SUBSTITUTE FOR

SENATE BILL NO. 953

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1	PART 1
2	LINE-ITEM APPROPRIATIONS
3	Sec. 101. There is appropriated for the department of
4	environmental quality for the fiscal year ending September 30
5	2013, from the following funds:
6	DEPARTMENT OF ENVIRONMENTAL QUALITY
7	APPROPRIATION SUMMARY
8	Full-time equated unclassified positions 6.0
9	Full-time equated classified positions 1,321.5

1	GROSS APPROPRIATION	\$ 431,429,900
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	9,021,200
5	ADJUSTED GROSS APPROPRIATION	\$ 422,408,700
6	Federal revenues:	
7	Total federal revenues	161,687,500
8	Special revenue funds:	
9	Total private revenues	533,200
10	Total other state restricted revenues	230,375,600
11	State general fund/general purpose	\$ 29,812,400
12	State general fund/general purpose schedule:	
13	Ongoing state general fund/general	
14	purpose 25,652,300	
15	One-time state general fund/general	
16	purpose 4,160,100	
17	FUND SOURCE SUMMARY	
18	Full-time equated unclassified positions 6.0	
19	Full-time equated classified positions 1,321.5	
20	GROSS APPROPRIATION	\$ 431,429,900
21	Interdepartmental grant revenues:	
22	IDG, MDOT - Michigan transportation fund	1,231,400
23	IDG, MDSP	1,157,100
24	IDT, interdivisional charges	2,053,400
25	IDT, laboratory services	4,530,500
26	Interdepartmental grant revenues	48,800
27	Total interdepartmental grants and intradepartmental	

1	transfers	9,021,200
2	ADJUSTED GROSS APPROPRIATION	\$ 422,408,700
3	Federal revenues:	
4	Federal funds	161,687,500
5	Special revenue funds:	
6	Private funds	533,200
7	Aboveground storage tank fees	521,700
8	Air emissions fees	10,258,500
9	Campground fund	340,900
10	Clean Michigan initiative fund - clean water fund	3,785,300
11	Cleanup and redevelopment fund	22,872,400
12	Community pollution prevention fund	250,000
13	Electronic waste recycling fund	287,000
14	Environmental education fund	50,700
15	Environmental pollution prevention fund	2,647,900
16	Environmental protection fund	2,743,100
17	Environmental response fund	6,001,800
18	Fees and collections	371,800
19	Financial instruments	5,000,000
20	Great Lakes protection fund	695,800
21	Groundwater discharge permit fees	1,859,400
22	Hazardous materials transportation permit fund	950,300
23	Infrastructure construction fund	458,700
24	Land and water permit fees	3,277,300
25	Landfill maintenance trust fund	29,300
26	Medical waste emergency response fund	330,700
27	Metallic mining surveillance fee revenue	147,700

1	Mineral well regulatory fee revenue	240,800
2	Nonferrous metallic mineral surveillance	100,000
3	NPDES fees	5,005,500
4	Oil and gas regulatory fund	11,054,500
5	Orphan well fund	2,318,200
6	Public swimming pool fund	743,500
7	Public utility assessments	272,400
8	Public water supply fees	5,109,700
9	Refined petroleum fund	49,037,600
10	Retired engineers technical assistance program	991,900
11	Revitalization revolving loan fund	97,300
12	Revolving loan revenue bonds	11,400,000
13	Sand extraction fee revenue	95,300
14	Scrap tire regulatory fund	5,149,000
15	Septage waste contingency fund	17,400
16	Septage waste program fund	687,700
17	Settlement funds	625,500
18	Sewage sludge land application fees	1,084,900
19	Small business pollution prevention revolving loan	
20	fund	165,100
21	Soil erosion and sedimentation control training fund.	150,000
22	Solid waste management fund - staff account	5,301,800
23	State restricted revenues	920,400
24	Stormwater permit fees	3,979,800
25	Strategic water quality initiatives fund	45,743,800
26	Underground storage tank fees	2,616,100
27	Waste reduction fee revenue	6,340,400

1	Wastewater operator training fees	571,200
2	Water analysis fees	3,595,600
3	Water pollution control revolving fund	3,679,200
4	Water quality protection fund	100,000
5	Water use reporting fees	300,700
6	Total other state restricted revenues	230,375,600
7	State general fund/general purpose \$	29,812,400
8	Sec. 102. EXECUTIVE OPERATIONS	
9	Full-time equated unclassified positions 6.0	
10	Full-time equated classified positions 13.0	
11	Unclassified salaries6.0 FTE positions\$	700,000
12	Executive direction13.0 FTE positions	1,980,400
13	GROSS APPROPRIATION\$	2,680,400
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	Federal revenues:	
17	Federal funds	37,700
18	Special revenue funds:	
19	Environmental response fund	207,600
20	Oil and gas regulatory fund	383,300
21	Refined petroleum fund	568,900
22	Settlement funds	65,300
23	State general fund/general purpose \$	1,417,600
24	Sec. 103. OFFICE OF THE GREAT LAKES	
25	Full-time equated classified positions 18.0	
26	Office of the Great Lakes18.0 FTE positions \$	2,806,600
27	Coastal management grants	1,750,000

1	GROSS APPROPRIATION	\$	4,556,600
2	Appropriated from:		
3	Federal revenues:		
4	Federal funds		3,376,200
5	Special revenue funds:		
6	Great Lakes protection fund		695,800
7	Settlement funds		108,800
8	State general fund/general purpose	\$	375,800
9	Sec. 104. GREAT LAKES RESTORATION INITIATIVE		
10	Great Lakes restoration initiative	\$_	25,000,000
11	GROSS APPROPRIATION	\$	25,000,000
12	Appropriated from:		
13	Federal revenues:		
14	Federal funds		25,000,000
15	State general fund/general purpose	\$	0
16	Sec. 105. DEPARTMENT SUPPORT SERVICES		
17	Full-time equated classified positions 34.0		
18	Central support services34.0 FTE positions	\$	3,923,100
19	Accounting service center		1,214,800
20	Administrative hearings		553,500
21	Automated data processing		2,053,400
22	Building occupancy charges		6,082,800
23	Environmental support projects		5,000,000
24	Rent - privately owned property	_	1,960,800
25	GROSS APPROPRIATION	\$	20,788,400
26	Appropriated from:		
27	Interdepartmental grant revenues:		

