

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.4112 Expedited review process for certain projects.

Sec. 4112.

- (1) Subject to subsection (2), the following projects are eligible for expedited review:
 - (a) A conventional gravity sewer extension of 10,000 feet or less of sewer line.
 - (b) A simple pumping station and force main.
 - (c) A small diameter pressure sewer and grinder pumping station.
- (2) An expedited review must not be conducted for a project that is being funded by the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a.
- (3) To obtain an expedited review, a person shall do all of the following before October 1, 2027:
 - (a) At least 10 business days before submitting an application under subdivision (b), notify the department electronically, in accordance with instructions provided on the department's website, of the person's intent to request expedited review. The department may waive this 10-day notification requirement.
 - (b) Submit electronically a complete application for a construction permit including a request for expedited review and credit card payment of the appropriate fee under subsection (4).
 - (c) Provide a written copy of the construction plans and specifications for the project that is prepared, signed, and sealed by a licensed professional engineer to the department postmarked not later than the date that the application is submitted electronically.
 - (d) For nongovernmental entities, provide certification to the department that all necessary contractual service agreements and financial plans are in place.
- (4) Except as provided in subsection (6), the fee for an expedited review is as follows:
 - (a) For a conventional gravity sewer extension less than 2,000 feet, \$1,000.00.
 - (b) For a conventional gravity sewer extension equal to or greater than 2,000 feet but less than 4,000 feet of sewer line, \$1,500.00, and for each incremental increase of up to 2,000 feet of sewer line, an additional \$500.00.
 - (c) For a simple pumping station and force main, \$2,000.00.
 - (d) For a small diameter pressure sewer and grinder pumping station consisting of not more than 2,000 feet of sewer line and not more than 10 grinder pumping stations, \$2,000.00.
 - (e) For small diameter pressure sewer and grinder pumping station projects not covered by subdivision (d) and consisting of not more than 5,000 feet of sewer line and not more than 25 grinder pumping stations, \$4,000.00.
- (5) Except as provided in subsection (7), if an applicant does not comply with subsection (3), the department shall not conduct an expedited review and any submitted fee shall not be refunded. Within 10 business days after receipt of the application, the department shall notify the applicant of the reasons why the department's review of the application will not be expedited. On receipt of this notification, a person may correct the deficiencies and resubmit an application and request for an expedited review with the appropriate fee specified under subsection (6). The department shall not reject a resubmitted application and request for expedited review solely because of deficiencies that the department failed to fully identify in the original application.
- (6) For a second submission of an application that originally failed to meet the requirements specified in subsection (3), the applicant shall instead include a fee equal to 10% of the fee specified in subsection (4). However, if the deficiency included failure to pay the appropriate fee, the second submission must include the balance of the appropriate fee plus either 10% of the appropriate fee or, if the applicant makes additional changes other than those items identified by the department as being deficient, an additional fee equal to the fee specified in subsection (4). For the third and each subsequent submittal of an application that failed to meet the requirements specified in subsection (3), the applicant shall include an additional fee equal to the fee specified in subsection (4).
- (7) If an applicant fails to sign the application, submits construction plans and specifications that have not been prepared, signed, and sealed by a licensed professional engineer, or does not submit the required fee, the department shall notify the applicant of the deficiency within 5 business days after receiving the application. The application must not be processed until the deficient items are addressed. If the applicant does not provide the deficient items within 5 business days after notification by the department, the application must be handled as provided in subsection (5).
- (8) The department shall review and make a decision on complete applications submitted with a request for expedited review within 10 business days after receipt by the department of a complete application. However, if the department waives the notification requirement of subsection (3)(a), the department shall review and make a decision on the application within 20 business days after receipt of a complete application.
- (9) If the department fails to meet the deadline specified in subsection (8), both of the following apply:
 - (a) The department shall continue to expedite the application review process for the application.
 - (b) The fee required under this section for an expedited review must be refunded.

(10) The department shall transmit fees collected under this section to the state treasurer for deposit into the fund.

(11) As used in this section, "complete application" means a department-provided application form that is completed, for which all requested information has been provided, and that can be processed without additional information.

History: Add. 2006, Act 602, Imd. Eff. Jan. 3, 2007 ;-- Am. 2010, Act 302, Imd. Eff. Dec. 16, 2010 ;-- Am. 2015, Act 82, Eff. Oct. 1, 2015 ;-- Am. 2019, Act 79, Imd. Eff. Sept. 30, 2019 ;-- Am. 2023, Act 140, Imd. Eff. Sept. 29, 2023

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