

**SUBSTITUTE FOR
SENATE BILL NO. 176**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1	PART 1
2	LINE-ITEM APPROPRIATIONS
3	FOR FISCAL YEAR 2011-2012

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, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions..... 1,343.5

GROSS APPROPRIATION..... \$ 405,707,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 9,043,200

ADJUSTED GROSS APPROPRIATION..... \$ 396,664,200

Federal revenues:

Total federal revenues..... 159,701,500

Special revenue funds:

Total private revenues..... 711,800

Total other state restricted revenues..... 214,759,200

State general fund/general purpose..... \$ 21,491,600

FUND SOURCE SUMMARY

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions..... 1,343.5

GROSS APPROPRIATION..... \$ 405,707,400

Interdepartmental grant revenues:

IDG, MDOT - Michigan transportation fund..... 1,165,900

IDG, MDSP..... 1,095,900

1	IDT, interdivisional charges.....	2,053,400
2	IDT, laboratory services.....	4,728,000
3	Total interdepartmental grants and intradepartmental	
4	transfers	9,043,200
5	ADJUSTED GROSS APPROPRIATION.....	\$ 396,664,200
6	Federal revenues:	
7	Federal funds.....	159,701,500
8	Special revenue funds:	
9	Private funds.....	711,800
10	Aboveground storage tank fees.....	489,700
11	Air emissions fees.....	10,163,900
12	Campground fund.....	292,700
13	Clean Michigan initiative fund - clean water fund....	4,030,700
14	Cleanup and redevelopment fund.....	16,555,600
15	Community pollution prevention fund.....	250,000
16	Electronic waste recycling fund.....	269,800
17	Environmental education fund.....	260,900
18	Environmental pollution prevention fund.....	2,425,900
19	Environmental protection fund.....	5,832,200
20	Environmental response fund.....	8,236,000
21	Fees and collections.....	348,000
22	Financial instruments.....	5,000,000
23	Great Lakes protection fund.....	1,051,500
24	Groundwater discharge permit fees.....	1,624,400
25	Hazardous materials transportation permit fund.....	912,400
26	Infrastructure construction fund.....	434,300
27	Land and water permit fees.....	5,695,900

1	Landfill maintenance trust fund.....	28,200
2	Medical waste emergency response fund.....	330,000
3	Metallic mining surveillance fee revenue.....	38,000
4	Mineral well regulatory fee revenue.....	213,100
5	NPDES fees.....	4,298,400
6	Oil and gas regulatory fund.....	10,632,700
7	Orphan well fund.....	2,207,000
8	Public swimming pool fund.....	690,200
9	Public utility assessments.....	264,800
10	Public water supply fees.....	4,682,500
11	Refined petroleum fund.....	37,642,400
12	Revitalization revolving loan fund.....	94,100
13	Revolving loan revenue bonds.....	11,400,000
14	Sand extraction fee revenue.....	81,000
15	Scrap tire regulatory fund.....	5,328,800
16	Septage waste contingency fund.....	17,000
17	Septage waste program fund.....	609,000
18	Settlement funds.....	2,490,900
19	Sewage sludge land application fees.....	993,700
20	Small business pollution prevention revolving loan	
21	fund	146,700
22	Soil erosion and sedimentation control training fund.	134,100
23	Solid waste management fund - staff account.....	4,822,600
24	State site cleanup fund.....	4,400,000
25	Stormwater permit fees.....	3,345,300
26	Strategic water quality initiatives fund.....	40,000,000
27	Underground storage tank fees.....	2,575,500

1	Waste reduction fee revenue.....		4,851,100
2	Wastewater operator training fees.....		550,700
3	Water analysis fees.....		3,947,900
4	Water pollution control revolving fund.....		3,530,500
5	Water quality protection fund.....		100,000
6	Water use reporting fees.....		439,200
7	Total other state restricted revenues.....		214,759,200
8	State general fund/general purpose.....	\$	21,491,600
9	Sec. 102. EXECUTIVE OPERATIONS		
10	Full-time equated unclassified positions.....	6.0	
11	Full-time equated classified positions.....	14.0	
12	Unclassified salaries--6.0 FTE positions.....	\$	500,000
13	Executive direction--14.0 FTE positions.....		<u>1,656,400</u>
14	GROSS APPROPRIATION.....	\$	2,156,400
15	Appropriated from:		
16	Federal revenues:		
17	Federal funds.....		72,100
18	Special revenue funds:		
19	Environmental response fund.....		140,500
20	Oil and gas regulatory fund.....		231,900
21	Refined petroleum fund.....		414,500
22	Settlement funds.....		58,100
23	State general fund/general purpose.....	\$	1,239,300
24	Sec. 103. OFFICE OF THE GREAT LAKES		
25	Full-time equated classified positions.....	18.0	
26	Office of the Great Lakes--18.0 FTE positions.....	\$	<u>2,697,600</u>
27	GROSS APPROPRIATION.....	\$	2,697,600