1	IDG, MDSP	135,400
2	IDT, interdivisional charges	2,053,400
3	IDT, laboratory services	493,200
4	Federal revenues:	
5	Federal funds	5,300
6	Special revenue funds:	
7	Aboveground storage tank fees	68,700
8	Air emissions fees	1,328,000
9	Campground fund	38,400
10	Cleanup and redevelopment fund	1,614,300
11	Environmental pollution prevention fund	238,100
12	Environmental response fund	560,900
13	Fees and collections	46,200
14	Financial instruments	5,000,000
15	Groundwater discharge permit fees	149,400
16	Hazardous material transportation permit fund	35,500
17	Land and water permit fees	429,800
18	Medical waste emergency response fund	29,700
19	Metallic mining surveillance fee revenue	7,400
20	Mineral well regulatory fee revenue	29,400
21	NPDES fees	173,200
22	Oil and gas regulatory fund	857,900
23	Orphan well fund	63,400
24	Public swimming pool fund	65,100
25	Public utility assessments	36,600
26	Public water supply fees	426,500
27	Refined petroleum fund	1,710,800

1	Sand extraction fee revenue	9,200
2	Scrap tire regulatory fund	241,900
3	Septage waste program fund	74,100
4	Settlement funds	199,500
5	Sewage sludge land application fees	120,200
6	Small business pollution prevention revolving loan	
7	fund	24,800
8	Soil erosion and sedimentation control training fund.	11,400
9	Solid waste management fund - staff account	649,000
10	Stormwater permit fees	165,400
11	Underground storage tank fees	234,600
12	Waste reduction fee revenue	561,800
13	Wastewater operator training fees	2,900
14	Water analysis fees	313,000
15	Water use reporting fees	48,000
16	State general fund/general purpose \$	2,536,000
17	Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE	
18	Full-time equated classified positions 44.0	
19	Office of environmental assistance44.0 FTE positions \$	6,832,600
20	Pollution prevention local grants	250,000
21	GROSS APPROPRIATION\$	7,082,600
22	Appropriated from:	
23	Federal revenues:	
24	Federal funds	902,700
25	Special revenue funds:	
26	Private funds	348,700
27	Air emissions fees	130,700

1	Community pollution prevention fund	250,000
2	Environmental education fund	50,700
3	Retired engineers technical assistance program	991,900
4	Settlement funds	251,900
5	Small business pollution prevention revolving loan	
6	fund	128,700
7	Waste reduction fee revenue	4,027,300
8	State general fund/general purpose \$	0
9	Sec. 107. WATER RESOURCE DIVISION	
10	Full-time equated classified positions 321.0	
11	Land and water interface permit programs85.0 FTE	
12	positions \$	10,846,100
13	Program direction and project assistance30.0 FTE	
14	positions	2,951,400
15	Water withdrawal assessment program4.0 FTE positions	589,000
16	Expedited water/wastewater permits3.0 FTE positions	458,700
17	Fish contaminant monitoring	316,100
18	Groundwater discharge22.0 FTE positions	3,189,000
19	NPDES nonstormwater program89.0 FTE positions	13,140,600
20	Surface water88.0 FTE positions	16,855,300
21	Federal - Great Lakes remedial action plan grants	700,000
22	Federal - nonpoint source water pollution grants	6,500,000
23	Water quality protection grants	100,000
24	GROSS APPROPRIATION \$	55,646,200
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG, MDOT - Michigan transportation fund	1,170,200

1	Federal revenues:		
2	Federal funds		22,787,300
3	Special revenue funds:		
4	Clean Michigan initiative fund - clean water fund		3,785,300
5	Environmental protection fund		646,400
6	Environmental response fund		195,600
7	Groundwater discharge permit fees		1,640,100
8	Infrastructure construction fund		458,700
9	Land and water permit fees		2,572,400
10	NPDES fees		4,748,000
11	Refined petroleum fund		436,800
12	Soil erosion and sedimentation control training fund.		133,400
13	Stormwater permit fees		3,737,400
14	Water pollution control revolving fund		784,900
15	Water quality protection fund		100,000
16	Water use reporting fees		230,300
17	State general fund/general purpose	\$	12,219,400
18	Sec. 108. LAW ENFORCEMENT DIVISION		
19	Full-time equated classified positions 14.0		
20	Environmental investigations14.0 FTE positions	\$_	2,711,100
21	GROSS APPROPRIATION	\$	2,711,100
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	Federal revenues:		
25	Federal funds		795,200
26	Special revenue funds:		
27	Aboveground storage tank fees		7,800

1	Air emissions fees	54,100
2	Campground fund	4,200
3	Cleanup and redevelopment fund	182,000
4	Environmental pollution prevention fund	27,100
5	Environmental response fund	89,400
6	Fees and collections	5,000
7	Groundwater discharge permit fees	16,700
8	Hazardous material transportation permit fund	4,100
9	Land and water permit fees	57,400
10	Medical waste emergency response fund	3,300
11	Metallic mining surveillance fee revenue	900
12	Mineral well regulatory fee revenue	3,300
13	NPDES fees	18,700
14	Oil and gas regulatory fund	143,000
15	Orphan well fund	7,200
16	Public swimming pool fund	7,400
17	Public utility assessments	4,200
18	Public water supply fees	48,100
19	Refined petroleum fund	393,100
20	Sand extraction fee revenue	1,000
21	Scrap tire regulatory fund	44,600
22	Septage waste program fund	8,300
23	Sewage sludge land application fees	13,800
24	Small business pollution prevention revolving loan	
25	fund	2,800
26	Solid waste management fund - staff account	74,300
27	Stormwater permit fees	18,400

