

Act No. 350  
Public Acts of 2004  
Approved by the Governor\*  
September 28, 2004  
Filed with the Secretary of State  
September 30, 2004  
EFFECTIVE DATE: September 30, 2004

\*Item Vetoes

<b>Sec. 107. REMEDIATION AND REDEVELOPMENT</b>		
Dioxin bio-availability study .....	\$ 800,000	(Page 7)
<b>Sec. 111. GRANTS</b>		
Real-time water quality monitoring .....	\$ 250,000	(Page 10)
<b>Sec. 603.</b>		
Entire Section. (Page 15)		
<b>Sec. 702.</b>		
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<b>Sec. 903.</b>		
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**STATE OF MICHIGAN  
92ND LEGISLATURE  
REGULAR SESSION OF 2004**

Introduced by Senator Johnson

# ENROLLED SENATE BILL No. 1066

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2005; 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, 2005, 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 .....	1,564.2	
GROSS APPROPRIATION .....		\$ 341,649,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		14,263,000
ADJUSTED GROSS APPROPRIATION .....		\$ 327,386,300
Federal revenues:		
Total federal revenues .....		133,766,800
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		445,900
Total other state restricted revenues .....		164,450,800
State general fund/general purpose .....		\$ 28,722,800

FUND SOURCE SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,564.2	
GROSS APPROPRIATION .....		\$ 341,649,300
Interdepartmental grant revenues:		
IDG-MDA .....		106,200
IDG-MDCH, local public health operations .....		10,472,500
IDG-MDSP .....		672,700
IDG, Michigan transportation fund .....		958,200
IDT, interdivisional charges .....		2,053,400
Total interdepartmental grants and intradepartmental transfers .....		14,263,000
ADJUSTED GROSS APPROPRIATION .....		\$ 327,386,300
Federal revenues:		
DHS, federal .....		225,700
DOC-NOAA, federal .....		3,194,200
DOD, federal .....		485,600
DOI, federal .....		542,600
EPA, brownfield cleanup revolving loan fund .....		1,000,000
EPA, multiple .....		127,425,800
FEMA, federal .....		892,900
Total federal revenues .....		133,766,800
Special revenue funds:		
Private funds .....		445,900
Total private revenues .....		445,900
Aboveground storage tank fees .....		752,600
Air emissions fees .....		12,089,000
Aquifer protection revolving fund .....		450,000
CESARS service fee .....		27,700
Clean Michigan initiative - administration .....		3,081,600
Clean Michigan initiative - clean water fund .....		3,129,000
Clean Michigan initiative - response activities .....		2,455,600
Cleanup and redevelopment fund .....		20,951,100
Commercial laboratory fees .....		15,000
Community pollution prevention fund .....		250,000
Drinking water revolving fund .....		6,163,200
Environmental education fund .....		186,400
Environmental pollution prevention fund .....		1,516,100
Environmental protection fund .....		613,300
Environmental response fund .....		4,513,300
Fees and collections .....		1,152,400
Financial instruments .....		5,000,000
Great Lakes protection fund .....		2,516,800
Groundwater discharge permit fees .....		1,846,700
Hazardous materials transportation permit fund .....		94,300
Land and water permit fees .....		3,364,300
Landfill maintenance trust fund .....		50,600
Manufactured housing commission fees .....		621,200
Medical waste emergency response fund .....		250,400
Metallic mining surveillance fee revenue .....		68,800
Mineral well regulatory fee revenue .....		222,200
NPDES fees .....		3,092,400
Oil and gas regulatory fund .....		9,118,900
Orphan well fund .....		2,015,300
Public utility assessments .....		793,900
Public water supply fees .....		4,449,500
Publication revenue .....		109,900
Refined petroleum fund .....		11,921,000
Retired engineers technical assistance fund .....		1,500,000

