

**SUBSTITUTE FOR
SENATE BILL NO. 854**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2019; 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, 2019, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0
Full-time equated classified positions.....	1,219.0

1	GROSS APPROPRIATION.....	\$	420,822,600
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and intradepartmental		
4	transfers		3,143,700
5	ADJUSTED GROSS APPROPRIATION.....	\$	417,678,900
6	Federal revenues:		
7	Total federal revenues.....		160,225,400
8	Special revenue funds:		
9	Total private revenues.....		1,061,700
10	Total other state restricted revenues.....		209,325,300
11	State general fund/general purpose.....	\$	47,066,500
12	FUND SOURCE SUMMARY		
13	Full-time equated unclassified positions.....	6.0	
14	Full-time equated classified positions.....	1,219.0	
15	GROSS APPROPRIATION.....	\$	420,822,600
16	Interdepartmental grant revenues:		
17	IDG from department of state police.....		1,776,100
18	IDG from state transportation department.....		1,367,600
19	Total interdepartmental grants and intradepartmental		
20	transfers		3,143,700
21	ADJUSTED GROSS APPROPRIATION.....	\$	417,678,900
22	Federal revenues:		
23	Federal funds.....		160,225,400
24	Total federal revenues.....		160,225,400
25	Special revenue funds:		
26	Private funds.....		1,061,700
27	Total private revenues.....		1,061,700

1	Air emissions fees.....	12,427,300
2	Aquatic nuisance control fund.....	931,400
3	Aquifer protection revolving fund.....	524,000
4	Campground fund.....	326,000
5	Clean Michigan initiative - clean water fund.....	3,417,100
6	Clean Michigan initiative - nonpoint source.....	2,000,000
7	Cleanup and redevelopment fund.....	19,939,400
8	Community pollution prevention fund.....	250,000
9	Drinking water declaration of emergency reserve fund.	100
10	Electronic waste recycling fund.....	334,500
11	Environmental education fund.....	171,300
12	Environmental pollution prevention fund.....	6,779,300
13	Environmental protection fund.....	2,476,700
14	Environmental response fund.....	3,782,600
15	Fees and collections.....	393,900
16	Financial instruments.....	9,489,100
17	Groundwater discharge permit fees.....	1,779,800
18	Infrastructure construction fund.....	51,400
19	Laboratory services fees.....	4,294,900
20	Land and water permit fees.....	3,306,700
21	Landfill maintenance trust fund.....	31,000
22	Lawsuit settlement proceeds fund.....	3,000,000
23	Medical waste emergency response fund.....	339,700
24	Metallic mining surveillance fee revenue.....	101,000
25	Mineral well regulatory fee revenue.....	223,100
26	Native copper mine fund.....	50,000
27	Nonferrous metallic mineral surveillance.....	367,300

1	NPDES fees.....	4,627,700
2	Oil and gas regulatory fund.....	5,242,400
3	Orphan well fund.....	2,424,600
4	Public swimming pool fund.....	662,600
5	Public utility assessments.....	417,000
6	Public water supply fees.....	5,012,000
7	Refined petroleum fund.....	42,085,200
8	Revitalization revolving loan fund.....	103,100
9	Revolving loan revenue bonds.....	15,000,000
10	Sand extraction fee revenue.....	92,900
11	Scrap tire regulatory fund.....	5,109,900
12	Septage waste contingency fund.....	3,400
13	Septage waste program fund.....	530,300
14	Settlement funds.....	426,100
15	Sewage sludge land application fees.....	1,006,800
16	Small business pollution prevention revolving loan	
17	fund	167,100
18	Soil erosion and sedimentation control training fund .	175,100
19	Solid waste management fund - staff account	5,208,300
20	Stormwater permit fees.....	3,078,000
21	Strategic water quality initiatives fund.....	17,211,900
22	Underground storage tank cleanup fund.....	20,028,700
23	Wastewater operator training fees.....	601,900
24	Water analysis fees.....	2,275,200
25	Water pollution control revolving fund.....	656,100
26	Water quality protection fund.....	100,000
27	Water use reporting fees.....	291,400

