

Scoping it out: Environmental Permitting in Michigan

PRESENTED BY: Anita Singh,
EGLE Permit Coordinator



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EGLE Org Chart



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EGLEpermits



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EGLE's mission to protect Michigan's environment and public health by managing air, water, land, and energy resources is supported by environmental permitting. Through permit issuance and oversight, EGLE strives to facilitate environmentally responsible economic growth.

Permits inform the permittee of legally enforceable conditions for operation, as well as reporting requirements, pollution monitoring, and testing requirements. The permit process also informs Michigan citizens of proposed activities affecting the environmental quality of their community. Environmental permits are key to reducing industry's environmental impacts, facilitating compliance with environmental requirements and promoting technological innovation.

Contact

For questions regarding existing permits, contact the Environmental Assistance Center at EGLE-Assist@Michigan.gov or 800-662-9278, or refer to our [Compliance Assistance](#) resources.

[MiEnviro Portal](#)

NEW BUSINESS AND PERMIT COORDINATION

Environmental Permit Information Checklists:

Perform an initial evaluation with the [EGLE Permit Information Checklist](#). The checklist contains "yes" and "no" questions to help identify the types of activities at the proposed facility that require permits from EGLE.

Sector Permit Checklists: If your business is specific to the following operations, please utilize the checklist below.

- [Permit Information Checklist for Farming Operations](#)
- [Permit Information Checklist for Schools](#)

[Michigan Guide to Environmental Regulations](#)

EGLE has developed this Guide to Environmental Regulations to assist Michigan's business, industry, and local governments in navigating the maze of environmental obligations they face. It includes a self-assessment tool that can help identify the regulations that may pertain to your business/operation.

For questions regarding your new facility, contact:

Anita Singh, Permit Coordinator
SinghA3@Michigan.gov
517-281-2615

[State License Search](#)

PERMITS AT A GLANCE

Below is an overview of the most common permits and licenses administered by EGLE. This is not inclusive of all individual permits or licenses provided by EGLE.

Show entries

Search:

Permit	Division	Authority	Description
Acid Rain Permits (Title IV)	Air Quality	Title IV of the federal Clean Air Act of 1990	Certain electric generating units (EGUs) that sell electricity to the grid and burn fossil fuel are required to submit an Acid Rain Permit application 24 months before the EGU commences

Permit Information Checklist



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

PERMIT INFORMATION

[Michigan.gov/EGLEPermits](https://www.michigan.gov/EGLEPermits)

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has prepared a list of key questions to help identify what EGLE permits, licenses, or approvals of a permit-like nature may be needed. By contacting the appropriate offices indicated, you will help reduce the possibility that your project or activity will be delayed due to the untimely discovery of additional permitting requirements later in the construction process. While this list covers the existence of permits and approvals required from EGLE, it is not a comprehensive list of all legal responsibilities. A useful way to learn whether other requirements will apply is to go through the Self-Environmental Assessment in the Michigan Guide to Environmental, Health, and Safety Regulations, online at: [Michigan.gov/EHSguide](https://www.michigan.gov/EHSguide). Please call the Environmental Assistance Center at 800-662-9278 to talk with any of the EGLE programs noted below.

How Do I Know that I Need a Construction Permit?

- 1) Will your business involve the installation or construction of any process equipment that has the potential to emit air contaminants (e.g. dry sand blasting, boilers, standby generators)? Air Quality Permit to Install, Air Quality Division (AQD), [Permit Section](#)
☐ Yes ☐ No
- 2) Does the project involve renovating or demolishing all or portions of a building? Notification is required for asbestos removal and required for all demolitions even if the structure never contained asbestos. Asbestos Notification, AQD, [Asbestos Program](#), 517-284-6777
☐ Yes ☐ No
- 3) Please consult the [Permitting at the Land and Water Interface Decision Tree](#) document to evaluate whether your project needs a land and water management permit (i.e., Does the project involve filling, dredging, placement of structures, draining, or use of a wetland?). Land and Water Featured Programs (Water Resources Division - WRD) - [Joint Permit Application](#), 517-284-5567:
 - a. Does the project involve construction of a building or septic system in a designated Great Lakes high risk erosion area?