	For Fiscal Year Ending Sept. 30, 2005
Revolving loan revenue bonds .....	\$ 16,300,000
Saginaw bay and river restoration revenue .....	162,300
Sand extraction fee revenue .....	188,000
Scrap tire regulatory fund .....	4,697,400
Septage waste license fees .....	2,060,300
Settlement funds .....	3,740,400
Sewage sludge land application fee .....	804,200
Soil erosion and sedimentation control training fund .....	106,300
Solid waste program fees .....	4,104,600
Stormwater permit fees .....	2,576,000
Strategic water quality initiatives fund .....	10,007,600
Underground storage tank fees .....	4,335,800
Waste reduction fee revenue .....	4,619,500
Wastewater operator training fees .....	174,800
Water analysis fees .....	3,084,200
Water pollution control revolving fund .....	2,946,900
Water quality protection fund .....	25,000
Water use reporting fees .....	135,000
Total other state restricted revenues .....	164,450,800
State general fund/general purpose .....	\$ 28,722,800

**Sec. 102. EXECUTIVE**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	15.0
Unclassified salaries—6.0 FTE positions .....	\$ 482,600
Executive direction	
Salaries and fringe benefits—8.0 FTE positions .....	696,400
Travel .....	26,400
Other operational expenses .....	160,800
Subtotal - executive direction .....	883,600
Office of the Great Lakes	
Salaries and fringe benefits—7.0 FTE positions .....	597,400
Travel .....	10,300
Other operational expenses .....	245,200
Subtotal - office of the Great Lakes .....	852,900
GROSS APPROPRIATION .....	\$ 2,219,100

Appropriated from:

Federal revenues:	
DOI, federal .....	127,700
EPA, multiple .....	107,600
Special revenue funds:	
Environmental education fund .....	186,400
Environmental response fund .....	45,100
Great Lakes protection fund .....	516,800
Oil and gas regulatory fund .....	93,900
Refined petroleum fund .....	210,600
Settlement funds .....	224,300
State general fund/general purpose .....	\$ 706,700

**Sec. 103. DEPARTMENT SUPPORT SERVICES**

Full-time equated classified positions .....	70.0
Administrative hearings	
Salaries and fringe benefits—4.0 FTE positions .....	\$ 347,600
Travel .....	1,000
Other operational expenses .....	30,400
Subtotal - administrative hearings .....	379,000
Automated data processing .....	2,053,400
Environmental support projects .....	5,000,000

Field operations support	
Salaries and fringe benefits—20.0 FTE positions .....	\$ 1,197,100
Travel.....	48,000
Other operational expenses .....	144,000
Subtotal - field operations support.....	1,389,100
Financial and business services	
Salaries and fringe benefits—32.0 FTE positions .....	1,387,800
Travel.....	5,600
Other operational expenses .....	238,900
Subtotal - financial and business services.....	1,632,300
Human resource optimization user charges.....	59,100
Office of special environmental projects	
Salaries and fringe benefits—3.0 FTE positions .....	374,900
Travel.....	2,000
Other operational expenses .....	50,900
Subtotal - office of special environmental projects .....	427,800
Personnel	
Salaries and fringe benefits—11.0 FTE positions .....	611,600
Travel.....	6,700
Other operational expenses .....	37,200
Subtotal - personnel .....	655,500
Building occupancy charges.....	7,274,200
Rent - privately owned property.....	1,836,900
GROSS APPROPRIATION.....	\$ 20,707,300
Appropriated from:	
Interdepartmental grant revenues:	
IDT, interdivisional charges .....	2,053,400
Federal revenues:	
EPA, multiple.....	62,100
Special revenue funds:	
Aboveground storage tank fees .....	27,400
Air emissions fees.....	559,100
Clean Michigan initiative - administration.....	174,700
Cleanup and redevelopment fund.....	1,042,100
Environmental pollution prevention fund.....	58,600
Environmental response fund .....	1,444,100
Fees and collections .....	91,900
Financial instruments .....	5,000,000
Groundwater discharge permit fees.....	46,700
Land and water permit fees .....	105,900
NPDES fees .....	84,800
Oil and gas regulatory fund.....	1,254,400
Public utility assessments .....	11,600
Public water supply fees .....	510,000
Refined petroleum fund.....	3,635,600
Scrap tire regulatory fund .....	97,800
Settlement funds.....	184,100
Sewage sludge land application fee.....	36,300
Solid waste program fees .....	64,900
Stormwater permit fees .....	207,700
Underground storage tank fees .....	194,200
Waste reduction fee revenue.....	51,700
Water analysis fees .....	345,700
Water pollution control revolving fund .....	13,700
Water use reporting fees .....	7,700
State general fund/general purpose .....	\$ 3,341,100

