

Act No. 43
Public Acts of 2001
Approved by the Governor
July 19, 2001
Filed with the Secretary of State
July 23, 2001
EFFECTIVE DATE: July 23, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Reps. Mead, LaSata, Shackleton, Stamas, Jelinek, Vander Roest, Jansen, Kooiman,
Pappageorge, Cameron Brown and Shulman

ENROLLED HOUSE BILL No. 4257

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 2002, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

Full-time equated unclassified positions	6.0		
Full-time equated classified positions	1,672.7		
GROSS APPROPRIATION		\$	414,811,000
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers		\$	17,809,000
ADJUSTED GROSS APPROPRIATION		\$	397,002,000
Federal revenues:			
Total federal revenues			131,277,500
Special revenue funds:			
Total local revenues			1,133,400
Total private revenues			433,700
Total other state restricted revenues			163,149,500
State general fund/general purpose		\$	101,007,900

FUND SOURCE SUMMARY:

GROSS APPROPRIATION		\$	414,811,000
Interdepartmental grant revenues:			
IDG-MDCH, local public health operations			10,472,500
IDG-MDSP			625,800

	For Fiscal Year Ending Sept. 30, 2002
IDG from MDOT, Michigan transportation fund	\$ 885,300
IDG from MDOT, state aeronautics fund	40,000
IDT, interdivisional charges	5,785,400
Total interdepartmental grants and intradepartmental transfers	17,809,000
ADJUSTED GROSS APPROPRIATION	\$ 397,002,000
Federal revenues:	
DOC-NOAA, federal	3,047,700
DOD, federal	850,600
DOI-OSMRE, federal	203,700
DOI-USGS, federal	201,300
DOI, federal	51,300
EPA-GWDW	4,715,600
EPA-LUST trust	2,067,400
EPA-UST	267,600
EPA, federal	27,109,900
EPA, radon	309,100
EPA, superfund	7,056,400
Federal revenues	85,000,000
FEMA, federal	396,900
Total federal revenues	131,277,500
Special revenue funds:	
Local funds	1,133,400
Total local revenues	1,133,400
Private funds	433,700
Total private revenues	433,700
Aboveground storage tank fees	714,500
Air emissions fees	11,450,100
CESARS service fee	26,000
Clean Michigan initiative - administration	2,428,400
Clean Michigan initiative - clean water fund	2,547,500
Cleanup and redevelopment fund	8,200,000
Community pollution prevention fund	250,000
Drinking water revolving fund	6,023,600
Environmental education fund	182,700
Environmental pollution prevention fund	194,600
Environmental protection fund	6,000,000
Environmental response fund	8,983,600
Environmental training revenue	293,400
Fees and collections	800,800
Great Lakes protection fund	2,150,000
Hazardous materials transportation permit fund	86,900
Hazardous waste facility closure revenue	1,000,000
Land and water permit fees	3,072,100
Landfill maintenance trust fund	46,500
Medical waste fees	434,100
Metallic mining surveillance fee revenue	67,500
Michigan underground storage tank financial assurance fund	62,411,200
Mineral well regulatory fee revenue	213,200
Oil and gas regulatory fund	9,621,100
Orphan well fund	1,317,300
Public utility assessments	781,900
Public water supply fees	4,337,400
Publication revenue	102,000
Revitalization revolving loan fund	1,000,000
Saginaw Bay and River restoration revenue	152,800
Sand extraction fee revenue	187,800
Scrap tire regulatory fund	1,806,000
Septage waste license fees	1,750,000

		For Fiscal Year Ending Sept. 30, 2002
Settlement funds.....	\$	3,383,200
Sewage sludge land application fee		742,400
Solid waste facility closure revenue.....		1,000,000
Solid waste program fees		1,301,700
Stormwater permit fees		1,350,600
Submerged log recovery fund		100,000
Underground storage tank fees		5,206,100
Waste reduction fee revenue.....		5,782,500
Wastewater operator training fees		167,000
Water analysis fees		2,469,900
Water pollution control revolving fund		2,924,700
Water quality protection fund.....		25,000
Water use reporting fees		63,400
Total other state restricted revenues		163,149,500
State general fund/general purpose	\$	101,007,900

