Act No. 113
Public Acts of 1997
Approved by the Governor
August 20, 1997
Filed with the Secretary of State
August 20, 1997
EFFECTIVE DATE: August 20, 1997

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1997

Introduced by Senators McManus, Gast, Conroy and Hoffman

ENROLLED SENATE BILL No. 167

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain 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:

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 1998, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY:			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	1,653.7		
GROSS APPROPRIATION		$	408,280,400
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			7,096,400
ADJUSTED GROSS APPROPRIATION		$	401,184,000
Federal revenues:			
Total federal revenues			127,080,200
Special revenue funds:			
Total local revenues			1,177,100
Total private revenues			450,700
Total other state restricted revenues			186,080,800
State general fund/general purpose		$	86,395,200

OPERATIONS APPROPRIATION SUMMARY:			
Full-time equated unclassified positions	6.0		

		For Fiscal Year Ending Sept. 30, 1998
Full-time equated classified positions 1,644.2		
GROSS APPROPRIATION	$	407,440,300
Interdepartmental grant revenues:		
IDG from MDOT, Michigan transportation fund		777,700
IDG-MSP		555,800
IDT, interdivisional charges		5,762,900
Total interdepartmental grants and intradepartmental transfers		7,096,400
ADJUSTED GROSS APPROPRIATION	$	400,343,900
Federal revenues:		
DOC, federal		2,994,700
DOD, federal		935,100
DOI, federal		401,500
EPA, federal		22,024,100
EPA-GWDW		3,600,400
EPA, superfund		8,383,500
EPA, LUST trust		3,229,900
EPA, UST		262,300
FEMA, federal		236,400
Federal revenues		85,010,100
Federal contingency funds		2,200
Total federal revenues		127,080,200
Special revenue funds:		
Local funds		1,177,100
Total local revenues		1,177,100
Private funds		450,700
Total private revenues		450,700
Above ground storage tank fees		686,000
Act 64 revenues (hazardous waste revenue)		1,000,000
Act 641 forfeited revenues (solid waste revenue)		1,000,000
Air emissions fees		10,841,200
CESARS service fee		23,400
Cleanup and redevelopment fund		34,363,400
Drinking water revolving fund		4,875,000
Environmental response fund		14,497,400
Environmental education fund		147,700
Emergency response fund		3,000,000
Environmental pollution prevention fund		1,005,700
Environmental protection bond fund		17,000
Environmental training revenue		265,400
Fees and collections		1,287,900
Great Lakes protection fund		1,000,000
Land and water permit fees		2,487,800
Landfill maintenance trust fund		44,500
Medical waste fees		362,000
Michigan underground storage tank financial assurance fund		62,084,500
Oil and gas privilege fee revenue		7,954,400
Orphan well fund		1,307,800
Publication revenue		100,000
Public utility assessments		877,500
Public water supply fees		4,224,800
Responsible party payments		4,354,700
Revitalization revolving loan fund		7,000,000
Sand extraction fee revenue		176,300
Scrap tire regulatory fund		2,165,900
Septage waste license fees		200,000
Sewage sludge land application fee		650,000
Solid waste program fees		1,117,500
Stormwater permit fees		1,228,100

		For Fiscal Year Ending Sept. 30, 1998
Underground storage tank fees	$	6,318,200
Water analysis fees		1,472,000
Waste reduction fee revenue		3,878,900
Water pollution control revolving fund		3,022,800
Wastewater operator training fees		72,300
Water use reporting fees		126,000
Other restricted funds		4,600
Total other state restricted revenues		185,240,700
State general fund/general purpose	$	86,395,200
EXECUTIVE		
Full-time equated unclassified positions 6.0		
Full-time equated classified positions 13.0		
Unclassified salaries		428,200
Equal employment opportunity office		74,900
Executive direction		1,001,700
Office of the Great Lakes		685,100
GROSS APPROPRIATION	$	2,189,900
Appropriated from:		
Federal revenues:		
EPA, federal		217,100
Special revenue funds:		
Environmental response fund		44,000
Environmental education fund		147,700
Oil and gas privilege fee revenue		92,100
Responsible party payments		302,600
State general fund/general purpose	$	1,386,400
PROGRAM SUPPORT SERVICES		
Full-time equated classified positions 64.5		
Financial support services	$	1,374,000
Field operations support		1,342,900
Automated data processing		5,762,900
Office of special environmental projects		552,300
Personnel		648,600
Administrative hearings		354,400
GROSS APPROPRIATION	$	10,035,100
Appropriated from:		
IDT, interdivisional charges		5,762,900
Federal revenues:		
Federal revenues		2,200
EPA, federal		33,500
EPA, LUST trust		21,900
EPA, superfund		68,400
Special revenue funds:		
Environmental response fund		731,400
Fees and collections		150,100
Land and water permit fees		60,200
Michigan underground storage tank financial assurance fund		155,900
Oil and gas privilege fee revenue		365,200
Scrap tire regulatory fund		30,100
Responsible party payments		201,800
Environmental protection bond fund		17,000
Other restricted funds		4,600
State general fund/general purpose	$	2,429,900
DEPARTMENTAL OPERATION SUPPORT		
Building occupancy charges	$	2,018,900