1	Appropriated from:	
2	Federal revenues:	
3	Federal funds.....	1,591,400
4	Special revenue funds:	
5	Great Lakes protection fund.....	680,800
6	Settlement funds.....	106,600
7	State general fund/general purpose.....	\$ 318,800
8	Sec. 104. GREAT LAKES RESTORATION INITIATIVE	
9	Great Lakes restoration initiative.....	\$ <u>25,000,100</u>
10	GROSS APPROPRIATION.....	\$ 25,000,100
11	Appropriated from:	
12	Federal revenues:	
13	Federal funds.....	25,000,100
14	State general fund/general purpose.....	\$ 0
15	Sec. 105. DEPARTMENT SUPPORT SERVICES	
16	Full-time equated classified positions..... 37.0	
17	Central support services--37.0 FTE positions.....	\$ 3,905,400
18	Accounting service center.....	1,224,700
19	Administrative hearings.....	489,700
20	Automated data processing.....	2,053,300
21	Building occupancy charges.....	5,985,100
22	Environmental support projects.....	4,999,900
23	Rent - privately owned property.....	<u>1,960,900</u>
24	GROSS APPROPRIATION.....	\$ 20,619,000
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG, MDSP.....	86,700

1	IDT, interdivisional charges.....	2,053,400
2	IDT, laboratory services.....	502,700
3	Federal revenues:	
4	Federal funds.....	5,200
5	Special revenue funds:	
6	Above ground storage tank fees.....	55,900
7	Air emissions fees.....	1,597,600
8	Campground fund.....	15,100
9	Cleanup and redevelopment fund.....	1,332,600
10	Environmental pollution prevention fund.....	105,100
11	Environmental protection fund.....	5,500
12	Environmental response fund.....	614,000
13	Fees and collections.....	38,300
14	Financial instruments.....	5,000,000
15	Great Lakes protection fund.....	82,500
16	Groundwater discharge permit fees.....	188,200
17	Hazardous material transportation permit fund.....	34,900
18	Land and water permit fees.....	309,300
19	Medical waste emergency response fund.....	40,400
20	Metallic mining surveillance fee revenue.....	1,300
21	Mineral well regulatory fee revenue.....	15,200
22	NPDES fees.....	412,100
23	Oil and gas regulatory fund.....	1,016,800
24	Orphan well fund.....	40,400
25	Public swimming pool fund.....	64,100
26	Public utility assessments.....	49,400
27	Public water supply fees.....	254,100

1	Refined petroleum fund.....	1,879,200
2	Sand extraction fee revenue.....	1,000
3	Scrap tire regulatory fund.....	200,300
4	Septage waste program fund.....	34,000
5	Settlement funds.....	192,500
6	Sewage sludge land application fees.....	107,400
7	Small business pollution prevention revolving loan	
8	fund	19,000
9	Soil erosion and sedimentation control training fund.	5,300
10	Solid waste management fund - staff account.....	581,400
11	Stormwater permit fees.....	184,400
12	Underground storage tank fees.....	219,100
13	Waste reduction fee revenue.....	365,200
14	Wastewater operator training fees.....	6,000
15	Water analysis fees.....	355,600
16	Water use reporting fees.....	8,900
17	State general fund/general purpose.....	\$ 2,538,900
18	Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE	
19	Full-time equated classified positions.....	38.0
20	Office of environmental assistance--38.0 FTE positions	\$ <u>5,055,300</u>
21	GROSS APPROPRIATION	5,055,300
22	Appropriated from:	
23	Federal revenues:	
24	Federal funds.....	880,100
25	Special revenue funds:	
26	Private funds.....	537,600
27	Air emissions fees.....	124,500

1	Environmental education fund.....	260,900
2	Settlement funds.....	248,400
3	Small business pollution prevention revolving loan	
4	fund	118,900
5	Waste reduction fee revenue.....	2,884,900
6	State general fund/general purpose.....	\$ 0
7	Sec. 107. WATER RESOURCE DIVISION	
8	Full-time equated classified positions.....	321.0
9	Land and water interface permit programs--85.0 FTE	
10	positions	\$ 14,806,800
11	Program direction and project assistance--30.0 FTE	
12	positions	2,775,000
13	Water withdrawal assessment program--4.0 FTE positions	756,600
14	Expedited water/wastewater permits--3.0 FTE positions	434,400
15	Fish contaminant monitoring.....	316,000
16	Groundwater discharge--22.0 FTE positions.....	2,868,800
17	NPDES nonstormwater program--89.0 FTE positions.....	11,690,500
18	Surface water--88.0 FTE positions.....	15,163,500
19	Invasive species advisory council.....	<u>100</u>
20	GROSS APPROPRIATION.....	\$ 48,811,700
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG, MDOT - Michigan transportation fund.....	1,108,100
24	Federal revenues:	
25	Federal funds.....	14,298,800
26	Special revenue funds:	
27	Clean Michigan initiative fund - clean water fund....	4,030,700