1	Total other state restricted revenues	209,325,300
2	State general fund/general purpose	\$ 47,066,500
3	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT	
4	Full-time equated unclassified positions..... 6.0	
5	Full-time equated classified positions..... 83.0	
6	Unclassified salaries--6.0 FTE positions	\$ 792,200
7	Accounting service center	1,419,700
8	Administrative hearings officers	388,000
9	Central support services--39.0 FTE positions	8,159,000
10	Communications and community outreach--31.0 FTE	
11	positions	4,585,900
12	Environmental support projects	5,000,000
13	Executive direction--13.0 FTE positions	2,142,600
14	Facilities management	1,000,000
15	Property management	<u>7,458,300</u>
16	GROSS APPROPRIATION	\$ 30,945,700
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	IDG from department of state police	61,100
20	Federal revenues:	
21	Federal funds	29,400
22	Special revenue funds:	
23	Private funds	364,000
24	Air emissions fees	1,508,500
25	Campground fund	15,600
26	Cleanup and redevelopment fund	1,589,500
27	Electronic waste recycling fund	15,300

1	Environmental education fund.....	171,300
2	Environmental pollution prevention fund.....	1,710,600
3	Environmental protection fund.....	323,800
4	Environmental response fund.....	529,800
5	Fees and collections.....	150,200
6	Financial instruments.....	7,326,100
7	Groundwater discharge permit fees.....	211,700
8	Laboratory services fees.....	157,800
9	Land and water permit fees.....	612,500
10	Lawsuit settlement proceeds fund.....	3,000,000
11	Medical waste emergency response fund.....	18,000
12	Metallic mining surveillance fee revenue.....	5,100
13	Mineral well regulatory fee revenue.....	9,000
14	Nonferrous metallic mineral surveillance.....	800
15	NPDES fees.....	276,100
16	Oil and gas regulatory fund.....	1,014,800
17	Orphan well fund.....	52,900
18	Public swimming pool fund.....	27,500
19	Public utility assessments.....	20,400
20	Public water supply fees.....	288,900
21	Refined petroleum fund.....	2,583,900
22	Sand extraction fee revenue.....	4,200
23	Scrap tire regulatory fund.....	158,800
24	Septage waste program fund.....	20,200
25	Settlement funds.....	426,100
26	Sewage sludge land application fees.....	121,600
27	Small business pollution prevention revolving loan	

1	fund		19,400
2	Soil erosion and sedimentation control training fund.		18,900
3	Solid waste management fund - staff account		331,800
4	Stormwater permit fees		264,700
5	Wastewater operator training fees		34,600
6	Water analysis fees		148,400
7	Water use reporting fees		24,700
8	State general fund/general purpose	\$	7,297,700
9	Sec. 103. GREAT LAKES RESTORATION INITIATIVE		
10	Great Lakes restoration initiative	\$	<u>6,714,100</u>
11	GROSS APPROPRIATION	\$	6,714,100
12	Appropriated from:		
13	Federal revenues:		
14	Federal funds		6,714,100
15	Special revenue funds:		
16	State general fund/general purpose	\$	0
17	Sec. 104. WATER RESOURCES DIVISION		
18	Full-time equated classified positions		316.0
19	Aquatic nuisance control program--6.0 FTE positions ..	\$	931,400
20	Expedited water/wastewater permits--1.0 FTE position .		51,400
21	Federal - Great Lakes remedial action plan grants		583,800
22	Federal - nonpoint source water pollution grants		4,083,300
23	Fish contaminant monitoring		316,100
24	Groundwater discharge permit program--22.0 FTE		
25	positions		3,253,500
26	Land and water interface permit programs--82.0 FTE		
27	positions		11,848,200

