

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 4231, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

(attached)

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

Mary Whiteford

Mike Green

Scott VanSingel

Peter MacGregor

Yousef Rabhi

Hoon-Yung Hopgood

Conferees for the House

Conferees for the Senate

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

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LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2018, from the following funds:

APPROPRIATION SUMMARY

Full-time equated unclassified positions 6.0

Full-time equated classified positions 1,227.0

GROSS APPROPRIATION	\$ 507,317,700
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1	Interdepartmental grant revenues:	
2	Total interdepartmental grants and intradepartmental	
3	transfers.....	3,100,500
4	ADJUSTED GROSS APPROPRIATION	\$ 504,217,200
5	Federal revenues:	
6	Total federal revenues	170,042,600
7	Special revenue funds:	
8	Total local revenues	0
9	Total private revenues	555,300
10	Total other state restricted revenues	287,825,300
11	State general fund/general purpose	\$ 45,794,000
12	FUND SOURCE SUMMARY	
13	Full-time equated unclassified positions	6.0
14	Full-time equated classified positions	1,227.0
15	GROSS APPROPRIATION	\$ 507,317,700
16	Interdepartmental grant revenues:	
17	IDG from department of state police	1,754,600
18	IDG from state transportation department	1,345,900
19	Total interdepartmental grants and intradepartmental	
20	transfers.....	3,100,500
21	ADJUSTED GROSS APPROPRIATION	\$ 504,217,200
22	Federal revenues:	
23	Federal funds	170,042,600
24	Total federal revenues	170,042,600
25	Special revenue funds:	
26	Private funds	555,300
27	Total private revenues	555,300

1	Air emissions fees	12,224,200
2	Aquatic nuisance control fund	918,800
3	Campground fund	319,300
4	Clean Michigan initiative - clean water fund	3,417,100
5	Clean Michigan initiative - contaminated sediment	1,565,000
6	Clean Michigan initiative - nonpoint source	2,000,000
7	Cleanup and redevelopment fund	19,583,600
8	Community pollution prevention fund	250,000
9	Drinking water declaration of emergency reserve fund .	100
10	Electronic waste recycling fund	329,200
11	Environmental education fund	168,500
12	Environmental pollution prevention fund	6,676,100
13	Environmental protection fund	2,447,600
14	Environmental response fund	3,776,600
15	Fees and collections	391,900
16	Financial instruments	9,455,900
17	Great Lakes protection fund	392,800
18	Groundwater discharge permit fees	1,762,000
19	Infrastructure construction fund	50,900
20	Laboratory services fees	4,237,900
21	Land and water permit fees	3,247,600
22	Landfill maintenance trust fund	31,000
23	Lawsuit settlement proceeds fund	3,000,000
24	Medical waste emergency response fund	332,600
25	Metallic mining surveillance fee revenue	100,600
26	Mineral well regulatory fee revenue	220,400
27	Nonferrous metallic mineral surveillance	358,900

1	NPDES fees	4,567,100
2	Oil and gas regulatory fund	5,164,500
3	Orphan well fund	2,415,200
4	Public swimming pool fund	655,000
5	Public utility assessments	413,500
6	Public water supply fees	4,938,700
7	Refined petroleum fund	56,612,900
8	Revitalization revolving loan fund	103,100
9	Revolving loan revenue bonds	15,000,000
10	Sand extraction fee revenue	92,600
11	Scrap tire regulatory fund	5,095,100
12	Septage waste contingency fund	3,400
13	Septage waste program fund	525,900
14	Settlement funds	426,100
15	Sewage sludge land application fee	994,500
16	Small business pollution prevention revolving loan	
17	fund.....	165,700
18	Soil erosion and sedimentation control training fund .	169,900
19	Solid waste management fund - staff account	5,114,600
20	Stormwater permit fees	3,024,800
21	Strategic water quality initiatives fund	81,196,000
22	Underground storage tank cleanup fund	20,016,800
23	Wastewater operator training fees	588,600
24	Water analysis fees	2,249,300
25	Water pollution control revolving fund	647,300
26	Water quality protection fund	100,000
27	Water use reporting fees	286,100

