

Act No. 353  
Public Acts of 1993  
Approved by the Governor  
January 13, 1994  
Filed with the Secretary of State  
January 14, 1994

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

Introduced by Reps. Gilmer, Allen, Sikkema, Richard A. Young, O'Neill and Jacobetti

# ENROLLED HOUSE BILL No. 5082

AN ACT to make appropriations for the department of natural resources and for capital outlay purposes for the fiscal year ending September 30, 1994; to provide for certain work projects; to prescribe the powers and duties of certain state agencies and officials; and to provide for the expenditure of the appropriations.

*The People of the State of Michigan enact:*

Sec. 101. There is appropriated for the department of natural resources and for capital outlay purposes to supplement former appropriations for the fiscal year ending September 30, 1994, from the following funds:

**DEPARTMENT OF NATURAL RESOURCES  
APPROPRIATION SUMMARY:**

Full-time equated classified positions.....	124.0		
GROSS APPROPRIATION.....		\$	157,675,400
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers .....			0
ADJUSTED GROSS APPROPRIATION.....		\$	157,675,400
Federal revenues:			
Total federal revenues.....			83,500,000
Special revenue funds:			
Total local revenues .....			0
Total private revenues.....			0
Total other state restricted revenues.....			74,175,400
State general fund/general purpose .....		\$	0

**STAFF APPROPRIATION SUMMARY:**

Full-time equated classified positions.....	124.0		
GROSS APPROPRIATION.....		\$	8,386,000
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers .....			0
ADJUSTED GROSS APPROPRIATION.....		\$	8,386,000

For Fiscal Year  
Ending Sept. 30,  
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Federal revenues:		
Total federal revenues .....	\$	0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Environmental protection bond fund .....		7,695,950
Recreation bond fund .....		690,050
Total other state restricted revenues .....		8,386,000
State general fund/general purpose .....	\$	0
<b>ADMINISTRATIVE SERVICES</b>		
Full-time equated classified positions .....	15.5	
Field administration environmental protection bond—6.5 FTE positions .....	\$	285,600
Recreation bond grants administration—5.0 FTE positions .....		428,000
Internal audit staff—3.0 FTE positions .....		203,500
Administrative services bond staff—1.0 FTE positions .....		74,000
GROSS APPROPRIATION .....	\$	991,100
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund .....		424,350
Recreation bond fund .....		566,750
State general fund/general purpose .....	\$	0
<b>PARKS AND RECREATION</b>		
Full-time equated classified positions .....	2.0	
State parks recreation bond staff—2.0 FTE positions .....	\$	123,300
GROSS APPROPRIATION .....	\$	123,300
Appropriated from:		
Special revenue funds:		
Recreation bond fund .....		123,300
State general fund/general purpose .....	\$	0
<b>GEOLOGICAL SURVEY</b>		
Full-time equated classified positions .....	1.0	
Oil and gas bond staff—1.0 FTE positions .....	\$	74,000
GROSS APPROPRIATION .....	\$	74,000
Appropriated from:		
Special revenue funds:		
Environmental bond fund .....		74,000
State general fund/general purpose .....	\$	0
<b>AIR QUALITY</b>		
Full-time equated classified positions .....	1.0	
Cleanup implementation staff—1.0 FTE positions .....	\$	83,900
GROSS APPROPRIATION .....	\$	83,900
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund .....		83,900
State general fund/general purpose .....	\$	0
<b>SURFACE WATER QUALITY</b>		
Full-time equated classified positions .....	2.5	
Cleanup implementation staff—2.5 FTE positions .....	\$	140,000
GROSS APPROPRIATION .....	\$	140,000
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund .....		140,000
State general fund/general purpose .....	\$	0

# ENVIRONMENTAL RESPONSE

Full-time equated classified positions.....	85.0	
Cleanup implementation staff—85.0 FTE positions.....		\$ 5,751,700
GROSS APPROPRIATION.....		\$ 5,751,700
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund.....		5,751,700
State general fund/general purpose .....		\$ 0

# WASTE MANAGEMENT

Full-time equated classified positions.....	17.0	
Solid waste implementation staff—17.0 FTE positions.....		\$ 1,222,000
GROSS APPROPRIATION.....		\$ 1,222,000
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund.....		1,222,000
State general fund/general purpose .....		\$ 0