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	15.0	
Unclassified salaries—6.0 FTE positions		\$ 495,100
Executive direction—8.0 FTE positions		1,089,700
Office of the Great Lakes—7.0 FTE positions.....		901,800
GROSS APPROPRIATION		\$ 2,486,600
Appropriated from:		
Federal revenues:		
EPA, federal.....		223,200
DOI, federal.....		51,300
Special revenue funds:		
Environmental response fund		42,600
Environmental education fund		182,700
Great Lakes protection fund		100,000
Oil and gas regulatory fund.....		88,500
Settlement funds.....		208,400
State general fund/general purpose	\$	1,589,900

Sec. 103. DEPARTMENT SUPPORT SERVICES

Full-time equated classified positions	96.0	
Financial and business services—32.0 FTE positions		\$ 1,749,500
Field operations support—20.0 FTE positions		1,472,400
Automated data processing—21.0 FTE positions		6,236,900
Office of special environmental projects—6.0 FTE positions.....		603,800
Personnel—13.0 FTE positions.....		810,000
Administrative hearings—4.0 FTE positions		411,800
Building occupancy charges.....		7,213,200
Rent - privately owned property.....		2,595,900
GROSS APPROPRIATION	\$	21,093,500
Appropriated from:		
Interdepartmental grant revenues:		
IDT, interdivisional charges		5,785,400
Federal revenues:		
DOD, federal.....		1,000
EPA, federal.....		300,000
EPA, superfund		56,400
Special revenue funds:		
Aboveground storage tank fee revenue		24,900
Air emissions fees.....		377,600
Clean Michigan initiative - administration.....		159,400
Environmental pollution prevention fund.....		57,000

		For Fiscal Year Ending Sept. 30, 2002
Environmental response fund	\$	1,296,100
Fees and collections		85,600
Land and water permit fees		103,500
Medical waste fees.....		31,600
Michigan underground storage tank financial assurance fund.....		323,900
Oil and gas regulatory fund.....		743,300
Public utility assessments		12,000
Public water supply fees		454,100
Scrap tire regulatory fund		84,500
Settlement funds.....		183,900
Solid waste program fees		63,000
Stormwater permit fees		48,300
Waste reduction fee revenue.....		53,500
Water analysis fees		157,900
Water pollution control revolving fund		83,600
Water use reporting fees		7,100
Underground storage tank fees		196,400
State general fund/general purpose	\$	10,403,500

Sec. 104. GEOLOGICAL SURVEY

Full-time equated classified positions.....	74.5	
Services to oil and gas programs—65.0 FTE positions	\$	8,960,900
Well plugging - orphan wells—2.5 FTE positions		1,317,300
Coal and sand dune management—3.0 FTE positions		592,800
Mineral wells management—3.0 FTE positions		213,200
Metallic mining reclamation program—1.0 FTE position.....		67,500
GROSS APPROPRIATION	\$	11,151,700
Appropriated from:		
Federal revenues:		
DOI-USGS, federal.....		201,300
DOI-OSMRE, federal.....		203,700
Special revenue funds:		
Environmental response fund		75,000
Metallic mining surveillance fee revenue		67,500
Mineral well regulatory fee revenue.....		213,200
Orphan well fund		1,317,300
Oil and gas regulatory fund.....		8,653,000
Publication revenue		102,000
Sand extraction fee revenue		187,800
State general fund/general purpose	\$	130,900

Sec. 105. LAND AND WATER MANAGEMENT

Full-time equated classified positions.....	156.0	
Land and water program direction—14.0 FTE positions	\$	1,182,200
Field permitting and project assistance—85.0 FTE positions.....		7,035,500
Water management—26.0 FTE positions		2,861,100
Great Lakes shorelands—31.0 FTE positions.....		3,303,100
Submerged log recovery program.....		100,000
GROSS APPROPRIATION	\$	14,481,900
Appropriated from:		
Interdepartmental grant revenues:		
IDG, Michigan transportation fund		885,300
IDG from MDOT, state aeronautics fund		40,000
Federal revenues:		
EPA, federal.....		681,800
DOC-NOAA, federal		1,547,700
FEMA, federal		396,900