1	Total other state restricted revenues	287,825,300
2	State general fund/general purpose	\$ 45,794,000
3	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT	
4	Full-time equated unclassified positions	6.0
5	Full-time equated classified positions	47.0
6	Unclassified salaries--6.0 FTE positions	\$ 776,600
7	Accounting service center	1,401,300
8	Administrative hearings	383,900
9	Central support services--34.0 FTE positions	7,184,100
10	Environmental support projects	5,000,000
11	Executive direction--13.0 FTE positions	2,117,800
12	Facilities management	1,000,000
13	Property management	<u>7,070,500</u>
14	GROSS APPROPRIATION	\$ 24,934,200
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG from department of state police	61,000
18	Federal revenues:	
19	Federal funds	27,600
20	Special revenue funds:	
21	Air emissions fees	1,309,700
22	Campground fund	14,700
23	Cleanup and redevelopment fund	1,516,900
24	Electronic waste recycling fund	15,300
25	Environmental pollution prevention fund	802,700
26	Environmental protection fund	319,800
27	Environmental response fund	525,500

1	Fees and collections	27,900
2	Financial instruments	7,298,800
3	Great Lakes protection fund	14,100
4	Groundwater discharge permit fees	209,200
5	Laboratory services fees	155,300
6	Land and water permit fees	590,400
7	Lawsuit settlement proceeds fund	3,000,000
8	Medical waste emergency response fund	16,700
9	Metallic mining surveillance fee revenue	4,700
10	Mineral well regulatory fee revenue	8,400
11	Nonferrous metallic mineral surveillance	800
12	NPDES fees	260,700
13	Oil and gas regulatory fund	1,004,800
14	Orphan well fund	49,100
15	Public swimming pool fund	25,500
16	Public utility assessments	20,200
17	Public water supply fees	274,800
18	Refined petroleum fund	2,497,500
19	Sand extraction fee revenue	3,900
20	Scrap tire regulatory fund	157,700
21	Septage waste program fund	18,700
22	Settlement funds	49,500
23	Sewage sludge land application fee	120,700
24	Small business pollution prevention revolving loan	
25	fund.....	18,000
26	Soil erosion and sedimentation control training fund .	17,600
27	Solid waste management fund - staff account	314,800

1	Stormwater permit fees	255,400
2	Wastewater operator training fees	32,100
3	Water analysis fees	141,300
4	Water use reporting fees	23,000
5	State general fund/general purpose	\$ 3,729,400
6	Sec. 103. OFFICE OF THE GREAT LAKES	
7	Full-time equated classified positions	12.0
8	Coastal management grants	\$ 1,250,000
9	Office of the Great Lakes--12.0 FTE positions	<u>2,186,400</u>
10	GROSS APPROPRIATION	\$ 3,436,400
11	Appropriated from:	
12	Federal revenues:	
13	Federal funds	2,043,600
14	Special revenue funds:	
15	Great Lakes protection fund	371,100
16	Settlement funds	113,700
17	State general fund/general purpose	\$ 908,000
18	Sec. 104. GREAT LAKES RESTORATION INITIATIVE	
19	Full-time equated classified positions	6.0
20	Great Lakes restoration initiative--6.0 FTE positions	\$ <u>15,095,600</u>
21	GROSS APPROPRIATION	\$ 15,095,600
22	Appropriated from:	
23	Federal revenues:	
24	Federal funds	15,095,600
25	Special revenue funds:	
26	State general fund/general purpose	\$ 0
27	Sec. 105. OFFICE OF ENVIRONMENTAL ASSISTANCE	

