

SUBSTITUTE FOR
SENATE BILL NO. 953

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2013, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0
Full-time equated classified positions.....	1,322.8

1	GROSS APPROPRIATION.....	\$	431,528,200
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and intradepartmental		
4	transfers		9,021,200
5	ADJUSTED GROSS APPROPRIATION.....	\$	422,507,000
6	Federal revenues:		
7	Total federal revenues.....		161,687,500
8	Special revenue funds:		
9	Total private revenues.....		533,200
10	Total other state restricted revenues.....		230,233,000
11	State general fund/general purpose schedule:		
12	Ongoing state general fund/general		
13	purpose		25,893,200
14	One-time state general fund/general		
15	purpose		4,160,100
16	State general fund/general purpose.....	\$	30,053,300
17	FUND SOURCE SUMMARY		
18	Full-time equated unclassified positions.....		6.0
19	Full-time equated classified positions.....		1,322.8
20	GROSS APPROPRIATION.....	\$	431,528,200
21	Interdepartmental grant revenues:		
22	IDG, MDOT - Michigan transportation fund.....		1,231,400
23	IDG, MDSP.....		1,157,100
24	IDT, interdivisional charges.....		2,053,400
25	IDT, laboratory services.....		4,530,500
26	Interdepartmental grant revenues.....		48,800
27	Total interdepartmental grants and intradepartmental		

1	transfers	9,021,200
2	ADJUSTED GROSS APPROPRIATION.....	\$ 422,507,000
3	Federal revenues:	
4	Federal funds.....	161,687,500
5	Special revenue funds:	
6	Private funds.....	533,200
7	Aboveground storage tank fees.....	521,700
8	Air emissions fees.....	10,258,500
9	Campground fund.....	340,900
10	Clean Michigan initiative fund - clean water fund....	3,785,300
11	Cleanup and redevelopment fund.....	22,872,400
12	Community pollution prevention fund.....	250,000
13	Electronic waste recycling fund.....	287,000
14	Environmental education fund.....	50,700
15	Environmental pollution prevention fund.....	2,647,900
16	Environmental protection fund.....	2,743,100
17	Environmental response fund.....	5,996,300
18	Fees and collections.....	371,800
19	Financial instruments.....	5,000,000
20	Great Lakes protection fund.....	695,800
21	Groundwater discharge permit fees.....	1,859,400
22	Hazardous materials transportation permit fund.....	950,300
23	Infrastructure construction fund.....	458,700
24	Land and water permit fees.....	3,277,300
25	Landfill maintenance trust fund.....	29,300
26	Medical waste emergency response fund.....	330,700
27	Metallic mining surveillance fee revenue.....	147,700

1	Mineral well regulatory fee revenue.....	240,800
2	Nonferrous metallic mineral surveillance.....	100,000
3	NPDES fees.....	5,005,500
4	Oil and gas regulatory fund.....	11,003,200
5	Orphan well fund.....	2,318,200
6	Public swimming pool fund.....	743,500
7	Public utility assessments.....	272,400
8	Public water supply fees.....	5,109,700
9	Refined petroleum fund.....	48,951,800
10	Retired engineers technical assistance program.....	991,900
11	Revitalization revolving loan fund.....	97,300
12	Revolving loan revenue bonds.....	11,400,000
13	Sand extraction fee revenue.....	95,300
14	Scrap tire regulatory fund.....	5,149,000
15	Septage waste contingency fund.....	17,400
16	Septage waste program fund.....	687,700
17	Settlement funds.....	625,500
18	Sewage sludge land application fees.....	1,084,900
19	Small business pollution prevention revolving loan	
20	fund	165,100
21	Soil erosion and sedimentation control training fund.	150,000
22	Solid waste management fund - staff account.....	5,301,800
23	State restricted revenues.....	920,400
24	Stormwater permit fees.....	3,979,800
25	Strategic water quality initiatives fund.....	45,743,800
26	Underground storage tank fees.....	2,616,100
27	Waste reduction fee revenue.....	6,340,400

1	Wastewater operator training fees.....		571,200
2	Water analysis fees.....		3,595,600
3	Water pollution control revolving fund.....		3,679,200
4	Water quality protection fund.....		100,000
5	Water use reporting fees.....		300,700
6	Total other state restricted revenues.....		230,233,000
7	State general fund/general purpose.....	\$	30,053,300
8	Sec. 102. EXECUTIVE OPERATIONS		
9	Full-time equated unclassified positions.....	6.0	
10	Full-time equated classified positions.....	13.0	
11	Unclassified salaries--6.0 FTE positions.....		\$ 500,000
12	Executive direction--13.0 FTE positions.....		<u>1,980,400</u>
13	GROSS APPROPRIATION.....		\$ 2,480,400
14	Appropriated from:		
15	Federal revenues:		
16	Federal funds.....		37,700
17	Special revenue funds:		
18	Environmental response fund.....		202,100
19	Oil and gas regulatory fund.....		332,000
20	Refined petroleum fund.....		483,100
21	Settlement funds.....		65,300
22	State general fund/general purpose.....	\$	1,360,200
23	Sec. 103. OFFICE OF THE GREAT LAKES		
24	Full-time equated classified positions.....	18.0	
25	Office of the Great Lakes--18.0 FTE positions.....		\$ 2,806,600
26	Coastal management grants.....		<u>1,750,000</u>
27	GROSS APPROPRIATION.....		\$ 4,556,600