1	Nonpoint source pollution prevention and control	
2	project program	2,000,000
3	NPDES nonstormwater program--83.0 FTE positions	13,245,000
4	Program direction and project assistance--27.0 FTE	
5	positions	3,113,700
6	Surface water--86.0 FTE positions	16,291,600
7	Technology advancements for water monitoring	500,000
8	Water quality and use initiative/general--5.0 FTE	
9	positions	1,498,300
10	Water quality protection grants	100,000
11	Water withdrawal assessment program--4.0 FTE positions	1,438,400
12	Wetland mitigation banking grants and loans	1,000,000
13	Wetlands program	<u>1,000,000</u>
14	GROSS APPROPRIATION	\$ 61,254,700
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG from state transportation department	1,281,500
18	Federal revenues:	
19	Federal funds	20,490,200
20	Special revenue funds:	
21	Aquatic nuisance control fund	931,400
22	Aquifer protection revolving fund	524,000
23	Clean Michigan initiative - clean water fund	3,417,100
24	Clean Michigan initiative - nonpoint source	2,000,000
25	Environmental response fund	204,800
26	Groundwater discharge permit fees	1,472,500
27	Infrastructure construction fund	51,400

1	Land and water permit fees.....	2,347,000
2	NPDES fees.....	4,176,800
3	Refined petroleum fund.....	445,900
4	Sewage sludge land application fees.....	850,000
5	Soil erosion and sedimentation control training fund.	143,200
6	Stormwater permit fees.....	2,724,800
7	Strategic water quality initiatives fund.....	1,000,000
8	Wastewater operator training fees.....	288,700
9	Water pollution control revolving fund.....	143,500
10	Water quality protection fund.....	100,000
11	Water use reporting fees.....	250,300
12	State general fund/general purpose.....	\$ 18,411,600
13	Sec. 105. LAW ENFORCEMENT	
14	Full-time equated classified positions..... 15.0	
15	Environmental investigations--15.0 FTE positions.....	\$ <u>3,004,900</u>
16	GROSS APPROPRIATION.....	\$ 3,004,900
17	Appropriated from:	
18	Federal revenues:	
19	Federal funds.....	574,800
20	Special revenue funds:	
21	Air emissions fees.....	57,700
22	Campground fund.....	2,100
23	Cleanup and redevelopment fund.....	190,400
24	Electronic waste recycling fund.....	1,600
25	Environmental pollution prevention fund.....	261,300
26	Environmental response fund.....	41,600
27	Fees and collections.....	4,100

1	Financial instruments.....	527,500
2	Groundwater discharge permit fees.....	18,900
3	Laboratory services fees.....	15,900
4	Land and water permit fees.....	78,800
5	Medical waste emergency response fund.....	2,400
6	Metallic mining surveillance fee revenue.....	700
7	Mineral well regulatory fee revenue.....	1,200
8	NPDES fees.....	32,400
9	Oil and gas regulatory fund.....	88,500
10	Orphan well fund.....	7,100
11	Public swimming pool fund.....	3,700
12	Public utility assessments.....	2,000
13	Public water supply fees.....	26,600
14	Refined petroleum fund.....	370,500
15	Sand extraction fee revenue.....	600
16	Scrap tire regulatory fund.....	29,500
17	Septage waste program fund.....	2,700
18	Sewage sludge land application fees.....	12,300
19	Small business pollution prevention revolving loan	
20	fund	2,600
21	Soil erosion and sedimentation control training fund.	2,600
22	Solid waste management fund - staff account	42,100
23	Stormwater permit fees.....	17,600
24	Wastewater operator training fees.....	4,600
25	Water analysis fees.....	18,300
26	Water use reporting fees.....	3,100
27	State general fund/general purpose.....	\$ 559,100

1	Sec. 106. AIR QUALITY DIVISION		
2	Full-time equated classified positions.....	187.0	
3	Air quality programs--187.0 FTE positions.....	\$	<u>27,493,200</u>
4	GROSS APPROPRIATION.....	\$	27,493,200
5	Appropriated from:		
6	Federal revenues:		
7	Federal funds.....		7,277,800
8	Special revenue funds:		
9	Air emissions fees.....		10,188,000
10	Fees and collections.....		205,100
11	Oil and gas regulatory fund.....		142,100
12	Public utility assessments.....		150,000
13	Refined petroleum fund.....		3,625,500
14	State general fund/general purpose.....	\$	5,904,700
15	Sec. 107. RESOURCE MANAGEMENT DIVISION		
16	Full-time equated classified positions.....	319.0	
17	Drinking water and environmental health--115.0 FTE		
18	positions	\$	16,554,400
19	Drinking water program grants.....		830,000
20	Hazardous waste management program--45.0 FTE positions		6,600,700
21	Low-level radioactive waste authority--2.0 FTE		
22	positions		236,700
23	Medical waste program--2.0 FTE positions		309,300
24	Michigan geological survey.....		500,000
25	Municipal assistance--29.0 FTE positions		4,881,200
26	Noncommunity water grants.....		1,905,700
27	Oil, gas, and mineral services--57.0 FTE positions ...		10,804,700