**Sec. 104. AIR QUALITY**

Full-time equated classified positions.....242.0

Air quality programs	
Salaries and fringe benefits—242.0 FTE positions .....	\$ 18,662,600
Travel.....	426,000
Other operational expenses .....	3,271,400
Subtotal - air quality programs.....	22,360,000
GROSS APPROPRIATION.....	\$ 22,360,000

Appropriated from:

Federal revenues:

EPA, multiple.....	5,009,800
Special revenue funds:	
Air emissions fees.....	10,347,500
Environmental response fund .....	96,000
Fees and collections .....	368,900
Refined petroleum fund.....	2,975,000
State general fund/general purpose .....	\$ 3,562,800

**Sec. 105. ENVIRONMENTAL SCIENCE AND SERVICES**

Full-time equated classified positions .....182.0

Environmental services

Salaries and fringe benefits—26.5 FTE positions .....	\$ 2,031,000
Travel.....	15,100
Other operational expenses .....	402,000
Subtotal - environmental services .....	2,448,100

Laboratory services

Salaries and fringe benefits—68.0 FTE positions .....	4,247,700
Travel.....	40,100
Other operational expenses .....	1,833,000
Subtotal - laboratory services .....	6,120,800

Municipal assistance

Salaries and fringe benefits—35.5 FTE positions .....	1,936,000
Travel.....	34,300
Other operational expenses .....	3,018,000
Subtotal - municipal assistance .....	4,988,300

Pollution prevention and technical assistance

Salaries and fringe benefits—52.0 FTE positions .....	2,954,100
Travel.....	77,700
Other operational expenses .....	1,771,600
Subtotal - pollution prevention and technical assistance .....	4,803,400

Pollution prevention outreach .....	300,000
Retired engineers technical assistance program .....	1,500,000
Revitalization revolving loan program .....	1,000,000
GROSS APPROPRIATION.....	\$ 21,160,600

Appropriated from:

Interdepartmental grant revenues:

IDG-MDA.....	106,200
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Federal revenues:

DOC-NOAA, federal .....	323,900
EPA, brownfield cleanup revolving loan fund .....	1,000,000
EPA, multiple.....	2,256,300

Special revenue funds:

Private funds .....	300,000
Air emissions fees.....	695,500
Clean Michigan initiative - administration.....	153,600
Clean Michigan initiative - response activities .....	1,655,600
Commercial laboratory fees.....	15,000
Drinking water revolving fund .....	1,325,300
Environmental protection fund.....	62,900
Environmental response fund .....	265,800
Public water supply fees .....	231,600

	For Fiscal Year Ending Sept. 30, 2005
Retired engineers technical assistance fund.....	\$ 1,500,000
Settlement funds.....	385,800
Stormwater permit fees .....	89,800
Strategic water quality initiatives fund .....	207,600
Waste reduction fee revenue.....	4,116,100
Wastewater operator training fees .....	174,800
Water analysis fees .....	2,583,100
Water pollution control revolving fund .....	2,193,500
State general fund/general purpose .....	\$ 1,518,200