		For Fiscal Year Ending Sept. 30, 1998
Rent - privately owned property	$	3,899,300
Publications		100,000
GROSS APPROPRIATION	$	6,018,200
Appropriated from:		
Special revenue funds:		
Air emissions fees		302,000
Environmental pollution prevention fund		35,500
Environmental response fund		414,100
Fees and collections		306,900
Land and water permit fees		61,900
Michigan underground storage tank financial assurance fund		130,900
Oil and gas privilege fee revenue		268,700
Publication revenue		100,000
Public utility assessments		11,300
Stormwater discharge permit fees		43,000
Solid waste program fees		39,400
Scrap tire regulatory fund		33,200
Waste reduction revenue		52,000
Water pollution control revolving fund		79,100
Underground storage tank fees		175,600
State general fund/general purpose	$	3,964,600
GEOLOGICAL SURVEY		
Full-time equated classified positions 91.5		
Services to oil and gas programs	$	7,213,900
Orphan well fund		1,307,800
Coal and sand dune management		577,800
Mineral wells management		277,700
Metallic mining reclamation program		62,800
GROSS APPROPRIATION	$	9,440,000
Appropriated from:		
Federal revenues:		
DOI, federal		401,500
Special revenue funds:		
Environmental response fund		69,000
Fees and collections		262,800
Orphan well fund		1,307,800
Oil and gas privilege fee revenue		7,101,900
Sand extraction fee revenue		176,300
State general fund/general purpose	$	120,700
LAND AND WATER MANAGEMENT		
Full-time equated classified positions 154.0		
Land and water administration	$	943,200
Field permitting and project assistance		5,145,300
Dam safety, erosion control, and clean lakes		1,493,400
Land and water protection		3,067,000
Great Lakes shorelands		1,682,800
Volunteer river, stream and creek cleanup program		50,000
Bolles Harbor flood control projects		400,000
Culver Creek drain		25,000
GROSS APPROPRIATION	$	12,806,700
Appropriated from:		
Interdepartmental grant revenues:		
IDG, Michigan transportation fund		777,700
Federal revenues:		
EPA, federal		656,300
DOC, federal		1,394,700
FEMA, federal		236,400

		For Fiscal Year Ending Sept. 30, 1998
Special revenue funds:		
Local funds		$ 144,000
Land and water permit fees		2,365,700
Responsible party payments		50,000
State general fund/general purpose		$ 7,181,900

AIR QUALITY

Full-time equated classified positions	226.5	
Air quality programs		$ 4,709,000
Clean air act implementation		12,719,200
GROSS APPROPRIATION		$ 17,428,200
Appropriated from:		
Federal revenues:		
EPA, federal		3,130,200
Special revenue funds:		
Air emissions fees		8,283,000
Environmental response fund		79,200
State general fund/general purpose		$ 5,935,800

SURFACE WATER QUALITY

Full-time equated classified positions	218.5	
Surface water compliance program		$ 5,714,600
Surface water permits program		3,421,800
Surface water surveillance program		7,044,300
State and local water quality management planning		1,619,900
Fish contaminant monitoring contracts		321,000
Sewage sludge land application program		650,000
Stormwater discharge program		1,113,900
GROSS APPROPRIATION		$ 19,885,500
Appropriated from:		
Federal revenues:		
EPA, federal		6,976,400
Special revenue funds:		
Local funds		1,033,100
CESARS service fee		23,400
Environmental response fund		131,900
State water pollution control revolving fund		534,400
Stormwater permit fees		1,107,700
Sewage sludge land application fee		650,000
State general fund/general purpose		$ 9,428,600

DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH

Full-time equated classified positions	209.7	
Environmental health		$ 3,239,900
Laboratory services administration		5,811,500
Drinking water		10,206,200
Office of groundwater and special services		1,295,100
Radiological protection		1,469,500
GROSS APPROPRIATION		$ 22,022,200
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MSP		555,800
Federal revenues:		
Federal revenues		10,100
DOD, federal		111,000
EPA, federal		1,072,800
EPA-GWDW		3,494,200