1	Appropriated from:		
2	Federal revenues:		
3	Federal funds.....		3,376,200
4	Special revenue funds:		
5	Great Lakes protection fund.....		695,800
6	Settlement funds.....		108,800
7	State general fund/general purpose.....	\$	375,800
8	Sec. 104. GREAT LAKES RESTORATION INITIATIVE		
9	Great Lakes restoration initiative.....	\$	<u>25,000,000</u>
10	GROSS APPROPRIATION.....	\$	25,000,000
11	Appropriated from:		
12	Federal revenues:		
13	Federal funds.....		25,000,000
14	State general fund/general purpose.....	\$	0
15	Sec. 105. DEPARTMENT SUPPORT SERVICES		
16	Full-time equated classified positions.....	34.0	
17	Central support services--34.0 FTE positions.....	\$	3,923,100
18	Accounting service center.....		1,214,800
19	Administrative hearings.....		553,500
20	Automated data processing.....		2,053,400
21	Building occupancy charges.....		6,082,800
22	Environmental support projects.....		5,000,000
23	Rent - privately owned property.....		<u>1,960,800</u>
24	GROSS APPROPRIATION.....	\$	20,788,400
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG, MDSP.....		135,400

1	IDT, interdivisional charges.....	2,053,400
2	IDT, laboratory services.....	493,200
3	Federal revenues:	
4	Federal funds.....	5,300
5	Special revenue funds:	
6	Aboveground storage tank fees.....	68,700
7	Air emissions fees.....	1,328,000
8	Campground fund.....	38,400
9	Cleanup and redevelopment fund.....	1,614,300
10	Environmental pollution prevention fund.....	238,100
11	Environmental response fund.....	560,900
12	Fees and collections.....	46,200
13	Financial instruments.....	5,000,000
14	Groundwater discharge permit fees.....	149,400
15	Hazardous material transportation permit fund.....	35,500
16	Land and water permit fees.....	429,800
17	Medical waste emergency response fund.....	29,700
18	Metallic mining surveillance fee revenue.....	7,400
19	Mineral well regulatory fee revenue.....	29,400
20	NPDES fees.....	173,200
21	Oil and gas regulatory fund.....	857,900
22	Orphan well fund.....	63,400
23	Public swimming pool fund.....	65,100
24	Public utility assessments.....	36,600
25	Public water supply fees.....	426,500
26	Refined petroleum fund.....	1,710,800
27	Sand extraction fee revenue.....	9,200

1	Scrap tire regulatory fund.....	241,900
2	Septage waste program fund.....	74,100
3	Settlement funds.....	199,500
4	Sewage sludge land application fees.....	120,200
5	Small business pollution prevention revolving loan	
6	fund	24,800
7	Soil erosion and sedimentation control training fund.	11,400
8	Solid waste management fund - staff account.....	649,000
9	Stormwater permit fees.....	165,400
10	Underground storage tank fees.....	234,600
11	Waste reduction fee revenue.....	561,800
12	Wastewater operator training fees.....	2,900
13	Water analysis fees.....	313,000
14	Water use reporting fees.....	48,000
15	State general fund/general purpose.....	\$ 2,536,000
16	Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE	
17	Full-time equated classified positions.....	44.0
18	Office of environmental assistance--44.0 FTE positions	\$ 6,832,600
19	Pollution prevention local grants.....	<u>250,000</u>
20	GROSS APPROPRIATION.....	\$ 7,082,600
21	Appropriated from:	
22	Federal revenues:	
23	Federal funds.....	902,700
24	Special revenue funds:	
25	Private funds.....	348,700
26	Air emissions fees.....	130,700
27	Community pollution prevention fund.....	250,000

1	Environmental education fund.....		50,700
2	Retired engineers technical assistance program.....		991,900
3	Settlement funds.....		251,900
4	Small business pollution prevention revolving loan		
5	fund		128,700
6	Waste reduction fee revenue.....		4,027,300
7	State general fund/general purpose.....	\$	0
8	Sec. 107. WATER RESOURCE DIVISION		
9	Full-time equated classified positions.....	322.3	
10	Land and water interface permit programs--85.0 FTE		
11	positions	\$	10,846,100
12	Program direction and project assistance--30.0 FTE		
13	positions		2,951,400
14	Water withdrawal assessment program--5.3 FTE positions		887,300
15	Expedited water/wastewater permits--3.0 FTE positions		458,700
16	Fish contaminant monitoring.....		316,100
17	Groundwater discharge--22.0 FTE positions.....		3,189,000
18	NPDES nonstormwater program--89.0 FTE positions.....		13,140,600
19	Surface water--88.0 FTE positions.....		16,855,300
20	Federal - Great Lakes remedial action plan grants....		700,000
21	Federal - nonpoint source water pollution grants.....		6,500,000
22	Water quality protection grants.....		100,000
23	GROSS APPROPRIATION.....	\$	55,944,500
24	Appropriated from:		
25	Interdepartmental grant revenues:		
26	IDG, MDOT - Michigan transportation fund.....		1,170,200
27	Federal revenues:		