**Sec. 106. GEOLOGICAL AND LAND MANAGEMENT**

Full-time equated classified positions.....	192.0
Program direction	
Salaries and fringe benefits—8.0 FTE positions .....	\$ 710,400
Travel.....	2,600
Other operational expenses .....	113,500
Subtotal - program direction .....	826,500
Coal and sand dune management	
Salaries and fringe benefits—3.0 FTE positions .....	126,000
Travel.....	2,500
Other operational expenses .....	474,400
Subtotal - coal and sand dune management .....	602,900
Field permitting and project assistance	
Salaries and fringe benefits—69.0 FTE positions .....	5,731,700
Travel.....	202,300
Other operational expenses .....	218,000
Subtotal - field permitting and project assistance.....	6,152,000
Great Lakes shorelands	
Salaries and fringe benefits—28.0 FTE positions .....	2,288,500
Travel.....	35,400
Other operational expenses .....	167,900
Subtotal - Great Lakes shorelands.....	2,491,800
Metallic mine reclamation	
Salaries and fringe benefits—1.0 FTE positions .....	9,000
Travel.....	3,200
Other operational expenses .....	56,600
Subtotal - metallic mine reclamation.....	68,800
Mineral wells management	
Salaries and fringe benefits—3.0 FTE positions .....	121,500
Travel.....	3,500
Other operational expenses .....	97,200
Subtotal - mineral wells management.....	222,200
Orphan well	
Salaries and fringe benefits—2.0 FTE positions .....	188,200
Travel.....	14,800
Other operational expenses .....	1,812,300
Subtotal - orphan well.....	2,015,300
Services to oil and gas	
Salaries and fringe benefits—57.0 FTE positions .....	4,644,300
Travel.....	171,100
Other operational expenses .....	2,072,200
Subtotal - services to oil and gas.....	6,887,600
Water management	
Salaries and fringe benefits—21.0 FTE positions .....	2,276,400
Travel.....	30,900
Other operational expenses .....	386,100
Subtotal - water management.....	2,693,400
GROSS APPROPRIATION.....	\$ 21,960,500

Appropriated from:	
Interdepartmental grant revenues:	
IDG, Michigan transportation fund .....	\$ 907,900
Federal revenues:	
DOC-NOAA, federal .....	1,344,700
DOI, federal .....	414,900
EPA, multiple.....	470,800
FEMA, federal .....	892,900
Special revenue funds:	
Land and water permit fees .....	2,705,500
Metallic mining surveillance fee revenue .....	68,800
Mineral well regulatory fee revenue.....	222,200
Oil and gas regulatory fund .....	6,777,700
Orphan well fund .....	2,015,300
Publication revenue .....	109,900
Sand extraction fee revenue .....	188,000
State general fund/general purpose .....	\$ 5,841,900

**Sec. 107. REMEDIATION AND REDEVELOPMENT**

Full-time equated classified positions .....	297.5
Contaminated site investigation, cleanup, and revitalization	
Salaries and fringe benefits—230.5 FTE positions .....	\$ 17,779,100
Travel.....	457,100
Other operational expenses .....	2,648,600
Subtotal - contaminated site investigation, cleanup, and revitalization .....	20,884,800
Federal cleanup project management	
Salaries and fringe benefits—67.0 FTE positions .....	6,000,200
Travel.....	172,500
Other operational expenses .....	1,332,300
Subtotal - federal cleanup project management .....	7,505,000
Emergency cleanup actions .....	4,000,000
State cleanup 451.....	3,027,900
Superfund cleanup .....	4,000,000
Dioxin bio-availability study.....	800,000
GROSS APPROPRIATION.....	\$ 40,217,700

Appropriated from:	
Federal revenues:	
DOD, federal.....	485,600
EPA, multiple.....	9,037,400
Special revenue funds:	
Private funds .....	145,900
Clean Michigan initiative - administration.....	2,189,500
Clean Michigan initiative - response activities .....	800,000
Cleanup and redevelopment fund .....	18,809,000
Environmental protection fund.....	550,400
Environmental response fund .....	2,000,000
Landfill maintenance trust fund .....	50,600
Refined petroleum fund.....	4,200,000
Settlement funds.....	1,949,300
State general fund/general purpose .....	\$ 0

**Sec. 108. WASTE AND HAZARDOUS MATERIALS**

Full-time equated classified positions .....	183.5
Aboveground storage tank program	
Salaries and fringe benefits—8.0 FTE positions .....	\$ 554,700
Travel.....	41,500
Other operational expenses .....	129,000
Subtotal - aboveground storage tank program .....	725,200