1	Full-time equated classified positions	38.0	
2	Office of environmental assistance--38.0 FTE positions	\$	6,293,400
3	Pollution prevention local grants		<u>250,000</u>
4	GROSS APPROPRIATION	\$	6,543,400
5	Appropriated from:		
6	Federal revenues:		
7	Federal funds		704,700
8	Special revenue funds:		
9	Private funds		364,200
10	Air emissions fees		138,500
11	Community pollution prevention fund		250,000
12	Environmental education fund		168,500
13	Environmental pollution prevention fund		1,507,300
14	Fees and collections		120,100
15	Settlement funds		262,900
16	Small business pollution prevention revolving loan		
17	fund.....		134,400
18	State general fund/general purpose	\$	2,892,800
19	Sec. 106. WATER RESOURCES DIVISION		
20	Full-time equated classified positions	316.0	
21	Aquatic nuisance control program--6.0 FTE positions ..	\$	918,800
22	Contaminated lake and river sediment cleanup program .		1,565,000
23	Expedited water/wastewater permits--1.0 FTE position .		50,900
24	Federal - Great Lakes remedial action plan grants		583,800
25	Federal - nonpoint source water pollution grants		4,083,300
26	Fish contaminant monitoring		316,100
27	Groundwater discharge permit program--22.0 FTE		

1	positions.....	3,214,800
2	Land and water interface permit programs--82.0 FTE	
3	positions.....	11,671,500
4	Nonpoint source pollution prevention and control	
5	project program.....	2,000,000
6	NPDES nonstormwater program--83.0 FTE positions	13,060,600
7	Program direction and project assistance--27.0 FTE	
8	positions.....	3,055,100
9	Real-time beach monitoring program	500,000
10	Surface water--86.0 FTE positions	15,557,000
11	Water quality and use initiative/general--5.0 FTE	
12	positions.....	1,645,700
13	Water quality protection grants	100,000
14	Water withdrawal assessment program--4.0 FTE positions	1,428,600
15	Wetland mitigation banking grants and loans	3,000,000
16	Wetlands program	<u>1,000,000</u>
17	GROSS APPROPRIATION	\$ 63,751,200
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG from state transportation department	1,259,800
21	Federal revenues:	
22	Federal funds	20,268,800
23	Special revenue funds:	
24	Aquatic nuisance control fund	918,800
25	Clean Michigan initiative fund - clean water fund	3,417,100
26	Clean Michigan initiative fund - contaminated sediment	1,565,000
27	Clean Michigan initiative fund - nonpoint source	2,000,000

1	Environmental response fund	204,800
2	Groundwater discharge permit fees	1,457,300
3	Infrastructure construction fund	50,900
4	Land and water permit fees	2,313,200
5	NPDES fees	4,133,100
6	Refined petroleum fund	442,000
7	Sewage sludge land application fee	838,700
8	Soil erosion and sedimentation control training fund .	139,300
9	Stormwater permit fees	2,681,000
10	Strategic water quality initiatives fund	3,000,000
11	Wastewater operator training fees	283,700
12	Water pollution control revolving fund	140,100
13	Water quality protection fund	100,000
14	Water use reporting fees	246,700
15	State general fund/general purpose	\$ 18,290,900
16	Sec. 107. LAW ENFORCEMENT	
17	Full-time equated classified positions	14.0
18	Environmental investigations--14.0 FTE positions	\$ <u>2,830,100</u>
19	GROSS APPROPRIATION	\$ 2,830,100
20	Appropriated from:	
21	Federal revenues:	
22	Federal funds	575,600
23	Special revenue funds:	
24	Air emissions fees	57,200
25	Campground fund	2,100
26	Cleanup and redevelopment fund	188,200
27	Electronic waste recycling fund	1,600

1	Environmental pollution prevention fund	108,000
2	Environmental response fund	41,200
3	Fees and collections	4,100
4	Financial instruments	521,600
5	Great Lakes protection fund	1,500
6	Groundwater discharge permit fees	18,800
7	Laboratory services fees	15,800
8	Land and water permit fees	78,300
9	Medical waste emergency response fund	2,400
10	Metallic mining surveillance fee revenue	700
11	Mineral well regulatory fee revenue	1,200
12	NPDES fees	32,300
13	Oil and gas regulatory fund	87,300
14	Orphan well fund	7,100
15	Public swimming pool fund	3,700
16	Public utility assessments	2,000
17	Public water supply fees	26,500
18	Refined petroleum fund	364,700
19	Sand extraction fee revenue	600
20	Scrap tire regulatory fund	29,400
21	Septage waste program fund	2,700
22	Sewage sludge land application fee	12,200
23	Small business pollution prevention revolving loan	
24	fund.....	2,600
25	Soil erosion and sedimentation control training fund .	2,600
26	Solid waste management fund - staff account	41,700
27	Stormwater permit fees	17,500

1	Wastewater operator training fees	4,600
2	Water analysis fees	18,200
3	Water use reporting fees	3,100
4	State general fund/general purpose	\$ 553,000
5	Sec. 108. AIR QUALITY DIVISION	
6	Full-time equated classified positions	189.0
7	Air quality programs--189.0 FTE positions	\$ <u>27,132,400</u>
8	GROSS APPROPRIATION	\$ 27,132,400
9	Appropriated from:	
10	Federal revenues:	
11	Federal funds	7,196,800
12	Special revenue funds:	
13	Air emissions fees	10,052,400
14	Fees and collections	205,300
15	Oil and gas regulatory fund	136,400
16	Public utility assessments	150,000
17	Refined petroleum fund	3,577,500
18	State general fund/general purpose	\$ 5,814,000
19	Sec. 109. RESOURCE MANAGEMENT DIVISION	
20	Full-time equated classified positions	305.0
21	Drinking water and environmental health--106.0 FTE	
22	positions	\$ 14,982,500
23	Drinking water program grants	830,000
24	Hazardous waste management program--45.0 FTE positions	6,506,900
25	Low-level radioactive waste authority--2.0 FTE	
26	positions	233,400
27	Medical waste program--2.0 FTE positions	303,500

1	Municipal assistance--29.0 FTE positions	4,818,800
2	Noncommunity water grants	1,905,700
3	Oil, gas, and mineral services--59.0 FTE positions ...	6,680,900
4	Radiological protection program--12.0 FTE positions ..	1,977,200
5	Recycling initiative--3.0 FTE positions	1,011,800
6	Scrap tire grants	3,500,000
7	Scrap tire regulatory program--10.0 FTE positions	1,343,700
8	Septage waste compliance grants	275,000
9	Solid waste management program--37.0 FTE positions ...	5,077,800
10	Strategic water quality initiative grants and loans ..	62,000,000
11	Water state revolving funds	<u>120,000,000</u>
12	GROSS APPROPRIATION	\$ 231,447,200
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG from department of state police	1,667,800
16	Federal revenues:	
17	Federal funds	116,450,300
18	Special revenue funds:	
19	Campground fund	294,100
20	Electronic waste recycling fund	305,800
21	Environmental pollution prevention fund	3,798,700
22	Fees and collections	34,500
23	Medical waste emergency response fund	303,500
24	Metallic mining surveillance fee revenue	92,500
25	Mineral well regulatory fee revenue	205,900
26	Nonferrous metallic mineral surveillance	357,800
27	Oil and gas regulatory fund	3,609,400

1	Orphan well fund	2,329,500
2	Public swimming pool fund	610,700
3	Public utility assessments	233,400
4	Public water supply fees	4,178,900
5	Refined petroleum fund	688,700
6	Revolving loan revenue bonds	15,000,000
7	Sand extraction fee revenue	85,800
8	Scrap tire regulatory fund	4,843,700
9	Septage waste contingency fund	3,400
10	Septage waste program fund	493,200
11	Solid waste management fund - staff account	4,586,900
12	Strategic water quality initiatives fund	63,196,000
13	Wastewater operator training fees	249,000
14	Water pollution control revolving fund	499,800
15	State general fund/general purpose	\$ 7,327,900
16	Sec. 110. REMEDIATION AND REDEVELOPMENT DIVISION	
17	Full-time equated classified positions	295.0
18	Contaminated site investigations, cleanup and	
19	revitalization--131.0 FTE positions	\$ 15,097,800
20	Emergency cleanup actions	3,000,000
21	Environmental cleanup and redevelopment program	15,000,000
22	Environmental cleanup support	1,840,000
23	Federal cleanup project management--40.0 FTE positions	6,986,500
24	Laboratory services--39.0 FTE positions	6,328,000
25	Refined petroleum product cleanup program--85.0 FTE	
26	positions	34,491,100
27	Superfund cleanup	<u>1,000,000</u>

1	GROSS APPROPRIATION	\$	83,743,400
2	Appropriated from:		
3	Federal revenues:		
4	Federal funds		6,354,900
5	Special revenue funds:		
6	Private funds		191,100
7	Cleanup and redevelopment fund		17,086,300
8	Environmental protection fund		2,040,400
9	Environmental response fund		2,839,500
10	Laboratory services fees		4,002,000
11	Landfill maintenance trust fund		31,000
12	Public water supply fees		310,500
13	Refined petroleum fund		32,457,100
14	Revitalization revolving loan fund		103,100
15	Strategic water quality initiatives fund		15,000,000
16	Water analysis fees		2,015,500
17	State general fund/general purpose	\$	1,312,000
18	Sec. 111. UNDERGROUND STORAGE TANK AUTHORITY		
19	Full-time equated classified positions		5.0
20	Underground storage tank cleanup program--5.0 FTE		
21	positions.....	\$	<u>20,016,800</u>
22	GROSS APPROPRIATION	\$	20,016,800
23	Appropriated from:		
24	Special revenue funds:		
25	Underground storage tank cleanup fund		20,016,800
26	State general fund/general purpose	\$	0
27	Sec. 112. INFORMATION TECHNOLOGY		

1	Information technology services and projects	\$ <u>8,986,900</u>
2	GROSS APPROPRIATION	\$ 8,986,900
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG from department of state police	25,800
6	IDG from state transportation department	86,100
7	Federal revenues:	
8	Federal funds	1,324,700
9	Special revenue funds:	
10	Air emission fees	666,400
11	Campground fund	8,400
12	Cleanup and redevelopment fund	792,200
13	Electronic waste recycling fund	6,500
14	Environmental pollution prevention fund	459,400
15	Environmental protection fund	87,400
16	Environmental response fund	165,600
17	Financial instruments	1,635,500
18	Great Lakes protection fund	6,100
19	Groundwater discharge permit fees	76,700
20	Laboratory services fees	64,800
21	Land and water permit fees	265,700
22	Medical waste emergency response fund	10,000
23	Metallic mining surveillance fee revenue	2,700
24	Mineral well regulatory fee revenue	4,900
25	Nonferrous metallic mineral surveillance	300
26	NPDES fees	141,000
27	Oil and gas regulatory fund	326,600

1	Orphan well fund	29,500
2	Public swimming pool fund	15,100
3	Public utility assessments	7,900
4	Public water supply fees	148,000
5	Refined petroleum fund	1,685,400
6	Sand extraction fee revenue	2,300
7	Scrap tire regulatory fund	64,300
8	Septage waste program fund	11,300
9	Sewage sludge land application fee	22,900
10	Small business pollution prevention revolving loan	
11	fund.....	10,700
12	Soil erosion and sedimentation control training fund .	10,400
13	Solid waste management fund - staff account	171,200
14	Stormwater permit fees	70,900
15	Wastewater operator training fees	19,200
16	Water analysis fees	74,300
17	Water pollution control revolving fund	7,400
18	Water use reporting fees	13,300
19	State general fund/general purpose	\$ 466,000
20	Sec. 113. ONE-TIME APPROPRIATIONS	
21	Drill core storage facility	\$ 500,000
22	Drinking water declaration of emergency	100
23	Oil, gas, and mineral services (one-time)	4,000,000
24	Refined petroleum product cleanup program	<u>14,900,000</u>
25	GROSS APPROPRIATION	\$ 19,400,100
26	Appropriated from:	
27	Special revenue funds:	

1	Drinking water declaration of emergency reserve fund .	100
2	Refined petroleum fund	14,900,000
3	State general fund/general purpose	\$ 4,500,000