1	Federal funds.....	22,787,300
2	Special revenue funds:	
3	Clean Michigan initiative fund - clean water fund....	3,785,300
4	Environmental protection fund.....	646,400
5	Environmental response fund.....	195,600
6	Groundwater discharge permit fees.....	1,640,100
7	Infrastructure construction fund.....	458,700
8	Land and water permit fees.....	2,572,400
9	NPDES fees.....	4,748,000
10	Refined petroleum fund.....	436,800
11	Soil erosion and sedimentation control training fund.	133,400
12	Stormwater permit fees.....	3,737,400
13	Water pollution control revolving fund.....	784,900
14	Water quality protection fund.....	100,000
15	Water use reporting fees.....	230,300
16	State general fund/general purpose.....	\$ 12,517,700
17	Sec. 108. LAW ENFORCEMENT DIVISION	
18	Full-time equated classified positions..... 14.0	
19	Environmental investigations--14.0 FTE positions.....	\$ <u>2,711,100</u>
20	GROSS APPROPRIATION.....	\$ 2,711,100
21	Appropriated from:	
22	Federal revenues:	
23	Federal funds.....	795,200
24	Special revenue funds:	
25	Aboveground storage tank fees.....	7,800
26	Air emissions fees.....	54,100
27	Campground fund.....	4,200

1	Cleanup and redevelopment fund.....	182,000
2	Environmental pollution prevention fund.....	27,100
3	Environmental response fund.....	89,400
4	Fees and collections.....	5,000
5	Groundwater discharge permit fees.....	16,700
6	Hazardous material transportation permit fund.....	4,100
7	Land and water permit fees.....	57,400
8	Medical waste emergency response fund.....	3,300
9	Metallic mining surveillance fee revenue.....	900
10	Mineral well regulatory fee revenue.....	3,300
11	NPDES fees.....	18,700
12	Oil and gas regulatory fund.....	143,000
13	Orphan well fund.....	7,200
14	Public swimming pool fund.....	7,400
15	Public utility assessments.....	4,200
16	Public water supply fees.....	48,100
17	Refined petroleum fund.....	393,100
18	Sand extraction fee revenue.....	1,000
19	Scrap tire regulatory fund.....	44,600
20	Septage waste program fund.....	8,300
21	Sewage sludge land application fees.....	13,800
22	Small business pollution prevention revolving loan	
23	fund	2,800
24	Solid waste management fund - staff account.....	74,300
25	Stormwater permit fees.....	18,400
26	Soil erosion and sedimentation control training fund.	1,200
27	Underground storage tank fees.....	26,300

1	Waste reduction fee revenue.....		73,400
2	Water analysis fees.....		28,400
3	Water use reporting fees.....		5,300
4	State general fund/general purpose.....	\$	541,100
5	Sec. 109. AIR QUALITY DIVISION		
6	Full-time equated classified positions.....	203.0	
7	Air quality programs--203.0 FTE positions.....	\$	<u>25,046,100</u>
8	GROSS APPROPRIATION.....	\$	25,046,100
9	Appropriated from:		
10	Federal revenues:		
11	Federal funds.....		7,261,800
12	Special revenue funds:		
13	Air emissions fees.....		8,243,000
14	Fees and collections.....		271,400
15	Oil and gas regulatory fund.....		129,500
16	Refined petroleum fund.....		3,452,200
17	Waste reduction fee revenue.....		1,283,400
18	State general fund/general purpose.....	\$	4,404,800
19	Sec. 110. RESOURCE MANAGEMENT DIVISION		
20	Full-time equated classified positions.....	325.5	
21	Drinking water and environmental health--104.5 FTE		
22	positions	\$	15,327,400
23	Hazardous waste management program--51.0 FTE positions		6,769,700
24	Low-level radioactive waste authority--2.0 FTE		
25	positions		218,500
26	Medical waste program--2.0 FTE positions.....		287,100
27	Municipal assistance--39.0 FTE positions.....		6,922,900

1	Radiological protection program--12.0 FTE positions ..	1,310,500
2	Scrap tire regulatory program--11.0 FTE positions	1,275,500
3	Oil, gas and mineral services--61.0 FTE positions	11,670,400
4	Sewage sludge land application program--6.0 FTE	
5	positions	907,600
6	Solid waste management program--37.0 FTE positions ...	4,746,900
7	Drinking water program grants	1,330,000
8	Noncommunity water grants	2,000,000
9	Septage waste compliance grants	275,000
10	Strategic water quality initiative loans	9,600,000
11	Water pollution control and drinking water revolving	
12	fund	85,443,000
13	Radon grants	90,000
14	Scrap tire grants	<u>3,500,000</u>
15	GROSS APPROPRIATION	\$ 151,674,500
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG, MDSP	993,300
19	Federal revenues:	
20	Federal funds	89,335,500
21	Special revenue funds:	
22	Campground fund	284,700
23	Electronic waste recycling fund	287,000
24	Environmental pollution prevention fund	2,298,100
25	Fees and collections	32,900
26	Hazardous material transportation permit fund	897,200
27	Medical waste emergency response fund	287,100