Hazardous waste management program	
Salaries and fringe benefits—61.0 FTE positions .....	\$ 4,085,600
Travel.....	63,500
Other operational expenses .....	1,472,500
Subtotal - hazardous waste management program .....	5,621,600
Low-level radioactive waste authority	
Salaries and fringe benefits—2.0 FTE positions .....	169,300
Travel.....	4,000
Other operational expenses .....	604,900
Subtotal - low-level radioactive waste authority .....	778,200
Medical waste program .....	250,400
Radiological protection program	
Salaries and fringe benefits—16.5 FTE positions .....	959,800
Travel.....	28,600
Other operational expenses .....	576,600
Subtotal - radiological protection program .....	1,565,000
Scrap tire regulatory program	
Salaries and fringe benefits—11.0 FTE positions .....	673,300
Travel.....	22,000
Other operational expenses .....	260,500
Subtotal - scrap tire regulatory program.....	955,800
Solid waste management program	
Salaries and fringe benefits—50.0 FTE positions .....	3,221,900
Travel.....	97,900
Other operational expenses .....	726,800
Subtotal - solid waste management program.....	4,046,600
Underground storage tank program	
Salaries and fringe benefits—35.0 FTE positions .....	1,962,000
Travel.....	117,100
Other operational expenses .....	2,137,000
Subtotal - underground storage tank program .....	4,216,100
GROSS APPROPRIATION .....	\$ 18,158,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP.....	672,700
Federal revenues:	
EPA, multiple.....	3,611,100
Special revenue funds:	
Aboveground storage tank fees .....	725,200
Environmental pollution prevention fund.....	1,457,500
Hazardous materials transportation permit fund .....	94,300
Medical waste emergency response fund .....	250,400
Public utility assessments .....	778,200
Scrap tire regulatory fund .....	955,800
Solid waste program fees .....	3,979,700
Underground storage tank fees .....	3,967,700
Waste reduction fee revenue.....	66,900
State general fund/general purpose .....	\$ 1,599,400
<b>Sec. 109. WATER</b>	
Full-time equated classified positions .....	360.2
Aquifer protection program	
Salaries and fringe benefits .....	\$ 198,000
Travel.....	2,700
Other operational expenses .....	449,300
Subtotal - aquifer protection program.....	650,000
Drinking water	
Salaries and fringe benefits—84.2 FTE positions .....	6,549,100

	For Fiscal Year Ending Sept. 30, 2005
Travel.....	\$ 137,900
Other operational expenses .....	6,307,700
Subtotal - drinking water.....	12,994,700
Environmental health	
Salaries and fringe benefits—30.0 FTE positions .....	2,505,600
Travel.....	68,800
Other operational expenses .....	448,300
Subtotal - environmental health .....	3,022,700
Fish contaminant monitoring .....	316,100
Groundwater discharge	
Salaries and fringe benefits—22.0 FTE positions .....	1,651,600
Travel.....	12,000
Other operational expenses .....	252,800
Subtotal - groundwater discharge.....	1,916,400
NPDES nonstormwater program	
Salaries and fringe benefits—121.4 FTE positions .....	8,526,700
Travel.....	135,000
Other operational expenses .....	811,300
Subtotal - NPDES nonstormwater program.....	9,473,000
Sewage sludge land application program	
Salaries and fringe benefits—6.5 FTE positions .....	441,100
Travel.....	26,600
Other operational expenses .....	300,200
Subtotal - sewage sludge land application program.....	767,900
Surface water	
Salaries and fringe benefits—96.1 FTE positions .....	8,025,400
Travel.....	188,000
Other operational expenses .....	6,517,300
Subtotal - surface water .....	14,730,700
GROSS APPROPRIATION.....	\$ 43,871,500
Appropriated from:	
Federal revenues:	
EPA, multiple.....	13,486,300
Special revenue funds:	
Aquifer protection revolving fund.....	450,000
CESARS service fee .....	27,700
Clean Michigan initiative - administration.....	563,800
Clean Michigan initiative - clean water fund.....	3,129,000
Drinking water revolving fund .....	3,422,300
Environmental response fund .....	155,100
Fees and collections .....	691,600
Groundwater discharge permit fees.....	1,800,000
Land and water permit fees .....	446,200
Manufactured housing commission fees.....	621,200
NPDES fees .....	3,007,600
Public water supply fees .....	2,042,600
Refined petroleum fund.....	816,100
Saginaw bay and river restoration revenue .....	162,300
Septage waste license fees.....	535,300
Sewage sludge land application fee.....	767,900
Soil erosion and sedimentation control training fund .....	106,300
Stormwater permit fees .....	2,278,500
Water pollution control revolving fund .....	619,900
Water use reporting fees .....	127,300
State general fund/general purpose .....	\$ 8,614,500