[illegible]

Major State of Michigan Environmental Statutes and Timelines

Applicable Michigan NREPA Provisions	Pre-Application Activity (Permit Coordination Meeting)	Post-submission Decision Process	
Air Discharge, Permit To Install (Part 55)	Regular Pre-Application communication with EGLE is recommended to ensure a complete application is submitted.	240 Days to issue from date of receipt. If not issued, can reapply. (180 days if no public comment period) (If a Public Meeting is required or wanted, 30-day Public Notice prior to the Meeting, and 45-day public comment period after the meeting (30-day is required))	
		75-Day permitting average¹ (without public comment)	
		231-Day permitting average with public comment¹	
Wetlands, Lakes and Streams Joint* Permit Application (Parts 31, 301, 303, 315, 323, 325)	A Pre-Application meeting is recommended for all programs	<Public Notice (Public Hearing may be scheduled at this time - if wanted, or required) (10-day notice of the hearing and 10-day comment period after the hearing must be provided)	
	Environmental Assessment and wetland delineations are required for Part 303	30-Day administrative completeness review (extends if the application is not complete)	180 Days to decide
		90 Days for EPA review and comment period	90 Days to resolve any EPA objections
		41-Day permitting average	
Wastewater Discharge (Part 31)	Hydrogeologic Study required for groundwater permit	30-Day administrative completeness review for surface or ground water	
		<Public Notice	
		180 Days to decide	
		83-Day permitting average	
Water Withdrawal (Part 327)	Regular pre-application communication with EGLE is recommended to ensure a complete application is submitted.	< 2 mgd, decision in 10 days	
		2+ mgd, 30-Day administrative completeness review	<Public Notice 120 Days to decide

Consumptive water uses > 5 million gallons per day (mgd) are subject to review and approval by Great Lakes States and Provinces

GUIDE TO MICHIGAN PROVISIONS UNDER PUBLIC ACT 451 OF 1994 (NREPA):
[Part 31: Water Resource Protection \(incl Floodplains\)](#)
[Part 55: Air Pollution Control](#)
[Part 301: Inland Lakes and Streams](#)
[Part 303: Wetlands Protection](#)
[Part 315: Dam Safety](#)
[Part 323: Shorelands Protection and Management](#)
[Part 325: Great Lakes Submerged Lands](#)
[Part 327: Great Lakes Protection](#)

*Please Note: These statutes are necessary for the State of Michigan. To achieve federal approval, applicants must contact the Army Corps of Engineers.

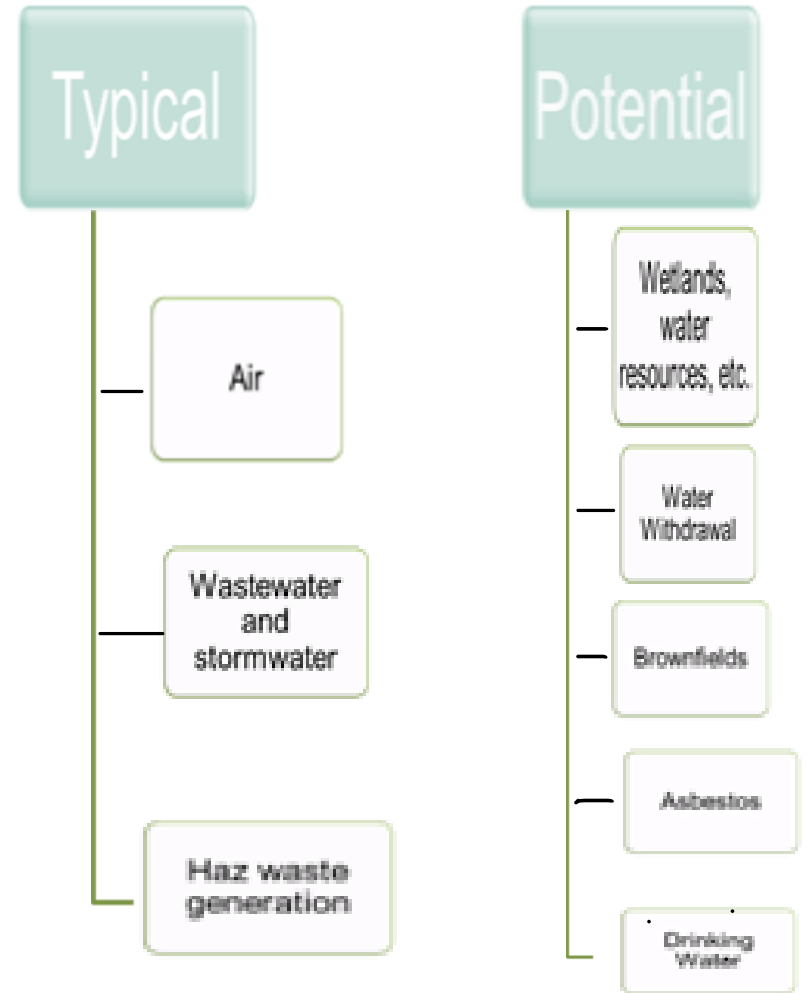
A public hearing for a permit takes place for many reasons, i.e., whether it is mandated due to federal regulations in the case of the permit being subject to Title 5/ROP and therefore required to have a public hearing or for other reasons.