1	Soil erosion and sedimentation control training fund.		1,200
2	Underground storage tank fees		26,300
3	Waste reduction fee revenue		73,400
4	Water analysis fees		28,400
5	Water use reporting fees		5,300
6	State general fund/general purpose	\$	541,100
7	Sec. 109. AIR QUALITY DIVISION		
8	Full-time equated classified positions 203.0		
9	Air quality programs203.0 FTE positions	\$_	25,046,100
10	GROSS APPROPRIATION	\$	25,046,100
11	Appropriated from:		
12	Interdepartmental grant revenues:		
13	Federal revenues:		
14	Federal funds		7,261,800
15	Special revenue funds:		
16	Air emissions fees		8,243,000
17	Fees and collections		271,400
18	Oil and gas regulatory fund		129,500
19	Refined petroleum fund		3,452,200
20	Waste reduction fee revenue		1,283,400
21	State general fund/general purpose	\$	4,404,800
22	Sec. 110. RESOURCE MANAGEMENT DIVISION		
23	Full-time equated classified positions 325.5		
24	Drinking water and environmental health104.5 FTE		
25	positions	\$	15,327,400
26	Hazardous waste management program51.0 FTE positions		6,769,700
27	Low-level radioactive waste authority2.0 FTE		

1	positions	218,500
2	Medical waste program2.0 FTE positions	287,100
3	Municipal assistance39.0 FTE positions	6,922,900
4	Radiological protection program12.0 FTE positions	1,310,500
5	Scrap tire regulatory program11.0 FTE positions	1,275,500
6	Oil, gas, and mineral services61.0 FTE positions	11,670,400
7	Sewage sludge land application program6.0 FTE	
8	positions	907,600
9	Solid waste management program37.0 FTE positions	4,746,900
10	Drinking water program grants	1,330,000
11	Noncommunity water grants	2,000,000
12	Septage waste compliance grants	275,000
13	Strategic water quality initiative loans	9,600,000
14	Water pollution control and drinking water revolving	
15	fund	85,443,000
16	Radon grants	90,000
17	Scrap tire grants	3,500,000
18	GROSS APPROPRIATION	\$ 151,674,500
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG-MDSP	993,300
22	Federal revenues:	
23	Federal funds	89,335,500
24	Special revenue funds:	
25	Campground fund	284,700
26	Electronic waste recycling fund	287,000
27	Environmental pollution prevention fund	2,298,100

1	Fees and collections	32,900
2	Hazardous material transportation permit fund	897,200
3	Medical waste emergency response fund	287,100
4	Metallic mining surveillance fee revenue	136,800
5	Mineral well regulatory fee revenue	197,700
6	Nonferrous metallic mineral surveillance	100,000
7	Oil and gas regulatory fund	8,928,800
8	Orphan well fund	2,225,100
9	Public swimming pool fund	648,200
10	Public utility assessments	218,500
11	Public water supply fees	4,139,500
12	Refined petroleum fund	646,900
13	Revolving loan revenue bonds	11,400,000
14	Sand extraction fee revenue	82,000
15	Scrap tire regulatory fund	4,775,500
16	Septage waste contingency fund	17,400
17	Septage waste program fund	579,000
18	Sewage sludge land application fees	907,600
19	Solid waste management fund - staff account	4,287,000
20	Strategic water quality initiatives fund	10,743,800
21	Waste reduction fee revenue	172,900
22	Wastewater operator training fees	567,300
23	Water pollution control revolving fund	2,744,000
24	State general fund/general purpose	\$ 3,740,700
25	Sec. 111. REMEDIATION DIVISION	
26	Full-time equated classified positions 349.0	
27	Contaminated site investigations, cleanup and	

1	revitalization204.0 FTE positions	\$ 27,020,000
2	Federal cleanup project management60.0 FTE positions	9,308,400
3	Laboratory services48.0 FTE positions	7,381,400
4	Aboveground storage tank program8.0 FTE positions	877,700
5	Underground storage tank program29.0 FTE positions.	4,048,000
6	Brownfield grants and loans	5,000,000
7	Emergency cleanup actions	4,000,000
8	Environmental cleanup support	1,840,000
9	Environmental cleanup and redevelopment program	30,000,000
10	Refined petroleum product cleanup program	30,000,000
11	Superfund cleanup	 3,000,000
12	GROSS APPROPRIATION	\$ 122,475,500
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDT, laboratory services	3,939,200
16	Federal revenues:	
17	Federal funds	10,071,400
18	Special revenue funds:	
19	Private funds	180,300
20	Aboveground storage tank fees	420,700
21	Cleanup and redevelopment fund	20,467,900
22	Environmental protection fund	2,085,300
23	Environmental response fund	4,630,700
24	Landfill maintenance trust fund	29,300
25	Public water supply fees	294,300
26	Refined petroleum fund	39,887,400
27	Revitalization revolving loan fund	97,300

1	Strategic water quality initiatives fund	35,000,000
2	Underground storage tank fees	2,223,800
3	Water analysis fees	3,147,900
4	State general fund/general purpose	\$ 0
5	Sec. 112. INFORMATION TECHNOLOGY	
6	Information technology services and projects	\$ 8,219,300
7	GROSS APPROPRIATION	\$ 8,219,300
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDT, laboratory services	98,100
11	IDG, MDSP	28,400
12	IDG, MDOT - Michigan transportation fund	61,200
13	Federal revenues:	
14	Federal funds	1,698,700
15	Special revenue funds:	
16	Aboveground storage tank fees	24,500
17	Air emissions fees	502,700
18	Campground fund	13,600
19	Cleanup and redevelopment fund	608,200
20	Environmental pollution prevention fund	84,600
21	Environmental protection fund	11,400
22	Environmental response fund	317,600
23	Fees and collections	16,300
24	Groundwater discharge permit fees	53,200
25	Hazardous material transportation permit fund	13,500
26	Land and water permit fees	217,700
27	Medical waste emergency response fund	10,600

