

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5589

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1
2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. Subject to the conditions set forth in this act, the
4 amounts listed in this part are appropriated for the department of envi-
5 ronmental quality for the fiscal year ending September 30, 1999, from the
6 funds indicated in this part. The following is a summary of the
7 appropriations in this part:

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HB 5589 AS AMENDED May 26, 1998

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For Fiscal Year Ending
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1	ADJUSTED GROSS APPROPRIATION.....	\$ 394,066,900
2	Federal revenues:	
3	DOC-federal.....	2,998,000
4	DOD-federal.....	935,400
5	DOI-federal.....	451,500
6	EPA-federal.....	21,892,400
7	EPA-GWDW.....	3,615,200
8	EPA, superfund.....	8,383,400
9	EPA, UST.....	262,600
10	EPA-OPM, environmental protection consolidated grants	4,100
11	EPA, LUST trust.....	3,231,000
12	FEMA-federal.....	237,100
13	Federal revenues.....	85,010,100
14	Total federal revenues.....	127,020,800
15	Special revenue funds:	
16	Local funds.....	1,177,700
17	Total local revenues.....	1,177,700
18	Private funds.....	451,700
19	Total private revenues.....	451,700
20	Above ground storage tank fees.....	686,000
21	Hazardous waste revenues.....	1,000,000
22	Solid waste forfeited revenues.....	1,000,000
23	Air emissions fees.....	10,855,000
24	CESARS service fee.....	23,500
25	Cleanup and redevelopment fund.....	23,013,400
26	Drinking water revolving fund.....	5,706,400

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1	Environmental response fund.....	8,867,400
2	Environmental education fund.....	148,400
3	Emergency response fund.....	3,000,000
4	Environmental pollution prevention fund.....	1,009,600
5	Environmental protection fund	7,000,000
5	Environmental protection bond fund.....	17,000
6	Environmental training revenue.....	266,200
7	Fees and collections.....	696,800
8	Great Lakes protection fund.....	1,000,000
9	Land and water permit fees.....	2,495,100
10	Landfill maintenance trust fund.....	44,700
11	Medical waste fees.....	382,100
12	Metallic mining surveillance fee.....	62,800
12	Michigan underground storage tank financial assurance	
13	fund.....	62,087,100
14	Mineral well regulatory fee revenue.....	400,000
15	Oil and gas surveillance fee revenue.....	8,834,100
16	Orphan well fund.....	1,307,800
17	Publication revenue.....	100,000
18	Public utility assessments.....	880,000
19	Public water supply fees.....	4,619,500
20	Settlement funds.....	4,286,300
21	Sand extraction fee revenue.....	176,300
22	Scrap tire regulatory fund.....	3,918,600
23	Septage waste license fees.....	200,000
24	Sewage sludge land application fee.....	650,000
25	Solid waste program fees.....	1,095,400
26	Stormwater permit fees.....	1,231,900

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1	Underground storage tank fees.....	6,324,600
2	Water analysis fees.....	1,764,900
3	Waste reduction fee revenue.....	3,774,000
4	Water pollution control revolving fund.....	3,023,700
5	Wastewater operator training fees.....	72,500
6	Water use reporting fees.....	54,100
7	Total other state restricted revenues.....	171,575,200
8	State general fund/general purpose..... \$	93,341,500
9	Sec. 102. EXECUTIVE	
10	Full-time equated unclassified positions.....6.0	
11	Full-time equated classified positions.....13.0	
12	Unclassified salaries..... \$	441,000
13	Equal employment opportunity office.....	75,100
14	Executive direction.....	1,007,400
15	Office of the Great Lakes.....	<u>747,100</u>
16	GROSS APPROPRIATION..... \$	2,270,600
17	Appropriated from:	
18	Interdepartmental grant revenues	
19	Federal revenues:	
20	DOI-federal.....	50,000
20	EPA-federal.....	217,400
21	Special revenue funds:	
22	Environmental response fund.....	44,500
23	Environmental education fund.....	148,400
24	Oil and gas surveillance fee revenue.....	93,000
25	Settlement funds.....	315,000
26	State general fund/general purpose..... \$	1,402,300