1	Pollution prevention--7.0 FTE positions	2,095,700
2	Radiological protection program--12.0 FTE positions ..	2,000,600
3	Recycling initiative--3.0 FTE positions	1,020,300
4	Scrap tire grants.....	3,500,000
5	Scrap tire regulatory program--10.0 FTE positions	1,357,300
6	Septage waste compliance grants.....	275,000
7	Solid waste management program--37.0 FTE positions ...	5,159,600
8	Water state revolving funds.....	<u>120,000,000</u>
9	GROSS APPROPRIATION.....	\$ 178,031,200
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG from department of state police.....	1,689,200
13	Federal revenues:	
14	Federal funds.....	117,388,600
15	Special revenue funds:	
16	Private funds.....	506,600
17	Campground fund.....	299,900
18	Community pollution prevention fund.....	250,000
19	Electronic waste recycling fund.....	311,100
20	Environmental pollution prevention fund.....	4,343,400
21	Fees and collections.....	34,500
22	Medical waste emergency response fund.....	309,300
23	Metallic mining surveillance fee revenue.....	92,500
24	Mineral well regulatory fee revenue.....	208,000
25	Native copper mine fund.....	50,000
26	Nonferrous metallic mineral surveillance.....	366,200
27	Oil and gas regulatory fund.....	3,667,100

1	Orphan well fund.....	2,335,100
2	Public swimming pool fund.....	616,300
3	Public utility assessments.....	236,700
4	Public water supply fees.....	4,231,200
5	Refined petroleum fund.....	709,900
6	Revolving loan revenue bonds.....	15,000,000
7	Sand extraction fee revenue.....	85,800
8	Scrap tire regulatory fund.....	4,857,300
9	Septage waste contingency fund.....	3,400
10	Septage waste program fund.....	496,100
11	Small business pollution prevention revolving loan	
12	fund	134,400
13	Solid waste management fund - staff account	4,661,500
14	Strategic water quality initiatives fund.....	1,211,900
15	Wastewater operator training fees.....	254,800
16	Water pollution control revolving fund.....	505,200
17	State general fund/general purpose.....	\$ 13,175,200
18	Sec. 108. REMEDIATION AND REDEVELOPMENT DIVISION	
19	Full-time equated classified positions.....	294.0
20	Contaminated site investigations, cleanup, and	
21	revitalization--130.0 FTE positions.....	\$ 15,174,100
22	Emergency cleanup actions.....	3,000,000
23	Environmental cleanup and redevelopment program.....	15,000,000
24	Environmental cleanup support.....	1,840,000
25	Federal cleanup project management--40.0 FTE positions	7,052,700
26	Laboratory services--39.0 FTE positions.....	6,406,400
27	Refined petroleum product cleanup program--85.0 FTE	

1	positions	34,680,000
2	Superfund cleanup.....	<u>1,000,000</u>
3	GROSS APPROPRIATION.....	\$ 84,153,200
4	Appropriated from:	
5	Federal revenues:	
6	Federal funds.....	6,412,500
7	Special revenue funds:	
8	Private funds.....	191,100
9	Cleanup and redevelopment fund.....	17,359,400
10	Environmental protection fund.....	2,065,500
11	Environmental response fund.....	2,839,100
12	Laboratory services fees.....	4,056,400
13	Landfill maintenance trust fund.....	31,000
14	Public water supply fees.....	315,800
15	Refined petroleum fund.....	32,619,700
16	Revitalization revolving loan fund.....	103,100
17	Strategic water quality initiatives fund.....	15,000,000
18	Water analysis fees.....	2,034,200
19	State general fund/general purpose.....	\$ 1,125,400
20	Sec. 109. UNDERGROUND STORAGE TANK AUTHORITY	
21	Full-time equated classified positions.....	5.0
22	Underground storage tank cleanup program--5.0 FTE	
23	positions	\$ <u>20,028,700</u>
24	GROSS APPROPRIATION.....	\$ 20,028,700
25	Appropriated from:	
26	Special revenue funds:	
27	Underground storage tank cleanup fund.....	20,028,700