1	Metallic mining surveillance fee revenue	2,600
2	Mineral well regulatory fee revenue	10,400
3	NPDES fees	65,600
4	Oil and gas regulatory fund	612,000
5	Orphan well fund	22,500
6	Public swimming pool fund	22,800
7	Public utility assessments	13,100
8	Public water supply fees	201,300
9	Refined petroleum fund	1,941,500
10	Sand extraction fee revenue	3,100
11	Scrap tire regulatory fund	87,000
12	Septage waste program fund	26,300
13	Sewage sludge land application fees	43,300
14	Small business pollution prevention revolving loan	
15	fund	8,800
16	Soil erosion and sedimentation control training fund.	4,000
17	Solid waste management fund - staff account	291,500
18	Stormwater permit fees	58,600
19	Underground storage tank fees	131,400
20	Waste reduction fee revenue	221,600
21	Wastewater operator training fees	1,000
22	Water analysis fees	106,300
23	Water pollution control revolving fund	150,300
24	Water use reporting fees	17,100
25	State general fund/general purpose	\$ 416,900
26	Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS	
27	State employee lump-sum payments	\$ 1,549,200

1	Drinking water revolving fund state match	2,500,000
2	Wetlands program	 1,500,000
3	GROSS APPROPRIATION	\$ 5,549,200
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	Interdepartmental grant revenues	48,800
7	Federal revenues:	
8	Federal funds	415,700
9	Special revenue funds:	
10	Private funds	4,200
11	State restricted revenues	920,400
12	State general fund/general purpose	\$ 4,160,100
13	PART 2	

13	PART 2
14	PROVISIONS CONCERNING APPROPRIATIONS
15	FOR FISCAL YEAR 2012-2013
16	GENERAL SECTIONS
17	Sec. 201. Pursuant to section 30 of article IX of the state
18	constitution of 1963, total state spending from state resources
19	under part 1 for fiscal year 2012-2013 is \$260,188,000.00 and state
20	spending from state resources to be paid to local units of
21	government for fiscal year 2012-2013 is \$2,775,000.00. The itemized
22	statement below identifies appropriations from which spending to
23	local units of government will occur:
24	GRANTS

Noncommunity water grants......\$ 2,000,000

25

1 500,000 Scrap tire grants..... 2 Septage waste compliance program..... 275,000 3 TOTAL.... 2,775,000 Sec. 202. The appropriations authorized under this act are 5 subject to the management and budget act, 1984 PA 431, MCL 18.1101 6 to 18.1594. 7 Sec. 203. As used in this act: 8 (a) "Department" means the department of environmental 9 quality. 10 (b) "Director" means the director of the department. 11 (c) "FTE" means full-time equated. 12 (d) "IDG" means interdepartmental grant. 13 (e) "IDT" means intradepartmental transfer. 14 (f) "MDOT" means the state transportation department. 15 (g) "MDSP" means the department of state police. (h) "NPDES" means national pollution discharge elimination 16 17 system. Sec. 204. The civil service commission shall bill the 18 19 department and agencies at the end of the first fiscal quarter for 20 the 1% charge authorized by section 5 of article XI of the state 21 constitution of 1963. Payments shall be made for the total amount 22 of the billing by the end of the second fiscal quarter. 23 Sec. 205. Unless otherwise specified, the department shall use 24 the Internet to fulfill the reporting requirements of this act. 25 This requirement may include transmission of reports via electronic 26 mail to the recipients identified for each reporting requirement, 27 or it may include placement of reports on an Internet or Intranet

- 1 site.
- 2 Sec. 206. Amounts appropriated in part 1 for information
- 3 technology may be designated as work projects and carried forward
- 4 to support technology projects under the direction of the
- 5 department of technology, management, and budget. Funds designated
- 6 in this manner are not available for expenditure until approved as
- 7 work projects under section 451a of the management and budget act,
- 8 1984 PA 431, MCL 18.1451a.
- 9 Sec. 207. The department and agencies receiving appropriations
- 10 in part 1 shall receive and retain copies of all reports funded
- 11 from appropriations in part 1. Federal and state guidelines for
- 12 short-term and long-term retention of records shall be followed.
- 13 The department may electronically retain copies of reports unless
- 14 otherwise required by federal and state guidelines.
- 15 Sec. 208. From the funds appropriated in part 1 for
- 16 information technology, departments and agencies shall pay user
- 17 fees to the department of technology, management, and budget for
- 18 technology-related services and projects. The user fees shall be
- 19 subject to provisions of an interagency agreement between the
- 20 department and agencies and the department of technology,
- 21 management, and budget.
- 22 Sec. 209. The departments and agencies receiving
- 23 appropriations in part 1 shall prepare a report on out-of-state
- 24 travel expenses not later than January 1 of each year. The travel
- 25 report shall be a listing of all travel by classified and
- 26 unclassified employees outside this state in the immediately
- 27 preceding fiscal year that was funded in whole or in part with

- 1 funds appropriated in the department's budget. The report shall be
- 2 submitted to the house and senate standing committees on
- 3 appropriations, the house and senate fiscal agencies, and the state
- 4 budget director. The report shall include the following
- 5 information:
- 6 (a) The dates of each travel occurrence.
- 7 (b) The total transportation and related costs of each travel
- 8 occurrence, including the proportion funded with state general
- 9 fund/general purpose revenues, the proportion funded with state
- 10 restricted revenues, the proportion funded with federal revenues,
- 11 and the proportion funded with other revenues.
- 12 Sec. 210. Funds appropriated in part 1 shall not be used for
- 13 the purchase of foreign goods or services, or both, if
- 14 competitively priced and of comparable quality American goods or
- 15 services, or both, are available. Preference shall be given to
- 16 goods or services, or both, manufactured or provided by Michigan
- 17 businesses if they are competitively priced and of comparable
- 18 quality. In addition, preference shall be given to goods or
- 19 services, or both, that are manufactured or provided by Michigan
- 20 businesses owned and operated by veterans, if they are
- 21 competitively priced and of comparable quality.
- 22 Sec. 211. The director shall take all reasonable steps to
- 23 ensure businesses in deprived and depressed communities compete for
- 24 and perform contracts to provide services or supplies, or both. The
- 25 director shall strongly encourage firms with which the department
- 26 contracts to subcontract with certified businesses in depressed and
- 27 deprived communities for services, supplies, or both.