# PROJECTS APPROPRIATION SUMMARY:

Full-time equated classified positions.....		0
GROSS APPROPRIATION.....	\$	149,289,400
Interdepartmental grant revenues:		
Interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION.....	\$	149,289,400
Federal revenues:		
EPA title VI.....		83,500,000
Total federal revenues.....		83,500,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Environmental bond interest .....		5,500,000
Revolving loan bond funds.....		11,200,000
Environmental protection bond fund.....		49,089,400
Total other state restricted revenues.....		65,789,400
State general fund/general purpose .....	\$	0

# SURFACE WATER QUALITY

Water pollution control revolving fund.....	\$	100,200,000
GROSS APPROPRIATION.....	\$	100,200,000
Appropriated from:		
Federal revenues:		
EPA title VI.....		83,500,000
Special revenue funds:		
Environmental bond interest .....		5,500,000
Revolving loan bond funds.....		11,200,000
State general fund/general purpose .....	\$	0

# ENVIRONMENTAL CLEANUP PROJECTS

Alternative water supply projects .....	\$	2,904,000
Alger - Res Wells Eben Junction		
Allegan - 860 56th St Pullman		
Allegan - Gleason Road Res Well		
Allegan - Gun Plain Res Well		
Antrim - Res Well Torch Lake Twp		
Branch - Arborgast Rd GW Contamination		
Calhoun - Wilber GW Contamination		
Cass - Dowagiac Landfill, City of		
Crawford - Res Well Madsen Street		
Grand Traverse - G.J.'s Party Store		

Gratiot - Sumner Area GW Contamination	
Hillsdale - Polkow Oiling Service	
Iosco - Tawas Tool	
Jackson - West Jackson GW Contamination	
Kalamazoo - Oakland Dr & Katie Ct	
Kalamazoo - Portage & Stanley	
Kalamazoo - Q Ave Crooked Lake	
Kalamazoo - South Austin Lake	
Kalkaska - Alken Ziegler, Inc.	
Kent - Croff Salvage Yard	
Lenawee - Residential Well Jasper	
Livingston - Community Wells E Grand River	
Mason - Ludington Mobil	
Newaygo - Kunnens LF	
Newaygo - Res Well Bingham Ave	
Oakland - Highland Road GW Contamination	
Oakland - Res Well Lapeer Rd.	
Oakland - Res Wells Sable Road	
Oceana - Vlg of Mears GW Contamination	
Van Buren - 51st St & 76th Ave	
Van Buren - 65108 Red Arrow Hwy Hartford	
Van Buren - Res Well 55430 M-51	
Alternative municipal water supplies .....	\$ 115,000
Ingham - City of Lansing Municipal Wells	
Site investigations .....	0
Alpena - Fivenson Iron & Metal Co. ....	
Alpena - Glawe Equipment Co. ....	
Alpena - Lee's Auto Parts .....	
Antrim - Woodland Oil-Bellaire Bulk Plant.....	
Bay - Bay Refinery Div Pipeline Breaks .....	
Berrien - Auto Specialties Riverside .....	
Charlevoix - Hookers Cleaners Former.....	
Charlevoix - Walloon Lake Vlg Melrose Twp. ....	
Genesee - Pro Met Plating .....	
Jackson - State Prison of Southern MI .....	
Jackson - West Jackson GW Contamination .....	
Kent - Spartan Chemical.....	
Lapeer - Marathon Otter Lake Oil Field .....	
Livingston - Res Wells Holly Rd. ....	
Macomb - G & H Landfill.....	
Midland - TMT Petroleum of MI, Inc. ....	
Muskegon - Zephyr, Inc. (Naph Sol Refining) .....	
Ogemaw - Former Fuller Oil.....	
Roscommon - Roscommon, Village of .....	
Saginaw - Ferro Met Salvage Yard .....	
Wayne - Cooper Elementary School.....	
Cleanup projects .....	10,000,000
Allegan - A-1 Disposal Landfill	
Allegan - Sunrise Landfill	
Arenac - Wojtas, William & Christine 2	
Berrien - Res Wells Niles Third St	
Calhoun - Coldwater Regional Mental Health Center	
Calhoun - Res Wells Tekonsha	
Clare - Eddie's Meredith Exchange	
Crawford - Frederick Twp GW Contamination	
Crawford - South Branch Twp M-18 Res Well	
Eaton - Parsons Chemical	
Genesee - Al's Furniture Clinic	

Gladwin - Gladwin Bulk Oil Plant State St		
Grand Traverse - Res Wells East Bay Twp		
Gratiot - Alma Iron & Metal Smith Property		
Gratiot - Aurora II/Kellogg Farm		
Hillsdale - Watkins Oil		
Hillsdale - Hillsdale Iron and Metal		
Huron - Engelhardt Bulk Storage (E.B.S.)		
Ingham - Friedland Iron and Metal		
Ionia - Whites Bridge Rd Area		
Jackson - Railroad Avenue Plating Co		
Jackson - Spring Arbor College		
Kalamazoo - North 34th Street Area, Richland		
Kalamazoo - Savage Rowe Plating Company		
Lapeer - Marathon Otter Lake Oil Field		
Lapeer - Oregon Twp Dump		
Lapeer - Thumb Radiator Service		
Mason - Industrial Plating Area		
Midland - TMT Petroleum of MI, Inc.		
Missaukee - Chemical Plant and Tar Pit		
Monroe - Novaco Industries		
Montcalm - Lakeview Airport		
Muskegon - Green Ridge Subdivision		
Muskegon - Naph Sol Refining Becker Rd		
Muskegon - Tech Cast Area		
Oakland - Res Wells Sable Road		
Oceana - Stoney Lake Oil Field		
Ogemaw - Osceola Refining Co.		
Oscoda - Mio Res Wells		
Ottawa - B & J Industrial Finishing		
Ottawa - Fenske LF Ottawa Co.		
Roscommon - Res Wells Markey Twp		
Roscommon - Fuller Oil Bulk Plant		
Roscommon - Simmer Street		
St. Joseph - Youngs Landfill		
Tuscola - Tuscola Land Development, Inc.		
Washtenaw - Thomas Solvents Rawsonville		
Wayne - Pioneer Equipment		
Superfund cleanup projects match .....	\$	12,286,000
Antrim - Tar Lake		
Calhoun - Battle Creek Verona Area		
Cass - U.S. Aviex		
Houghton - Torch Lake		
Kent - H. Brown Company, Inc.		
Lake - Wash King Laundry		
Muskegon - Duell Gardner Landfill		
Muskegon - Peerless Plating		
Muskegon - Story Chemical Co. Ott Cordova		
Muskegon - Thermo-Chem		
Oakland - Springfield Township Dumpsite		
Contingency fund .....		1,250,000
GROSS APPROPRIATION .....	\$	26,555,000
Environmental protection bond fund .....		26,555,000
State general fund/general purpose .....	\$	0

#### SOLID WASTE ALTERNATIVES PROJECTS

Composting projects		
Eaton - Village of Vermontville .....	\$	10,100
Gogebic - Gogebic Range Solid Waste Management Auth. ....		67,600

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Kalamazoo - Michigan Disposal Services .....	\$	250,000
Oceana - Village of Pentwater .....		97,200
Saginaw - City of Saginaw .....		88,500
Shiawassee - City of Laingsburg .....		18,400
Subtotal .....		531,800
Resource recovery education		
Grand Traverse - Grand Traverse county .....		36,300
Kent - Kent county .....		12,400
Saginaw - Saginaw county .....		41,000
Sanilac - Sanilac county .....		49,100
Van Buren - Van Buren County Co-op Extension Service .....		17,800
Subtotal .....		156,600
Household hazardous waste centers		
Kalamazoo - Kalamazoo county .....		100,000
Subtotal .....		100,000
Market development		
Calhoun - Polycytek of Michigan Inc. ....		3,206,400
Kalamazoo - Georgia-Pacific Corp. ....		5,000,000
Kent - Kamps Pallets Inc. ....		158,600
Lapeer - Hyponex Corp. ....		564,000
Muskegon - Resource Recovery Corp. of Michigan .....		2,476,000
Oakland - American Commodities Inc. ....		791,400
Saginaw - Duro-last Inc. ....		1,473,400
Saginaw - Environmental Rubber Recycling .....		789,500
Wayne - IPMC Inc. ....		5,000,000
Subtotal .....		19,459,300
Market development research and demonstration		
Arenac - Arenac County .....		127,000
Houghton - Michigan Technological University .....		131,400
Houghton - Michigan Technological University .....		203,700
Ingham - Michigan State University .....		100,000
Ingham - Innotech International Inc. ....		82,300
Washtenaw - Resource Recycling Systems Inc. ....		157,500
Wayne - Cass Corridor Neighborhood Dev Corp. ....		250,000
Subtotal .....		1,051,900
Recycling projects		
Oakland - Resource Recovery & Recycling Authority of SW Oakland Co. ....		500,000
Oakland - R.J. Hoffman Management .....		334,800
Saginaw - Saginaw Area Solid Waste Management Auth. ....		314,600
Schoolcraft - Schoolcraft County .....		85,400
Subtotal .....		1,234,800
GROSS APPROPRIATION .....	\$	22,534,400
Environmental protection bond fund .....		22,534,400
State general fund/general purpose .....	\$	0