1	Metallic mining surveillance fee revenue.....	136,800
2	Mineral well regulatory fee revenue.....	197,700
3	Nonferrous metallic mineral surveillance.....	100,000
4	Oil and gas regulatory fund.....	8,928,800
5	Orphan well fund.....	2,225,100
6	Public swimming pool fund.....	648,200
7	Public utility assessments.....	218,500
8	Public water supply fees.....	4,139,500
9	Refined petroleum fund.....	646,900
10	Revolving loan revenue bonds.....	11,400,000
11	Sand extraction fee revenue.....	82,000
12	Scrap tire regulatory fund.....	4,775,500
13	Septage waste contingency fund.....	17,400
14	Septage waste program fund.....	579,000
15	Sewage sludge land application fees.....	907,600
16	Solid waste management fund - staff account.....	4,287,000
17	Strategic water quality initiatives fund.....	10,743,800
18	Waste reduction fee revenue.....	172,900
19	Wastewater operator training fees.....	567,300
20	Water pollution control revolving fund.....	2,744,000
21	State general fund/general purpose.....	\$ 3,740,700
22	Sec. 111. REMEDIATION DIVISION	
23	Full-time equated classified positions.....	349.0
24	Contaminated site investigations, cleanup and	
25	revitalization--204.0 FTE positions.....	\$ 27,020,000
26	Federal cleanup project management--60.0 FTE positions	9,308,400
27	Laboratory services--48.0 FTE positions.....	7,381,400

1	Aboveground storage tank program--8.0 FTE positions ..	877,700
2	Underground storage tank program--29.0 FTE positions .	4,048,000
3	Brownfield grants and loans.....	5,000,000
4	Emergency cleanup actions.....	4,000,000
5	Environmental cleanup support.....	1,840,000
6	Environmental cleanup and redevelopment program.....	30,000,000
7	Refined petroleum product cleanup program.....	30,000,000
8	Superfund cleanup.....	<u>3,000,000</u>
9	GROSS APPROPRIATION.....	\$ 122,475,500
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDT, laboratory services.....	3,939,200
13	Federal revenues:	
14	Federal funds.....	10,071,400
15	Special revenue funds:	
16	Private funds.....	180,300
17	Aboveground storage tank fees.....	420,700
18	Cleanup and redevelopment fund.....	20,467,900
19	Environmental protection fund.....	2,085,300
20	Environmental response fund.....	4,630,700
21	Landfill maintenance trust fund.....	29,300
22	Public water supply fees.....	294,300
23	Refined petroleum fund.....	39,887,400
24	Revitalization revolving loan fund.....	97,300
25	Strategic water quality initiatives fund.....	35,000,000
26	Underground storage tank fees.....	2,223,800
27	Water analysis fees.....	3,147,900

1	State general fund/general purpose	\$	0
2	Sec. 112. INFORMATION TECHNOLOGY		
3	Information technology services and projects	\$	<u>8,219,300</u>
4	GROSS APPROPRIATION	\$	8,219,300
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	IDT, laboratory services		98,100
8	IDG, MDSP		28,400
9	IDG, MDOT - Michigan transportation fund		61,200
10	Federal revenues:		
11	Federal funds		1,698,700
12	Special revenue funds:		
13	Aboveground storage tank fees		24,500
14	Air emissions fees		502,700
15	Campground fund		13,600
16	Cleanup and redevelopment fund		608,200
17	Environmental pollution prevention fund		84,600
18	Environmental protection fund		11,400
19	Environmental response fund		317,600
20	Fees and collections		16,300
21	Groundwater discharge permit fees		53,200
22	Hazardous material transportation permit fund		13,500
23	Land and water permit fees		217,700
24	Medical waste emergency response fund		10,600
25	Metallic mining surveillance fee revenue		2,600
26	Mineral well regulatory fee revenue		10,400
27	NPDES fees		65,600

1	Oil and gas regulatory fund.....		612,000
2	Orphan well fund.....		22,500
3	Public swimming pool fund.....		22,800
4	Public utility assessments.....		13,100
5	Public water supply fees.....		201,300
6	Refined petroleum fund.....		1,941,500
7	Sand extraction fee revenue.....		3,100
8	Scrap tire regulatory fund.....		87,000
9	Septage waste program fund.....		26,300
10	Sewage sludge land application fees.....		43,300
11	Small business pollution prevention revolving loan		
12	fund		8,800
13	Soil erosion and sedimentation control training fund.		4,000
14	Solid waste management fund - staff account.....		291,500
15	Stormwater permit fees.....		58,600
16	Underground storage tank fees.....		131,400
17	Waste reduction fee revenue.....		221,600
18	Wastewater operator training fees.....		1,000
19	Water analysis fees.....		106,300
20	Water pollution control revolving fund.....		150,300
21	Water use reporting fees.....		17,100
22	State general fund/general purpose.....	\$	416,900
23	Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS		
24	State employee lump-sum payments.....	\$	1,549,200
25	Drinking water revolving fund state match.....		2,500,000
26	Wetlands program.....		<u>1,500,000</u>
27	GROSS APPROPRIATION.....	\$	5,549,200

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	Interdepartmental grant revenues.....	48,800
4	Federal revenues:	
5	Federal funds.....	415,700
6	Special revenue funds:	
7	Private funds.....	4,200
8	State restricted revenues.....	920,400
9	State general fund/general purpose.....	\$ 4,160,100

10 PART 2
 11 PROVISIONS CONCERNING APPROPRIATIONS
 12 FOR FISCAL YEAR 2012-2013

13 **GENERAL SECTIONS**

14 Sec. 201. Pursuant to section 30 of article IX of the state
 15 constitution of 1963, total state spending from state resources
 16 under part 1 for fiscal year 2012-2013 is \$260,286,300.00 and state
 17 spending from state resources to be paid to local units of
 18 government for fiscal year 2012-2013 is \$2,775,000.00. The itemized
 19 statement below identifies appropriations from which spending to
 20 local units of government will occur:

21 GRANTS

22	Noncommunity water grants.....	\$ 2,000,000
23	Scrap tire grants.....	500,000
24	Septage waste compliance program.....	<u>275,000</u>
25	TOTAL.....	\$ 2,775,000

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

4 Sec. 203. As used in this act:

5 (a) "Department" means the department of environmental
6 quality.