1	Environmental protection fund.....		2,546,100
2	Environmental response fund.....		183,700
3	Groundwater discharge permit fees.....		1,356,900
4	Infrastructure construction fund.....		434,300
5	Land and water permit fees.....		5,251,500
6	NPDES fees.....		3,685,600
7	Refined petroleum fund.....		429,400
8	Soil erosion and sedimentation control training fund.		126,300
9	Stormwater permit fees.....		2,972,600
10	Water pollution control revolving fund.....		734,300
11	Water use reporting fees.....		426,100
12	State general fund/general purpose.....	\$	11,227,300
13	Sec. 108. LAW ENFORCEMENT DIVISION		
14	Full-time equated classified positions.....	14.0	
15	Environmental investigations--14.0 FTE positions.....	\$	<u>2,396,900</u>
16	GROSS APPROPRIATION.....	\$	2,396,900
17	Appropriated from:		
18	Federal revenues:		
19	Federal funds.....		703,100
20	Special revenue funds:		
21	Aboveground storage tank fees.....		5,100
22	Air emissions fees.....		150,600
23	Campground fund.....		2,800
24	Cleanup and redevelopment fund.....		126,700
25	Environmental pollution prevention fund.....		10,400
26	Environmental protection fund.....		45,400
27	Environmental response fund.....		65,300

1	Fees and collections.....	3,800
2	Great Lakes protection fund.....	8,300
3	Groundwater discharge permit fees.....	17,300
4	Hazardous material transportation permit fund.....	3,500
5	Land and water permit fees.....	36,800
6	Medical waste emergency response fund.....	4,100
7	Metallic mining surveillance fee revenue.....	500
8	Mineral well regulatory fee revenue.....	1,600
9	NPDES fees.....	41,600
10	Oil and gas regulatory fund.....	114,200
11	Orphan well fund.....	4,100
12	Public swimming pool fund.....	5,100
13	Public water supply fees.....	25,400
14	Refined petroleum fund.....	291,600
15	Sand extraction fee revenue.....	500
16	Scrap tire regulatory fund.....	97,000
17	Septage waste program fund.....	3,400
18	Settlement funds.....	22,200
19	Sewage sludge land application fees.....	9,800
20	Small business pollution prevention revolving loan	
21	fund	1,900
22	Stormwater permit fees.....	18,400
23	Soil erosion and sedimentation control training fund.	600
24	Underground storage tank fees.....	21,900
25	Waste reduction fee revenue.....	45,700
26	Wastewater operator training fees.....	600
27	Water analysis fees.....	28,400

1	Water use reporting fees.....	900
2	State general fund/general purpose.....	\$ 478,300
3	Sec. 109. AIR QUALITY DIVISION	
4	Full-time equated classified positions.....	210.0
5	Air quality programs--210.0 FTE positions.....	\$ <u>24,228,800</u>
6	GROSS APPROPRIATION.....	\$ 24,228,800
7	Appropriated from:	
8	Federal revenues:	
9	Federal funds.....	7,488,200
10	Special revenue funds:	
11	Air emissions fees.....	7,739,500
12	Environmental response fund.....	119,800
13	Fees and collections.....	254,900
14	Oil and gas regulatory fund.....	121,600
15	Refined petroleum fund.....	3,163,200
16	Waste reduction fee revenue.....	1,200,000
17	State general fund/general purpose.....	\$ 4,141,600
18	Sec. 110. ENVIRONMENTAL RESOURCE MANAGEMENT	
19	DIVISION	
20	Full-time equated classified positions.....	329.5
21	Drinking water and environmental health--109.5 FTE	
22	positions	\$ 15,099,000
23	Hazardous waste management program--51.0 FTE positions	6,593,300
24	Low-level radioactive waste authority--2.0 FTE	
25	positions	199,300
26	Medical waste program--2.0 FTE positions	270,900
27	Municipal assistance--39.0 FTE positions	6,020,900