**Sec. 110. CRIMINAL INVESTIGATIONS**

Full-time equated classified positions.....22.0

Environmental investigations	
Salaries and fringe benefits—22.0 FTE positions .....	\$ 1,681,800
Travel.....	27,100
Other operational expenses .....	417,500
Subtotal - environmental investigations.....	2,126,400
GROSS APPROPRIATION.....	\$ 2,126,400
Appropriated from:	
Federal revenues:	
DHS, federal.....	225,700
EPA, multiple.....	139,700
Special revenue funds:	
Environmental response fund .....	100,100
Oil and gas regulatory fund.....	120,900
Scrap tire regulatory fund .....	62,500
State general fund/general purpose .....	\$ 1,477,500
 <b>Sec. 111. GRANTS</b>	
Coastal management grants .....	\$ 1,800,000
Federal - Great Lakes remedial action plan grants.....	700,000
Federal - nonpoint source water pollution grants.....	6,500,000
Grants to counties—air pollution.....	83,700
Radon grants .....	134,300
Water pollution control and drinking water revolving fund.....	112,153,500
Drinking water revolving fund implementation .....	1,330,000
Great Lakes research and protection grants.....	2,000,000
Local health department operations .....	10,472,500
Noncommunity water grants.....	1,400,000
Pollution prevention local grants .....	250,000
Real-time water quality monitoring.....	250,000
Septage waste compliance grants.....	1,525,000
Scrap tire grants.....	3,500,000
Volunteer river, stream, and creek cleanup .....	25,000
GROSS APPROPRIATION.....	\$ 142,124,000
Appropriated from:	
Interdepartmental grant revenues	
IDG-MDCH, local public health operations .....	10,472,500
Federal revenues:	
DOC-NOAA, federal .....	1,500,000
EPA, multiple.....	92,590,000
Special revenue funds:	
Community pollution prevention fund .....	250,000
Drinking water revolving fund .....	1,330,000
Great Lakes protection fund .....	2,000,000
Public water supply fees .....	1,400,000
Refined petroleum fund.....	83,700
Revolving loan revenue bonds .....	16,300,000
Scrap tire regulatory fund .....	3,500,000
Septage waste license fees.....	1,525,000
Settlement funds.....	199,000
Strategic water quality initiatives fund .....	9,800,000
Water quality protection fund.....	25,000
State general fund/general purpose .....	\$ 1,148,800
 <b>Sec. 112. INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 6,743,300
GROSS APPROPRIATION.....	\$ 6,743,300
Appropriated from:	
Interdepartmental grant revenues	
IDG, Michigan transportation fund.....	50,300

Federal revenues:	
DOC-NOAA, federal .....	\$ 25,600
EPA, multiple.....	654,700
Special revenue funds:	
Air emissions fees.....	486,900
Cleanup and redevelopment fund.....	1,100,000
Drinking water revolving fund .....	85,600
Environmental response fund .....	407,100
Land and water permit fees .....	106,700
Oil and gas regulatory fund.....	872,000
Public utility assessments.....	4,100
Public water supply fees .....	265,300
Scrap tire regulatory fund .....	81,300
Settlement funds.....	797,900
Solid waste program fees .....	60,000
Underground storage tank fees .....	173,900
Waste reduction fee revenue.....	384,800
Water analysis fees .....	155,400
Water pollution control revolving fund .....	119,800
State general fund/general purpose .....	\$ 911,900

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 2004-2005 is \$193,173,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2004-2005 is \$18,695,500.00. 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 .....	\$ 83,700
Local health department operations .....	10,472,500
Septage waste compliance program.....	1,525,000
Scrap tire grants.....	3,500,000
Noncommunity water grants.....	1,400,000
Radon grants .....	134,300
Real-time water quality monitoring.....	250,000
Drinking water grants .....	1,330,000
TOTAL .....	\$ 18,695,500

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) "Department" means the department of environmental quality.
- (c) "DHS" means the United States department of homeland security.
- (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) "DOI" means the United States department of interior.