For Fiscal Year
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2002

Special revenue funds:		
Land and water permit fees	\$	2,968,600
Submerged log recovery fund		100,000
State general fund/general purpose	\$	7,861,600

Sec. 106. AIR QUALITY

Full-time equated classified positions	253.5	
Air quality programs—253.5 FTE positions	\$	21,691,200
GROSS APPROPRIATION	\$	21,691,200
Appropriated from:		
Federal revenues:		
EPA, federal		3,743,900
Special revenue funds:		
Air emissions fees		10,424,500
Environmental response fund		88,400
State general fund/general purpose	\$	7,434,400

Sec. 107. SURFACE WATER QUALITY

Full-time equated classified positions	214.5	
Compliance and permits—115.0 FTE positions	\$	10,108,400
Surface water surveillance program—36.5 FTE positions		7,739,400
Watershed management and nonpoint source—42.0 FTE positions		4,590,500
Fish contaminant monitoring contracts		321,000
Sewage sludge land application program—6.5 FTE positions		742,400
Stormwater discharge program—14.5 FTE positions		1,222,900
GROSS APPROPRIATION	\$	24,724,600
Appropriated from:		
Federal revenues:		
EPA, federal		7,172,300
Special revenue funds:		
Local funds		1,133,400
CESARS service fee		26,000
Clean Michigan initiative - administration		553,600
Clean Michigan initiative - clean water fund		2,547,500
Environmental response fund		146,100
Saginaw Bay and River restoration revenue		152,800
Septage waste license fees		225,000
Sewage sludge land application fee		742,400
State water pollution control revolving fund		584,100
Stormwater permit fees		1,216,500
State general fund/general purpose	\$	10,224,900

Sec. 108. DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH

Full-time equated classified positions	215.7	
Environmental health—34.0 FTE positions	\$	3,700,400
Laboratory services administration—70.0 FTE positions		6,245,100
Drinking water—93.2 FTE positions		12,917,500
Radiological protection—18.5 FTE positions		1,681,700
Groundwater use reporting		150,000
GROSS APPROPRIATION	\$	24,694,700
Appropriated from:		
Interdepartmental grant revenues		
IDG-MSP		625,800
Federal revenues:		
EPA, federal		890,600
EPA-GWDW		4,056,000
EPA, radon		219,100

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Ending Sept. 30,
2002

Special revenue funds:		
Drinking water revolving fund	\$	3,430,500
Great Lakes protection fund		150,000
Medical waste fees.....		402,500
Public water supply fees		2,483,300
Settlement funds.....		283,100
Water analysis fees		2,312,000
Water use reporting fees		56,300
Fees and collections		715,200
State general fund/general purpose	\$	9,070,300

Sec. 109. LOW-LEVEL RADIOACTIVE WASTE AUTHORITY

Full-time equated classified positions.....	2.0	
Low-level radioactive waste authority—2.0 FTE positions	\$	769,900
GROSS APPROPRIATION	\$	769,900
Appropriated from:		
Special revenue funds:		
Public utility assessments		769,900
State general fund/general purpose	\$	0

Sec. 110. ENVIRONMENTAL RESPONSE

Full-time equated classified positions.....	257.0	
Environmental cleanup and redevelopment program.....	\$	14,816,200
Contaminated site investigations, cleanup, and revitalization—206.0 FTE positions		16,499,700
State cleanup (Part 201 of 1994 PA 451).....		3,397,700
Emergency cleanup actions		2,000,000
Federal cleanup project management—51.0 FTE positions.....		5,416,700
Revitalization revolving loan program		7,000,000
Superfund cleanup		7,250,000
GROSS APPROPRIATION	\$	56,380,300
Appropriated from:		
Federal revenues:		
DOD, federal.....		849,600
EPA, federal.....		2,783,400
EPA, superfund		7,000,000
Special revenue funds:		
Private funds		133,700
Clean Michigan initiative - administration.....		1,027,200
Cleanup and redevelopment fund		5,234,000
Environmental response fund		5,980,100
Environmental protection fund.....		6,000,000
Landfill maintenance trust fund		46,500
Revitalization revolving loan fund.....		1,000,000
Settlement funds.....		2,640,700
State general fund/general purpose	\$	23,685,100