- 1 Sec. 212. The department shall not take disciplinary action
- 2 against an employee for communicating with a member of the
- 3 legislature or his or her staff.
- 4 Sec. 213. (1) Funds appropriated in part 1 shall not be used
- 5 by the department to promulgate a rule that will apply to a small
- 6 business and that will have a disproportionate economic impact on
- 7 small businesses because of the size of those businesses if the
- 8 department fails to reduce the disproportionate economic impact of
- 9 the rule on small businesses as provided under section 40 of the
- 10 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.
- 11 (2) As used in this section:
- 12 (a) "Rule" means that term as defined under section 7 of the
- administrative procedures act of 1969, 1969 PA 306, MCL 24.207.
- 14 (b) "Small business" means that term as defined under section
- 15 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
- **16** 24.207a.
- 17 Sec. 214. Funds appropriated in part 1 shall not be used by a
- 18 principal executive department, state agency, or authority to hire
- 19 a person to provide legal services that are the responsibility of
- 20 the attorney general. This prohibition does not apply to legal
- 21 services for bonding activities and for those activities that the
- 22 attorney general authorizes.
- 23 Sec. 215. (1) In addition to the funds appropriated in part 1,
- 24 there is appropriated an amount not to exceed \$30,000,000.00 for
- 25 federal contingency funds. These funds are not available for
- 26 expenditure until they have been transferred to another line item
- 27 in this article under section 393(2) of the management and budget

- 1 act, 1984 PA 431, MCL 18.1393.
- 2 (2) In addition to the funds appropriated in part 1, there is
- 3 appropriated an amount not to exceed \$5,000,000.00 for state
- 4 restricted contingency funds. These funds are not available for
- 5 expenditure until they have been transferred to another line item
- 6 in this article under section 393(2) of the management and budget
- 7 act, 1984 PA 431, MCL 18.1393.
- 8 (3) In addition to the funds appropriated in part 1, there is
- 9 appropriated an amount not to exceed \$100,000.00 for local
- 10 contingency funds. These funds are not available for expenditure
- 11 until they have been transferred to another line item in this
- 12 article under section 393(2) of the management and budget act, 1984
- **13** PA 431, MCL 18.1393.
- 14 (4) In addition to the funds appropriated in part 1, there is
- appropriated an amount not to exceed \$500,000.00 for private
- 16 contingency funds. These funds are not available for expenditure
- 17 until they have been transferred to another line item in this
- 18 article under section 393(2) of the management and budget act, 1984
- **19** PA 431, MCL 18.1393.
- 20 Sec. 216. (1) The department shall report all of the following
- 21 information relative to allocations made from appropriations for
- 22 the environmental cleanup and redevelopment program, state cleanup,
- 23 emergency actions, superfund cleanup, the revitalization revolving
- 24 loan program, the brownfield grants and loans program, the leaking
- 25 underground storage tank cleanup program, the contaminated lake and
- 26 river sediments cleanup program, the refined petroleum product
- 27 cleanup program, and the environmental protection bond projects

- 1 under section 19508(7) of the natural resources and environmental
- 2 protection act, 1994 PA 451, MCL 324.19508, to the state budget
- 3 director, the senate and house appropriations subcommittees on
- 4 environmental quality, and the senate and house fiscal agencies:
- 5 (a) The name and location of the site for which an allocation
- 6 is made.
- 7 (b) The nature of the problem encountered at the site.
- 8 (c) A brief description of how the problem will be resolved if
- 9 the allocation is made for a response activity.
- 10 (d) The estimated date that site closure activities will be
- 11 completed.
- 12 (e) The amount of the allocation, or the anticipated financing
- 13 for the site.
- 14 (f) A summary of the sites and the total amount of funds
- 15 expended at the sites at the conclusion of the fiscal year.
- 16 (g) The number of brownfield projects that were successfully
- 17 redeveloped.
- 18 (2) The report prepared under subsection (1) shall also
- 19 include all of the following:
- 20 (a) The status of all state-owned facilities that are on the
- 21 list compiled under part 201 of the natural resources and
- 22 environmental protection act, 1994 PA 451, MCL 324.20101 to
- **23** 324.20142.
- 24 (b) The report shall include the total amount of funds
- 25 expended during the fiscal year and the total amount of funds
- 26 awaiting expenditure.
- (c) The total amount of bonds issued for the environmental

- 1 protection bond program pursuant to part 193 of the natural
- 2 resources and environmental protection act, 1994 PA 451, MCL
- 3 324.19301 to 324.19306, and bonds issued pursuant to the clean
- 4 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.
- 5 (3) The report shall be made available by March 31 of each
- 6 year.
- 7 Sec. 217. (1) The department may expend amounts remaining from
- 8 the current and prior fiscal year appropriations to meet funding
- 9 needs of legislatively approved sites for the environmental cleanup
- 10 and redevelopment program, the leaking underground storage tank
- 11 cleanup program, and the refined petroleum product cleanup program.
- 12 (2) Unexpended and unencumbered amounts remaining from
- 13 appropriations from the environmental protection bond fund
- 14 contained in 1993 PA 353, 2003 PA 173, 2006 PA 343, and 2011 PA 63
- 15 are appropriated for expenditure for any site listed in this act
- 16 and any site listed in the public acts referenced in this section.
- 17 (3) Unexpended and unencumbered amounts remaining from
- 18 appropriations from the cleanup and redevelopment fund contained in
- 19 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for
- 20 any site listed in this act and any site listed in the public acts
- 21 referenced in this section.
- 22 (4) Unexpended and unencumbered amounts remaining from
- 23 appropriations from the clean Michigan initiative fund response
- 24 activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004
- 25 PA 350, 2005 PA 11, 2006 PA 343, 2007 PA 121, and 2011 PA 63 are
- 26 appropriated for expenditure for any site listed in this act and
- 27 any site listed in the public acts referenced in this section.