- (h) "EPA" means the United States environmental protection agency.
- (i) "FEMA" means the federal emergency management agency.
- (j) "FTE" means full-time equated.
- (k) "IDG" means interdepartmental grant.
- (l) "IDT" means intradepartmental transfer.
- (m) "MDA" means the Michigan department of agriculture.
- (n) "MDCH" means the Michigan department of community health.
- (o) "MDSP" means the Michigan department of state police.
- (p) "MI" means Michigan.
- (q) "NPDES" means national pollutant discharge elimination system.

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) 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.

(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 quarterly 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 quarter and the reasons to justify the exception.

Sec. 206. 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.

Sec. 207. 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. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 208. By February 15, 2005, 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, 2004 and September 30, 2005.

Sec. 209. (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 September 30, 2005:

- (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 state budget office, the senate and house appropriations committees, and senate and house fiscal agencies by January 1, 2005.

Sec. 210. The department shall notify the legislature and shall provide 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. 211. (1) The department shall report all of the following information relative to allocations made from appropriations 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. 212. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program and the leaking underground storage tank cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 2003 PA 173, 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 2003 PA 171, 2003 PA 173, and 2003 PA 237 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 2000 PA 52, 2001 PA 120, 2003 PA 173, and 2003 PA 237 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 213. 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. 214. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 215. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support department of environmental quality technology projects under the direction of the department of

information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2005 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 217. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, 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 quality.

Sec. 218. The department shall collaborate with the statewide public advisory council, local advisory councils, the United States environmental protection agency and other appropriate federal agencies, the department of natural resources, and other appropriate parties to develop a long-term strategy to restore and formally remove Michigan's Great Lakes areas of concern from the federal listing. Among other information, the strategy should include a list of cleanup, source control, monitoring, and assessment activities eligible for funding under the federal Great Lakes legacy act; their estimated cost; options for meeting any nonfederal funding match requirements for these activities, including recommendations for changes to existing appropriations and program expenditures to qualify as matching funds for federal grant programs; a description of the optimum staffing level for the areas of concern program and available funding options; and a description of the department's role in seeking the formal removal of areas of concern, or specific beneficial use impairments, from the federal list, including minimum cleanup goals for identified impairments based on applicable state and federal regulatory standards and the monitoring programs available for assessing progress in achieving those goals. In addition, the department shall strive to apply for an equitable share of federal funding and technical assistance available to support the area of concern program and strive to provide the funds needed to meet nonfederal funding requirements.

## **DEPARTMENT SUPPORT SERVICES**

Sec. 301. In addition to the annual report on travel expenditures required by section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the department shall provide to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies a quarterly report within 30 days of the

end of each quarter on expenses incurred for travel inside and outside the state. The report shall include, but not be limited to, the name of the person who traveled, total expenditures for compensation, fees, or remuneration for meals, transportation, and related contractual services, supplies, and materials, and the destination, reason for, and dates of the travel.

### **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.

### **ENVIRONMENTAL SCIENCE AND SERVICES**

Sec. 501. By July 1, 2005, the department shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department of environmental quality, outlining the implementation of the Great Lakes water quality bond provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

Sec. 502. If contracts are let for laboratory work to be paid for using funds appropriated under part 1, the contracts shall be awarded giving first preference to those laboratories that are successful participants in the laboratory data quality recognition program, as provided in section 20505 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20505.

### **GEOLOGICAL AND LAND MANAGEMENT**

Sec. 602. The department may waive permit fees for nonprofit organizations conducting approved stream habitat improvement projects.