		For Fiscal Year Ending Sept. 30, 1998
Special revenue funds:		
Private	$	122,600
Drinking water revolving fund		2,660,000
Medical waste fees		362,000
Public water supply fees		2,824,800
Responsible party payments		317,700
Water analysis fees		1,472,000
Water use reporting fees		126,000
Fees and collections		554,500
State general fund/general purpose	$	8,338,700
LOW LEVEL RADIOACTIVE WASTE AUTHORITY		
Full-time equated classified positions 3.0		
Low level radioactive waste authority	$	866,200
GROSS APPROPRIATION	$	866,200
Appropriated from:		
Special revenue funds:		
Public utility assessments		866,200
State general fund/general purpose	$	0
ENVIRONMENTAL RESPONSE		
Full-time equated classified positions 267.0		
Environmental cleanup and redevelopment program	$	42,032,000
Contaminated site investigations, cleanup, and revitalization		14,985,400
State cleanup (Act 451)		3,397,700
Emergency cleanup actions		2,000,000
Federal cleanup project management		4,956,600
Superfund cleanup		7,250,000
GROSS APPROPRIATION	$	74,621,700
Appropriated from:		
Federal revenues:		
DOD, federal		824,100
EPA, federal		1,367,000
EPA, superfund		8,315,100
Special revenue funds:		
Private funds		128,100
Cleanup and redevelopment fund		23,863,400
Environmental response fund		11,996,300
Landfill maintenance trust fund		44,500
Revitalization revolving loan fund		7,000,000
Responsible party payments		2,442,300
State general fund/general purpose	$	18,640,900
UNDERGROUND STORAGE TANKS		
Full-time equated classified positions 123.5		
MI underground storage tank financial assurance program	$	61,809,300
MUSTFA emergency response fund		3,000,000
Underground storage tank program		6,404,900
Above ground storage tank program		686,000
Leaking underground storage tank cleanup program		11,500,000
Emergency cleanup actions		2,000,000
Leaking underground storage tank program		4,126,500
GROSS APPROPRIATION	$	89,526,700
Appropriated from:		
Federal revenues:		
EPA, LUST trust		3,208,000
EPA, UST		262,300

		For Fiscal Year Ending Sept. 30, 1998
Special revenue funds:		
Above ground storage tank fees	$	686,000
Cleanup and redevelopment fund		8,500,000
Emergency response fund		3,000,000
Environmental response fund		1,031,500
Michigan underground storage tank financial assurance fund		61,696,300
Underground storage tank fees		6,142,600
State general fund/general purpose	$	5,000,000
WASTE MANAGEMENT		
Full-time equated classified positions 153.0		
Administration and technical support	$	1,430,700
Compliance and enforcement		4,367,800
Hazardous waste permits		1,788,900
Groundwater permits		1,249,900
Solid waste program		1,181,400
Used oil recycling program		100,000
Special federal grants		892,300
Hazardous waste disposal facility closures		1,000,000
Solid waste disposal facility closures		1,000,000
GROSS APPROPRIATION	$	13,011,000
Appropriated from:		
Federal revenues:		
EPA, federal		3,094,900
Special revenue funds:		
Hazardous waste revenue		1,000,000
Solid waste revenue		1,000,000
Environmental pollution prevention fund		970,200
Scrap tire regulatory fund		850,000
Responsible party payments		233,300
Solid waste program fees		1,078,100
State general fund/general purpose	$	4,784,500
ENVIRONMENTAL ASSISTANCE DIVISION		
Full-time equated classified positions 102.0		
Municipal assistance	$	3,094,300
Pollution prevention		1,964,700
Environmental services		2,263,600
Technical assistance		1,518,900
Pollution prevention outreach		200,000
Community right-to-know information		250,000
GROSS APPROPRIATION	$	9,291,500
Appropriated from:		
Federal revenues:		
EPA, federal		759,400
EPA-GWDW		106,200
Special revenue funds:		
Private funds		200,000
Air emissions fees		591,400
Responsible party payments		76,700
Drinking water revolving fund		885,000
Environmental training revenue		265,400
Fees and collections		13,600
State water pollution control revolving fund		2,409,300
Stormwater discharge permit fees		77,400
Waste reduction fee revenue		3,326,900
Wastewater operator training fees		72,300
State general fund/general purpose	$	507,900