1	State general fund/general purpose	\$	0
2	Sec. 110. INFORMATION TECHNOLOGY		
3	Information technology services and projects	\$	<u>9,076,800</u>
4	GROSS APPROPRIATION	\$	9,076,800
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	IDG from department of state police		25,800
8	IDG from state transportation department		86,100
9	Federal revenues:		
10	Federal funds		1,338,000
11	Special revenue funds:		
12	Air emissions fees		673,100
13	Campground fund		8,400
14	Cleanup and redevelopment fund		800,100
15	Electronic waste recycling fund		6,500
16	Environmental pollution prevention fund		464,000
17	Environmental protection fund		87,400
18	Environmental response fund		167,300
19	Financial instruments		1,635,500
20	Groundwater discharge permit fees		76,700
21	Laboratory services fees		64,800
22	Land and water permit fees		268,400
23	Medical waste emergency response fund		10,000
24	Metallic mining surveillance fee revenue		2,700
25	Mineral well regulatory fee revenue		4,900
26	Nonferrous metallic mineral surveillance		300
27	NPDES fees		142,400

1	Oil and gas regulatory fund.....	329,900
2	Orphan well fund.....	29,500
3	Public swimming pool fund.....	15,100
4	Public utility assessments.....	7,900
5	Public water supply fees.....	149,500
6	Refined petroleum fund.....	1,729,800
7	Sand extraction fee revenue.....	2,300
8	Scrap tire regulatory fund.....	64,300
9	Septage waste program fund.....	11,300
10	Sewage sludge land application fees.....	22,900
11	Small business pollution prevention revolving loan	
12	fund	10,700
13	Soil erosion and sedimentation control training fund.	10,400
14	Solid waste management fund - staff account.....	172,900
15	Stormwater permit fees.....	70,900
16	Wastewater operator training fees.....	19,200
17	Water analysis fees.....	74,300
18	Water pollution control revolving fund.....	7,400
19	Water use reporting fees.....	13,300
20	State general fund/general purpose.....	\$ 472,800
21	Sec. 111. ONE-TIME APPROPRIATIONS	
22	Drinking water declaration of emergency.....	\$ 100
23	Landfill research, design, and demonstration project.	<u>120,000</u>
24	GROSS APPROPRIATION.....	\$ 120,100
25	Appropriated from:	
26	Special revenue funds:	
27	Drinking water declaration of emergency reserve fund.	100

1 State general fund/general purpose..... \$ 120,000

2 PART 2

3 PROVISIONS CONCERNING APPROPRIATIONS

4 FOR FISCAL YEAR 2018-2019

5 GENERAL SECTIONS

6 Sec. 201. Pursuant to section 30 of article IX of the state
 7 constitution of 1963, total state spending from state resources
 8 under part 1 for fiscal year 2018-2019 is \$256,391,800.00 and state
 9 spending from state resources to be paid to local units of
 10 government for fiscal year 2018-2019 is \$4,581,000.00. The itemized
 11 statement below identifies appropriations from which spending to
 12 local units of government will occur:

13 DEPARTMENT OF ENVIRONMENTAL QUALITY

14	Drinking water program grants.....	\$	600,000
15	Emergency cleanup actions.....		106,000
16	Noncommunity water grants.....		1,800,000
17	Scrap tire grants.....		500,000
18	Pollution prevention.....		250,000
19	Septage waste compliance grants.....		100,000
20	Recycling initiative.....		500,000
21	Medical waste program.....		65,000
22	Surface water.....		160,000
23	Technology advancements for water monitoring.....		<u>500,000</u>
24	TOTAL.....	\$	4,581,000

25 Sec. 202. The appropriations authorized under this part and
 26 part 1 are subject to the management and budget act, 1984 PA 431,

1 MCL 18.1101 to 18.1594.

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

3 (a) "Department" means the department of environmental
4 quality.