1	Radiological protection program--12.0 FTE positions ..	1,295,300
2	Scrap tire regulatory program--11.0 FTE positions	1,198,500
3	Oil, gas, and mineral services--60.0 FTE positions ...	11,176,400
4	Sewage sludge land application program--6.0 FTE	
5	positions	841,500
6	Solid waste management program--37.0 FTE positions ...	<u>4,462,900</u>
7	GROSS APPROPRIATION.....	\$ 47,158,000
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDG-MDSP.....	979,600
11	Federal revenues:	
12	Federal funds.....	15,793,400
13	Special revenue funds:	
14	Campground fund.....	264,600
15	Electronic waste recycling fund.....	269,800
16	Environmental pollution prevention fund.....	2,205,800
17	Fees and collections.....	32,100
18	Hazardous material transportation permit fund.....	861,300
19	Medical waste emergency response fund.....	271,000
20	Metallic mining surveillance fee revenue.....	35,700
21	Mineral well regulatory fee revenue.....	190,800
22	Oil and gas regulatory fund.....	8,715,400
23	Orphan well fund.....	2,148,000
24	Public swimming pool fund.....	602,400
25	Public utility assessments.....	199,300
26	Public water supply fees.....	2,556,900
27	Refined petroleum fund.....	601,100

1	Sand extraction fee revenue.....	79,200
2	Scrap tire regulatory fund.....	1,198,600
3	Septage waste contingency fund.....	17,000
4	Septage waste program fund.....	281,600
5	Sewage sludge land application fees.....	841,600
6	Solid waste management fund - staff account.....	4,030,500
7	Stormwater permit fees.....	103,100
8	Strategic water quality initiatives fund.....	400,000
9	Waste reduction fee revenue.....	162,500
10	Wastewater operator training fees.....	541,900
11	Water pollution control revolving fund.....	2,621,500
12	State general fund/general purpose.....	\$ 1,153,300
13	Sec. 111. REMEDIATION DIVISION	
14	Full-time equated classified positions.....	362.0
15	Contaminated site investigations, cleanup and	
16	revitalization--207.0 FTE positions.....	\$ 26,130,700
17	Federal cleanup project management--60.0 FTE positions	9,254,300
18	Laboratory services--54.0 FTE positions.....	7,702,700
19	Aboveground storage tank program--8.0 FTE positions..	856,300
20	Underground storage tank program--33.0 FTE positions.	3,865,200
21	Emergency cleanup actions.....	3,999,900
22	Environmental cleanup support.....	1,840,100
23	Environmental cleanup and redevelopment program.....	29,999,900
24	State sites cleanup program.....	4,400,100
25	Refined petroleum product cleanup program.....	19,999,800
26	Superfund cleanup.....	<u>3,000,100</u>
27	GROSS APPROPRIATION.....	\$ 111,049,100

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDT, laboratory services.....	4,068,600
4	Federal revenues:	
5	Federal funds.....	10,035,000
6	Special revenue funds:	
7	Private funds.....	174,200
8	Aboveground storage tank fees.....	410,400
9	Cleanup and redevelopment fund.....	14,626,300
10	Environmental protection fund.....	3,234,100
11	Environmental response fund.....	6,846,500
12	Landfill maintenance trust fund.....	28,200
13	Public water supply fees.....	276,800
14	Refined petroleum fund.....	29,592,000
15	Revitalization revolving loan fund.....	94,100
16	Settlement funds.....	1,782,400
17	State site cleanup fund.....	4,400,000
18	Strategic water quality initiatives fund.....	30,000,000
19	Underground storage tank fees.....	2,123,300
20	Water analysis fees.....	3,357,200
21	State general fund/general purpose.....	\$ 0
22	Sec. 112. GRANTS	
23	Coastal management grants.....	\$ 1,750,000
24	Drinking water program grants.....	1,330,100
25	Federal - Great Lakes remedial action plan grants....	699,900
26	Federal - nonpoint source water pollution grants.....	6,500,100
27	Grants to counties - air pollution.....	83,600

1	Great Lakes research and protection grants	250,100
2	Noncommunity water grants	1,399,900
3	Pollution prevention local grants	250,100
4	Radon grants	89,900
5	Scrap tire grants	3,500,100
6	Septage waste compliance grants	274,900
7	Strategic water quality initiative loans	9,600,100
8	Water quality protection grants	99,800
9	Water pollution control and drinking water revolving	
10	funds	<u>82,943,100</u>
11	GROSS APPROPRIATION	\$ 108,771,700
12	Appropriated from:	
13	Federal revenues:	
14	Federal funds	81,913,000
15	Special revenue funds:	
16	Community pollution prevention fund	250,000
17	Great Lakes protection fund	250,000
18	Public water supply fees	1,400,000
19	Refined petroleum fund	83,700
20	Revolving loan revenue bonds	11,400,000
21	Scrap tire regulatory fund	3,500,000
22	Septage waste program fund	275,000
23	Strategic water quality initiatives fund	9,600,000
24	Water quality protection fund	100,000
25	State general fund/general purpose	\$ 0
26	Sec. 113. INFORMATION TECHNOLOGY	
27	Information technology services and projects	<u>\$ 7,762,800</u>