#### CAPITAL OUTLAY APPROPRIATION SUMMARY

Full-time equated classified positions .....	\$	0
GROSS APPROPRIATION .....	\$	0
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....	\$	0
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	0

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#### STATE PARKS

Bay city state park.....	\$	800,000
Wetzel state park .....		(500,000)
Tahquamenon falls state park .....		(300,000)
GROSS APPROPRIATION.....	\$	0
Appropriated from:		
Special revenue funds:		
Recreation bond fund.....		0
State general fund/general purpose .....	\$	0

#### GENERAL SECTIONS

Sec. 201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$74,175,400.00 and state appropriations to be paid to local units of government are \$18,380,400.00 as follows:

#### LOCAL SPENDING

Water pollution control revolving fund .....	\$	16,700,000
Solid waste management grants.....		1,565,400
Alternative municipal water supplies .....		115,000
TOTAL .....	\$	18,380,400

Sec. 202. The appropriations made and expenditures authorized under this act and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 203. For all projects and grant programs funded under this act, the commission of natural resources or the department of natural resources shall notify each legislator whose district is to receive a grant 7 days before the grants are announced.

Sec. 204. It is the intent of the legislature that the state shall make bonds issued pursuant to the environmental protection bond implementation act, Act No. 328 of the Public Acts of 1988, being sections 299.671 to 299.685 of the Michigan Compiled Laws, available to the citizens of the state by making a portion of the bonds available in denominations of \$500.00 or less, and shall otherwise encourage the participation of the citizens of the state in the investment in environmental protection bonds.

Sec. 205. The unexpended portion of the appropriation in section 101 for the environmental bond and recreational bond projects are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451(3) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1451 of the Michigan Compiled Laws:

(a) The purpose of the environmental bond projects to be carried forward is to provide toxic waste cleanup, management of solid wastes, and increased water protection. The purpose of the recreational bond projects to be carried forward is to improve the development of the state's recreational base.

(b) These projects will be accomplished by contract.

(c) The total estimated costs of all projects is identified in each line item appropriation.

(d) The tentative completion date for these projects is September 30, 1996.

#### SURFACE WATER QUALITY

Sec. 301. The appropriations in section 101 for environmental protection bond water pollution control revolving fund shall not be encumbered or expended until the department has reported to the senate and house appropriations subcommittees on natural resources those projects that have been approved for expenditure under this program.

Sec. 302. Loans provided by the water pollution control revolving fund pursuant to the appropriation in section 101 are to be repaid on schedule and penalties assigned for delinquent repayment as provided in the state clean water assistance act, Act No. 317 of the Public Acts of 1988, being sections 323.451 to 323.470 of the Michigan Compiled Laws.

## **ENVIRONMENTAL RESPONSE**

Sec. 401. (1) The commission of natural resources shall annually report to the governor, the house and senate appropriations committees, the house and senate appropriations subcommittees on natural resources, the joint capital outlay subcommittee, the house and senate standing committees on natural resources, and the house and senate fiscal agencies on the progress of the environmental protection bond cleanups for which appropriations have been made under this act. This report shall include the criteria used for site selection; a list of sites funded, including the name, address, county, and telephone number of the recipient or participant; bond funded actions taken at each site; other sources of funds used at each site in addition to bond proceeds, including private actions or responsible party actions; the amount of funds committed for each site and actually expended at each site; further cleanup actions that may be anticipated at each site; and other information considered pertinent by the commission of natural resources.