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

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

7 (d) "IDG" means interdepartmental grant.

8 (e) "NPDES" means national pollution discharge elimination
9 system.

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

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

26 Sec. 206. The director shall take all reasonable steps to
27 ensure businesses in deprived and depressed communities compete for

1 and perform contracts to provide services or supplies, or both. The
2 director shall strongly encourage firms with which the department
3 contracts to subcontract with certified businesses in depressed and
4 deprived communities for services, supplies, or both.

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

15 (a) The dates of each travel occurrence.

16 (b) The total transportation and related costs of each travel
17 occurrence, including the proportion funded with state general
18 fund/general purpose revenues, the proportion funded with state
19 restricted revenues, the proportion funded with federal revenues,
20 and the proportion funded with other revenues.

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

27 Sec. 209. Not later than November 30, the state budget office

1 shall prepare and transmit a report that provides for estimates of
2 the total general fund/general purpose appropriation lapses at the
3 close of the prior fiscal year. This report shall summarize the
4 projected year-end general fund/general purpose appropriation
5 lapses by major departmental program or program areas. The report
6 shall be transmitted to the chairpersons of the senate and house
7 appropriations committees and the senate and house fiscal agencies.

8 Sec. 210. (1) In addition to the funds appropriated in part 1,
9 there is appropriated an amount not to exceed \$30,000,000.00 for
10 federal contingency funds. These funds are not available for
11 expenditure until they have been transferred to another line item
12 in part 1 under section 393(2) of the management and budget act,
13 1984 PA 431, MCL 18.1393.

14 (2) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$5,000,000.00 for state
16 restricted contingency funds. These funds are not available for
17 expenditure until they have been transferred to another line item
18 in part 1 under section 393(2) of the management and budget act,
19 1984 PA 431, MCL 18.1393.

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

26 (4) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$500,000.00 for private

1 contingency funds. These funds are not available for expenditure
2 until they have been transferred to another line item in part 1
3 under section 393(2) of the management and budget act, 1984 PA 431,
4 MCL 18.1393.

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

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

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

11 (c) Fiscal year-to-date payments to a selected vendor,
12 including the vendor name, payment date, payment amount, and
13 payment description.

14 (d) The number of active department employees by job
15 classification.

16 (e) Job specifications and wage rates.

17 Sec. 212. Within 14 days after the release of the executive
18 budget recommendation, the department shall cooperate with the
19 state budget office to provide the senate and house appropriations
20 chairs, the senate and house appropriations subcommittee chairs,
21 and the senate and house fiscal agencies with an annual report on
22 estimated state restricted fund balances, state restricted fund
23 projected revenues, and state restricted fund expenditures for the
24 fiscal years ending September 30, 2018 and September 30, 2019.

25 Sec. 213. The department shall maintain, on a publicly
26 accessible website, a department scorecard that identifies, tracks,
27 and regularly updates key metrics that are used to monitor and

1 improve the agency's performance.

2 Sec. 214. Total authorized appropriations from all sources
3 under part 1 for legacy costs for the fiscal year ending September
4 30, 2019 are estimated at \$33,567,400.00. From this amount, total
5 agency appropriations for pension-related legacy costs are
6 estimated at \$15,475,100.00. Total agency appropriations for
7 retiree health care legacy costs are estimated at \$18,092,300.00.

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

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

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

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

25 (d) The estimated date that site closure activities will be
26 completed.

27 (e) The amount of the allocation, or the anticipated financing

1 for the site.

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

4 (g) The number of brownfield projects that were successfully
5 redeveloped.

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

8 (a) The status of all state-owned facilities that are on the
9 list compiled under part 201 of the natural resources and
10 environmental protection act, 1994 PA 451, MCL 324.20101 to
11 324.20142.

12 (b) The report shall include the total amount of funds
13 expended during the fiscal year and the total amount of funds
14 awaiting expenditure.