1	GROSS APPROPRIATION.....	\$	7,762,800
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDT, laboratory services.....		156,700
5	IDG, MDSP.....		29,600
6	IDG, MDOT - Michigan transportation fund.....		57,800
7	Federal revenues:		
8	Federal funds.....		1,921,100
9	Special revenue funds:		
10	Aboveground storage tank fees.....		18,300
11	Air emissions fees.....		551,700
12	Campground fund.....		10,200
13	Cleanup and redevelopment fund.....		470,000
14	Environmental pollution prevention fund.....		104,600
15	Environmental protection fund.....		1,100
16	Environmental response fund.....		266,200
17	Fees and collections.....		18,900
18	Great Lakes protection fund.....		29,900
19	Groundwater discharge permit fees.....		62,000
20	Hazardous material transportation permit fund.....		12,700
21	Land and water permit fees.....		98,300
22	Medical waste emergency response fund.....		14,500
23	Metallic mining surveillance fee revenue.....		500
24	Mineral well regulatory fee revenue.....		5,500
25	NPDES fees.....		159,100
26	Oil and gas regulatory fund.....		432,800
27	Orphan well fund.....		14,500

1	Public swimming pool fund.....	18,600
2	Public utility assessments.....	16,100
3	Public water supply fees.....	169,300
4	Refined petroleum fund.....	1,187,700
5	Sand extraction fee revenue.....	300
6	Scrap tire regulatory fund.....	332,900
7	Septage waste program fund.....	15,000
8	Settlement funds.....	80,700
9	Sewage sludge land application fees.....	34,900
10	Small business pollution prevention revolving loan	
11	fund	6,900
12	Soil erosion and sedimentation control training fund.	1,900
13	Solid waste management fund - staff account.....	210,700
14	Stormwater permit fees.....	66,800
15	Underground storage tank fees.....	211,200
16	Waste reduction fee revenue.....	192,800
17	Wastewater operator training fees.....	2,200
18	Water analysis fees.....	206,700
19	Water pollution control revolving fund.....	174,700
20	Water use reporting fees.....	3,300
21	State general fund/general purpose.....	\$ 394,100

22 PART 2

23 PROVISIONS CONCERNING APPROPRIATIONS

24 FOR FISCAL YEAR 2011-2012

25 GENERAL SECTIONS

1 Sec. 201. Pursuant to section 30 of article IX of the state
 2 constitution of 1963, total state spending from state resources
 3 under part 1 for fiscal year 2011-2012 is \$236,000,800.00 and state
 4 spending from state resources to be paid to local units of
 5 government for fiscal year 2011-2012 is \$2,175,000.00. The itemized
 6 statement below identifies appropriations from which spending to
 7 local units of government will occur:

8 DEPARTMENT OF ENVIRONMENTAL QUALITY

9 Grants..... \$ 2,175,000

10 Sec. 202. As used in this act:

11 (a) "Department" means the department of environmental
 12 quality.

13 (b) "FTE" means full-time equated.

14 (c) "IDG" means interdepartmental grant.

15 (d) "IDT" means intradepartmental transfer.

16 (e) "MDOT" means the state transportation department.

17 (f) "MDSP" means the department of state police.

18 (g) "NPDES" means national pollution discharge elimination
 19 system.

20 Sec. 203. Funds appropriated in part 1 shall not be used for
 21 the purchase of foreign goods or services, or both, if
 22 competitively priced and comparable quality American goods or
 23 services, or both, are available. Preference shall be given to
 24 goods or services, or both, manufactured or provided by Michigan
 25 businesses if they are competitively priced and of comparable
 26 quality. In addition, preference shall be given to goods or
 27 services, or both, that are manufactured or provided by Michigan

1 businesses owned and operated by veterans, if they are
2 competitively priced and of comparable quality.

3 Sec. 204. The department shall not take disciplinary action
4 against an employee for communicating truthfully and factually with
5 a member of the legislature or his or her staff.

6 Sec. 205. (1) In addition to the funds appropriated in part 1,
7 there is appropriated an amount not to exceed \$30,000,000.00 for
8 federal contingency funds. These funds are not available for
9 expenditure until they have been transferred to another line item
10 in this act under section 393(2) of the management and budget act,
11 1984 PA 431, MCL 18.1393.

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

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

24 (4) In addition to the funds appropriated in part 1, there is
25 appropriated an amount not to exceed \$500,000.00 for private
26 contingency funds. These funds are not available for expenditure
27 until they have been transferred to another line item in this act

1 under section 393(2) of the management and budget act, 1984 PA 431,
2 MCL 18.1393.