Sec. 603. From the funds appropriated in part 1, the department shall complete the wetland inventory in 100% of counties by August 30, 2005. If the wetland inventory is not completed, the appropriation in part 1 for state general fund/general purpose shall be reduced by \$5,000,000.00.

### **REMEDATION AND REDEVELOPMENT**

Sec. 701. The unexpended funds appropriated in part 1 for emergency cleanup actions 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 identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2009.

Sec. 702. (1) The appropriation in part 1 for a dioxin bio-availability study shall be used by the department to contract with an out-of-state university or other qualified organization to conduct a bio-availability study and report on dioxin. The contract shall require that the study and report be completed within 6 months after the effective date of



this act and that the report be peer-reviewed by the Michigan environmental science board within 3 months after its completion. The department shall provide a copy of the report to the house and senate appropriations committees within 9 months after the effective date of this act.

(2) As used in this section, "dioxin" means 1 or more structurally related chlorinated dibenzodioxin and chlorinated dibenzofuran chemicals.

## **WASTE AND HAZARDOUS MATERIALS**

Sec. 801. The recycling coordinator shall conduct a study of the state's capacity to handle material recovered for recycling, the feasibility of collecting and transporting the material for recycling within the state, and the ability of the state to sustain markets for products containing recycled content. The department shall make recommendations for improving and expanding recycling in the state in a report submitted to the legislature, the state budget director, and the senate and house fiscal agencies no later than December 30, 2004.

Sec. 802. By February 1, 2005, the department shall submit to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the senate and house appropriations subcommittees on environmental quality, the state budget director, and the senate and house fiscal agencies a report on out-of-state waste disposed of in landfills in this state. The report shall include, but not be limited to, the amount, type, and state of origin for all out-of-state waste.

## **WATER**

Sec. 901. By February 1, 2005, the department shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year, to the senate and house appropriations subcommittees on environmental quality and natural resources, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal agencies. The report shall include a summary of how the appropriations in part 1 for NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

(a) The number of compliance and complaint inspections completed, by category, the number of on-site compliance inspections conducted, and the number of compliance inspections that were not announced in advance to the permittee or licensee.

(b) The number and percent of permit and license inspections that were found to be in significant noncompliance, by category.

(c) The number of administrative enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.

(d) The number of judicial enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.

(e) A listing of the supplemental environmental projects agreed to as a result of a consent agreement including all of the following: the case name, the monetary value of the supplemental environmental project, and a description of the project.

Sec. 902. Of the funds appropriated in part 1 for safe drinking water assistance activities under part 54 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5401 to 324.5418, the department shall allocate the full 2% available for technical assistance under 42 USC 300j-12.

Sec. 903. The appropriation in part 1 for a real-time water quality monitoring grant is a grant to the city of Algonac to conduct a pilot project of a real-time water quality monitoring program in the St. Clair watershed. By September 30, 2005, the city of Algonac shall report to the department on the plan, implementation, and status of the pilot project. The department shall forward the report to the state budget director, the senate and house appropriations subcommittees on environmental quality, the senate and house standing committees on natural resources and environmental issues, and the senate and house fiscal agencies.

Sec. 904. The appropriation in part 1 for other operational expenses for surface water includes \$25,000.00 for water quality monitoring at strategic public beaches on the Great Lakes in Van Buren, Ottawa, and Allegan Counties.

**CRIMINAL INVESTIGATIONS**

Sec. 1001. From 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. 1101. 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. 1102. 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.

Sec. 1103. The appropriation in part 1 for Great Lakes research and protection grants includes \$100,000.00 for a fish barrier challenge grant for completion of an electrical dispersal barrier by the United States army corps of engineers in Romeoville, Illinois to prevent the introduction of aquatic alien invasive species to the Great Lakes. The grant shall not be expended unless the total funding contributed by the federal government, affected states and provinces, and other parties is sufficient to complete the project, as determined by the parties to the dispersal barrier agreement.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Jay E Randall*

Clerk of the House of Representatives

Approved .....

.....  
Governor