15 (c) The total amount of bonds issued for the environmental
16 protection bond program pursuant to part 193 of the natural
17 resources and environmental protection act, 1994 PA 451, MCL
18 324.19301 to 324.19306, and bonds issued pursuant to the clean
19 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

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

1 (2) Unexpended and unencumbered amounts remaining from
2 appropriations from the environmental protection bond fund
3 contained in 2003 PA 173, 2005 PA 109, 2006 PA 343, 2011 PA 63, and
4 2012 PA 236 are appropriated for expenditure for any site listed in
5 this part and part 1 and any site listed in the public acts
6 referenced in this section.

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

14 (4) Unexpended and unencumbered amounts remaining from
15 appropriations from the refined petroleum fund activities contained
16 in 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, 2011 PA 63,
17 2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, and
18 2017 PA 107 are appropriated for expenditure for any site listed in
19 this part and part 1 and any site listed in the public acts
20 referenced in this section.

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

27 Sec. 219. Unexpended settlement revenues at the end of the

1 fiscal year may be carried forward into the settlement fund in the
2 succeeding fiscal year up to a maximum carryforward of
3 \$2,500,000.00.

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

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

14 (2) As used in this section:

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

17 (b) "Small business" means that term as defined under section
18 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
19 24.207a.

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

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

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

1 (c) The estimated remaining cost of all projects funded in
2 each category.

3 (d) The remaining balance of money in the fund allocated for
4 each category.

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

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

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

13 (b) The purpose for each expenditure.

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

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

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

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

26 Sec. 238. From funds appropriated in part 1, the department
27 shall post the following on the department's publicly accessible

1 website:

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

10 (b) By November 1, a report listing all fees currently
11 assessed by the department. The report shall include the dollar
12 amount of each fee, projected revenue for each fee, and the program
13 areas within the department that each fee will support. The report
14 shall also list the fund into which each fee is deposited. By May
15 1, the department shall update this report with year-to-date
16 revenue for each fee.

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

27 (d) By November 1, a report listing the federal and state fund

sources that will be utilized by the department during the current fiscal year. The report shall contain the following for each fund source: an estimate of revenue that will be collected during the fiscal year, the balance of the fund source at the beginning of the fiscal year, and the program areas within the department that each fund source will support. If the actual fund balance is not available on November 1, the department may use an unaudited or estimated figure, and indicate it as such in the report. By May 1, the department shall update this report with year-to-date figures for each item in the report, and include year-to-date revenue for each fund source.

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

REMEDICATION AND REDEVELOPMENT DIVISION

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

Sec. 302. The unexpended funds appropriated in part 1 for emergency cleanup actions are considered work project appropriations and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

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

1 (b) The project will be accomplished by utilizing state
2 employees or contracts with service providers, or both.

3 (c) The total estimated cost of the project is \$3,000,000.00.

4 (d) The tentative completion date is September 30, 2023.

5 Sec. 303. Effective October 1, 2018, surplus funds not to
6 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
7 are appropriated to the environmental protection fund created in
8 section 503a of the natural resources and environmental protection
9 act, 1994 PA 451, MCL 324.503a.

10 Sec. 304. Effective October 1, 2018, surplus funds not to
11 exceed \$1,000,000.00 in the community pollution prevention fund
12 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
13 to the environmental protection fund created in section 503a of the
14 natural resources and environmental protection act, 1994 PA 451,
15 MCL 324.503a.

16 Sec. 305. It is the intent of the legislature to repay the
17 refined petroleum fund for the \$70,000,000.00 that was transferred
18 to the environmental protection fund created in section 503a of the
19 natural resources and environmental protection act, 1994 PA 451,
20 MCL 324.503a, as part of the resolution for the fiscal year 2006-
21 2007 budget.

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

27 (2) By January 1, the department shall provide a report to the

1 house and senate subcommittees on environmental quality and the
2 state budget director on the refined petroleum product cleanup
3 program containing the following information:

4 (a) A list of sites the department intends to work on during
5 the current fiscal year, including the fiscal year the project
6 began.

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

9 (c) A list of sites the department closed during the previous
10 fiscal year.

