceed under a general permit issued under
4 section 30312.

5 (xvii) Section 31509, dam construction, repair, **OR** removal
6 permit.

7 (xviii) Section 32312, flood risk, high risk, or environmental
8 area permit.

9 (xix) Section 32503, permit for dredging ~~and~~**OR** filling
10 bottomland.

11 (xx) Section 35304, department permit for critical dune area
12 use.

13 (xxi) Section 36505, endangered species permit.

14 (xxii) Section 41702, game bird hunting preserve license.

15 (xxiii) Section 42101, dog training area permit.

16 (xxiv) Section 42501, fur dealer's license.

17 (xxv) Section 42702, game dealer's license.

18 (xxvi) Section 44513, charter boat operating permit under
19 reciprocal agreement.

20 (xxvii) Section 44517, boat livery operating permit.

21 (xxviii) Section 45503, permit to take frogs for scientific use.

22 (xxix) Section 45902, game fish propagation license.

23 (xxx) Section 45906, game fish import license.

24 (xxxi) Section 61525, oil or gas well drilling permit.

25 (xxxii) Section 62509, brine, storage, or waste disposal well
26 drilling or conversion permit or test well drilling permit.

27 (xxxiii) Section 63103a, metallic mineral mining permit.

1 (xxxiv) Section 63514 or 63525, surface coal mining and
2 reclamation permit or revision of the permit, ~~during the term of~~
3 ~~the permit,~~ respectively.

4 (xxxv) Section 63704, sand dune mining permit.

5 (xxxvi) Section 72108, use permits for Michigan trailway.

6 (xxxvii) Section 76109, sunken aircraft or watercraft abandoned
7 property recovery permit.

8 (xxxviii) Section 76504, Mackinac Island motor vehicle and land
9 use permits.

10 (xxxix) Section 80159, buoy or beacon permit.

11 **(xl) ANY OTHER SECTION OF THIS ACT PROVIDING FOR THE ISSUANCE**
12 **OF AN ENVIRONMENTAL PROTECTION PERMIT BY THE DEPARTMENT OF NATURAL**
13 **RESOURCES AND ENVIRONMENT.**

14 (e) "Processing deadline" means the last day of the processing
15 period.

16 (f) "Processing period" means the following time period after
17 the close of the application period, for the following permit, as
18 applicable:

19 (i) Twenty days for a permit under section 61525 or 62509.

20 (ii) Thirty days for a permit under section 9112.

21 (iii) Thirty days after the department consults with the
22 underwater salvage and preserve committee created under section
23 76103, for a permit under section 76109.

24 (iv) Sixty days, for a permit under section 30104 for a minor
25 project as established by rule under section 30105(7) or for a
26 permit under section 32312.

27 (v) Sixty days or, if a hearing is held, 90 days for a permit

1 under section 35304.

2 (vi) Sixty days or, if a hearing is held, 120 days for a permit
3 under section 30104, other than a permit for a minor project as
4 established by rule under section 30105(7), or for a permit under
5 section 31509.

6 (vii) Ninety days for a permit under section 11512, a revision
7 of a surface coal mining and reclamation permit ~~during the term of~~
8 ~~the permit~~ under section 63525, or a permit under section 72108.

9 (viii) Ninety days or, if a hearing is held, 150 days for a
10 permit under section 3104, 30304, or 32503 or an authorization for
11 a specific project to proceed under a general permit issued under
12 section 30312.

13 (ix) One hundred and twenty days for a permit under section
14 11509, 11542, 63103a, 63514, or 63704.

15 (x) One hundred fifty days for a permit under section 36505.
16 However, if a site inspection or federal approval is required, the
17 150-day period is tolled pending completion of the inspection or
18 receipt of the federal approval.

19 (xi) For any other permit, 150 days or, **EXCEPT FOR A PERMIT**
20 **DESCRIBED IN SUBDIVISION (D) (xl)**, if a hearing is held, 90 days
21 after the hearing, whichever is later.