- 1 (5) Unexpended and unencumbered amounts remaining from
- 2 appropriations from the environmental protection fund contained in
- 3 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for
- 4 expenditure for any site listed in this act and any site listed in
- 5 the public acts referenced in this section.
- 6 (6) Unexpended and unencumbered amounts remaining from
- 7 appropriations from the refined petroleum fund activities contained
- 8 in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189,
- 9 and 2011 PA 63 are appropriated for expenditure for any site listed
- 10 in this act and any site listed in the public acts referenced in
- 11 this section.
- 12 (7) Unexpended and unencumbered amounts remaining from the
- 13 appropriations from the strategic water quality initiatives fund
- 14 contained in 2011 PA 50 and 2011 PA 63 are appropriated for
- 15 expenditure for any site listed in this act and any site listed in
- 16 the public acts referenced in this section.
- 17 Sec. 218. It is the intent of the legislature that all
- 18 principal executive departments and agencies cooperate with the
- 19 development and implementation of the department of technology,
- 20 management, and budget statewide office space consolidation plan.
- 21 Sec. 219. Unexpended settlement revenues at the end of the
- 22 fiscal year may be carried forward into the settlement fund in the
- 23 succeeding fiscal year up to a maximum carryforward of
- **24** \$2,500,000.00.
- 25 Sec. 221. Not later than November 15, the department shall
- 26 prepare and transmit a report that provides for estimates of the
- 27 total general fund/general purpose appropriation lapses at the

- 1 close of the previous fiscal year. This report shall summarize the
- projected year-end general fund/general purpose appropriation
- 3 lapses by major departmental program or program areas. The report
- 4 shall be transmitted to the office of the state budget, the
- 5 chairpersons of the senate and house of representatives standing
- 6 committees on appropriations, and the senate and house fiscal
- 7 agencies.
- 8 Sec. 222. Within 14 days after the release of the executive
- 9 budget recommendation, the department shall provide the state
- 10 budget director, the senate and house appropriations chairs, the
- 11 senate and house appropriations subcommittees on environmental
- 12 quality, respectively, and the senate and house fiscal agencies
- 13 with an annual report on estimated state restricted fund balances,
- 14 state restricted fund projected revenues, and state restricted fund
- 15 expenditures for the fiscal years ending September 30, 2012 and
- 16 September 30, 2013.
- Sec. 223. Part 1 provides authorizations to fund 1,321.5 FTE
- 18 classified positions during the fiscal year ending September 30,
- 19 2013. Line-item appropriations include limitations on the number of
- 20 payroll hours to be funded, on the basis of 2,088 hours per each
- 21 FTE position. The department shall report the number of funded FTE
- 22 positions within 15 days after the effective date of this act. The
- 23 number of classified employees compensated through each line item
- 24 is limited by the authorized FTE positions indicated in this act,
- 25 as adjusted for the number of reported funded FTE positions. The
- 26 report shall be provided to the house and senate appropriations
- 27 subcommittees on environmental quality and the house and senate

- 1 fiscal agencies.
- 2 Sec. 224. On a quarterly basis, the department shall report on
- 3 the number of FTEs in pay status by civil service classification to
- 4 the senate and house appropriations subcommittees on environmental
- 5 quality and the senate and house fiscal agencies.
- 6 Sec. 225. The department shall maintain a searchable website
- 7 accessible by the public at no cost that includes, but is not
- 8 limited to, all of the following:
- 9 (a) Fiscal year-to-date expenditures by category.
- (b) Fiscal year-to-date expenditures by appropriation unit.
- 11 (c) Fiscal year-to-date payments to a selected vendor,
- 12 including the vendor name, payment date, payment amount, and
- 13 payment description.
- 14 (d) The number of active department employees by job
- 15 classification.
- (e) Job specifications and wage rates.
- 17 Sec. 227. The department shall provide a report on the
- 18 implementation of a permit application status tracking tool on the
- 19 department's public internet website to the house and senate
- 20 appropriations subcommittees on environmental quality, the standing
- 21 committees of the house and senate with primary responsibility for
- 22 environmental quality issues, and the house and senate fiscal
- 23 agencies by December 31, 2012. This permit application status
- 24 tracking tool shall allow permit applicants and the general public
- 25 to track and review pending permit applications. Searchable
- 26 parameters shall include, but are not limited to, applicant name
- 27 and address, county of request, date of application, most recent

- 1 activity, and status of the permit application. The report shall
- 2 include a list of all actions and program changes taken to
- 3 implement the tracking tool, the department's plan and timeline for
- 4 implementation of the tool, and any estimated costs associated with
- 5 that implementation plan.
- 6 Sec. 228. The department shall provide a report on the
- 7 customer satisfaction evaluation program and the feedback received
- 8 to the house and senate appropriations subcommittees on
- 9 environmental quality and the house and senate fiscal agencies by
- **10** July 1, 2013.
- 11 Sec. 229. The department shall provide a report on the
- 12 expedited permitting program to the house and senate appropriations
- 13 subcommittees on environmental quality and the house and senate
- 14 fiscal agencies by July 1, 2013. The report shall include a list of
- 15 all actions and program changes taken to implement the expedited
- 16 permitting program, the department's plan and timeline for
- 17 implementation of the program, and any estimated costs associated
- 18 with that implementation plan.
- 19 Sec. 230. By October 31, 2012, the department shall identify
- 20 10 principal measurable outcomes to be affected by expenditure of
- 21 the funds appropriated in part 1 and submit a report to the house
- 22 and senate appropriations committees, the house and senate fiscal
- 23 agencies, and the state budget director that ranks the outcomes by
- 24 level of importance and contains current data on those outcomes.
- 25 Beginning on April 1, 2013, the department shall provide biannual
- 26 updates to the house and senate appropriations committees on
- 27 changes in those measurable outcomes and departmental efforts to

1 improve the outcomes.