3 Sec. 206. (1) The department shall report all of the following
4 information relative to allocations made from appropriations for
5 the environmental cleanup and redevelopment program, state cleanup,
6 emergency actions, superfund cleanup, the revitalization revolving
7 loan program, the brownfield grants and loans program, the leaking
8 underground storage tank cleanup program, the contaminated lake and
9 river sediments cleanup program, the refined petroleum product
10 cleanup program, and the environmental protection bond projects
11 under section 19508(7) of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.19508, to the state budget
13 director, the senate and house appropriations subcommittees on
14 environmental quality, and the senate and house fiscal agencies:

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

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

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

20 (d) The estimated date that site closure activities will be
21 completed.

22 (e) The amount of the allocation, or the anticipated financing
23 for the site.

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

26 (g) The number of sites that would qualify as brownfields that
27 were redeveloped.

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

3 (a) The status of all state-owned facilities that are on the
4 list compiled under part 201 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.20101 to
6 324.20142.

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

10 (c) The total amount of bonds issued for the environmental
11 protection bond program pursuant to part 193 of the natural
12 resources and environmental protection act, 1994 PA 451, MCL
13 324.19301 to 324.19306, and bonds issued pursuant to the clean
14 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

15 (3) The report shall be made available by March 31.

16 Sec. 207. (1) The department may expend amounts remaining from
17 the current and prior fiscal year appropriations to meet funding
18 needs of legislatively approved sites for the environmental cleanup
19 and redevelopment program, the leaking underground storage tank
20 cleanup program, and the refined petroleum product cleanup program.

21 (2) Unexpended and unencumbered amounts remaining from
22 appropriations from the environmental protection bond fund
23 contained in 1993 PA 353, 2003 PA 173, and 2006 PA 343 are
24 appropriated for expenditure for any site listed in this act and
25 any site listed in the public acts referenced in this section.

26 (3) Unexpended and unencumbered amounts remaining from
27 appropriations from the cleanup and redevelopment fund contained in

1 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for
2 any site listed in this act and any site listed in the public acts
3 referenced in this section.

4 (4) Unexpended and unencumbered amounts remaining from
5 appropriations from the clean Michigan initiative fund - response
6 activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004
7 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated
8 for expenditure for any site listed in this act and any site listed
9 in the public acts referenced in this section.

10 (5) Unexpended and unencumbered amounts remaining from
11 appropriations from the environmental protection fund contained in
12 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for
13 expenditure for any site listed in this act and any site listed in
14 the public acts referenced in this section.

15 (6) Unexpended and unencumbered amounts remaining from
16 appropriations from the refined petroleum fund activities contained
17 in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, and 2010 PA
18 189 are appropriated for expenditure for any site listed in this
19 act and any site listed in the public acts referenced in this
20 section.

21 Sec. 208. 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. 211. The director of the department shall take all
26 reasonable steps to ensure businesses in deprived and depressed
27 communities compete for and perform contracts to provide services

1 or supplies, or both. The director shall strongly encourage firms
2 with which the department contracts to subcontract with certified
3 businesses in depressed and deprived communities for services,
4 supplies, or both.

5 Sec. 214. Funds appropriated in part 1 shall not be used by a
6 principal executive department, state agency, or authority to hire
7 a person to provide legal services that are the responsibility of
8 the attorney general. This prohibition does not apply to legal
9 services for bonding activities and for those activities that the
10 attorney general authorizes.

11 Sec. 221. It is the intent of the legislature that, in fiscal
12 years subsequent to the one ending September 30, 2012, revenue from
13 the refined petroleum fund shall be used solely for purposes
14 directly related to leaking underground storage tanks, as it was
15 originally intended.

16 **REMEDIATION DIVISION**

17 Sec. 401. Revenues remaining in the interdepartmental
18 transfers, laboratory services at the end of the fiscal year shall
19 carry forward into the succeeding fiscal year.

20 Sec. 402. The unexpended funds appropriated in part 1 for
21 emergency cleanup actions and the refined petroleum product cleanup
22 program are considered work project appropriations and any
23 unencumbered or unallotted funds are carried forward into the
24 succeeding fiscal year. The following is in compliance with section
25 451a(1) of the management and budget act, 1984 PA 431, MCL
26 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, 2016.