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1	Sec. 103. PROGRAM SUPPORT SERVICES	
2	Full-time equated classified positions.....	67.5
3	Financial support services.....	\$ 1,361,200
4	Field operations support.....	1,325,100
5	Automated data processing.....	5,913,800
6	Office of special environmental projects.....	554,600
7	Personnel.....	652,100
8	Administrative hearings.....	<u>357,100</u>
9	GROSS APPROPRIATION.....	\$ 10,163,900
10	Appropriated from:	
11	IDT-interdivisional charges.....	5,762,900
12	Federal revenues:	
13	EPA, LUST trust.....	22,000
14	EPA, superfund.....	68,600
15	Special revenue funds:	
16	Environmental protection bond fund.....	17,000
17	Environmental response fund.....	734,600
18	Land and water permit fees.....	30,500
19	Michigan underground storage tank financial assurance	
20	fund.....	157,200
21	Oil and gas surveillance fee revenue.....	366,900
22	Public water supply fees.....	150,400
23	Scrap tire regulatory fund.....	30,400
24	Settlement funds.....	192,900
25	State general fund/general purpose.....	\$ 2,630,500
26	Sec. 104. DEPARTMENTAL OPERATION SUPPORT	

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1	Building occupancy charges.....	\$	2,073,100
2	Rent-privately owned property.....		4,580,200
3	Publications.....		<u>100,000</u>
4	GROSS APPROPRIATION.....	\$	6,753,300
5	Appropriated from:		
6	Special revenue funds:		
7	Air emissions fees.....		303,000
8	Environmental pollution prevention fund.....		36,200
9	Environmental response fund.....		415,000
10	Fees and collections.....		49,800
11	Land and water permit fees.....		62,100
12	Medical waste fees.....		17,400
13	Michigan underground storage tank financial assurance		
14	fund.....		131,300
15	Oil and gas surveillance fee revenue.....		268,900
16	Publication revenue.....		100,000
17	Public utility assessments.....		11,300
18	Public water supply fees.....		156,700
19	Stormwater permit fees.....		43,100
20	Solid waste program fees.....		40,100
21	Scrap tire regulatory fund.....		33,700
22	Waste reduction revenue.....		52,000
23	Water analysis fees.....		87,100
24	Water pollution control revolving fund.....		79,200
25	Water use reporting fees.....		3,900
26	Underground storage tank fees.....		176,100

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1	State general fund/general purpose.....	\$	4,686,400
2	Sec. 105. GEOLOGICAL SURVEY		
3	Full-time equated classified positions.....	89.5	
4	Services to oil and gas programs.....	\$	8,173,100
5	Orphan well fund.....		1,307,800
6	Coal and sand dune management.....		577,800
7	Mineral wells management.....		400,000
8	Metallic mining reclamation program.....		<u>62,800</u>
9	GROSS APPROPRIATION.....	\$	10,521,500
10	Appropriated from:		
11	Federal revenues:		
12	DOI-federal.....		401,500
13	Special revenue funds:		
14	Environmental response fund.....		69,100
15	Metallic mining surveillance fee.....		62,800
16	Mineral well regulatory fee revenue.....		400,000
17	Orphan well fund.....		1,307,800
18	Oil and gas surveillance fee revenue.....		7,982,100
19	Sand extraction fee revenue.....		176,300
20	State general fund/general purpose.....	\$	121,900
21	Sec. 106. LAND AND WATER MANAGEMENT		
22	Full-time equated classified positions.....	145.0	
23	Land and water administration.....	\$	1,190,800
24	Field permitting and project assistance.....		5,781,500
25	Dam safety, erosion control, and clean lakes.....		1,977,600
26	Looking Glass River watershed.....		60,000

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1	Great Lakes shorelands.....	<u>3,015,700</u>
2	GROSS APPROPRIATION..... \$	12,025,600
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG-Michigan transportation fund.....	780,000
6	Federal revenues:	
7	EPA-federal.....	657,800
8	DOC-federal.....	1,398,000
9	FEMA-federal.....	237,100
10	Special revenue funds:	
11	Local funds.....	144,000
12	Land and water permit fees.....	2,402,500
13	State general fund/general purpose..... \$	6,406,200
14	Sec. 107. AIR QUALITY	
15	Full-time equated classified positions.....221.5	
16	Air quality programs..... \$	4,718,500
17	Clean air act implementation.....	<u>12,738,400</u>
18	GROSS APPROPRIATION..... \$	17,456,900
19	Appropriated from:	
20	Federal revenues:	
21	EPA-federal.....	3,135,300
22	Special revenue funds:	
23	Air emissions fees.....	8,294,900
24	Environmental response fund.....	79,300
25	State general fund/general purpose..... \$	5,947,400
26	Sec. 108. SURFACE WATER QUALITY	

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1	Full-time equated classified positions.....	207.5	
2	Surface water compliance program.....	\$	5,666,300
3	Surface water permits program.....		3,347,000
4	Surface water surveillance program.....		6,942,900
5	State and local water quality management planning....		1,620,900
6	Fish contaminant monitoring contracts.....		321,000
7	Sewage sludge land application program.....		650,000
8	Volunteer river, stream, and creek cleanup program...		100,000
9	Stormwater discharge program.....		<u>1,117,300</u>
10	GROSS APPROPRIATION.....	\$	19,765,400
11	Appropriated from:		
12	Federal revenues:		
13	EPA-federal.....		6,993,500
14	Special revenue funds:		
15	Local funds.....		1,033,700
16	CESARS service fee.....		23,500
17	Environmental response fund.....		132,200
18	State water pollution control revolving fund.....		536,100
19	Stormwater permit fees.....		1,111,100
20	Sewage sludge land application fee.....		650,000
21	State general fund/general purpose.....	\$	9,285,300
22	Sec. 109. DRINKING WATER PROTECTION & RADIOLOGICAL HEALTH		
23	Full-time equated classified positions.....	200.0	
24	Environmental health.....	\$	3,375,200
25	Laboratory services administration.....		5,582,300
26	Drinking water.....		12,216,100

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1	Radiological protection.....	1,491,100
2	Center for applied environmental research and	
3	outreach.....	<u>275,000</u>
4	GROSS APPROPRIATION..... \$	22,939,700
5	Appropriated from:	
6	Interdepartmental grant revenues	
7	IDG-MSP.....	578,200
8	Federal revenues:	
9	Federal revenue.....	10,100
10	DOD-federal.....	111,500
11	EPA-federal.....	949,500
12	EPA-GWDW.....	3,508,700
13	Special revenue funds:	
14	Private.....	123,100
15	Drinking water revolving fund.....	3,191,000
16	Medical waste fees.....	364,700
17	Public water supply fees.....	2,898,800
18	Settlement funds.....	324,600
19	Water analysis fees.....	1,677,800
20	Water use reporting fees.....	50,200
21	Fees and collections.....	647,000
22	State general fund/general purpose..... \$	8,504,500
23	Sec. 110. LOW LEVEL RADIOACTIVE WASTE AUTHORITY	
24	Full-time equated classified positions.....3.0	
25	Low level radioactive waste authority..... \$	<u>868,700</u>
26	GROSS APPROPRIATION..... \$	868,700

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1	Appropriated from:	
2	Special revenue funds:	
3	Public utility assessments.....	868,700
4	State general fund/general purpose..... \$	0
5	Sec. 111. ENVIRONMENTAL RESPONSE	
6	Full-time equated classified positions.....263.0	
7	Environmental cleanup and redevelopment program..... \$	26,282,000
8	Contaminated site investigations, cleanup, and	
9	revitalization.....	14,933,400
10	State cleanup (1994 PA 451).....	3,397,700
11	Emergency cleanup actions.....	2,000,000
12	Federal cleanup project management.....	4,951,600
13	Revitalization revolving loan fund.....	7,000,000
14	Superfund cleanup.....	<u>7,250,000</u>
15	GROSS APPROPRIATION..... \$	65,814,700
16	Appropriated from:	
17	Federal revenues:	
18	DOD-federal.....	823,900
19	EPA-federal.....	1,366,700
20	EPA, superfund.....	8,314,800
21	Special revenue funds:	
22	Private funds.....	128,600
23	Cleanup and redevelopment fund.....	15,113,400
24	Environmental response fund.....	6,360,900
25	Environmental protection fund.....	7,000,000
26	Landfill maintenance trust fund.....	44,700

