

Order

Michigan Supreme Court
Lansing, Michigan

April 7, 2017

Stephen J. Markman,
Chief Justice

154524
154526

Robert P. Young, Jr.
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

SOUTH DEARBORN ENVIRONMENTAL
IMPROVEMENT ASSOCIATION, INC.,
DETROITERS WORKING FOR
ENVIRONMENTAL JUSTICE, ORIGINAL
UNITED CITIZENS OF SOUTHWEST
DETROIT, and SIERRA CLUB,
Petitioners-Appellees,

v

SC: 154524
COA: 326485
Wayne CC: 14-008887-AA

DEPARTMENT OF ENVIRONMENTAL
QUALITY and DAN WYANT,
Respondents-Appellants,
and

AK STEEL CORPORATION,
Appellee.

SOUTH DEARBORN ENVIRONMENTAL
IMPROVEMENT ASSOCIATION, INC.,
DETROITERS WORKING FOR
ENVIRONMENTAL JUSTICE, ORIGINAL
UNITED CITIZENS OF SOUTHWEST
DETROIT, and SIERRA CLUB,
Petitioners-Appellees,

v

SC: 154526
COA: 326485
Wayne CC: 14-008887-AA

DEPARTMENT OF ENVIRONMENTAL
QUALITY and DAN WYANT,
Respondents-Appellees,
and

AK STEEL CORPORATION,
Appellant.

On order of the Court, the applications for leave to appeal the July 12, 2016 judgment of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on whether to grant the applications or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing: (1) whether MCL 324.5505(8) and MCL 324.5506(14) prescribe the applicable time period for filing a petition for judicial review of the Department of Environmental Quality's issuance of the permit that the petitioners are seeking to challenge, and (2) if not, whether the issuance of that permit was a decision of that agency subject to the contested case provisions of the Administrative Procedures Act, such that the time period for filing a petition for judicial review set forth in MCR 7.119(B)(1) applies, rather than the time period established by MCR 7.123(B)(1) and MCR 7.104(A). The parties should not submit mere restatements of their application papers.

The total time allowed for oral argument shall be 40 minutes: 20 minutes for petitioners, and 20 minutes for respondent and AK Steel Corporation, to be divided at their discretion. MCR 7.314(B)(2).



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 7, 2017

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk