

**SUBSTITUTE FOR
HOUSE BILL NO. 4233**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2020, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions6.0

Full-time equated classified positions1,274.0

GROSS APPROPRIATION..... \$ 469,425,900

1	Interdepartmental grant revenues:	
2	Total interdepartmental grants and intradepartmental	
3	transfers	3,148,600
4	ADJUSTED GROSS APPROPRIATION.....	\$ 466,277,300
5	Federal revenues:	
6	Total federal revenues.....	160,432,600
7	Special revenue funds:	
8	Total local revenues.....	0
9	Total private revenues.....	1,061,800
10	Total other state restricted revenues.....	262,263,700
11	State general fund/general purpose.....	\$ 42,519,200
12	FUND SOURCE SUMMARY	
13	Full-time equated unclassified positions6.0	
14	Full-time equated classified positions1,274.0	
15	GROSS APPROPRIATION.....	\$ 469,425,900
16	Interdepartmental grant revenues:	
17	IDG from department of state police.....	1,787,100
18	IDG from state transportation department.....	1,361,500
19	Total interdepartmental grants and intradepartmental	
20	transfers	3,148,600
21	ADJUSTED GROSS APPROPRIATION.....	\$ 466,277,300
22	Federal revenues:	
23	Federal funds.....	160,432,600
24	Total federal revenues.....	160,432,600
25	Special revenue funds:	
26	Private funds.....	1,061,800
27	Total private revenues.....	1,061,800

1	Air emissions fees.....	12,613,200
2	Aquatic nuisance control fund.....	943,800
3	Campground fund.....	328,600
4	Clean Michigan initiative - clean water fund.....	2,617,100
5	Clean Michigan initiative - nonpoint source.....	2,000,000
6	Cleanup and redevelopment fund.....	20,121,000
7	Coal ash care fund.....	260,000
8	Community pollution prevention fund.....	250,000
9	Drinking water declaration of emergency reserve fund..	100
10	Electronic waste recycling fund.....	339,700
11	Environmental education fund.....	176,500
12	Environmental pollution prevention fund.....	6,860,800
13	Environmental protection fund.....	2,521,400
14	Environmental response fund.....	5,012,200
15	Fees and collections.....	395,500
16	Financial instruments.....	8,652,200
17	Groundwater discharge permit fees.....	1,793,900
18	Infrastructure construction fund.....	51,400
19	Laboratory services fees.....	4,331,800
20	Land and water permit fees.....	3,357,400
21	Landfill maintenance trust fund.....	31,000
22	Medical waste emergency response fund.....	342,700
23	Metallic mining surveillance fee revenue.....	101,100
24	Mineral well regulatory fee revenue.....	223,200
25	Native copper mine fund.....	50,000
26	Nonferrous metallic mineral surveillance.....	370,200
27	NPDES fees.....	4,689,700

1	Oil and gas regulatory fund.....	7,331,200
2	Orphan well fund.....	4,329,800
3	Public swimming pool fund.....	665,500
4	Public utility assessments.....	418,500
5	Public water supply fees.....	5,057,900
6	Refined petroleum fund.....	41,428,100
7	Renew Michigan fund.....	68,973,100
8	Revitalization revolving loan fund.....	103,100
9	Revolving loan revenue bonds.....	15,000,000
10	Sand extraction fee revenue.....	93,000
11	Scrap tire regulatory fund.....	5,119,300
12	Septage waste program fund.....	530,600
13	Settlement funds.....	427,000
14	Sewage sludge land application fee.....	1,020,000
15	Small business pollution prevention revolving loan	
16	fund	167,400
17	Soil erosion and sedimentation control training fund..	175,300
18	Solid waste management fund - staff account.....	5,276,200
19	Stormwater permit fees.....	2,527,000
20	Strategic water quality initiatives fund.....	1,198,200
21	Underground storage tank cleanup fund.....	20,040,500
22	Wastewater operator training fees.....	608,600
23	Water analysis fees.....	2,275,200
24	Water pollution control revolving fund.....	668,900
25	Water quality protection fund.....	100,000
26	Water use reporting fees.....	294,800
27	Total other state restricted revenues.....	262,263,700

1	State general fund/general purpose.....	\$	42,519,200
2	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
3	Full-time equated unclassified positions	6.0	
4	Full-time equated classified positions	83.0	
5	Unclassified salaries--6.0 FTE positions.....	\$	819,500
6	Accounting service center.....		1,438,000
7	Administrative hearings.....		396,000
8	Central support services--39.0 FTE positions.....		5,209,500
9	Communications and community outreach--31.0 FTE		
10	positions		4,635,200
11	Environmental support projects.....		5,000,000
12	Executive direction--13.0 FTE positions.....		2,123,600
13	Facilities management.....		1,000,000
14	Property management.....		<u>7,630,200</u>
15	GROSS APPROPRIATION.....	\$	28,252,000
16	Appropriated from:		
17	Interdepartmental grant revenues:		
18	IDG from department of state police.....		76,500
19	Federal revenues:		
20	Federal funds.....		29,800
21	Special revenue funds:		
22	Private funds.....		364,100
23	Air emissions fees.....		1,534,000
24	Campground fund.....		15,800
25	Cleanup and redevelopment fund.....		1,611,300
26	Electronic waste recycling fund.....		15,300
27	Environmental education fund.....		176,500

1	Environmental pollution prevention fund.....	1,759,700
2	Environmental protection fund.....	327,000
3	Environmental response fund.....	531,600
4	Fees and collections.....	151,500
5	Financial instruments.....	7,369,100
6	Groundwater discharge permit fees.....	217,700
7	Laboratory services fees.....	160,700
8	Land and water permit fees.....	646,800
9	Medical waste emergency response fund.....	18,200
10	Metallic mining surveillance fee revenue.....	5,200
11	Mineral well regulatory fee revenue.....	9,100
12	Nonferrous metallic mineral surveillance.....	800
13	NPDES fees.....	278,400
14	Oil and gas regulatory fund.....	948,000
15	Orphan well fund.....	53,600
16	Public swimming pool fund.....	27,900
17	Public utility assessments.....	21,400
18	Public water supply fees.....	291,400
19	Refined petroleum fund.....	2,652,600
20	Sand extraction fee revenue.....	4,300
21	Scrap tire regulatory fund.....	175,600
22	Septage waste program fund.....	20,500
23	Settlement funds.....	427,000
24	Sewage sludge land application fees.....	125,800
25	Small business pollution prevention revolving loan	
26	fund	19,700
27	Soil erosion and sedimentation control training fund..	19,100

1	Solid waste management fund - staff account.....	371,400
2	Stormwater permit fees.....	266,400
3	Wastewater operator training fees.....	35,000
4	Water analysis fees.....	148,400
5	Water use reporting fees.....	25,000
6	State general fund/general purpose..... \$	7,319,800
7	Sec. 103. WATER RESOURCES DIVISION	
8	Full-time equated classified positions312.0	
9	Aquatic nuisance control program--6.0 FTE positions... \$	943,800
10	Expedited water/wastewater permits--1.0 FTE position..	51,400
11	Federal - Great Lakes remedial action plan grants.....	583,800
12	Federal - nonpoint source water pollution grants.....	4,083,300
13	Fish contaminant monitoring.....	316,100
14	Great Lakes restoration initiative.....	6,252,100
15	Groundwater discharge permit program--22.0 FTE	
16	positions	2,963,000
17	Land and water interface permit programs--82.0 FTE	
18	positions	11,974,700
19	Nonpoint source pollution prevention and control	
20	project program	2,000,000
21	NPDES nonstormwater program--83.0 FTE positions.....	13,404,000
22	Program direction and project assistance--27.0 FTE	
23	positions	3,143,700
24	Surface water--86.0 FTE positions.....	15,785,800
25	Technology advancements for water monitoring.....	500,000
26	Water quality protection grants.....	100,000
27	Water withdrawal assessment program--5.0 FTE positions	825,400

1	Wetlands program.....	<u>800,000</u>
2	GROSS APPROPRIATION.....	\$ 63,727,100
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG from state transportation department.....	1,296,900
6	Federal revenues:	
7	Federal funds.....	26,967,200
8	Special revenue funds:	
9	Aquatic nuisance control fund.....	943,800
10	Clean Michigan initiative fund - clean water fund.....	2,617,100
11	Clean Michigan initiative fund - nonpoint source.....	2,000,000
12	Environmental response fund.....	1,404,800
13	Groundwater discharge permit fees.....	1,479,900
14	Infrastructure construction fund.....	51,400
15	Land and water permit fees.....	2,359,400
16	NPDES fees.....	4,234,300
17	Refined petroleum fund.....	445,900
18	Sewage sludge land application fees.....	859,600
19	Soil erosion and sedimentation control training fund..	143,200
20	Stormwater permit fees.....	2,171,400
21	Wastewater operator training fees.....	293,200
22	Water pollution control revolving fund.....	146,800
23	Water quality protection fund.....	100,000
24	Water use reporting fees.....	253,400
25	State general fund/general purpose.....	\$ 15,958,800
26	Sec. 104. LAW ENFORCEMENT	
27	Full-time equated classified positions	15.0

1	Environmental investigations--15.0 FTE positions.....	\$	<u>3,024,200</u>
2	GROSS APPROPRIATION.....	\$	3,024,200
3	Appropriated from:		
4	Federal revenues:		
5	Federal funds.....		575,800
6	Special revenue funds:		
7	Air emissions fees.....		58,000
8	Campground fund.....		2,100
9	Cleanup and redevelopment fund.....		192,500
10	Electronic waste recycling fund.....		1,600
11	Environmental pollution prevention fund.....		265,400
12	Environmental response fund.....		41,900
13	Fees and collections.....		4,100
14	Financial instruments.....		532,800
15	Groundwater discharge permit fees.....		19,600
16	Laboratory services fees.....		17,300
17	Land and water permit fees.....		79,900
18	Medical waste emergency response fund.....		2,400
19	Metallic mining surveillance fee revenue.....		700
20	Mineral well regulatory fee revenue.....		1,200
21	NPDES fees.....		33,100
22	Oil and gas regulatory fund.....		89,300
23	Orphan well fund.....		7,100
24	Public swimming pool fund.....		3,700
25	Public utility assessments.....		2,000
26	Public water supply fees.....		27,300
27	Refined petroleum fund.....		375,800

1	Sand extraction fee revenue.....	600
2	Scrap tire regulatory fund.....	30,200
3	Septage waste program fund.....	2,700
4	Sewage sludge land application fees.....	11,700
5	Small business pollution prevention revolving loan	
6	fund	2,600
7	Soil erosion and sedimentation control training fund..	2,600
8	Solid waste management fund - staff account.....	42,400
9	Stormwater permit fees.....	18,300
10	Wastewater operator training fees.....	4,600
11	Water analysis fees.....	18,300
12	Water use reporting fees.....	3,100
13	State general fund/general purpose.....	\$ 553,500
14	Sec. 105. AIR QUALITY DIVISION	
15	Full-time equated classified positions	187.0
16	Air quality programs--187.0 FTE positions.....	\$ <u>27,800,400</u>
17	GROSS APPROPRIATION.....	\$ 27,800,400
18	Appropriated from:	
19	Federal revenues:	
20	Federal funds.....	7,392,300
21	Special revenue funds:	
22	Air emissions fees.....	10,340,700
23	Fees and collections.....	205,400
24	Oil and gas regulatory fund.....	142,400
25	Public utility assessments.....	150,000
26	Refined petroleum fund.....	3,697,100
27	State general fund/general purpose.....	\$ 5,872,500

1	Sec. 106. RESOURCE MANAGEMENT DIVISION	
2	Full-time equated classified positions	324.0
3	Drinking water and environmental health--120.0 FTE	
4	positions	\$ 17,661,100
5	Drinking water program grants.....	830,000
6	Hazardous waste management program--45.0 FTE positions	6,692,400
7	Low-level radioactive waste authority--2.0 FTE	
8	positions	237,200
9	Medical waste program--2.0 FTE positions.....	312,100
10	Municipal assistance--29.0 FTE positions.....	4,897,500
11	Noncommunity water grants.....	1,905,700
12	Oil, gas, and mineral services--57.0 FTE positions....	10,968,100
13	Pollution prevention--7.0 FTE positions.....	2,284,000
14	Radiological protection program--12.0 FTE positions...	1,995,600
15	Recycling initiative--3.0 FTE positions.....	997,700
16	Scrap tire grants.....	3,500,000
17	Scrap tire regulatory program--10.0 FTE positions....	1,349,200
18	Septage waste compliance grants.....	275,000
19	Solid waste management program--37.0 FTE positions....	5,264,000
20	Water state revolving funds.....	<u>119,500,000</u>
21	GROSS APPROPRIATION.....	\$ 178,669,600
22	Appropriated from:	
23	Interdepartmental grant revenues:	
24	IDG from department of state police.....	1,691,300
25	Federal revenues:	
26	Federal funds.....	117,626,200
27	Special revenue funds:	

1	Private funds.....	505,200
2	Campground fund.....	302,300
3	Cleanup and redevelopment fund.....	997,700
4	Coal ash care fund.....	260,000
5	Community pollution prevention fund.....	250,000
6	Electronic waste recycling fund.....	316,300
7	Environmental pollution prevention fund.....	4,366,600
8	Fees and collections.....	34,500
9	Medical waste emergency response fund.....	312,100
10	Metallic mining surveillance fee revenue.....	92,500
11	Mineral well regulatory fee revenue.....	208,000
12	Native copper mine fund.....	50,000
13	Nonferrous metallic mineral surveillance.....	369,100
14	Oil and gas regulatory fund.....	5,818,000
15	Orphan well fund.....	4,239,600
16	Public swimming pool fund.....	618,800
17	Public utility assessments.....	237,200
18	Public water supply fees.....	4,270,300
19	Refined petroleum fund.....	721,400
20	Revolving loan revenue bonds.....	15,000,000
21	Sand extraction fee revenue.....	85,800
22	Scrap tire regulatory fund.....	4,849,200
23	Septage waste program fund.....	496,100
24	Small business pollution prevention revolving loan	
25	fund	134,400
26	Solid waste management fund - staff account.....	4,687,700
27	Strategic water quality initiatives fund.....	1,198,200

1	Wastewater operator training fees.....	256,600
2	Water pollution control revolving fund.....	514,700
3	State general fund/general purpose.....	\$ 8,159,800
4	Sec. 107. REMEDIATION AND REDEVELOPMENT DIVISION	
5	Full-time equated classified positions308.0	
6	Contaminated site investigations, cleanup and	
7	revitalization--130.0 FTE positions	\$ 15,073,600
8	Emergency cleanup actions.....	2,000,000
9	Environmental cleanup support.....	1,000,000
10	Federal cleanup project management--40.0 FTE positions	7,132,600
11	Laboratory services--39.0 FTE positions.....	6,441,000
12	Refined petroleum product cleanup program--99.0 FTE	
13	positions	34,772,900
14	Superfund cleanup.....	<u>1,000,000</u>
15	GROSS APPROPRIATION.....	\$ 67,420,100
16	Appropriated from:	
17	Federal revenues:	
18	Federal funds.....	6,480,300
19	Special revenue funds:	
20	Private funds.....	192,500
21	Cleanup and redevelopment fund.....	16,510,600
22	Environmental protection fund.....	2,107,000
23	Environmental response fund.....	2,864,800
24	Laboratory services fees.....	4,089,000
25	Landfill maintenance trust fund.....	31,000
26	Public water supply fees.....	317,800
27	Refined petroleum fund.....	32,689,800

1	Revitalization revolving loan fund.....	103,100
2	Water analysis fees.....	2,034,200
3	State general fund/general purpose.....	\$ 0
4	Sec. 108. UNDERGROUND STORAGE TANK AUTHORITY	
5	Full-time equated classified positions5.0	
6	Underground storage tank cleanup program--5.0 FTE	
7	positions	\$ <u>20,040,500</u>
8	GROSS APPROPRIATION.....	\$ 20,040,500
9	Appropriated from:	
10	Special revenue funds:	
11	Underground storage tank cleanup fund.....	20,040,500
12	State general fund/general purpose.....	\$ 0
13	Sec. 109. RENEWING MICHIGAN'S ENVIRONMENT	
14	Full-time equated classified positions40.0	
15	Mapping and other support--5.0 FTE positions.....	\$ 4,296,200
16	Renewing Michigan's environment program--35.0 FTE	
17	positions	<u>68,973,100</u>
18	GROSS APPROPRIATION.....	\$ 73,269,300
19	Appropriated from:	
20	Special revenue funds:	
21	Renew Michigan fund.....	68,973,100
22	State general fund/general purpose.....	\$ 4,296,200
23	Sec. 110. INFORMATION TECHNOLOGY	
24	Information technology services and projects.....	\$ <u>7,222,600</u>
25	GROSS APPROPRIATION.....	\$ 7,222,600
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG from department of state police.....	19,300
2	IDG from state transportation department.....	64,600
3	Federal revenues:	
4	Federal funds.....	1,361,000
5	Special revenue funds:	
6	Air emission fees.....	680,500
7	Campground fund.....	8,400
8	Cleanup and redevelopment fund.....	808,900
9	Electronic waste recycling fund.....	6,500
10	Environmental pollution prevention fund.....	469,100
11	Environmental protection fund.....	87,400
12	Environmental response fund.....	169,100
13	Financial instruments.....	750,300
14	Groundwater discharge permit fees.....	76,700
15	Laboratory services fees.....	64,800
16	Land and water permit fees.....	271,300
17	Medical waste emergency response fund.....	10,000
18	Metallic mining surveillance fee revenue.....	2,700
19	Mineral well regulatory fee revenue.....	4,900
20	Nonferrous metallic mineral surveillance.....	300
21	NPDES fees.....	143,900
22	Oil and gas regulatory fund.....	333,500
23	Orphan well fund.....	29,500
24	Public swimming pool fund.....	15,100
25	Public utility assessments.....	7,900
26	Public water supply fees.....	151,100
27	Refined petroleum fund.....	845,500

1	Sand extraction fee revenue.....		2,300
2	Scrap tire regulatory fund.....		64,300
3	Septage waste program fund.....		11,300
4	Sewage sludge land application fees.....		22,900
5	Small business pollution prevention revolving loan		
6	fund		10,700
7	Soil erosion and sedimentation control training fund..		10,400
8	Solid waste management fund - staff account.....		174,700
9	Stormwater permit fees.....		70,900
10	Wastewater operator training fees.....		19,200
11	Water analysis fees.....		74,300
12	Water pollution control revolving fund.....		7,400
13	Water use reporting fees.....		13,300
14	State general fund/general purpose.....	\$	358,600
15	Sec. 111. ONE-TIME APPROPRIATIONS		
16	Drinking water declaration of emergency.....	\$	<u>100</u>
17	GROSS APPROPRIATION.....	\$	100
18	Appropriated from:		
19	Special revenue funds:		
20	Drinking water declaration of emergency reserve fund..		100
21	State general fund/general purpose.....	\$	0

22 PART 2

23 PROVISIONS CONCERNING APPROPRIATIONS

24 FOR FISCAL YEAR 2019-2020

25 GENERAL SECTIONS

1 Sec. 201. Pursuant to section 30 of article IX of the state
 2 constitution of 1963, total state spending from state resources
 3 under part 1 for the fiscal year ending September 30, 2020 is
 4 \$304,782,900.00 and state spending from state resources to be paid
 5 to local units of government for the fiscal year ending September
 6 30, 2020 is \$19,646,000.00. The itemized statement below identifies
 7 appropriations from which spending to local units of government
 8 will occur:

9 DEPARTMENT OF ENVIRONMENTAL QUALITY

10	Surface water.....	\$	160,000
11	Technology advancements for water monitoring.....		500,000
12	Drinking water program grants.....		600,000
13	Medical waste program.....		70,000
14	Noncommunity water grants.....		1,830,000
15	Pollution prevention.....		250,000
16	Recycling initiative.....		500,000
17	Scrap tire grants.....		500,000
18	Septage waste compliance grants.....		120,000
19	Emergency cleanup actions.....		116,000
20	Renewing Michigan's environment.....		<u>15,000,000</u>
21	TOTAL.....	\$	19,646,000

22 Sec. 202. The appropriations authorized under this part and
 23 part 1 are subject to the management and budget act, 1984 PA 431,
 24 MCL 18.1101 to 18.1594.

25 Sec. 203. As used in this part and part 1:

26 (a) "Department" means the department of environmental
 27 quality.

1 (b) "Director" means the director of the department.

2 (c) "FTE" means full-time equated.

3 (d) "IDG" means interdepartmental grant.

4 (e) "NPDES" means national pollution discharge elimination
5 system.

6 Sec. 204. The departments and agencies receiving
7 appropriations in part 1 shall use the internet to fulfill the
8 reporting requirements of this part. This requirement may include
9 transmission of reports via electronic mail to the recipients
10 identified for each reporting requirement, or it may include
11 placement of reports on an internet or intranet site.

12 Sec. 205. Funds appropriated in part 1 shall not be used for
13 the purchase of foreign goods or services, or both, if
14 competitively priced and of comparable quality American goods or
15 services, or both, are available. Preference shall be given to
16 goods or services, or both, manufactured or provided by Michigan
17 businesses if they are competitively priced and of comparable
18 quality. In addition, preference shall be given to goods or
19 services, or both, that are manufactured or provided by Michigan
20 businesses owned and operated by veterans, if they are
21 competitively priced and of comparable quality.

22 Sec. 206. The director shall take all reasonable steps to
23 ensure businesses in deprived and depressed communities compete for
24 and perform contracts to provide services or supplies, or both. The
25 director shall strongly encourage firms with which the department
26 contracts to subcontract with certified businesses in depressed and
27 deprived communities for services, supplies, or both.

1 Sec. 207. The departments and agencies receiving
2 appropriations in part 1 shall prepare a report on out-of-state
3 travel expenses not later than January 1 of each year. The travel
4 report shall be a listing of all travel by classified and
5 unclassified employees outside this state in the immediately
6 preceding fiscal year that was funded in whole or in part with
7 funds appropriated in the department's budget. The report shall be
8 submitted to the house and senate appropriations committees, the
9 house and senate fiscal agencies, and the state budget director.

10 The report shall include the following information:

11 (a) The dates of each travel occurrence.

12 (b) The total transportation and related costs of each travel
13 occurrence, including the proportion funded with state general
14 fund/general purpose revenues, the proportion funded with state
15 restricted revenues, the proportion funded with federal revenues,
16 and the proportion funded with other revenues.

17 Sec. 208. Funds appropriated in part 1 shall not be used by a
18 principal executive department, state agency, or authority to hire
19 a person to provide legal services that are the responsibility of
20 the attorney general. This prohibition does not apply to legal
21 services for bonding activities and for those activities that the
22 attorney general authorizes.

23 Sec. 209. Not later than November 30, the state budget office
24 shall prepare and transmit a report that provides for estimates of
25 the total general fund/general purpose appropriation lapses at the
26 close of the prior fiscal year. This report shall summarize the
27 projected year-end general fund/general purpose appropriation

1 lapses by major departmental program or program areas. The report
2 shall be transmitted to the chairpersons of the senate and house
3 appropriations committees and the senate and house fiscal agencies.

4 Sec. 210. (1) In addition to the funds appropriated in part 1,
5 there is appropriated an amount not to exceed \$30,000,000.00 for
6 federal contingency funds. These funds are not available for
7 expenditure until they have been transferred to another line item
8 in part 1 under section 393(2) of the management and budget act,
9 1984 PA 431, MCL 18.1393.

10 (2) In addition to the funds appropriated in part 1, there is
11 appropriated an amount not to exceed \$5,000,000.00 for state
12 restricted contingency funds. These funds are not available for
13 expenditure until they have been transferred to another line item
14 in part 1 under section 393(2) of the management and budget act,
15 1984 PA 431, MCL 18.1393.

16 (3) In addition to the funds appropriated in part 1, there is
17 appropriated an amount not to exceed \$100,000.00 for local
18 contingency funds. These funds are not available for expenditure
19 until they have been transferred to another line item in part 1
20 under section 393(2) of the management and budget act, 1984 PA 431,
21 MCL 18.1393.

22 (4) In addition to the funds appropriated in part 1, there is
23 appropriated an amount not to exceed \$500,000.00 for private
24 contingency funds. These funds are not available for expenditure
25 until they have been transferred to another line item in part 1
26 under section 393(2) of the management and budget act, 1984 PA 431,
27 MCL 18.1393.

1 Sec. 211. The department shall cooperate with the department
2 of technology, management, and budget to maintain a searchable
3 website accessible by the public at no cost that includes, but is
4 not limited to, all of the following for each department or agency:

5 (a) Fiscal year-to-date expenditures by category.

6 (b) Fiscal year-to-date expenditures by appropriation unit.

7 (c) Fiscal year-to-date payments to a selected vendor,
8 including the vendor name, payment date, payment amount, and
9 payment description.

10 (d) The number of active department employees by job
11 classification.

12 (e) Job specifications and wage rates.

13 Sec. 212. Within 14 days after the release of the executive
14 budget recommendation, the department shall cooperate with the
15 state budget office to provide the senate and house appropriations
16 chairs, the senate and house appropriations subcommittee chairs,
17 and the senate and house fiscal agencies with an annual report on
18 estimated state restricted fund balances, state restricted fund
19 projected revenues, and state restricted fund expenditures for the
20 fiscal years ending September 30, 2019 and September 30, 2020.

21 Sec. 213. The department shall maintain, on a publicly
22 accessible website, a department scorecard that identifies, tracks,
23 and regularly updates key metrics that are used to monitor and
24 improve the agency's performance.

25 Sec. 214. Total authorized appropriations from all sources
26 under part 1 for legacy costs for the fiscal year ending September
27 30, 2020 are estimated at \$31,893,100.00. From this amount, total

1 agency appropriations for pension-related legacy costs are
2 estimated at \$15,504,000.00. Total agency appropriations for
3 retiree health care legacy costs are estimated at \$16,389,100.00.

4 Sec. 216. (1) The department shall report all of the following
5 information relative to allocations made from appropriations for
6 the environmental cleanup and redevelopment program, state
7 cleanups, emergency actions, superfund cleanups, the revitalization
8 revolving loan program, the brownfield grants and loans program,
9 the leaking underground storage tank cleanup program, the
10 contaminated lake and river sediments cleanup program, the refined
11 petroleum product cleanup program, and the environmental protection
12 bond projects under section 19508(7) of the natural resources and
13 environmental protection act, 1994 PA 451, MCL 324.19508, to the
14 state budget director, the senate and house appropriations
15 subcommittees on environmental quality, and the senate and house
16 fiscal agencies:

17 (a) The name and location of the site for which an allocation
18 is made.

19 (b) The nature of the problem encountered at the site.

20 (c) A brief description of how the problem will be resolved if
21 the allocation is made for a response activity.

22 (d) The estimated date that site closure activities will be
23 completed.

24 (e) The amount of the allocation, or the anticipated financing
25 for the site.

26 (f) A summary of the sites and the total amount of funds
27 expended at the sites by September 30, 2020.

1 (g) The number of brownfield projects that were successfully
2 redeveloped.

3 (2) The report prepared under subsection (1) shall also
4 include all of the following:

5 (a) The status of all state-owned facilities that are on the
6 list compiled under section 20108c of the natural resources and
7 environmental protection act, 1994 PA 451, MCL 324.20108c.

8 (b) The report shall include the total amount of funds
9 expended during the fiscal year and the total amount of funds
10 awaiting expenditure.

11 (c) The total amount of bonds issued for the environmental
12 protection bond program pursuant to part 193 of the natural
13 resources and environmental protection act, 1994 PA 451, MCL
14 324.19301 to 324.19306, and bonds issued pursuant to the clean
15 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

16 (3) The report shall be made available by March 31 of each
17 year.

18 Sec. 217. (1) The department may expend amounts remaining from
19 the current and prior fiscal year appropriations to meet funding
20 needs of legislatively approved sites for the environmental cleanup
21 and redevelopment program, the refined petroleum product cleanup
22 program, brownfield grants and loans, waterfront grants, and the
23 environmental bond site reclamation program.

24 (2) Unexpended and unencumbered amounts remaining from
25 appropriations from the environmental protection bond fund
26 contained in 2003 PA 173, 2005 PA 109, 2006 PA 343, 2011 PA 63, and
27 2012 PA 236 are appropriated for expenditure for any site listed in

1 this part and part 1 and any site listed in the public acts
2 referenced in this section.

3 (3) Unexpended and unencumbered amounts remaining from
4 appropriations from the clean Michigan initiative fund - response
5 activities contained in 2000 PA 52, 2004 PA 309, 2005 PA 11, 2006
6 PA 343, 2007 PA 121, 2011 PA 63, 2013 PA 59, 2014 PA 252, 2015 PA
7 84, 2016 PA 268, and 2017 PA 107 are appropriated for expenditure
8 for any site listed in this part and part 1 and any site listed in
9 the public acts referenced in this section.

10 (4) Unexpended and unencumbered amounts remaining from
11 appropriations from the refined petroleum fund activities contained
12 in 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, 2011 PA 63,
13 2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017
14 PA 107, and 2018 PA 207 are appropriated for expenditure for any
15 site listed in this part and part 1 and any site listed in the
16 public acts referenced in this section.

17 (5) Unexpended and unencumbered amounts remaining from the
18 appropriations from the strategic water quality initiatives fund
19 contained in 2011 PA 50, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014
20 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107, and 2018 PA 207 are
21 appropriated for expenditure for any site listed in this part and
22 part 1 and any site listed in the public acts referenced in this
23 section.

24 Sec. 219. Unexpended settlement revenues at the end of the
25 fiscal year may be carried forward into the settlement fund in the
26 succeeding fiscal year up to a maximum carryforward of
27 \$2,500,000.00.

1 Sec. 220. The department shall not take disciplinary action
2 against an employee for communicating with a member of the
3 legislature or his or her staff.

4 Sec. 221. (1) Funds appropriated in part 1 shall not be used
5 by the department to promulgate a rule that will apply to a small
6 business and that will have a disproportionate economic impact on
7 small businesses because of the size of those businesses if the
8 department fails to reduce the disproportionate economic impact of
9 the rule on small businesses as provided under section 40 of the
10 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

11 (2) As used in this section:

12 (a) "Rule" means that term as defined under section 7 of the
13 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

14 (b) "Small business" means that term as defined under section
15 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
16 24.207a.

17 Sec. 235. The department shall prepare an annual report to the
18 legislature by March 31 that details all of the following for each
19 of the allocations from the clean Michigan initiative bond fund as
20 described in section 19607(1)(a) to (i) of the natural resources
21 and environmental protection act, 1994 PA 451, MCL 324.19607:

22 (a) The progress of projects funded in each category.

23 (b) The current cost to date of all projects funded in each
24 category.

25 (c) The estimated remaining cost of all projects funded in
26 each category.

27 (d) The remaining balance of money in the fund allocated for

1 each category.

2 (e) The total debt obligation on all clean Michigan initiative
3 bonds and the length of time remaining until full bond repayment is
4 achieved.

5 Sec. 236. The department shall provide a report detailing the
6 expenditure of departmental funds appropriated in 2015 PA 143, 2016
7 PA 3, 2016 PA 268, and 2016 PA 340. The report shall include the
8 following:

9 (a) The names and locations of entities receiving funds.

10 (b) The purpose for each expenditure.

11 (c) The status of programs supported by this funding.

12 (d) A brief description of how related problems have been or
13 will be resolved if expenditures are made for immediate response.

14 (e) The job titles and number of departmental FTEs engaged in
15 the Flint declaration of emergency response effort.

16 Sec. 237. From the funds appropriated in part 1, the
17 department shall be responsible for the necessary and reasonable
18 attorney fees and costs incurred by private and independent legal
19 counsel chosen by current and former classified and unclassified
20 department employees in the defense of the department employees
21 named as a party in any state or federal lawsuits or investigations
22 related to the city of Flint municipal water system.

23 Sec. 238. From funds appropriated in part 1, the department
24 shall post the following on the department's publicly accessible
25 website:

26 (a) By November 1, a report listing each fee the department
27 assessed during the previous fiscal year. The report shall include

1 the dollar amount of each fee, the amount of revenue that was
2 projected to be received from each fee at the beginning of the
3 previous fiscal year, and the actual revenue received for each fee.
4 If the actual revenue for a particular fee is not available by
5 November 1, the department may use an unaudited or estimated figure
6 and indicate it as such in the report.

7 (b) By November 1, a report listing all fees currently
8 assessed by the department. The report shall include the dollar
9 amount of each fee, projected revenue for each fee, and the program
10 areas within the department that each fee will support. The report
11 shall also list the fund into which each fee is deposited. By May
12 1, the department shall update this report with year-to-date
13 revenue for each fee.

14 (c) By November 1, a report listing all federal and state fund
15 sources utilized by the department during the previous fiscal year.
16 The report shall include the amount of revenue that was projected
17 to be received from each fund source at the beginning of that
18 fiscal year, the current balance of each fund source, and the
19 actual revenue received for each fund source during that fiscal
20 year. If actual revenue for a particular fund or the actual balance
21 of a particular fund is not available by November 1, the department
22 may use an unaudited or estimated figure and indicate it as such in
23 the report.

24 (d) By November 1, a report listing the federal and state fund
25 sources that will be utilized by the department during the current
26 fiscal year. The report shall contain the following for each fund
27 source: an estimate of revenue that will be collected during the

1 fiscal year, the balance of the fund source at the beginning of the
2 fiscal year, and the program areas within the department that each
3 fund source will support. If the actual fund balance is not
4 available on November 1, the department may use an unaudited or
5 estimated figure and indicate it as such in the report. By May 1,
6 the department shall update this report with year-to-date figures
7 for each item in the report, and include year-to-date revenue for
8 each fund source.

9 (e) Any audits conducted on department programs or funds.

10 Sec. 239. From the funds appropriated in part 1 for central
11 support services, not more than \$150,000.00 is designated for the
12 chair of the environmental rules review committee to contract with
13 consultants pursuant to section 65 of the administrative procedures
14 act of 1969, 1969 PA 306, MCL 24.265, to assist with business
15 before the committee.

16 Sec. 240. From the funds appropriated in part 1 for air
17 quality programs, \$100,000.00 is designated for an air quality
18 impact study in southeast Michigan on the cumulative impact of
19 pollutants.

20 **REMEDICATION AND REDEVELOPMENT DIVISION**

21 Sec. 301. Revenues remaining in the laboratory services fees
22 fund at the end of the fiscal year shall carry forward into the
23 succeeding fiscal year.

24 Sec. 302. The unexpended funds appropriated in part 1 for
25 emergency cleanup actions are designated as a work project
26 appropriation and any unencumbered or unallotted funds shall not

1 lapse at the end of the fiscal year and shall be available for
2 expenditures for projects under this section until the projects
3 have been completed. The following is in compliance with section
4 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

5 (a) The purpose of the project is to provide contaminated site
6 cleanup.

7 (b) The project will be accomplished by utilizing contracts
8 with service providers.

9 (c) The total estimated cost of the project is \$2,000,000.00.

10 (d) The tentative completion date is September 30, 2024.

11 Sec. 303. Effective October 1, 2019, surplus funds not to
12 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
13 are appropriated to the environmental protection fund created in
14 section 503a of the natural resources and environmental protection
15 act, 1994 PA 451, MCL 324.503a.

16 Sec. 304. Effective October 1, 2019, surplus funds not to
17 exceed \$1,000,000.00 in the community pollution prevention fund
18 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
19 to the environmental protection fund created in section 503a of the
20 natural resources and environmental protection act, 1994 PA 451,
21 MCL 324.503a.

22 Sec. 305. It is the intent of the legislature to repay the
23 refined petroleum fund for the \$70,000,000.00 that was transferred
24 to the environmental protection fund created in section 503a of the
25 natural resources and environmental protection act, 1994 PA 451,
26 MCL 324.503a, as part of the resolution for the fiscal year 2006-
27 2007 budget.

1 Sec. 306. (1) Subject to section 314 of this part, the funds
2 appropriated in part 1 for the refined petroleum cleanup program
3 shall be used to fund corrective actions performed by the
4 department pursuant to section 21320 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.21320.

6 (2) By January 1, the department shall provide a report to the
7 house and senate subcommittees on environmental quality and the
8 state budget director on the refined petroleum product cleanup
9 program containing the following information:

10 (a) A list of sites the department intends to work on during
11 the current fiscal year, including the fiscal year the project
12 began.

13 (b) A list of sites at which the department performed
14 corrective actions during the previous fiscal year.

15 (c) A list of sites the department closed during the previous
16 fiscal year.

17 Sec. 308. The unexpended funds appropriated in part 1 for the
18 refined petroleum product cleanup program are designated as a work
19 project appropriation, and any unencumbered or unallotted funds
20 shall not lapse at the end of the fiscal year and shall be
21 available for expenditures for projects under this section until
22 the projects have been completed. The following is in compliance
23 with section 451a of the management and budget act, 1984 PA 431,
24 MCL 18.1451a:

25 (a) The purpose of the project is to provide contaminated site
26 cleanup.

27 (b) The project will be accomplished by utilizing contracts

1 with service providers.

2 (c) The total estimated cost of the project is \$34,849,000.00.

3 (d) The tentative completion date is September 30, 2024.

4 Sec. 310. (1) Upon approval by the state budget director, the
5 department may expend from the general fund of the state an amount
6 to meet the cash-flow requirements of projects funded under any of
7 the following that are financed from bond proceeds and for which
8 bonds have been authorized but not yet issued:

9 (a) Part 52 of the natural resources and environmental
10 protection act, 1994 PA 451, MCL 324.5201 to 324.5206.

11 (b) Part 193 of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.19301 to 324.19306.

13 (c) Part 196 of the natural resources and environmental
14 protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

15 (2) Upon the sale of bonds for projects described in
16 subsection (1), the department shall credit the general fund of the
17 state an amount equal to that expended from the general fund.

18 Sec. 311. From the funds appropriated in part 1 for
19 remediation and redevelopment division, the department shall
20 remediate the oil-contaminated Zephyr site at Bear Lake in Muskegon
21 County.

22 Sec. 312. From the funds appropriated in part 1 for renewing
23 Michigan's environment program, the department shall pay water
24 connection costs for consumers determined to be affected by PFAS
25 contamination in Oscoda Township in Iosco County.

26 Sec. 313. From the funds appropriated in part 1 for renewing
27 Michigan's environment program, the department shall pay costs up

1 to \$410,000.00 for the drinking water treatment plant dismantling
2 and disposal in the city of Parchment in Kalamazoo County.

3 **WATER RESOURCES DIVISION**

4 Sec. 401. From the funds appropriated in part 1 for surface
5 water, the department shall collaborate with the Ottawa County
6 administrator's office to establish a comprehensive groundwater
7 monitoring network to collect data on groundwater use, flow, and
8 recharge dynamics across the county.

9 Sec. 405. If a certified health department does not exist in a
10 city, county, or district or does not fulfill its responsibilities
11 under part 117 of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the
13 department may spend funds appropriated in part 1 under the septage
14 waste compliance program in accordance with section 11716 of the
15 natural resources and environmental protection act, 1994 PA 451,
16 MCL 324.11716.

17 Sec. 410. From the funds appropriated in part 1, the
18 department shall compile a report on the status of the
19 implementation plan for the western Lake Erie basin collaborative
20 agreement. In an effort to learn more about the presence and timing
21 of harmful algal blooms, the report shall contain all of the
22 following:

23 (a) An estimated cost of removal of total phosphorus per pound
24 at the 4 major wastewater treatment plants.

25 (b) A description of the grants that have been awarded.

26 (c) A description of the work that has commenced on the issue

1 of dissolved reactive phosphorus, the expected objectives and
2 outcomes of that work, and a list of the parties involved in that
3 effort.

4 (d) A description of the efforts and outcomes aimed at the
5 total phosphorus reduction for the River Raisin watershed.

6 Sec. 413. From funds appropriated in part 1 for surface water,
7 \$150,000.00 is allocated to the continuation of the department's
8 contract for the cooperative lakes monitoring program and the
9 voluntary stream monitoring program to ensure the continued
10 operation of these programs.

11 **RENEWING MICHIGAN'S ENVIRONMENT**

12 Sec. 501. The unexpended funds appropriated in part 1 for the
13 renewing Michigan's environment program are designated as a work
14 project appropriation, and any unencumbered or unallotted funds
15 shall not lapse at the end of the fiscal year and shall be
16 available for expenditures for projects under this section until
17 the projects have been completed. The following is in compliance
18 with section 451a of the management and budget act, 1984 PA 431,
19 MCL 18.1451a:

20 (a) The purpose of the project is to provide contamination
21 cleanup, waste management, and recycling.

22 (b) The project will be accomplished by utilizing contracts
23 with service providers.

24 (c) The total estimated cost of the project is \$69,000,000.00.

25 (d) The tentative completion date is September 30, 2024.

26 Sec. 502. As a condition of expenditure of appropriations for

1 testing drinking water wells, if a drinking water well has tested
2 positive for elevated PFAS levels below 70 parts per trillion, the
3 department shall retest the well or arrange for it to be retested
4 at least once every 24 months.

5 **UNDERGROUND STORAGE TANK AUTHORITY**

6 Sec. 701. The unexpended funds appropriated in part 1 for the
7 underground storage tank cleanup program are designated as a work
8 project appropriation, and any unencumbered or unallotted funds
9 shall not lapse at the end of the fiscal year and shall be
10 available for expenditures for projects under this section until
11 the projects have been completed. The following is in compliance
12 with section 451a of the management and budget act, 1984 PA 431,
13 MCL 18.1451a:

14 (a) The purpose of the project is to provide contaminated site
15 cleanup.

16 (b) The project will be accomplished by utilizing contracts
17 with service providers.

18 (c) The total estimated cost of the project is \$20,044,300.00.

19 (d) The tentative completion date is September 30, 2024.