			For Fiscal Year Ending Sept. 30, 1998
ENVIRONMENTAL INVESTIGATIONS			
Full-time equated classified positions	18.0		
Environmental investigations		$	1,520,100
GROSS APPROPRIATION		$	1,520,100
Appropriated from:			
Federal revenues:			
EPA, federal			126,500
Special revenue funds:			
MUSTFA fund			101,400
Oil and gas privilege fee revenue			126,500
Scrap tire regulatory fund			52,600
Responsible party payments			730,300
State general fund/general purpose		$	382,800
GRANTS			
Grants to counties - air pollution		$	2,854,900
Water pollution control and drinking water revolving fund			102,353,500
Noncommunity water grants			1,400,000
Land resource program grants			1,900,000
Federal - nonpoint source water pollution grants			3,500,000
Federal - Great Lakes remedial action plan grants			700,000
NPL - municipal landfill match grants			2,000,000
Great Lakes research and protection grants			1,000,000
Radon grants			135,000
Septage waste compliance grants			200,000
Scrap tire grants			1,200,000
Drinking water revolving fund implementation			1,330,000
Auto recycling demonstration project			500,000
Environmental technology research			500,000
GROSS APPROPRIATION		$	119,573,400
Appropriated from:			
Federal revenues:			
DOC, federal			1,600,000
EPA, federal			4,590,000
Federal revenues			85,000,000
Special revenue funds:			
Air emissions fees			1,664,800
Cleanup and redevelopment fund			2,000,000
Drinking water revolving fund			1,330,000
Great Lakes protection fund			1,000,000
Public water supply fees			1,400,000
Scrap tire regulatory fund			1,200,000
Septage waste license fees			200,000
Waste reduction revenue			500,000
State general fund/general purpose		$	19,088,600
BOND ADMINISTRATION SUMMARY			
Full-time equated classified positions	9.5		
GROSS APPROPRIATION		$	840,100
ADJUSTED GROSS APPROPRIATION		$	840,100
Special revenue funds:			
Environmental protection bond fund		$	840,100
Total other state restricted revenues			840,100
State general fund/general purpose		$	0
ADMINISTRATIVE SERVICES			
Full-time equated classified positions	2.0		
Field administration environmental protection bond		$	28,800
Internal audit staff			87,700
GROSS APPROPRIATION		$	116,500

		For Fiscal Year Ending Sept. 30, 1998
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund	$	116,500
State general fund/general purpose	$	0
WASTE MANAGEMENT		
Full-time equated classified positions 7.5		
Solid waste implementation staff	$	723,600
GROSS APPROPRIATION	$	723,600
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund		723,600
State general fund/general purpose	$	0
EARLY RETIREMENT		
Early retirement savings	$	(796,100)
GROSS APPROPRIATION	$	(796,100)
Appropriated from:		
State general fund/general purpose	$	(796,100)

GENERAL SECTIONS

Sec. 201. (1) 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 $272,476,000.00 and state appropriations to be paid to local units of government for fiscal year 1997-98 are estimated at $8,051,900.00. 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	$	2,854,900
Septage waste compliance program		200,000
Scrap tire grants		1,200,000
Noncommunity water grants		1,400,000
Radon grants		135,000
Drinking water grants		1,330,000
Surface water surveillance		300,000
Bolles Harbor flood control projects		400,000
Culver Creek drain		25,000
Land and water protection		207,000
TOTAL	$	8,051,900

(2) If it appears to the principal executive officer of each department that state spending to local units of government will be less than the amount that was projected to be expended for any quarter, the principal executive officer shall immediately give notice of the approximate shortfall to the department of management and budget, the senate and house of representatives appropriations committees, and the senate and house fiscal agencies.

Sec. 202. The appropriations made and the expenditures 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) “Department” means the department of environmental quality.

(c) “DOC” means the United States department of commerce.

(d) “DOE” means the United States department of energy.

(e) “EPA” means the United States environmental protection agency.

(f) "EPA-GWDW" means the EPA groundwater drinking water.

(g) "EPA-LUST trust" means the EPA leaking underground storage tank trust fund.

(h) "EPA, radon" means the EPA radon grants.

(i) "FEMA" means the federal emergency management agency.

(j) "FTE" means full-time equated position.

(k) "MDCIS" means the Michigan department of consumer and industry services.

(*l*) "PCB" means polychlorinated biphenyl.

Sec. 204. (1) Beginning October 1, 1997, 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 or 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 director of the department of management and budget shall grant exceptions to this hiring freeze when the director believes that such a hiring freeze will result in rendering a state department or agency unable to deliver basic services. The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house of representatives appropriations committees the number of exclusions to the hiring freeze approved during the previous month and the reasons to justify the exclusion.