11 Sec. 307. The unexpended funds appropriated in part 1 for the
12 environmental cleanup and redevelopment program are designated as a
13 work project appropriation, and any unencumbered or unallotted
14 funds shall not lapse at the end of the fiscal year and shall be
15 available for expenditures for projects under this section until
16 the projects have been completed. The following is in compliance
17 with section 451a of the management and budget act, 1984 PA 431,
18 MCL 18.1451a:

19 (a) The purpose of the project is to provide contaminated site
20 cleanup.

21 (b) The project will be accomplished by utilizing state
22 employees or contracts with service providers, or both.

23 (c) The total estimated cost of the project is \$15,000,000.00.

24 (d) The tentative completion date is September 30, 2023.

25 Sec. 308. The unexpended funds appropriated in part 1 for the
26 refined petroleum product cleanup program are designated as a work
27 project appropriation, and any unencumbered or unallotted funds

1 shall not lapse at the end of the fiscal year and shall be
2 available for expenditures for projects under this section until
3 the projects have been completed. The following is in compliance
4 with section 451a of the management and budget act, 1984 PA 431,
5 MCL 18.1451a:

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

8 (b) The project will be accomplished by utilizing state
9 employees or contracts with service providers, or both.

10 (c) The total estimated cost of the project is \$34,680,000.00.

11 (d) The tentative completion date is September 30, 2023.

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

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

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

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

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

26 Sec. 313. From the funds appropriated in part 1 for the vapor
27 intrusion program, the department shall investigate sites to

determine whether chemical vapors have migrated from the original location of exposure. The purpose of this program is to evaluate, investigate, and mitigate sites statewide where vapor intrusion issues are or may be present.

Sec. 315. From funds appropriated in part 1, the department shall perform a geologic survey of groundwater in this state. The survey shall begin with areas known to be contaminated with per- and polyfluoroalkyl substances. The survey results shall be used to form a response and remediation plan for the identified contamination areas.

WATER RESOURCES DIVISION

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

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

- (a) An estimated cost of removal of total phosphorus per pound

1 at the 4 major wastewater treatment plants.

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

3 (c) A description of the work that has commenced on the issue
4 of dissolved reactive phosphorus, the expected objectives and
5 outcomes of that work, and a list of the parties involved in that
6 effort.

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

9 Sec. 412. The unexpended funds appropriated in part 1 for the
10 aquifer protection program are designated as a work project
11 appropriation, and any unencumbered or unallotted funds shall not
12 lapse at the end of the fiscal year and shall be available for
13 expenditures for projects under this section until the project has
14 been completed. The following is in compliance with section 451a of
15 the management and budget act, 1984 PA 431, MCL 18.1451a:

16 (a) The purpose of the project is to provide support for
17 aquifer disputes and their resolution.

18 (b) The project will be accomplished by utilizing state
19 employees or contracts with service providers, or both.

20 (c) The total estimated cost of the project is \$524,000.00.

21 (d) The tentative completion date is September 30, 2023.

22 **RESOURCE MANAGEMENT DIVISION**

23 Sec. 604. From the funds appropriated in part 1, the
24 department will host training sessions to public water supply
25 owners and operators to provide technical assistance on the lead
26 and copper rule (LCR) of the safe drinking water act and contact

1 100% of public water supplies that are subject to the lead and
2 copper rule with information on current LCR requirements including
3 any modifications to Michigan's LCR and associated guidance and
4 policies. The purpose of the program is to ensure that water is in
5 accordance with the safe drinking water act, 1976 PA 399, MCL
6 325.1001 to 325.1023.

7 **UNDERGROUND STORAGE TANK AUTHORITY**

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

16 (a) The purpose of the project is to provide contaminated site
17 cleanup.

18 (b) The project will be accomplished by utilizing state
19 employees or contracts with service providers, or both.

20 (c) The total estimated cost of the project is \$20,000,000.00.

21 (d) The tentative completion date is September 30, 2023.

22 **ONE-TIME APPROPRIATIONS**

23 Sec. 801. Funds in part 1 for the landfill research, design,
24 and demonstration project shall be made available as a grant to a
25 county with a population of over 140,000 that owns a landfill and

1 has received a state revolving fund loan to install a septage
2 bioreactor as part of a research, design, and demonstration
3 project. The grant shall be for the purpose of continuing the
4 research, design, and demonstration project at that landfill.