2 REMEDIATION DIVISION

- 3 Sec. 301. Revenues remaining in the interdepartmental
- 4 transfers, laboratory services at the end of the fiscal year shall
- 5 carry forward into the succeeding fiscal year.
- 6 Sec. 302. The unexpended funds appropriated in part 1 for
- 7 emergency cleanup actions and the refined petroleum product cleanup
- 8 program are considered work project appropriations and any
- 9 unencumbered or unallotted funds are carried forward into the
- 10 succeeding fiscal year. The following is in compliance with section
- 11 451a(1) of the management and budget act, 1984 PA 431, MCL
- **12** 18.1451a:
- 13 (a) The purpose of the projects to be carried forward is to
- 14 provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- 16 (c) The total estimated cost of all projects is identified in
- 17 each line-item appropriation.
- 18 (d) The tentative completion date is September 30, 2017.
- 19 Sec. 303. Effective October 1, 2012, surplus funds not to
- 20 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
- 21 are appropriated to the environmental protection fund created in
- 22 section 503a of the natural resources and environmental protection
- 23 act, 1994 PA 451, MCL 324.503a.
- Sec. 304. Effective October 1, 2012, surplus funds not to
- 25 exceed \$1,000,000.00 in the community pollution prevention fund

- 1 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
- 2 to the environmental protection fund created in section 503a of the
- 3 natural resources and environmental protection act, 1994 PA 451,
- 4 MCL 324.503a.
- 5 Sec. 305. It is the intent of the legislature to repay the
- 6 refined petroleum fund for the \$70,000,000.00 that was transferred
- 7 to the environmental protection fund created in section 503a of the
- 8 natural resources and environmental protection act, 1994 PA 451,
- 9 MCL 324.503a, as part of the resolution for the fiscal year 2006-
- **10** 2007 budget.
- Sec. 306. (1) The funds appropriated in part 1 for the refined
- 12 petroleum product cleanup program shall be used to fund cleanup
- 13 activities on the following sites:

14	Site Name	County
15	Former Tavern and Gas Station	Alcona
16	Midway Resort Inc	Alger
17	Country Party Store	Alpena
18	Hubbard Lake Garage	Alpena
19	Hubbard Lake General Store	Alpena
20	Res. Wells Torch Lake Twp.	Antrim
21	Torch River Pit Stop	Antrim
22	Freeport Auto Service	Barry
23	Bud's in Honor	Benzie
24	Coloma Citgo	Berrien
25	Nyes Shell Service	Berrien
26	Randy's Amoco	Berrien
27	Clark #767 (Marshall)	Calhoun

1	Clark #768 (Albion)	Calhoun
2	Clark Service Station #500	Calhoun
3	Helmer I-94	Calhoun
4	Korner Krossroads Party Store	Calhoun
5	Logan's Gas & Deli	Calhoun
6	Unocal 76, Edwardsburg (Energy Oil)	Cass
7	Arnold's Bait and Tackle	Charlevoix
8	J.J.'s General Store	Charlevoix
9	Northern Oil (former)	Charlevoix
10	Club Rd Property	Cheboygan
11	Corner Store	Cheboygan
12	Ackels Car Care	Clinton
13	State Road Service	Clinton
14	D & L Fuels	Eaton
15	South End Mobil	Eaton
16	Beckon & Larks Lake Rd.	Emmet
17	Farmers Petroleum Coop - Petoskey	Emmet
18	Action Auto #10	Genesee
19	Central Distributing	Genesee
20	City of Flint Fire Department	Genesee
21	Odyssey House, Flint	Genesee
22	Spartan Express (truck terminal)	Genesee
23	Tabers Oil Co., Inc.	Genesee
24	United Cleaners, Inc	Genesee
25	Watkins & Himelhoch Inc	Genesee
26	Howard Jameson A+H Racing	Gladwin
27	Sportsmans Landing	Gladwin

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1	Winegar's Trading Post	Gladwin
2	4 Corners	Grand Traverse
3	Stop N Shop	Grand Traverse
4	Wilson's Grocery	Gratiot
5	Engelhardt Petroleum, Inc. Gas Station	Huron
6	Mouch's Auto Sales	Huron
7	Action Auto Inc	Ingham
8	Action Auto Store #30	Ingham
9	Bay Gas Station, 3306 N. East St.	Ingham
10	Bay Petroleum, S. MLK	Ingham
11	Bay Petroleum, W. Willow	Ingham
12	Citgo #7	Ingham
13	Clark Station #1995	Ingham
14	Fresh-Up Car Wash	Ingham
15	Miller Oil Company	Ingham
16	Don Bessemer/Haight's Garage	Ionia
17	Bublitz Oil Full Service Oscoda	Iosco
18	Graham Oil Bulk Plant	Iosco
19	Firstbank-Winn Branch	Isabella
20	Clark #501	Jackson
21	McDonald's Crosstown Service	Kalamazoo
22	Meijers Thrifty Acres	Kalamazoo
23	Dutton Mill Properties	Kent
24	Great Northern Packaging	Kent
25	Hurley's Lodge	Lake
26	Church & Sons Gas Station	Lapeer
27	E.J. Green	Lapeer

1	Lakeside Resort and Party Store	Leelanau
2	Blissfield Marathon	Lenawee
3	Blissfield Vacant Lot	Lenawee
4	Clark 1457 Adrian	Lenawee
5	Lakeland Montessori School	Livingston
6	Leon Bonner Prop	Livingston
7	The Pit	Livingston
8	Action Auto (former)	Macomb
9	Sokana Mobil	Macomb
10	Red Barn Market	Manistee
11	Airport Road, 1933 East	Midland
12	Dutch Hutch	Missaukee
13	A.N. Russell & Son Inc	Montcalm
14	R.V. Jensen Inc.	Montcalm
15	A-1 Party Mart	Montmorency
16	Mary D's Restaurant	Montmorency
17	Pointe Bait	Montmorency
18	Sports Center, Inc.	Montmorency
19	Strolle Oil	Montmorency
20	Williams Service Station	Montmorency
21	Bennett Pump	Muskegon
22	Bernie's Amoco	Muskegon
23	Reliable Truck & Crane	Muskegon
24	Hardy Grocery	Newaygo
25	Clark #903, Keego Harbor	Oakland
26	DOC Optical	Oakland
27	Jenny Enterprises/Wine Basket, Highland	Oakland