Sec. 205. The department of civil service shall bill the department at the end of the first fiscal quarter for the 1% charges 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. 206. (1) From funds appropriated under section 101, 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, 1998:

(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 of representatives appropriations committees by January 1, 1999.

Sec. 207. Money appropriated in section 101 shall not be used for the purchase of foreign goods or services when competitively priced and of comparable quality American goods or services are available. By May 1, 1998, the department shall submit a report to the department of management and budget, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, the chairpersons of the house and senate appropriations committees, and the house and senate fiscal agencies on efforts to comply with this section.

Sec. 209. (1) In addition to the funds appropriated in section 101, 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 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in section 101, 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 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed $51,100.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in section 101, there is appropriated an amount not to exceed $61,800.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 210. With money appropriated in section 101, the director 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, for the department. The director shall strongly encourage firms with which the department contracts to subcontract with businesses certified by the department of civil rights in depressed and deprived communities for services or supplies, or both.

Sec. 212. The department may enter into consent agreements to resolve environmental contamination and natural resource damage conflicts. The department shall not agree to any consent agreement which does not recognize and address the interests of all harmed parties, or which does not seek to redress on-site or specific environmental damage. A voluntary mediation process designed to protect the interests of all involved parties shall be pursued, whenever possible.

Sec. 213. The negative appropriation in section 101 for early retirement compensation savings represents savings from the state's 1997 early retirement program. Not later than October 15, 1997, the department and the state budget director shall request legislative transfers under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, to apply the retirement costs and salary and fringe benefits savings to the appropriated line items affected by the early retirement of state employees.

Sec. 214. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues, periodic reports on the department's efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for these efforts.

(2) The department may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond. At the time progress billings are presented for reimbursement, the department shall identify and forward as appropriate the funding sources that should support the work performed.

Sec. 215. 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.

Sec. 216. The department shall receive and retain copies of all reports funded from section 101 appropriations.

Sec. 217. With money appropriated in section 101, the department shall maintain a centralized information tracking system for environmental audit voluntary disclosure reports, oil and gas complaints and violations, and wetlands complaints and violations.

Sec. 218. (1) The department shall, by April 1, 1998, report to the senate and house of representatives appropriations subcommittees on natural resources and environmental quality regarding the number of freedom of information act requests received and fulfilled, the time period for response to freedom of information act requests, and the reasons for denials of freedom of information act requests.

(2) As used in this section, "freedom of information act" means the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 219. The department shall ensure that all privatization projects to be continued beyond a first term demonstrate cost savings in that first term. Any privatization projects that do not demonstrate that they save tax dollars shall not be continued.

DEPARTMENTAL OPERATION SUPPORT

Sec. 301. The department shall report on February 1, 1998 to the senate and house of representatives appropriations committees and to the senate and house fiscal agencies. The report shall include both of the following:

(a) The amount of contributions, gifts, bequests, grants, and donations received by the department for the fiscal year ending September 30, 1997.

(b) A listing of the expenditures made from the amounts received as reported in subdivision (a).

GEOLOGICAL SURVEY

Sec. 401. The total appropriation in section 101 from oil and gas privilege fee revenue for fiscal year 1997-98 is $7,101,900.00 in the geological survey division. If total estimated revenue for fiscal year 1997-98 is expected to be less than the total appropriation, programs shall be reduced on an equal basis throughout the division.

Sec. 402. From the funds appropriated in section 101 for services to oil and gas programs, $180,000.00 may be transferred to the department of agriculture to establish a program for monitoring oil and gas production meters pending enactment of House Bill No. 4820 or House Bill No. 4821 of the 89th Legislature.

Sec. 403. If the permit and regulatory fee adjustments included in either House Bill No. 4820 or House Bill No. 4821 of the 89th Legislature are not enacted into law by January 1, 1998, the projected $800,000.00 shortfall in the oil and gas privilege fee and $200,000.00 in the mineral well fees and collections is hereby eliminated by the reduction of oil and gas privilege fee and mineral well fees and collections appropriation through negative appropriations of the following amounts:

(a) GEOLOGICAL SURVEY		
Mineral wells reduction	$	(200,000)
Oil and gas reduction		(735,000)
(b) EXECUTIVE		
Oil and gas reduction	$	(10,000)
(c) PROGRAM SUPPORT SERVICES		
Oil and gas reduction	$	(40,850)
(d) ENVIRONMENTAL INVESTIGATION		
Oil and gas reduction	$	(14,150)

LAND AND WATER MANAGEMENT

Sec. 501. It is the intent of the legislature that ongoing program activities of the land and water management division, except for the accelerated land and water permit process, not receive land water management and permit fee revenue to address potential funding shortfalls in those programs.