Sec. 403. Effective October 1, 2011, surplus funds not to exceed \$1,000,000.00 in the cleanup and redevelopment trust fund created in section 3e of 1976 IL 1, MCL 445.573e, are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 404. Effective October 1, 2011, surplus funds not to exceed \$1,000,000.00 in the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 405. The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	County
Alcona Oil Company	Alcona
Former Tavern & Gas Station	Alcona
Paragon Metal Works/Mikado Total	Alcona
Chatham Corners Store	Alger
Christmas Sports Enterprises	Alger

1	Midway Resort Inc.	Alger
2	Superior Shell Munising	Alger
3	Fennville Feed Supply	Allegan
4	New Salem Grocery	Allegan
5	Country Party Store	Alpena
6	Hubbard Lake Garage	Alpena
7	Bellaire Bay Mart	Antrim
8	Res. Wells Torch Lake Twp.	Antrim
9	Torch River Pit Stop	Antrim
10	Arvon Township School	Baraga
11	Blankenstein Pontiac	Barry
12	Bud's of Honor	Benzie
13	Village of Honor Res. Wells	Benzie
14	Berrien County Sheriff's Substation	Berrien
15	Coloma Citgo	Berrien
16	Fredrick's Auto Clinic	Berrien
17	Randy's Amoco	Berrien
18	Sterling Express Ltd.	Berrien
19	Baker Oil (E. Michigan)	Calhoun
20	Helmer I-94 Inc.	Calhoun
21	Korner Krossroads Party Store	Calhoun
22	Indian Lake Mini Super	Cass
23	Rigg's Corner Store	Cass
24	Service Mart 2, Union	Cass
25	Unocal 76, Edwardsburg (Energy Oil)	Cass
26	Arnold's Bait and Tackle	Charlevoix
27	Northern Oil (former)	Charlevoix

1	Club Rd. Property	Cheboygan
2	Park Shell Service	Chippewa
3	Ackels Car Care	Clinton
4	Bay Petroleum Corp.	Eaton
5	Bob's Marathon	Eaton
6	Beckon & Larks Lake Rd.	Emmet
7	Farmers Petroleum Coop - Petoskey	Emmet
8	Action Auto #10	Genesee
9	Central Distributing	Genesee
10	City of Davison-Mill St.	Genesee
11	Flint FD Fleet Admin.	Genesee
12	Flint Water Department Service Center	Genesee
13	Sunshine Foods #119 Burton	Genesee
14	United Cleaners Inc.	Genesee
15	Watkins & Himelohoch Inc.	Genesee
16	Bondale Dinkens	Gladwin
17	Winegar's Trading Post	Gladwin
18	4 Corners	Grand Traverse
19	Stop N Shop	Grand Traverse
20	Woodland Shop N Go #175	Grand Traverse
21	KD's Country Store	Gratiot
22	Pat's Service	Gratiot
23	Wilson's Grocery	Gratiot
24	Action Auto Store #30	Ingham
25	Bay Gas Station	Ingham
26	Bay Petroleum W. Willow	Ingham
27	Bay Petroleum, S. MLK	Ingham

1	Citgo #7	Ingham
2	Clark Station #1995	Ingham
3	Former Clark #531	Ingham
4	Fresh-Up Car Wash	Ingham
5	Miller Oil Company	Ingham
6	Forest Park School District	Iron
7	Alamo General Store	Kalamazoo
8	Bud's Auto Repair	Kalamazoo
9	Dutton Mills	Kent
10	Former Clark #1481	Kent
11	Great Northern Packaging	Kent
12	MSI #635	Kent
13	Hurly's Lodge	Lake
14	Church & Sons Gas Station	Lapeer
15	E.J. Green	Lapeer
16	P.T. Auto Sales	Lapeer
17	Schaudt's Service Station	Lapeer
18	Former Ted's Standard	Leelanau
19	Lakeside Resort and Party Store	Leelanau
20	Clark Store #2128	Livingston
21	Lakeland Montessori School	Livingston
22	The Oasis Truck Stop	Livingston
23	Bob's Standard Service	Luce
24	Action Auto (former)	Macomb
25	Memphis Shell	Macomb
26	Sokana Mobil	Macomb
27	Muffler Man	Manistee

1	Harvey Oil Co. Inc.	Marquette
2	Joe & Son's Service	Marquette
3	Quick Lube	Mason
4	Morley General Store	Mecosta
5	Jack's Mobil	Menominee
6	Dutch Hutch	Missaukee
7	Rinckey's Store	Missaukee
8	A.N. Russell & Son Inc.	Montcalm
9	Coral General Store	Montcalm
10	Edmore Mobil	Montcalm
11	R.V. Jensen Inc.	Montcalm
12	Lowell St. Hillman Twp.	Montmorency
13	Wyson's General Store	Montmorency
14	Bennett Pump	Muskegon
15	Bernie's Amoco	Muskegon
16	Grant Mini Mart	Newaygo
17	Wesco #14/Triangle Market	Newaygo
18	Emma Milner Property, Waterford	Oakland
19	Jenny Enterprises/Wine Basket, Highland	Oakland
20	Little Caesar's Pizza, Ortonville	Oakland
21	Wayne Oakland Oil Company	Oakland
22	Village of Mears GW Contam.	Oceana
23	Kimball's Western	Ogemaw
24	Rose City Feed & Tack	Ogemaw
25	Andy's Standard	Osceola
26	Lowing's Auto	Osceola
27	Neal's Service	Osceola