¹Permit averages excluding any Rule 206 extensions

What can you expect from EGLE?

A simple ~5 step process with ongoing communication at each step.

1. Pre-application meeting (voluntary)
2. Application submittal
3. Review for administrative completeness
4. Formal review of application begins
5. Public Notice/Comment (if required)
6. Decision



EGLE is Committed to Customer Service

- Increased permitting **capacity** by nearly 15% since '19.
- Began to **streamline** permitting into a single database (MiEnviro) and **modernize IT**.
- Expanded project **concierge services** and established permit **coordinators**.
- Increased permitting **education** offerings and created tools (i.e., Permit Checklist) to help permittees.
- Enhanced **coordination** with other state agencies.
- Implemented lean process **improvements**.
- Acted on executive directives to **expedite** permitting and increase **accountability**.

~27,000
permitting
actions
annually

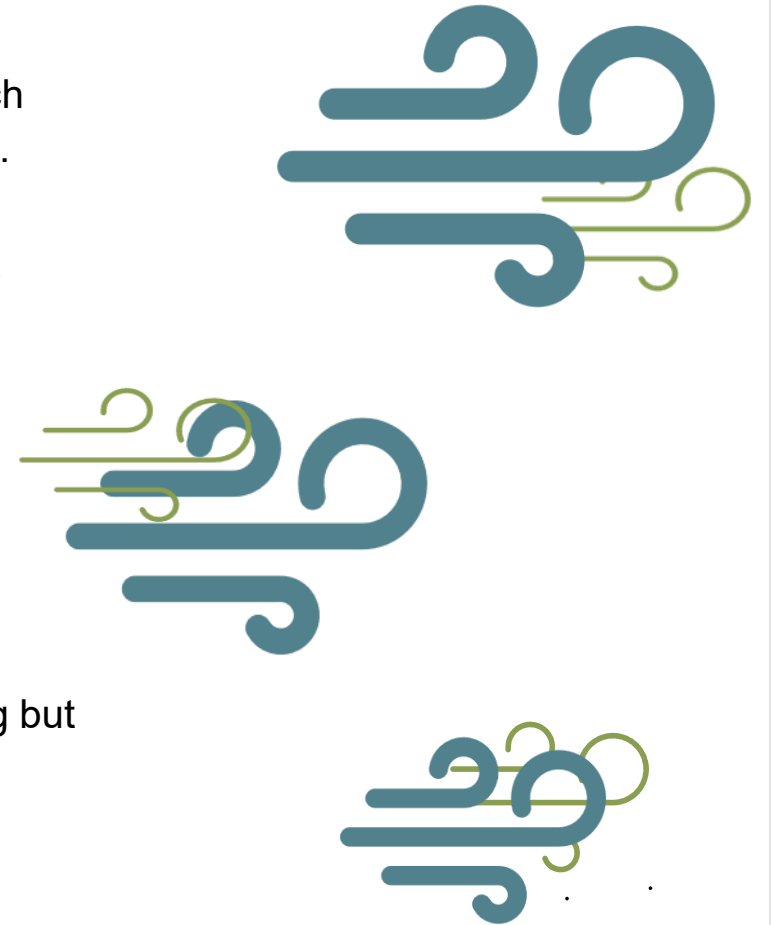
Wetlands, Lakes, and Streams Joint Permit

- Shoots for **3 months** for wetlands permits. Statutory permit review and processing timeframes (typically 3-6 months). Prioritizes review of transformational projects to **expedite processing**. Has a **<1% denial rate**.
- Is **one of three states** with a streamlined, combined process for state and federal wetland, inland lakes and streams, and floodplain authorizations. Offers flexibility to find **creative solutions**.
- **Offers exceptional customer service including but not limited to:**
 - "big project" specific staff and management contacts,
 - on-site and off-site pre-application meetings,
 - facilitates wetland mitigation banking options, and
 - state wetland delineations and verifications that provide certainty on on-site wetlands for 3-years.



Air Permit to Install

- Issues permits in **3 to 6 months**. Prioritizes review of transformational projects to **expedite processing**.
- Has a **centralized air permitting** program which increases consistency, coordination, and speed.
- **Strong relationship with U.S. EPA Region V**, which streamlines the review and processing of permit applications*.
- **Requires no fees** for applications.
- Allows certain projects* to **begin construction** once an application has been submitted and is under review.
- Offers **exceptional customer service** including but not limited to:
 - Pre-application meetings locally and in Lansing, and
 - "big project" specific staff and management contacts.



Helpful Information

- Michigan Guide to Environmental Regulations
- EGLE Permit Information Checklist
- MI Enviro Portal
- Consultant Directory, Compliance Assistance
- Michigan Attainment Map
- Pre-application meetings for wetland and drain related permits

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