Sec. 502. Of the funds appropriation in section 101 for land and water protection, $157,000.00 is designated as a state match for federal funds to provide dredging for the Kawkawlin River.

Sec. 503. Of the responsible party payment funds appropriated in section 101 for land and water protection, $50,000.00 is designated for the water research institute at Grand Valley State University.

Sec. 504. The $25,000.00 appropriated in section 101 for the Culver Creek drain is to be matched with local funds to provide necessary support for the maintenance of and improvement to the Culver Creek drain.

Sec. 505. If wetland fees are not enacted into law in an amount that equals $225,000.00, adjustments to balances, revenues, and appropriations shall be made in proportion to the actual revenue realized under enacted legislation.

Sec. 506. The $50,000.00 appropriation in section 101 for volunteer river, stream, and creek cleanup programs shall be distributed on a statewide basis to volunteer organizations for stream, river, and creek cleanup projects. Funds shall be distributed through a simplified application process providing up to $5,000.00 to organizations that provide a 50% match. Priority shall be given to existing volunteer organizations and targeted to those watersheds with documented pollution problems.

AIR QUALITY

Sec. 601. From the funds appropriated in section 101, the department shall report on the status of implementation planning and permit backlog reduction activities under part 55 (air pollution control) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5501 to 324.5542, including status of revenue collections, on an annual basis. The report shall be provided to the house of representatives and senate appropriations subcommittees on natural resources and environmental quality, the standing committees of the house of representatives and the senate that are responsible for issues pertaining to air quality, and the governor on or before March 1, 1998.

SURFACE WATER QUALITY

Sec. 701. The appropriation in section 101 for the surface water permits program includes $1,500,000.00 to reduce the backlog of discharge permits. The department shall prioritize its use of funds to ensure the elimination of the backlog of those permits that result in discharges into surface waters where public health problems have arisen and recreational use of the surface water curtailed. This backlog shall be eliminated within 3 fiscal years.

Sec. 702. Of the funds appropriated in section 101 for surface water surveillance, a minimum of $250,000.00 shall be designated for grants to local organizations for water quality monitoring activities.

Sec. 703. If legislation is not enacted that provides for sewage sludge land application fees, the $650,000.00 for the sewage sludge land application program in section 101 shall not be expended.

Sec. 704. From the appropriation in section 101 for surface water quality monitoring, not more than $50,000.00 shall be expended to create a combined sewer overflow data base. Public access to this data base and testing protocols to assess the impact of combined sewer overflows shall be provided within 6 months of the effective date of this act.

DRINKING WATER

Sec. 801. Of the total funds appropriated in section 101 for the office of groundwater planning and special services, the department shall assign 1.0 FTE position and $103,500.00 from water use reporting fees or state general fund/general purpose to continue implementation of 1990 PA 326 and 1990 PA 327. The department will report to the house of representatives and senate appropriations subcommittees on natural resources and environmental quality by September 30, 1998, regarding the progress in implementation of these acts.

ENVIRONMENTAL RESPONSE

Sec. 901. (1) From the appropriation in section 101 for the cleanup program under part 201 (environmental remediation) 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 site evaluation, interim response activity, final response activity, and contingencies for all environmental contamination sites and for the administration of the program created by part 201 (environmental remediation) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(2) The department shall report all of the following information relative to allocations made in section 101 to the senate and house of representatives appropriations committees 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) The estimated time necessary to prepare plans or complete any necessary study if the allocation is for plans or a study.

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

(e) The estimated time to complete the response activity if the allocation is for a response activity.

(f) The amount of the allocation.

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

(h) The number of sites that would qualify as brownfields that were redeveloped.

(3) The report prepared under subsection (2) shall also include the status of all state owned facilities that are on the list compiled under part 201 (environmental remediation) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(4) The report prepared under subsection (2) shall be made available by March of each year.

Sec. 902. The unexpended portion of the appropriation in section 101 for the state cleanup program, environmental cleanup and redevelopment program, emergency cleanup action, 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 451(3) of the management and budget act, 1984 PA 431, MCL 18.1451:

(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, 1999.

Sec. 903. (1) The department shall report all of the following information relative to site specific cooperative agreements made from the line "superfund cleanup" to the senate and house of representatives appropriations committees and the senate and house fiscal agencies:

(a) The name and location of the site for which the site specific cooperative agreement is made.

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

(c) The estimated time to prepare plans or complete any necessary study if the allocation is for plans or a study.

