



Position Statement

SBs 13, 431, 434 – 436 and 438 – 439: MDEQ “Reform”

Sierra Club is OPPOSED to these bills. Votes pertaining to these bills may be included on the Sierra Club’s legislative scorecard.

Issue Background

These bills purport to “reform” the Michigan Department of Environmental Quality (MDEQ) as follows:

- SB 13 – Requires State Office of Administrative Hearings and Rules (SOAHR) to analyze each new rule proposed by a regulatory agency to see if it exceeds federal standards, etc.
- SB 431 – Requires SOAHR to conduct a cost-benefit analysis of each new proposed rule and deny rulemaking that exceeds federal standards
- SB 434 – Prohibits Michigan from enacting environmental protections stronger than federal law and limits regulatory actions and rulemaking
- SB 435 – requires regular review of rules to assess impact on small businesses, etc.
- SB 436 – Shifts permitting activities to private contractors working for the permit applicant and requires MDEQ to rush permitting activities.
- SB 438 requires the MDEQ to use stratified random sampling for inspections of permitted facilities.
- SB 439 – Requires a benchmark analysis of MDEQ regulatory programs administered by a newly created review board

Sierra Club Perspective

For years there have been attempts by certain lawmakers and some factions of the regulated community to undermine the MDEQ’s ability to do its job of protecting of Michigan’s valuable natural resources and the health of the public. This package of bills is no different.

Despite the fact that the MDEQ continues to face crushing budget shortfalls, recent surveys indicate that the majority of the regulated community is very satisfied with the service they obtain from the agency.

These bills would have devastating impacts on environmental protections in Michigan, putting both public health and the environment at risk. They would tie the MDEQ in knots, with mountains of regulatory red tape, and put industry in charge of regulating itself.

These bills will do nothing to improve the MDEQ’s ability to do its job. On the contrary, they are designed to cripple the agency. They also constitute a huge waste of the state’s scarce financial resources.

Michigan must not abdicate its authority over environmental protection to the federal government. Our state must maintain both the authority and the funding to protect citizens, our air quality, the Great Lakes, and Michigan’s other natural resources. If we do otherwise, the theme of “Pure Michigan” will become nothing more than a joke.

*Please contact the Sierra Club Michigan Chapter office at (517) 484-2372 for more information.
June 17, 2009*