(2) The annual report required under subsection (1) shall include a summary of all of the sites funded, organized by the type of remedial action undertaken at the site as follows: surface cleanup, alternative water supply, municipal water supply, site investigation, final cleanup design, final cleanup, operation and maintenance and superfund cleanup project match. The report shall also include the sources of funding for each site, the amount of funds committed for each site and actually expended at each site, the estimated amount of funds saved because of private actions and responsible parties, and staff costs associated with each site.

Sec. 402. The expenditure of money under this act for environmental protection bond cleanup projects, alternative water supply projects, site investigations, and superfund cleanup projects does not preclude the use of private, federal, local, or other state funds on these projects.

Sec. 403. The unexpended portion of the appropriation in section 101 for environmental protection bond alternative water supply projects, cleanup projects, site investigations, contingency fund, and superfund cleanup projects match shall be considered work projects and shall not lapse to the environmental protection bond fund but continue to be available for the purposes appropriated.

Sec. 404. In addition to the funds appropriated for environmental response projects listed in section 101, additional funds are authorized for expenditures from appropriations contained in Act No. 180 of the Public Acts of 1989, Act No. 55 of the Public Acts of 1990, Act No. 194 of the Public Acts of 1990, Act No. 31 of the Public Acts of 1991, Act No. 160 of the Public Acts of 1991, and Act No. 74 of the Public Acts of 1993 for the environmental response program with funding support from the environmental protection bond fund. The department shall provide to the senate and house appropriations subcommittees on natural resources by October 30, 1994, a list documenting funds saved per site from previous appropriations and the reallocation of those funds for fiscal year 1993-94.

Sec. 405. The appropriation in section 101 for contingency fund shall not be encumbered or expended until the department has reported to the senate and house appropriations subcommittees on natural resources those projects that have been approved under this program.

## **WASTE MANAGEMENT**

Sec. 501. The commission of natural resources shall annually report to the governor, the house and senate appropriations committees, the house and senate subcommittees on natural resources, the house and senate standing committees on natural resources, and the house and senate fiscal agencies the progress of resource recovery projects for which appropriations have been made under this act. This report shall include a listing of applicants for grant money; the criteria used for project selection; a list of projects funded including the name, address, county, and telephone number of the recipient or participant; bond funded actions taken on each project; other sources of funds used on each project in addition to bond proceeds, including private actions; the amount of funds expended for each project; progress toward accomplishing the project's performance goals; further actions anticipated on each project; and other information considered pertinent by the commission of natural resources.

Sec. 502. A grant or loan recipient shall submit project performance reports to the department in a format specified by the department annually for not less than 10 years, with the exception of resource recovery education, waste

reduction research and demonstration and market development research and demonstration, which shall report annually for not less than 3 years. A recipient of a solid waste composting grant shall be required to develop and implement a technology transfer plan to share information on the composting project with interested parties and local units of government.

Sec. 503. The unexpended portion of the appropriation in section 101 for composting projects, resource recovery education, household hazardous waste centers, market development, market development research and demonstration, recycling projects, transfer station construction, and waste to energy projects shall be considered work projects and shall not lapse to the environmental protection bond fund but shall continue to be available for the purpose for which it was appropriated.

Sec. 504. The department shall include consideration of the overall financial solvency of a private business entity, and the percentage of state investment in project funding, when, as part of solid waste alternatives program requirement, an applicant demonstrates his or her capability to carry out a proposed project. The department shall make provisions in each grant or loan project contract to protect the state's investment in the project.

### **CAPITAL OUTLAY**

Sec. 601. The commission of natural resources shall annually report to the governor, the house and senate appropriations committees, the house and senate appropriations subcommittees on natural resources, the joint capital outlay subcommittee, the house and senate standing committees on natural resources, and the house and senate fiscal agencies the progress of state park recreation bond projects for which appropriations have been made under this act. This report shall include a list of bond funded actions taken on each project; other sources of funds used in addition to bond proceeds, including private actions; the amount of funds expended for each project; further actions anticipated on each project; and other information considered pertinent by the commission of natural resources.

Sec. 602. The unexpended portion of the appropriation in this act for state park recreation bond projects shall be considered a work project and shall not lapse to the recreation bond fund but shall continue to be available for the purpose for which it was appropriated.

This act is ordered to take immediate effect.

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Co-Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.