(d) A brief description of how the problem will be resolved if the allocation is made for a remedy.

(e) The estimated time to complete the remedy of the problem if the allocation is for a remedy.

(f) The amount of the anticipated financing for the site.

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

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

Sec. 904. Of the funds appropriated in section 101 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. 905. The funds appropriated in section 101 for the environmental cleanup and redevelopment program shall be used to fund cleanup activities on the following sites:

Alger - Residential Wells Eben Junction
Alger - Residential Wells Trenary
Allegan - A-1 Disposal Landfill
Allegan - Jersey Street, Plainwell
Antrim - Woodland Oil Bellaire Bulk
Barry - Kavco Landfill
Berrien - D & B Buildings
Berrien - Travel Inn
Branch - American Woodcraft Warehouse
Calhoun - American Woodcraft/Bennett Manufacturing
Calhoun - Brooks Foundry Building Area
Cheboygan - Zyco Oil Company
Crawford - Frederic Township Groundwater Contamination
Eaton - Burco Drive Residential Well
Emmet - Former Petoskey Petrolane
Emmet - Petoskey Manufacturing Company
Genesee - Dye Road Dump
Gladwin - Buckeye Oil Field
Gratiot - Gratiot County Landfill
Gratiot - Gratiot Metals Property
Gratiot - Pine River
Iosco - Residential Wells Bachman Road
Iosco - Sand Lake Gas and Sports
Jackson - Downtown Parma Wells
Kalamazoo - Speareflex
Kalkaska - Maple Street Residential Well

Kent - Composite Energy Management Systems, Inc.
Lapeer - Marathon Otter Lake Oil Field
Livingston - Whitmore Lake Road Chlorides, Brighton Township
Mason - Amerastar
Missaukee - Chemical Plant and Tar Pit
Monroe - ABC Cleaners
Montcalm - Crystal Oil Field
Montcalm - Crystal Refinery
Muskegon - Green Ridge Subdivision
Muskegon - Peerless Plating Company
Oakland - White Lake Road Scrap Yard
Oceana - Stony Lake Oil Field
Osceola - Consolidated Aluminum Tubing
Ottawa - Fenske Landfill
Roscommon - Dry Cleaner Former
St. Clair - Fort Gratiot Sanitary Landfill
St. Clair - Huron Development Landfill
Van Buren - CR 681 at Black River
Wayne - Carter Color Coat
Wayne - General Oil Site
Wayne - Parcels at Poplar and 23rd Street
Wayne - Plymouth Industrial Center Holding Company
Wayne - Recycling Corporation of America
Wayne - Welcome Center (Ambassador Properties)

UNDERGROUND STORAGE TANKS

Sec. 1001. (1) The funds appropriated in section 101 from the Michigan underground storage tank financial assurance fund for the purpose of carrying out the duties and responsibilities as specified in part 215 (underground storage tank financial assurance) 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 451(3) of the management and budget act, 1984 PA 431, MCL 18.1451:

(a) The purpose of the projects to be carried forward is to carry out the responsibilities of part 215 (underground storage tank financial assurance) 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, 1999.

(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 section 101, expenditures shall be adjusted accordingly.

(3) Included in the amounts appropriated in section 101 from the Michigan underground storage tank financial assurance fund are amounts sufficient to pay debt service costs on the bonds or notes issued pursuant to part 215 (underground storage tank financial assurance) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551.

Sec. 1002. The department shall provide the senate and house of representatives appropriations subcommittees on natural resources and environmental quality and the senate and house fiscal agencies with a March 31, 1998 and year-end report on the Michigan underground storage tank financial assurance fund. The March 31, 1998 report shall include the fund balance, estimate of available revenues, number and dollar value of claims processed through September 30, 1997, and total estimated claims liability through December 22, 1999. The year-end report shall be provided within 30 days of the end of the fiscal year and include fund balance, estimate of available revenues, number and dollar value of claims processed for the fiscal year 1997-98 and total estimated claims liability through December 22, 1999.

Sec. 1003. The unexpended portion of the appropriation in section 101 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 451(3) of the management and budget act, 1984 PA 431, MCL 18.1451:

(a) The purpose of the projects to be carried over is to provide for cleanup of sites of environmental contamination.

(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, 1999.