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

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

9 Sec. 205. Unless otherwise specified, the department shall use
10 the Internet to fulfill the reporting requirements of this act.
11 This requirement may include transmission of reports via electronic
12 mail to the recipients identified for each reporting requirement,
13 or it may include placement of reports on an Internet or Intranet
14 site.

15 Sec. 207. The department and agencies receiving appropriations
16 in part 1 shall receive and retain copies of all reports funded
17 from appropriations in part 1. Federal and state guidelines for
18 short-term and long-term retention of records shall be followed.
19 The department may electronically retain copies of reports unless
20 otherwise required by federal and state guidelines.

21 Sec. 210. Funds appropriated in part 1 shall not be used for
22 the purchase of foreign goods or services, or both, if
23 competitively priced and of comparable quality American goods or
24 services, or both, are available. Preference shall be given to
25 goods or services, or both, manufactured or provided by Michigan
26 businesses if they are competitively priced and of comparable
27 quality. In addition, preference shall be given to goods or

1 services, or both, that are manufactured or provided by Michigan
2 businesses owned and operated by veterans, if they are
3 competitively priced and of comparable quality.

4 Sec. 211. The director shall take all reasonable steps to
5 ensure businesses in deprived and depressed communities compete for
6 and perform contracts to provide services or supplies, or both. The
7 director shall strongly encourage firms with which the department
8 contracts to subcontract with certified businesses in depressed and
9 deprived communities for services, supplies, or both.

10 Sec. 212. The department shall not take disciplinary action
11 against an employee for communicating with a member of the
12 legislature or his or her staff.

13 Sec. 213. (1) Funds appropriated in part 1 shall not be used
14 by the department to promulgate a rule that will apply to a small
15 business and that will have a disproportionate economic impact on
16 small businesses because of the size of those businesses if the
17 department fails to reduce the disproportionate economic impact of
18 the rule on small businesses as provided under section 40 of the
19 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

20 (2) As used in this section:

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

23 (b) "Small business" means that term as defined under section
24 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
25 24.207a.

26 Sec. 214. Funds appropriated in part 1 shall not be used by a
27 principal executive department, state agency, or authority to hire

1 a person to provide legal services that are the responsibility of
2 the attorney general. This prohibition does not apply to legal
3 services for bonding activities and for those activities that the
4 attorney general authorizes.

5 Sec. 215. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$30,000,000.00 for
7 federal contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in this article under section 393(2) of the management and budget
10 act, 1984 PA 431, MCL 18.1393.

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

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

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

1 PA 431, MCL 18.1393.

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

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

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

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

19 (d) The estimated date that site closure activities will be
20 completed.

21 (e) The amount of the allocation, or the anticipated financing
22 for the site.

23 (f) A summary of the sites and the total amount of funds
24 expended at the sites at the conclusion of the fiscal year.

25 (g) The number of brownfield projects that were successfully
26 redeveloped.

27 (2) The report prepared under subsection (1) shall also

1 include all of the following:

2 (a) The status of all state-owned facilities that are on the
3 list compiled under part 201 of the natural resources and
4 environmental protection act, 1994 PA 451, MCL 324.20101 to
5 324.20142.

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

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

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

16 Sec. 217. (1) The department may expend amounts remaining from
17 the current and prior fiscal year appropriations to meet funding
18 needs of legislatively approved sites for the environmental cleanup
19 and redevelopment program, the leaking underground storage tank
20 cleanup program, and the refined petroleum product cleanup program.

21 (2) Unexpended and unencumbered amounts remaining from
22 appropriations from the environmental protection bond fund
23 contained in 1993 PA 353, 2003 PA 173, 2006 PA 343, and 2011 PA 63
24 are appropriated for expenditure for any site listed in this act
25 and any site listed in the public acts referenced in this section.

26 (3) Unexpended and unencumbered amounts remaining from
27 appropriations from the cleanup and redevelopment fund contained in

1 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for
2 any site listed in this act and any site listed in the public acts
3 referenced in this section.

4 (4) Unexpended and unencumbered amounts remaining from
5 appropriations from the clean Michigan initiative fund - response
6 activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004
7 PA 350, 2005 PA 11, 2006 PA 343, 2007 PA 121, and 2011 PA 63 are
8 appropriated for expenditure for any site listed in this act and
9 any site listed in the public acts referenced in this section.

10 (5) Unexpended and unencumbered amounts remaining from
11 appropriations from the environmental protection fund contained in
12 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for
13 expenditure for any site listed in this act and any site listed in
14 the public acts referenced in this section.

15 (6) Unexpended and unencumbered amounts remaining from
16 appropriations from the refined petroleum fund activities contained
17 in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189,
18 and 2011 PA 63 are appropriated for expenditure for any site listed
19 in this act and any site listed in the public acts referenced in
20 this section.

21 (7) Unexpended and unencumbered amounts remaining from the
22 appropriations from the strategic water quality initiatives fund
23 contained in 2011 PA 50 and 2011 PA 63 are appropriated for
24 expenditure for any site listed in this act and any site listed in
25 the public acts referenced in this section.

26 Sec. 219. Unexpended settlement revenues at the end of the
27 fiscal year may be carried forward into the settlement fund in the

1 succeeding fiscal year up to a maximum carryforward of
2 \$2,500,000.00.

3 Sec. 221. Not later than November 30, the department shall
4 prepare and transmit a report that provides for estimates of the
5 total general fund/general purpose appropriation lapses at the
6 close of the previous fiscal year. This report shall summarize the
7 projected year-end general fund/general purpose appropriation
8 lapses by major departmental program or program areas. The report
9 shall be transmitted to the office of the state budget, the
10 chairpersons of the senate and house of representatives standing
11 committees on appropriations, and the senate and house fiscal
12 agencies.

13 Sec. 222. Within 14 days after the release of the executive
14 budget recommendation, the department shall provide the state
15 budget director, the senate and house appropriations chairs, the
16 senate and house appropriations subcommittees on environmental
17 quality, respectively, and the senate and house fiscal agencies
18 with an annual report on estimated state restricted fund balances,
19 state restricted fund projected revenues, and state restricted fund
20 expenditures for the fiscal years ending September 30, 2012 and
21 September 30, 2013.

22 Sec. 223. Part 1 provides authorizations to fund 1,322.8 FTE
23 classified positions during the fiscal year ending September 30,
24 2013. Line-item appropriations include limitations on the number of
25 payroll hours to be funded, on the basis of 2,088 hours per each
26 FTE position. The department shall report the number of funded FTE
27 positions within 15 days after the effective date of this act. The

1 number of classified employees compensated through each line item
2 is limited by the authorized FTE positions indicated in this act,
3 as adjusted for the number of reported funded FTE positions. The
4 report shall be provided to the house and senate appropriations
5 subcommittees on environmental quality and the house and senate
6 fiscal agencies.

7 Sec. 224. On a quarterly basis, the department shall report on
8 the number of FTEs in pay status by civil service classification to
9 the senate and house appropriations subcommittees on environmental
10 quality and the senate and house fiscal agencies.

11 Sec. 227. The department shall provide a report on the
12 implementation of a permit application status tracking tool on the
13 department's public Internet website to the house and senate
14 appropriations subcommittees on environmental quality, the standing
15 committees of the house and senate with primary responsibility for
16 environmental quality issues, and the house and senate fiscal
17 agencies by December 31, 2012. This permit application status
18 tracking tool shall allow permit applicants and the general public
19 to track and review pending permit applications. Searchable
20 parameters shall include, but are not limited to, applicant name
21 and address, county of request, date of application, most recent
22 activity, and status of the permit application. The report shall
23 include the estimated cost of the proposed tool, the information
24 technology requirements that would be needed for the database, the
25 FTE and/or contractual requirements to develop and maintain the
26 proposed tool, an estimated timeline of the implementation of the
27 tool, and any potential foreseen challenges to its implementation.

1 Sec. 228. The department shall provide a report on the
2 customer satisfaction evaluation program and the feedback received
3 to the house and senate appropriations subcommittees on
4 environmental quality and the house and senate fiscal agencies by
5 July 1, 2013.

6 Sec. 229. (1) The department shall submit a report identifying
7 specific permit programs for which an expedited permitting option
8 to fast track the permit process could be developed and instituted.
9 The report shall include, but is not limited to, all of the
10 following:

11 (a) A listing of the proposed permit programs.

12 (b) Estimates of the amount of time a pending permit would be
13 granted with the expedited process compared to the amount of time
14 with the normal permit process in those programs.

15 (c) Any estimated increase in cost to the department or the
16 applicant for the expedited program.

17 (2) The report described in subsection (1) shall be submitted
18 to the house and senate appropriations subcommittees on
19 environmental quality, the standing committees of the house and
20 senate with primary responsibility for environmental quality
21 issues, and the house and senate fiscal agencies by December 31,
22 2012.

23 REMEDIATION DIVISION

24 Sec. 301. Revenues remaining in the interdepartmental
25 transfers, laboratory services at the end of the fiscal year shall
26 carry forward into the succeeding fiscal year.

1 Sec. 302. The unexpended funds appropriated in part 1 for
2 emergency cleanup actions and the refined petroleum product cleanup
3 program are considered work project appropriations and any
4 unencumbered or unallotted funds are carried forward into the
5 succeeding fiscal year. The following is in compliance with section
6 451a(1) of the management and budget act, 1984 PA 431, MCL
7 18.1451a:

8 (a) The purpose of the projects to be carried forward is to
9 provide contaminated site cleanup.

10 (b) The projects will be accomplished by contract.

11 (c) The total estimated cost of all projects is identified in
12 each line-item appropriation.

13 (d) The tentative completion date is September 30, 2017.