Sec. 111. STORAGE TANKS

Full-time equated classified positions.....	112.5	
MI underground storage tank financial assurance program—36.5 FTE positions.....	\$	61,976,800
Underground storage tank program—39.0 FTE positions		5,480,300
Aboveground storage tank program—9.0 FTE positions.....		689,600
Leaking underground storage tank cleanup program		5,316,000
Emergency cleanup actions		2,000,000
Leaking underground storage tank program—28.0 FTE positions		4,402,800
GROSS APPROPRIATION	\$	79,865,500
Appropriated from:		
Federal revenues:		
EPA-LUST trust.....		2,067,400
EPA-UST		267,600

Special revenue funds:	
Aboveground storage tank fees	\$ 689,600
Clean Michigan initiative - administration.....	609,100
Cleanup and redevelopment fund	2,966,000
Environmental response fund	1,095,300
Michigan underground storage tank financial assurance fund.....	61,976,800
Underground storage tank fees	5,009,700
State general fund/general purpose	\$ 5,184,000

Sec. 112. WASTE MANAGEMENT

Full-time equated classified positions.....	151.0	
Administration and technical support—20.0 FTE positions.....		\$ 1,587,600
Compliance and enforcement—72.0 FTE positions.....		5,250,500
Hazardous waste permits—28.0 FTE positions.....		2,481,400
Groundwater permits—18.0 FTE positions.....		1,261,200
Solid waste program—13.0 FTE positions		1,401,600
Hazardous waste program support		515,000
Hazardous waste disposal facility closures		1,000,000
Solid waste disposal facility closures		1,000,000
GROSS APPROPRIATION.....		\$ 14,497,300

Appropriated from:

Federal revenues:

EPA, federal.....	2,903,000
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Special revenue funds:

Environmental response fund	260,000
Hazardous waste facility closure revenue.....	1,000,000
Hazardous materials transportation permit fund.....	86,900
Solid waste facility closure revenue.....	1,000,000
Environmental pollution prevention fund.....	137,600
Scrap tire regulatory fund	964,100
Solid waste program fees	1,238,700
Waste reduction fee revenue.....	1,211,000
State general fund/general purpose	\$ 5,696,000

Sec. 113. ENVIRONMENTAL ASSISTANCE DIVISION

Full-time equated classified positions.....	103.0	
Municipal assistance—33.5 FTE positions		\$ 3,060,200
Pollution prevention—37.0 FTE positions		3,368,700
Low-income community wastewater assistance		90,000
Environmental services—12.0 FTE positions		1,837,200
Pollution prevention outreach		300,000
Technical assistance—20.5 FTE positions		3,141,300
GROSS APPROPRIATION.....		\$ 11,797,400

Appropriated from:

Federal revenues:

EPA, federal.....	783,300
EPA-GWDW	659,600

Special revenue funds:

Private funds	300,000
Air emissions fees.....	648,000
Clean Michigan initiative - administration.....	79,100
Settlement funds.....	67,100
Drinking water revolving fund	1,263,100
Environmental training revenue	293,400
State water pollution control revolving fund	2,257,000
Stormwater permit fees	85,800
Waste reduction fee revenue.....	4,518,000
Wastewater operator training fees	167,000
State general fund/general purpose	\$ 676,000

Sec. 114. CRIMINAL INVESTIGATIONS

Full-time equated classified positions.....	22.0	
Environmental investigations—22.0 FTE positions.....		\$ 1,925,400
GROSS APPROPRIATION.....		\$ 1,925,400
Appropriated from:		
Federal revenues:		
EPA, federal.....		128,400
Special revenue funds:		
MUSTFA fund		110,500
Oil and gas regulatory fund.....		136,300
Scrap tire regulatory fund		57,400
State general fund/general purpose		\$ 1,492,800