Sec. 1004. The funds appropriated in section 101 for the leaking underground storage tank cleanup program shall be used to fund cleanup activities on the following sites:

Antrim - Bellaire Bay Mart
Antrim - Cary's Self Serve
Antrim - Pickup Capital of the North
Barry - BPH Fire Department
Berrien - Frank's Pro Station
Berrien - Schuler's Auto Repair
Calhoun - Duck Lake Party Store
Chippewa - Twin City Riverview #2
Chippewa - USA Petroleum Corporation
Iosco - Sand Lake Party Store
Isabella - Sandel's Service Inc.
Jackson - Marathon Station
Kalamazoo - CLLP/KPLP
Kalkaska - Starvation Lake General Store
Kent - Kilts Property
Kent - Kountry Korners
Lenawee - Adrian Oil Burner Service, Inc.
Lenawee - Allen's Trailer Court
Mackinac - Boardwalk Plaza Gas Station
Macomb - Widger Chemical Corporation
Manistee - Red Barn Market
Marquette - Joe and Son's Union 76
Mecosta - Old McClain Chevrolet
Mecosta - Purcell Property
Midland - Four-D
Monroe - C. Barron & Sons
Monroe - North Dixie Total
Montcalm - Clifford Lake Market
Muskegon - Kelly's Korners
Oakland - Quick Save #6
Ottawa - Ensing's Auto Repair
Presque Isle - Radio Tavern & Grocery
Saginaw - Convenience Store
Saginaw - Fill and Wash
Schoolcraft - Emerald City Car Wash
Tuscola - Mister C's Service
Van Buren - Payless/Superamerica
Washtenaw - Chelsea Shell (aka Chelsea Amoco)
Wayne - Mercury Manufacturing
Wayne - Total Station

GRANTS

Sec. 1101. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 (septage waste services) 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 section 101 under the septage waste compliance program in accordance with section 11716 of part 117 (septage waste services) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

Sec. 1102. Of the funds appropriated in section 101 for Great Lakes research and protection fund grants, the department shall designate $250,000.00 for research on the possible human health effects of hormone disrupting chemicals commonly found in the Great Lakes basin. Research funded pursuant to this section shall evaluate the extent of human exposure to these compounds and the potential for human health effects resulting from such exposure, with particular emphasis on effects to women of child-bearing age and children.

Sec. 1103. The appropriations in section 101 for water pollution control and drinking water revolving fund shall not be encumbered or expended until the department has reported to the house and senate appropriations subcommittees on natural resources and environmental quality those projects that have been approved for expenditure under this program.

Sec. 1104. Loans provided by the water pollution control revolving fund pursuant to the appropriation in section 101 are to be repaid on schedule and penalties shall be assigned for delinquent repayment as provided in part 53 (clean water assistance) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5301 to 324.5316.

Sec. 1105. From funds appropriated in section 101, the department shall make available training programs to help businesses correct unpermitted groundwater discharges. The department shall report on September 30, 1998 to the house of representatives and senate appropriations committees on the number of programs offered and the users of the programs.

Sec. 1106. Of the funds appropriated in section 101 for scrap tire grants, $100,000.00 shall be allocated to Clare County, $100,000.00 shall be allocated to Osceola County, and $100,000.00 shall be allocated to Grand Traverse County for mitigating the costs associated with scrap tire fire suppression.

Sec. 1107. The appropriation in section 101 for an environmental technology research grant is allocated to the Michigan biotechnology institute, pending receipt of matching federal funds, for the development and implementation of innovative technologies to be used for environmentally safe products, biodegradable chemicals, environmental cleanup, and waste stream minimization projects in Michigan.

ENVIRONMENTAL ASSISTANCE

Sec. 1201. The funds appropriated in section 101 for community right-to-know information shall be used to provide reports for metropolitan areas and counties using data available from the critical materials register and the EPA toxic release inventory.

Sec. 1202. The department shall evaluate existing household hazardous waste collection centers in the state. The department shall report to the senate and house of representatives appropriations committees and the senate and house fiscal agencies by March 1, 1998 on the potential to provide greater coordination and expansion of household hazardous waste collection from these facilities.

WASTE MANAGEMENT

Sec. 1301. The director of the department shall submit a report on the design and implementation of a statewide used oil collection system to the senate and house of representatives appropriations committees and the senate and house fiscal agencies by March 1, 1998. This report shall be in collaboration with the department of management and budget, department of transportation, department of state police, and department of natural resources.

LOW LEVEL RADIOACTIVE WASTE AUTHORITY

Sec. 1401. Of the funds appropriated in section 101 for low level radioactive waste authority, the department shall work with the public service commission in preparing a study to evaluate the effects that utility deregulation will have on the generation of high and low level radioactive waste, the funding necessary for dismantling nuclear power plants as they are decommissioned, and disposal of the resulting waste stream.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Clerk of the House of Representatives.

Approved

Governor.