14 Sec. 303. Effective October 1, 2012, surplus funds not to
15 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
16 are appropriated to the environmental protection fund created in
17 section 503a of the natural resources and environmental protection
18 act, 1994 PA 451, MCL 324.503a.

19 Sec. 304. Effective October 1, 2012, surplus funds not to
20 exceed \$1,000,000.00 in the community pollution prevention fund
21 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
22 to the environmental protection fund created in section 503a of the
23 natural resources and environmental protection act, 1994 PA 451,
24 MCL 324.503a.

25 Sec. 305. It is the intent of the legislature to repay the
26 refined petroleum fund for the \$70,000,000.00 that was transferred
27 to the environmental protection fund created in section 503a of the

1 natural resources and environmental protection act, 1994 PA 451,
 2 MCL 324.503a, as part of the resolution for the fiscal year 2006-
 3 2007 budget.

4 Sec. 306. (1) The funds appropriated in part 1 for the refined
 5 petroleum product cleanup program shall be used to fund cleanup
 6 activities on the following sites:

7 Site Name	County
8 Former Tavern and Gas Station	Alcona
9 Midway Resort Inc	Alger
10 Country Party Store	Alpena
11 Hubbard Lake Garage	Alpena
12 Hubbard Lake General Store	Alpena
13 Res. Wells Torch Lake Twp.	Antrim
14 Torch River Pit Stop	Antrim
15 Freeport Auto Service	Barry
16 Bud's in Honor	Benzie
17 Coloma Citgo	Berrien
18 Nyes Shell Service	Berrien
19 Randy's Amoco	Berrien
20 Clark #767 (Marshall)	Calhoun
21 Clark #768 (Albion)	Calhoun
22 Clark Service Station #500	Calhoun
23 Helmer I-94	Calhoun
24 Korner Krossroads Party Store	Calhoun
25 Logan's Gas & Deli	Calhoun
26 Unocal 76, Edwardsburg (Energy Oil)	Cass
27 Arnold's Bait and Tackle	Charlevoix

1	J.J.'s General Store	Charlevoix
2	Northern Oil (former)	Charlevoix
3	Club Rd Property	Cheboygan
4	Corner Store	Cheboygan
5	Ackels Car Care	Clinton
6	State Road Service	Clinton
7	D & L Fuels	Eaton
8	South End Mobil	Eaton
9	Beckon & Larks Lake Rd.	Emmet
10	Farmers Petroleum Coop - Petoskey	Emmet
11	Action Auto #10	Genesee
12	Central Distributing	Genesee
13	City of Flint Fire Department	Genesee
14	Odyssey House, Flint	Genesee
15	Spartan Express (truck terminal)	Genesee
16	Tabers Oil Co., Inc.	Genesee
17	United Cleaners, Inc	Genesee
18	Watkins & Himelhoch Inc	Genesee
19	Howard Jameson A+H Racing	Gladwin
20	Sportsmans Landing	Gladwin
21	Winegar's Trading Post	Gladwin
22	4 Corners	Grand Traverse
23	Stop N Shop	Grand Traverse
24	Wilson's Grocery	Gratiot
25	Engelhardt Petroleum, Inc. Gas Station	Huron
26	Mouch's Auto Sales	Huron
27	Action Auto Inc	Ingham

1	Action Auto Store #30	Ingham
2	Bay Gas Station, 3306 N. East St.	Ingham
3	Bay Petroleum, S. MLK	Ingham
4	Bay Petroleum, W. Willow	Ingham
5	Citgo #7	Ingham
6	Clark Station #1995	Ingham
7	Fresh-Up Car Wash	Ingham
8	Miller Oil Company	Ingham
9	Don Bessemer/Haight's Garage	Ionia
10	Bublitz Oil Full Service Oscoda	Iosco
11	Graham Oil Bulk Plant	Iosco
12	Firstbank-Winn Branch	Isabella
13	Clark #501	Jackson
14	McDonald's Crosstown Service	Kalamazoo
15	Meijers Thrifty Acres	Kalamazoo
16	Dutton Mill Properties	Kent
17	Great Northern Packaging	Kent
18	Hurley's Lodge	Lake
19	Church & Sons Gas Station	Lapeer
20	E.J. Green	Lapeer
21	Lakeside Resort and Party Store	Leelanau
22	Blissfield Marathon	Lenawee
23	Blissfield Vacant Lot	Lenawee
24	Clark 1457 Adrian	Lenawee
25	Lakeland Montessori School	Livingston
26	Leon Bonner Prop	Livingston
27	The Pit	Livingston

1	Action Auto (former)	Macomb
2	Sokana Mobil	Macomb
3	Red Barn Market	Manistee
4	Airport Road, 1933 East	Midland
5	Dutch Hutch	Missaukee
6	A.N. Russell & Son Inc	Montcalm
7	R.V. Jensen Inc.	Montcalm
8	A-1 Party Mart	Montmorency
9	Mary D's Restaurant	Montmorency
10	Pointe Bait	Montmorency
11	Sports Center, Inc.	Montmorency
12	Strolle Oil	Montmorency
13	Williams Service Station	Montmorency
14	Bennett Pump	Muskegon
15	Bernie's Amoco	Muskegon
16	Reliable Truck & Crane	Muskegon
17	Hardy Grocery	Newaygo
18	Clark #903, Keego Harbor	Oakland
19	DOC Optical	Oakland
20	Jenny Enterprises/Wine Basket, Highland	Oakland
21	South Lyon Service Station Inc	Oakland
22	Wayne Oakland Oil Company	Oakland
23	Shady Shores Restaurant	Ogemaw
24	Andy's Standard	Osceola
25	Eagle Village	Osceola
26	Hersey Party Store	Osceola
27	Neal's Service	Osceola