Sec. 115. GRANTS

Grants to counties—air pollution.....		\$ 85,000
Water pollution control and drinking water revolving fund.....		102,353,500
Noncommunity water grants.....		1,400,000
Land and water management grants.....		1,800,000
Federal - nonpoint source water pollution grants.....		6,500,000
Federal - Great Lakes remedial action plan grants.....		700,000
Great Lakes research and protection grants.....		1,900,000
Pollution prevention local grants.....		250,000
Radon grants		135,000
Septage waste compliance grants.....		1,525,000
Scrap tire grants.....		700,000
Drinking water revolving fund implementation		1,330,000
Local health department operations		10,472,500
Volunteer river, stream, and creek cleanup		100,000
GROSS APPROPRIATION.....		\$ 129,251,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDCH, local public health operations.....		10,472,500
Federal revenues:		
DOC-NOAA, federal		1,500,000
EPA, federal.....		7,500,000
EPA, radon		90,000
Federal revenues		85,000,000
Special revenue funds:		
Community pollution prevention fund.....		250,000
Drinking water revolving fund		1,330,000
Great Lakes protection fund		1,900,000
Public water supply fees		1,400,000
Scrap tire regulatory fund		700,000
Septage waste license fees.....		1,525,000
Water quality protection fund.....		25,000
State general fund/general purpose		\$ 17,558,500

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2001-2002 is \$264,157,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2001-2002 is \$5,075,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Grants to counties - air pollution	\$	85,000
Septage waste compliance program		1,525,000
Scrap tire grants		700,000
Noncommunity water grants		1,400,000
Radon grants		35,000
Drinking water grants		1,330,000
TOTAL	\$	5,075,000

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

Sec. 203. As used in this act:

- (a) "CESARS" means chemical evaluation search and retrieval system.
- (b) "CMI" means clean Michigan initiative.
- (c) "Department" means the department of environmental quality.
- (d) "DOC" means the United States department of commerce.
- (e) "DOC-NOAA" means the DOC national oceanic and atmospheric administration.
- (f) "DOD" means the United States department of defense.
- (g) "DOE" means the United States department of energy.
- (h) "DOI" means the United States department of interior.
- (i) "DOI-OSMRE" means the DOI office of surface mine reclamation.
- (j) "DOI-USGS" means the DOI United States geological survey.
- (k) "EPA" means the United States environmental protection agency.
- (l) "EPA-GWDW" means the EPA groundwater drinking water.
- (m) "EPA-LUST trust" means the EPA leaking underground storage tank trust fund.
- (n) "EPA, radon" means the EPA radon grants.
- (o) "EPA-UST" means the EPA underground storage tank.
- (p) "FEMA" means the federal emergency management agency.
- (q) "FTE" means full-time equated.
- (r) "GIS" means geographic information system.
- (s) "IDG" means interdepartmental grant.
- (t) "IDT" means intradepartmental transfer.
- (u) "MDCH" means the Michigan department of community health.
- (v) "MDSP" means the Michigan department of state police.
- (w) "MI" means Michigan.
- (x) "MUSTFA" means the Michigan underground storage tank financial assurance fund.
- (y) "NPL" means the federal national priority list.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The state budget director shall grant exceptions to the hiring freeze described in subsection (1) when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause a loss of revenue to the state, result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report by the twenty-eighth of each month to the chairpersons of the senate and house of representatives standing

committees on appropriations the number of exceptions to the hiring freeze approved during the previous month and the justification for the exception.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 208. Unless otherwise specified in this act, the department shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site. The senate and house of representatives appropriations subcommittees and senate and house fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the department shall provide to the senate and house appropriations subcommittees on environmental quality, the senate and house fiscal agencies, and the state budget office an electronic and paper copy list of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, and a list of those reports expected to be transmitted in the following quarter.

Sec. 209. Funds appropriated in part 1 should not be used for the purchase of foreign goods or services, or both, if competitively priced American goods or services, or both, of comparable quality are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable value.

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure that businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. (1) From funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant or loan or grant and loan programs administered by the department for the fiscal year ending on September 30, 2002:

(a) The name of each program.

(b) The goals of the program, the criteria, eligibility, process, filing fees, nominating procedures, and deadlines for each program.

(c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.

(d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.

(e) Information pertaining to the application process, timeline for each program, and the contact people within the department.

(f) The source of funds for each program, including the citation of pertinent authorizing acts.

(g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.

(h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan.

(2) The reports required under this section shall be submitted to the senate and house appropriations committees and senate and house fiscal agencies by January 1, 2002.

