

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Environment, Great Lakes and Energy

**2. Bureau:**

Finance Division

**3. Promulgation type:**

MCL 24.244 (1)

**4. Title of proposed rule set:**

State Revolving Loan Fund

**5. Rule numbers or rule set range of numbers:**

R 323.951 – R 323.965

**6. Estimated time frame:**

3 months

**Name of person filling out RFR:**

Paul McDonald

**E-mail of person filling out RFR:**

mcdonaldp@michigan.gov

**Phone number of person filling out RFR:**

517-284-5003

**Address of person filling out RFR:**

Constitution Hall, 525 West Allegan Street, Lansing, MI

**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The original purpose of the State Revolving Loan Fund (SRLF) rules was to provide additional guidance on administering the SRLF.

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) wishes to rescind the entire rule set because it is obsolete. 2022 PA 132 adopted the rules necessary to allow the program to operate successfully and not conflict with the United States Environmental Protection Agency (EPA) guidance.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

Michigan Compiled Laws (MCL) 324.5316(g) provides authority for EGLE to promulgate the rules.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

MCL 324.5316(g).

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

No.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

Rescinding the rules will remove the duplication of the following federal and state laws: Federal Clean Water Act of 1977, 33 USC 1381 to 1387; Federal Safe Drinking Water Act of 1996, 42 USC 300j-12; Parts 53 and 54 of the Natural Resources and Environmental Protection Act, 1994 PA 451; and 2022 PA 132.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

No.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

No.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (1)

**A. Explain why the rules are being promulgated under 24.244.**

These rules are being promulgated under Section 44 of the APA because they are required to rescind a rule that is obsolete because the rules were adopted by 2022 PA 132.