1	South Lyon Service Station Inc	Oakland
2	Wayne Oakland Oil Company	Oakland
3	Shady Shores Restaurant	Ogemaw
4	Andy's Standard	Osceola
5	Eagle Village	Osceola
6	Hersey Party Store	Osceola
7	Neal's Service	Osceola
8	Tiel Oil Co.	Osceola
9	Don's Marathon	Oscoda
10	Charlie's Place	Roscommon
11	AMCO Group	Sanilac
12	Sangster property	Sanilac
13	Frank's Service	Shiawassee
14	Raymond Ayotte	Shiawassee
15	Decker Service	St. Joseph
16	Gagetown Gas and Oil, former	Tuscola
17	One Stop Party Store	Tuscola
18	Jimmie's Filling Station	Washtenaw
19	B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
20	Cal's Car Care, Incorporated - BTEX	Wayne
21	City of Detroit - DOT - 14044 Schaefer	Wayne
22	City of Detroit - DOT - 5600 Wabash St.	Wayne
23	City of Detroit - DOT - 5800 Russell St.	Wayne
24	Hail Investments Inc.	Wayne
25	JJ Curran Crane	Wayne
26	K & A Gas	Wayne
27	Master Petroleum	Wayne

- 1 Micks Auto Wayne
- 2 Speedy's Gas & Goodies Wayne
- 3 (2) The department shall provide a report to the legislature
- 4 on the amount actually spent at each site listed in subsection (1)
- 5 and give a detailed account of the work actually performed at each
- 6 site.
- 7 Sec. 307. For the state fiscal year ending September 30, 2013,
- 8 there is appropriated from clean Michigan initiative response
- 9 activities revenue \$300,000.00 for an engineering study pertaining
- 10 to the Wickes Manufacturing TCE plume site.
- 11 Sec. 309. The funds appropriated in part 1 for the brownfield
- 12 grants and loans program are considered work project
- 13 appropriations, and any unencumbered or unallotted funds are
- 14 carried forward into the succeeding fiscal year. The following is
- in compliance with section 451a(1) of the management and budget
- 16 act, 1984 PA 431, MCL 18.1451a:
- 17 (a) The purpose of the projects is to provide contaminated
- 18 site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is \$5,000,000.00.
- 21 (d) The tentative completion date is September 30, 2017.
- 22 Sec. 310. (1) Upon approval by the state budget director, the
- 23 department may expend from the general fund of the state an amount
- 24 to meet the cash-flow requirements of projects funded under any of
- 25 the following that are financed from bond proceeds and for which
- 26 bonds have been authorized but not yet issued:
- 27 (a) Part 52 of the natural resources and environmental

- 1 protection act, 1994 PA 451, MCL 324.5201 to 324.5206.
- 2 (b) Part 193 of the natural resources and environmental
- 3 protection act, 1994 PA 451, MCL 324.19301 to 324.19306.
- 4 (c) Part 196 of the natural resources and environmental
- 5 protection act, 1994 PA 451, MCL 324.19601 to 324.19616.
- 6 (2) Upon the sale of bonds for projects described in
- 7 subsection (1), the department shall credit the general fund of the
- 8 state an amount equal to that expended from the general fund.

WATER RESOURCES DIVISION

- 10 Sec. 401. From the funds appropriated in part 1 for surface
- 11 water, not less than \$700,000.00 and 5.0 FTEs shall be allocated to
- 12 support the aquatic nuisance control program. The department shall
- 13 report to the house and senate appropriations subcommittees on
- 14 environmental quality and the house and senate fiscal agencies by
- 15 September 30, 2013 on the use of this funding and the number of
- 16 permit applications processed by the program in 2013.
- 17 Sec. 402. From the funds appropriated in part 1, the
- 18 department shall fund a groundwater dispute resolution process in
- 19 such a manner that maintains a strategically selected dispute
- 20 resolution process given funds available. The department may
- 21 utilize any and all available resources in providing this process
- 22 and shall report to the legislature on the need for additional
- 23 funds.

9

- 24 Sec. 403. From the funds appropriated in part 1, the
- 25 department shall support funding for the aquatic invasive species
- 26 advisory council to provide recommendations to appropriate parties

- 1 and bodies for a basin-wide approach to managing invasive species.
- 2 Sec. 405. If a certified health department does not exist in a
- 3 city, county, or district or does not fulfill its responsibilities
- 4 under part 117 of the natural resources and environmental
- 5 protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the
- 6 department may spend funds appropriated in part 1 under the septage
- 7 waste compliance program in accordance with section 11716 of the
- 8 natural resources and environmental protection act, 1994 PA 451,
- 9 MCL 324.11716.

10

RESOURCE MANAGEMENT DIVISION

- Sec. 601. (1) The department shall provide a report on the
- 12 state's solid waste policy that includes the department's plan for
- 13 long-term funding for the solid waste management program and all
- 14 actions and program changes taken, including progress on the
- 15 feasibility of contracting out landfill inspections, to implement
- 16 the recommendations of the June 30, 2012 report to the legislature
- 17 required by section 601 of article VII of 2011 PA 63.
- 18 (2) The department shall provide the report prepared under
- 19 subsection (1) to the state budget director, the house and senate
- 20 appropriations subcommittees on environmental quality, and the
- 21 house and senate fiscal agencies by June 30, 2013.
- 22 Sec. 602. (1) The department is encouraged to use available
- 23 pollution prevention funds and work with local public health
- 24 departments, the department of agriculture and rural development,
- 25 and the United States department of agriculture to maintain and
- 26 expand programs for the safe disposal of hazardous household

- 1 chemicals and prescription drugs.
- 2 (2) The department shall report to the house and senate
- 3 appropriations subcommittees on environmental quality and the house
- 4 and senate fiscal agencies by March 1, 2013 on clean sweep
- 5 locations in this state and on factors affecting program success
- 6 and expansion including funding requirements.
- 7 PART 2A
- 8 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
- 9 FOR FISCAL YEAR 2013-2014

10 GENERAL SECTIONS

- Sec. 1201. It is the intent of the legislature to provide
- 12 appropriations for the fiscal year ending on September 30, 2014 for
- 13 the line items listed in part 1. The fiscal year 2013-2014
- 14 appropriations are anticipated to be the same as those for fiscal
- 15 year 2012-2013, except that the line items will be adjusted for
- 16 changes in caseload and related costs, federal fund match rates,
- 17 economic factors, and available revenue. These adjustments will be
- 18 determined after the January 2013 consensus revenue estimating
- 19 conference.