Sec. 212. By February 15, 2002, the department shall provide the state budget director, the subcommittees on natural resources and environmental quality of the senate and house appropriations committees, and the senate and house fiscal agencies with an annual report on restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2001 and September 30, 2002.

Sec. 213. The department shall provide an annual report on the total amount of funds received from responsible parties and legal settlements, and the disposition of these funds. Included in the report shall be a listing of the individual settlement cases, the location of the facilities involved, the type of violation committed, and the amount of funds received.

Sec. 214. The department shall notify the legislature and offer a public meeting and public comment opportunity with respect to any request received by the state of Michigan to divert water from the Great Lakes pursuant to the water resources development act of 1986, Public Law 99-662, 100 Stat. 4082.

Sec. 215. (1) The department shall report all of the following information relative to allocations made in part 1 for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
 - (b) The nature of the problem encountered at the site.
 - (c) A brief description of how the problem will be resolved if the allocation is made for a response activity.
 - (d) The estimated date that site closure activities will be completed.
 - (e) The amount of the allocation, or the anticipated financing for the site.
 - (f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
 - (g) The number of sites that would qualify as brownfields that were redeveloped.
- (2) The report prepared under subsection (1) shall also include all of the following:

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

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

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

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

Sec. 216. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 218. By September 30, 2001, the department shall make electronically available via the department's website a report of its efforts to implement the recommendations contained in the Michigan environmental science board report entitled "Analysis of the Michigan Department of Environmental Quality Administered Environmental Standard to Protect Children's Health" dated February 2000. This report shall include all of the following:

- (a) The department's efforts to include scientific and risk assessment staff from other state agencies to address children's health issues that cross agency jurisdictional boundaries.
- (b) The department's initiatives to evaluate exposure concerns resulting from contaminated soils.
- (c) Data collection and risk assessment development processes for hazardous indoor and outdoor air pollutants.

Sec. 220. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 225. (1) In addition to the funds appropriated in part 1 for the environmental cleanup and redevelopment program and the leaking underground storage tank cleanup program, the department of environmental quality is authorized to expend amounts remaining from prior fiscal year appropriations to meet funding needs of legislatively approved sites.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 1989 PA 180, 1990 PA 55, 1990 PA 194, 1991 PA 31, 1991 PA 160, 1993 PA 74, 1993 PA 353, 1994 PA 442, 1996 PA 353, and 1997 PA 114 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund and unclaimed bottle deposits fund contained in 1996 PA 319, 1997 PA 113, 1997 PA 114, 1998 PA 292, 1999 PA 125, and 2000 PA 275 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 1999 PA 111, 2000 PA 52, and 2001 PA 506 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

LAND AND WATER MANAGEMENT

Sec. 301. The department shall collect Great Lakes bottomland permit fees uniformly and fairly from commercial and noncommercial users of the Great Lakes bottomlands.

Sec. 303. The department may waive permit fees for nonprofit organizations conducting approved stream habitat improvement projects.

AIR QUALITY

Sec. 401. The department shall report quarterly, via the department's Internet website, on air quality program expenditures and revenues. The report shall include expenditures and revenues by fund source and by program function.

SURFACE WATER QUALITY

Sec. 501. Of the funds appropriated in part 1 for surface water surveillance, a minimum of \$250,000.00 shall be designated for grants to local organizations for water quality monitoring activities.

Sec. 502. (1) The department, in conjunction with the department of natural resources, shall provide a report on the impact of nonnative, aquatic nuisance species and other nonnative species on the natural resources and environment of the state. The report shall include recommendations for reducing or eliminating the negative impacts of such species on the natural resources and the environment of the state and recommendations on how to prohibit new introductions of nonnative aquatic nuisance species and other nonnative species.

(2) The report required in subsection (1) may be included as a part of any report the department is required to prepare that assesses the status of and trends related to the overall state of the natural environment in the state. The report shall be submitted to the governor, to the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and to the senate and house appropriations subcommittees on environmental quality and natural resources. The report shall be submitted not later than September 30, 2002.

DRINKING WATER

Sec. 601. The department shall provide quarterly reports to the legislature on the revenues received and expenditures made by the drinking water and environmental units within the laboratory services appropriation line.