1	Tiel Oil Company	Osceola
2	Don's Marathon	Oscoda
3	West Otsego Lake Grocery	Otsego
4	Radio Tavern	Presque Isle
5	Westervelt, 805 S.	Saginaw
6	Former Sav-U Station	Shiawassee
7	Frank's Service	Shiawassee
8	Decker Service	St. Joseph
9	Payless SuperAmerica	St. Joseph
10	State Rd. 6842, Millington	Tuscola
11	Clark Store #1126	Van Buren
12	Drew, Ripple Property	Van Buren
13	Roy Smothers	Van Buren
14	Jimmie's Filling Station	Washtenaw
15	Total #2542 (Huron Mini-mart)	Washtenaw
16	B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
17	Cal's Car Care, Incorporated - BTEX	Wayne
18	City of Detroit - DOT - 5800 Russell St.	Wayne
19	Garden Gas Station	Wayne
20	Hail Investments	Wayne
21	JJ Curran Crane	Wayne
22	K & A Gas	Wayne
23	Master Petroleum	Wayne
24	Micks Auto	Wayne
25	Speedy's Gas & Goodies	Wayne
26	Welcome Gas on Telegraph	Wayne
27	Peterson's Standard	Wexford

1 Sec. 406. Effective October 1, 2011, surplus funds not to
2 exceed \$2,000,000.00 in the small business pollution prevention
3 assistance revolving loan fund created in section 14513 of the
4 natural resources and environmental protection act, 1994 PA 451,
5 MCL 324.14513, are appropriated to the environmental pollution
6 prevention fund created in section 11130 of the natural resources
7 and environmental protection act, 1994 PA 451, MCL 324.11130.

8 Sec. 407. Effective October 1, 2011, surplus funds not to
9 exceed \$1,300,000.00 in the small business pollution prevention
10 assistance revolving loan fund created in section 14513 of the
11 natural resources and environmental protection act, 1994 PA 451,
12 MCL 324.14513, are appropriated to the environmental protection
13 fund created in section 503a of the natural resources and
14 environmental protection act, 1994 PA 451, MCL 324.503a.

15 Sec. 408. The department shall enter into a memorandum of
16 understanding with the department of treasury to develop a process
17 for the review and approval of tax exemption certificates in
18 accordance with the list of commonly approved air pollution control
19 equipment adopted by the state tax commission on August 16, 2010
20 and the list of commonly approved water pollution equipment adopted
21 by the state tax commission on August 16, 2010.

22 WATER RESOURCES DIVISION

23 Sec. 601. With funds provided in part 1, the department shall
24 fund a groundwater dispute resolution process in such a manner that
25 maintains a strategically selected dispute resolution process given

1 funds available. The department may utilize any and all available
2 resources in providing this process and shall report to the
3 legislature on the need for additional funds.

4 Sec. 602. From the appropriations in part 1, contingent upon
5 the creation of an aquatic invasive species advisory council, the
6 department shall support funding for the advisory council to
7 provide recommendations to appropriate parties and bodies for a
8 basin-wide approach to managing invasive species.

9 GRANTS

10 Sec. 1001. If a certified health department does not exist in
11 a city, county, or district or does not fulfill its
12 responsibilities under part 117 of the natural resources and
13 environmental protection act, 1994 PA 451, MCL 324.11701 to
14 324.11720, then the department may spend funds appropriated in part
15 1 under the septage waste compliance program in accordance with
16 section 11716 of the natural resources and environmental protection
17 act, 1994 PA 451, MCL 324.11716.

18 PART 2A

19 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

20 FOR FISCAL YEAR 2012-2013

21 GENERAL SECTIONS

22 Sec. 1201. It is the intent of the legislature to provide
23 appropriations for the fiscal year ending on September 30, 2013 for
24 the line items listed in part 1. The fiscal year 2012-2013

1 appropriations are anticipated to be the same as those for fiscal
2 year 2011-2012, except that the line items will be adjusted for
3 changes in caseload and related costs, federal fund match rates,
4 economic factors, and available revenue. These adjustments will be
5 determined after the January 2012 consensus revenue estimating
6 conference. The January 2012 consensus revenue estimating
7 conference shall include estimates for fiscal year 2011-2012,
8 fiscal year 2012-2013, and fiscal year 2013-2014 for the following:

9 (a) State revenue.

10 (b) Prison population and correction expenditures.

11 (c) Annual percentage growth in the school aid basic
12 foundation allowance.

13 (d) Medicaid expenditures.

14 (e) Human service caseloads and expenditures.