4 PART 2

5 PROVISIONS CONCERNING APPROPRIATIONS

6 FOR FISCAL YEAR 2017-2018

7 **GENERAL SECTIONS**

8 Sec. 201. Pursuant to section 30 of article IX of the state

9 constitution of 1963, total state spending from state resources

10 under part 1 for fiscal year 2017-2018 is \$330,619,300.00 and state

11 spending from state resources to be paid to local units of

12 government for fiscal year 2017-2018 is \$4,531,000.00. The itemized

13 statement below identifies appropriations from which spending to

14 local units of government will occur:

15 DEPARTMENT OF ENVIRONMENTAL QUALITY

16	Drinking water program grants	\$ 600,000
17	Emergency cleanup actions.	106,000
18	Noncommunity water grants.	1,800,000
19	Scrap tire grants.	500,000
20	Pollution prevention local grants.	250,000
21	Real-time beach monitoring program.	500,000
22	Septage waste compliance grants.	100,000
23	Recycling initiative.	450,000
24	Medical waste program.	65,000
25	Surface water.	<u>160,000</u>

1 TOTAL \$ 4,531,000

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

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

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

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

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

10 (d) "IDG" means interdepartmental grant.

11 (e) "NPDES" means national pollution discharge elimination
12 system.

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

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

1 competitively priced and of comparable quality.

2 Sec. 206. The director shall take all reasonable steps to
3 ensure businesses in deprived and depressed communities compete for
4 and perform contracts to provide services or supplies, or both. The
5 director shall strongly encourage firms with which the department
6 contracts to subcontract with certified businesses in depressed and
7 deprived communities for services, supplies, or both.

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

18 (a) The dates of each travel occurrence.

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

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

1 services for bonding activities and for those activities that the
2 attorney general authorizes.

3 Sec. 209. Not later than November 30, the state budget office
4 shall prepare and transmit a report that provides for estimates of
5 the total general fund/general purpose appropriation lapses at the
6 close of the prior fiscal year. This report shall summarize the
7 projected year-end general fund/general purpose appropriation
8 lapses by major departmental program or program areas. The report
9 shall be transmitted to the chairpersons of the senate and house
10 appropriations committees and the senate and house fiscal agencies.

11 Sec. 210. (1) In addition to the funds appropriated in part 1,
12 there is appropriated an amount not to exceed \$30,000,000.00 for
13 federal contingency funds. These funds are not available for
14 expenditure until they have been transferred to another line item
15 in part 1 under section 393(2) of the management and budget act,
16 1984 PA 431, MCL 18.1393.

17 (2) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$5,000,000.00 for state
19 restricted contingency funds. These funds are not available for
20 expenditure until they have been transferred to another line item
21 in part 1 under section 393(2) of the management and budget act,
22 1984 PA 431, MCL 18.1393.

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

1 MCL 18.1393.

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

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

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

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

14 (c) Fiscal year-to-date payments to a selected vendor,
15 including the vendor name, payment date, payment amount, and
16 payment description.

17 (d) The number of active department employees by job
18 classification.

19 (e) Job specifications and wage rates.

20 Sec. 212. Within 14 days after the release of the executive
21 budget recommendation, the department shall cooperate with the
22 state budget office to provide the senate and house appropriations
23 chairs, the senate and house appropriations subcommittee chairs,
24 and the senate and house fiscal agencies with an annual report on
25 estimated state restricted fund balances, state restricted fund
26 projected revenues, and state restricted fund expenditures for the
27 fiscal years ending September 30, 2017 and September 30, 2018.

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

5 Sec. 214. Total authorized appropriations from all sources
6 under part 1 for legacy costs for the fiscal year ending September
7 30, 2018 are \$32,219,000.00. From this amount, total agency
8 appropriations for pension-related legacy costs are estimated at
9 \$16,580,100.00. Total agency appropriations for retiree health care
10 legacy costs are estimated at \$15,638,900.00.

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

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

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

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

1 (d) The estimated date that site closure activities will be
2 completed.

3 (e) The amount of the allocation, or the anticipated financing
4 for the site.

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

7 (g) The number of brownfield projects that were successfully
8 redeveloped.

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

11 (a) The status of all state-owned facilities that are on the
12 list compiled under part 201 of the natural resources and
13 environmental protection act, 1994 PA 451, MCL 324.20101 to
14 324.20142.

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

18 (c) The total amount of bonds issued for the environmental
19 protection bond program pursuant to part 193 of the natural
20 resources and environmental protection act, 1994 PA 451, MCL
21 324.19301 to 324.19306, and bonds issued pursuant to the clean
22 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

25 Sec. 217. (1) The department may expend amounts remaining from
26 the current and prior fiscal year appropriations to meet funding
27 needs of legislatively approved sites for the environmental cleanup

1 and redevelopment program, the refined petroleum product cleanup
2 program, brownfield grants and loans, waterfront grants, and the
3 environmental bond site reclamation program.

4 (2) Unexpended and unencumbered amounts remaining from
5 appropriations from the environmental protection bond fund
6 contained in 2003 PA 173, 2005 PA 109, 2006 PA 343, 2011 PA 63, and
7 2012 PA 236 are appropriated for expenditure for any site listed in
8 this part and part 1 and any site listed in the public acts
9 referenced in this section.

10 (3) Unexpended and unencumbered amounts remaining from
11 appropriations from the clean Michigan initiative fund - response
12 activities contained in 2000 PA 52, 2004 PA 309, 2005 PA 11, 2006
13 PA 343, 2007 PA 121, 2011 PA 63, 2013 PA 59, 2014 PA 252, 2015 PA
14 84, and 2016 PA 268 are appropriated for expenditure for any site
15 listed in this part and part 1 and any site listed in the public
16 acts referenced in this section.

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

24 (5) Unexpended and unencumbered amounts remaining from the
25 appropriations from the strategic water quality initiatives fund
26 contained in 2011 PA 50, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014
27 PA 252, 2015 PA 84, and 2016 PA 268 are appropriated for

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

3 Sec. 219. Unexpended settlement revenues at the end of the
4 fiscal year may be carried forward into the settlement fund in the
5 succeeding fiscal year up to a maximum carryforward of
6 \$2,500,000.00.

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

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

17 (2) As used in this section:

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

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

23 Sec. 235. The department shall prepare an annual report to the
24 legislature by January 1, 2018 that details all of the following
25 for each of the allocations from the clean Michigan initiative bond
26 fund as described in section 19607(1)(a) to (i) of the natural
27 resources and environmental protection act, 1994 PA 451, MCL

1 324.19607:

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

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

5 (c) The estimated remaining cost of all projects funded in
6 each category.

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

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

12 Sec. 236. The department shall provide a report detailing the
13 expenditure of departmental funds appropriated in 2015 PA 143, 2016
14 PA 3, 2016 PA 268, and 2016 PA 340. The report shall include the
15 following:

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

17 (b) The purpose for each expenditure.

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

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

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

23 Sec. 237. From the funds appropriated in part 1, the
24 department shall be responsible for the necessary and reasonable
25 attorney fees and costs incurred by private and independent legal
26 counsel chosen by current and former classified and unclassified
27 department employees in the defense of the department employees

1 named as a party in any state or federal lawsuits or investigations
2 related to the city of Flint municipal water system.

3 **REMEDIATION DIVISION**

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

7 Sec. 302. The unexpended funds appropriated in part 1 for
8 emergency cleanup actions, the environmental cleanup and
9 redevelopment program, and the refined petroleum product cleanup
10 program are considered work project appropriations and any
11 unencumbered or unallotted funds are carried forward into the
12 succeeding fiscal year. The following is in compliance with section
13 451a(1) of the management and budget act, 1984 PA 431, MCL
14 18.1451a:

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

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

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

20 (d) The tentative completion date is September 30, 2022.

21 Sec. 303. Effective October 1, 2017, surplus funds not to
22 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
23 are appropriated to the environmental protection fund created in
24 section 503a of the natural resources and environmental protection
25 act, 1994 PA 451, MCL 324.503a.

26 Sec. 304. Effective October 1, 2017, surplus funds not to

1 exceed \$1,000,000.00 in the community pollution prevention fund
2 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
3 to the environmental protection fund created in section 503a of the
4 natural resources and environmental protection act, 1994 PA 451,
5 MCL 324.503a.

6 Sec. 305. It is the intent of the legislature to repay the
7 refined petroleum fund for the \$70,000,000.00 that was transferred
8 to the environmental protection fund created in section 503a of the
9 natural resources and environmental protection act, 1994 PA 451,
10 MCL 324.503a, as part of the resolution for the fiscal year 2006-
11 2007 budget.

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

17 (2) By November 1, the department shall provide a report to
18 the house and senate subcommittees on environmental quality and the
19 state budget director on the refined petroleum product cleanup
20 program containing the following information:

21 (a) A list of sites the department intends to work on during
22 the current fiscal year, including the fiscal year the project
23 began.

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

26 (c) A list of sites the department closed during the previous
27 fiscal year.

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

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

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

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

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

15 Sec. 314. (1) From the funds appropriated in part 1 from the
16 refined petroleum fund for the refined petroleum product cleanup
17 program, the department shall expend an amount not to exceed
18 \$36,000,000.00 for reimbursements to owners and operators of
19 underground storage tank systems that have performed corrective
20 actions but do not qualify for reimbursement under section 21510 of
21 the natural resources and environmental protection act, 1994 PA
22 451, MCL 324.21510, due to the date the release was discovered and
23 reported.

24 (2) As used in this section:

25 (a) "Corrective action" means that term as defined in section
26 21302 of the natural resources and environmental protection act,
27 1994 PA 451, MCL 324.21302.

(b) "Operator", "owner", and "underground storage tank system" mean those terms as defined in section 21303 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21303.

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. 407. The unexpended funds appropriated in part 1 for the contaminated lake and river sediment cleanup program 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 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 sediment cleanup.

(b) The projects will be accomplished by contract.

(c) The total estimated cost of all projects is \$1,565,000.00.

(d) The tentative completion date is September 30, 2022.

Sec. 410. From the funds appropriated in part 1, the department shall compile a report on the status of the

1 implementation plan for the western Lake Erie basin collaborative
2 agreement. In an effort to learn more about the presence and timing
3 of harmful algal blooms, the report shall contain all of the
4 following:

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

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

8 (c) A description of the work that has commenced on the issue
9 of dissolved reactive phosphorus, the expected objectives and
10 outcomes of that work, and a list of the parties involved in that
11 effort.

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

14 Sec. 411. For the state fiscal year ending September 30, 2018,
15 there is appropriated from the clean Michigan initiative bond fund
16 \$150,000.00 of revenues allocated for remediation of contaminated
17 lake and river sediments under sections 19607 and 19608 of the
18 natural resources and environmental protection act, 1994 PA 451,
19 MCL 324.19607 and 324.19608, for an engineering study pertaining to
20 the Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund
21 site. This study may be conducted under contract by a private
22 engineering firm.

23 **RESOURCE MANAGEMENT DIVISION**

24 Sec. 603. From the funds appropriated in part 1, by December
25 31, 2017, the department shall compile and make available to the
26 public on a publicly accessible website a report containing a

summary document of each completed asset management plan for any stormwater, asset management, or wastewater grant awarded to a local unit of government to fund the development of a plan. As a condition of receiving a stormwater, asset management, or wastewater grant, a local unit of government shall make its asset management plan available to the department upon request when completed and shall retain copies of the plan that can be made available to the public for a minimum of 15 years. The department shall make available a summary document of each plan on a publicly accessible website by September 30 of the year it was completed. The summary document shall include a summary of the plan and contact information for the local unit of government.

UNDERGROUND STORAGE TANK AUTHORITY

Sec. 701. The unexpended funds appropriated in part 1 for the underground storage tank cleanup program 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 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 \$20,000,000.00.

(d) The tentative completion date is September 30, 2022.