The information shall include the types of tests conducted, the number of tests conducted at no charge, and the allocation of the general fund appropriation for each unit.

Sec. 602. The funds appropriated in part 1 for groundwater use reporting shall be awarded as a grant for the development of a groundwater database needed to model the demands for domestic water uses of groundwater supplies.

ENVIRONMENTAL RESPONSE

Sec. 701. From the funds appropriated in part 1 for the environmental cleanup and redevelopment program under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, the department shall continue to make authorizations for response activities at environmental contamination sites and for the administration of the environmental cleanup and redevelopment program.

Sec. 702. The unexpended portion of funds appropriated in part 1 for the state cleanup program, environmental cleanup and redevelopment program, emergency cleanup action, contaminated site investigations, cleanup and revitalization, revitalization revolving loan program, and superfund cleanup projects is 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 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2006.

Sec. 703. Of the funds appropriated in part 1 as state match for the superfund cleanup program, an amount not to exceed \$250,000.00 shall be expended as state match for the hazardous substance research center.

Sec. 704. From the funds appropriated in part 1, the department shall submit a progress report on its efforts to submit a proposed plan to treat or remove contaminated sediments from the Kalamazoo River superfund site. The report shall be provided to the senate and house of representatives appropriations subcommittees on environmental quality, the senate and house fiscal agencies, and the state budget director before September 30, 2002.

Sec. 706. The funds appropriated in part 1 for the environmental cleanup and redevelopment program shall be used to fund redevelopment and cleanup activities on the following sites:

Alcona	Lakeshore Terminal & Pipeline
Antrim	Wickes Manufacturing Mancelona
Antrim	Village of Mancelona
Barry	Kavco Landfill
Berrien	Aircraft Components, Inc. (D&L Sales)
Calhoun	Battle Creek Verona Area
Calhoun	Residential Wells Tekonsha
Cass	Cass St. Area Edwardsburg
Cass	Porter Baptist Church
Cass	Sunstrand
Clare	Trahan Oil Company
Dickinson	Gas Vapors—Easton Estates
Gladwin	Gladwin Bulk Oil Plant State St.
Gratiot	Alma Iron Metal Smith Property
Hillsdale	Davis Oil
Hillsdale	General Oil Albion-Scipio Field
Ionia	Whites Bridge Rd. Area
Iosco	Residential Wells Bachman Rd.
Kalamazoo	Schoolcraft Area Organics Contamination
Kent	Former Autostyle Plastics, Inc.
Lapeer	Marathon Otter Lake Oil Field
Lenawee	Stouffer Chemical
Livingston	Shiawassee River
Mason	Conrad Road Dump
Midland	Tittabawasee River

Montmorency	Lowell St. Hillman Twp.
Muskegon	Cloverville Pump House/Hardware
Muskegon	Duell Gardner Landfill
Ottawa	Fenske Landfill Ottawa Co.
Ottawa	Ottawa Steel Products Area
Saginaw	L.A. Davidson
Tuscola	Aaron Elek Oil
Washtenaw	Armens Cleaners
Washtenaw	Broadway Coin Laundry
Wayne	General Oil Co.
Wayne	Saterlee Sumpter Twp. Landfill
Wexford	Cadillac Area Groundwater Contamination - Rexair

Sec. 707. The department shall follow an open competitive bid process for all contracts and subcontracts for reports of investigation and environmental cleanup projects, pursuant to section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

STORAGE TANKS

Sec. 801. (1) The funds appropriated in part 1 from the Michigan underground storage tank financial assurance fund for the purpose of carrying out the duties and responsibilities as specified in part 215 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551, are considered work project appropriations and any unencumbered funds are carried forward into the succeeding fiscal year. 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 projects to be carried forward is to carry out the responsibilities of part 215 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551.

(b) The projects will be accomplished by contract and state employees.

(c) The total estimated cost is identified in a line-item appropriation.

(d) The tentative completion date is September 30, 2006.

(2) The Michigan underground storage tank financial assurance policy board shall allocate the amount of the underground storage tank financial assurance fund to be distributed to the department. If the amount recommended by the board is less than that appropriated in part 1, expenditures shall be adjusted accordingly.