1	Tiel Oil Co.	Osceola
2	Don's Marathon	Oscoda
3	Charlie's Place	Roscommon
4	AMCO Group	Sanilac
5	Sangster property	Sanilac
6	Frank's Service	Shiawassee
7	Raymond Ayotte	Shiawassee
8	Decker Service	St. Joseph
9	Gagetown Gas and Oil, former	Tuscola
10	One Stop Party Store	Tuscola
11	Jimmie's Filling Station	Washtenaw
12	B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
13	Cal's Car Care, Incorporated - BTEX	Wayne
14	City of Detroit - DOT - 14044 Schaefer	Wayne
15	City of Detroit - DOT - 5600 Wabash St.	Wayne
16	City of Detroit - DOT - 5800 Russell St.	Wayne
17	Hail Investments Inc.	Wayne
18	JJ Curran Crane	Wayne
19	K & A Gas	Wayne
20	Master Petroleum	Wayne
21	Micks Auto	Wayne
22	Speedy's Gas & Goodies	Wayne

23 (2) The department shall provide a report to the legislature
24 on the amount actually spent at each site listed in subsection (1)
25 and give a detailed account of the work actually performed at each
26 site.

27 Sec. 309. The funds appropriated in part 1 for the brownfield

1 grants and loans program are considered work project
2 appropriations, and any unencumbered or unallotted funds are
3 carried forward into the succeeding fiscal year. The following is
4 in compliance with section 451a(1) of the management and budget
5 act, 1984 PA 431, MCL 18.1451a:

6 (a) The purpose of the projects is to provide contaminated
7 site cleanup.

8 (b) The projects will be accomplished by contract.

9 (c) The total estimated cost of all projects is \$5,000,000.00.

10 (d) The tentative completion date is September 30, 2017.

11 **WATER RESOURCES DIVISION**

12 Sec. 401. From the funds appropriated in part 1 for surface
13 water, not less than \$700,000.00 and 5.0 FTEs shall be allocated to
14 support the aquatic nuisance control program. The department shall
15 report to the house and senate appropriations subcommittees on
16 environmental quality and the house and senate fiscal agencies by
17 September 30, 2013 on the use of this funding and the number of
18 permit applications processed by the program in 2013.

19 Sec. 402. From the funds appropriated in part 1, the
20 department shall fund a groundwater dispute resolution process in
21 such a manner that maintains a strategically selected dispute
22 resolution process given funds available. The department may
23 utilize any and all available resources in providing this process
24 and shall report to the legislature on the need for additional
25 funds.

26 Sec. 403. From the funds appropriated in part 1, the

1 department shall support funding for the aquatic invasive species
2 advisory council to provide recommendations to appropriate parties
3 and bodies for a basin-wide approach to managing invasive species.

4 Sec. 404. The department shall work collaboratively with a
5 statewide organization that represents the agricultural industry to
6 produce a report that recommends a long-term funding solution for
7 the water withdrawal assessment program. The report shall be
8 completed by January 31, 2013 and be provided to the state budget
9 director, the house and senate appropriations committees, and the
10 house and senate fiscal agencies.

11 **GRANTS**

12 Sec. 501. If a certified health department does not exist in a
13 city, county, or district or does not fulfill its responsibilities
14 under part 117 of the natural resources and environmental
15 protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the
16 department may spend funds appropriated in part 1 under the septage
17 waste compliance program in accordance with section 11716 of the
18 natural resources and environmental protection act, 1994 PA 451,
19 MCL 324.11716.

20 **RESOURCE MANAGEMENT DIVISION**

21 Sec. 601. (1) The department shall develop a report that
22 addresses implementation of the state's solid waste policy. At a
23 minimum, the report shall do both of the following:

24 (a) Identify options for long-term funding for the solid waste
25 management program. For each option, the report shall take into

1 account the extent to which additional activities or materials, or
2 both, such as recycling, composting, and beneficial reuse would
3 impact the long-term funding of the solid waste management program.

4 (b) Assess the feasibility of contracting out landfill
5 inspections.

6 (2) The department shall provide the report prepared under
7 subsection (1) to the state budget director, the house and senate
8 appropriations subcommittees on environmental quality, and the
9 house and senate fiscal agencies by June 30, 2013.

10 PART 2A

11 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

12 FOR FISCAL YEAR 2013-2014

13 **GENERAL SECTIONS**

14 Sec. 1201. It is the intent of the legislature to provide
15 appropriations for the fiscal year ending on September 30, 2014 for
16 the line items listed in part 1. The fiscal year 2013-2014
17 appropriations are anticipated to be the same as those for fiscal
18 year 2012-2013, except that the line items will be adjusted for
19 changes in caseload and related costs, federal fund match rates,
20 economic factors, and available revenue. These adjustments will be
21 determined after the January 2013 consensus revenue estimating
22 conference.