(3) Included in the funds appropriated in part 1 from the Michigan underground storage tank financial assurance fund are funds sufficient to pay debt service costs on the bonds or notes issued pursuant to part 215 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551.

Sec. 802. The department shall report to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies not later than October 31, 2002 on the Michigan underground storage tank financial assurance fund. The report shall include the fund balance, estimate of available revenues, number and dollar value of claims processed through September 30, 2001, and total estimated claims liability through December 22, 2003.

Sec. 803. The unexpended portion of the funds appropriated in part 1 for the leaking underground storage tank cleanup program is considered work project appropriations and any unencumbered or unallotted funds are carried over into the succeeding fiscal year. 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 projects to be carried over is to provide for redevelopment and contaminated site cleanup.

(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, 2006.

Sec. 804. The funds appropriated in part 1 for the leaking underground storage tank cleanup program shall be used to fund redevelopment and cleanup activities on the following sites:

Alpena	Woody's Grocery
Berrien	Coloma Citgo
Calhoun	City of Battle Creek

Delta	Grain N' Grape
Genesee	City of Flint Fire Dept.
Genesee	Fisherman's Landing
Iosco	Barbier Oil Bulk Plant
Jackson	145 Truck Stop
Kalamazoo	Moore's Milwood Service
Kalkaska	Saco & Sons
Kent	Former Robinson Bulk Plant
Livingston	Bob Smith Ford, Inc.
Livingston	Fred's Tire & Auto Service, Inc.
Marquette	Greenwood Self Serve
Mecosta	Gingrich Amoco
Mecosta	Morley General Store
Montcalm	Amble Oil Company
Oakland	Huron & Telegraph
Roscommon	Charlie's Place
Shiawassee	Court Abandoned Property

WASTE MANAGEMENT

Sec. 901. The funds appropriated in part 1 for pollution prevention includes authorization for 1.0 FTE position and \$60,000.00 to provide technical assistance to organizations and businesses involved in recycling and composting.

ENVIRONMENTAL ASSISTANCE

Sec. 1001. With funds appropriated in part 1, the department shall continue to implement a community right-to-know project to facilitate convenient public access to information about the performance of individual facilities in complying with requirements of air, surface water, waste management, storage tank, and environmental response programs, and with any permits issued pursuant to these programs. The project shall also facilitate convenient public access to information about the overall quality of Michigan's air, water, groundwater, and drinking water and the generation of municipal solid waste and regulated hazardous waste. In implementing this section, the department shall consult with interested stakeholders on a periodic basis, including, but not limited to, industrial and environmental group representatives.

Sec. 1002. The funds appropriated in part 1 for low-income community wastewater assistance shall be provided to the Michigan community action agency association. This appropriation enables the association to maintain rural community assistance program services to all Michigan counties.

Sec. 1004. The appropriation in part 1 for environmental assistance includes \$200,000.00 to support research and technology demonstration projects which encourage scrap tire recycling and reuse.

CRIMINAL INVESTIGATIONS

Sec. 1101. With funds appropriated in part 1, the department shall provide training in support of local efforts to regulate solid waste disposal. Department environmental conservation officers shall be directed to help train law enforcement officers and other enforcement personnel to develop community partnerships to combat illegal dumping at the local level.

Sec. 1102. With funds appropriated in part 1, the department shall conduct periodic inspections of imported solid waste at disposal facilities to mitigate the unpermitted disposal of waste at Michigan disposal sites.

GRANTS

Sec. 1201. 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 324.11719, 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.

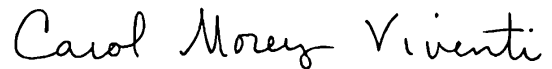
Sec. 1202. Loans provided by the water pollution control revolving fund with funds appropriated in part 1 are to be repaid on schedule, and penalties shall be assigned for delinquent repayment as provided in part 53 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5301 to 324.5316.

Sec. 1203. Of the funds appropriated in part 1 for scrap tire grants, \$100,000.00 shall be available for grants to communities to cover scrap tire fire suppression costs, provided owner liability bonds and other available funding sources have been exhausted.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.