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1	Settlement funds.....	2,438,100
2	State general fund/general purpose..... \$	24,223,600
3	Sec. 112. STORAGE TANKS	
4	Full-time equated classified positions.....121.0	
5	MI underground storage tank financial assurance	
6	program..... \$	61,698,700
7	MUSTFA emergency response fund.....	3,000,000
8	Underground storage tank program.....	6,413,100
9	Above ground storage tank program.....	686,000
10	Leaking underground storage tank cleanup program.....	8,900,000
11	Emergency cleanup actions.....	2,000,000
12	Leaking underground storage tank program.....	<u>4,240,800</u>
13	GROSS APPROPRIATION..... \$	86,938,600
14	Appropriated from:	
15	Federal revenues:	
16	EPA, LUST trust.....	3,209,000
17	EPA, UST.....	262,600
18	Special revenue funds:	
19	Above ground storage tank fees.....	686,000
20	Cleanup and redevelopment fund.....	5,900,000
21	Emergency response fund.....	3,000,000
22	Environmental response fund.....	1,031,800
23	Michigan underground storage tank financial assurance	
24	fund.....	61,698,700
25	Underground storage tank fees.....	6,148,500
26	State general fund/general purpose..... \$	5,002,000

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1	Sec. 113. WASTE MANAGEMENT		
2	Full-time equated classified positions.....	149.0	
3	Administration and technical support.....	\$	1,436,700
4	Compliance and enforcement.....		4,357,500
5	Hazardous waste permits.....		1,795,100
6	Groundwater permits.....		1,256,000
7	Solid waste program.....		1,225,200
8	Special federal grants.....		892,300
9	Hazardous waste disposal facility closures.....		1,000,000
10	Solid waste disposal facility closures.....		<u>1,000,000</u>
11	GROSS APPROPRIATION.....	\$	12,962,800
12	Appropriated from:		
13	Federal revenues:		
14	EPA-federal.....		3,101,900
15	Special revenue funds:		
16	Hazardous waste facility closure revenue.....		1,000,000
17	Solid waste facility closure revenue.....		1,000,000
18	Environmental pollution prevention fund.....		973,400
19	Scrap tire regulatory fund.....		852,700
20	Settlement funds.....		233,900
21	Solid waste program fees.....		1,055,300
22	State general fund/general purpose.....	\$	4,745,600
23	Sec. 114. ENVIRONMENTAL ASSISTANCE DIVISION		
24	Full-time equated classified positions.....	100.0	
25	Municipal assistance.....	\$	3,093,200
26	Pollution prevention.....		2,068,100

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1	Environmental services.....	2,767,100
2	Pollution prevention outreach.....	200,000
3	Technical assistance.....	1,823,600
4	Community right-to-know.....	<u>250,000</u>
5	GROSS APPROPRIATION..... \$	10,202,000
6	Appropriated from:	
7	Federal revenues:	
8	EPA-federal.....	761,200
9	EPA-GWDW.....	106,500
10	Special revenue funds:	
11	Private funds.....	200,000
12	Air emissions fees.....	592,300
13	Settlement funds.....	76,900
14	Drinking water revolving fund.....	1,185,400
15	Environmental training revenue.....	266,200
16	Public water supply fees.....	13,600
17	State water pollution control revolving fund.....	2,408,400
18	Stormwater permit fees.....	77,700
19	Waste reduction fee revenue.....	3,722,000
20	Wastewater operator training fees.....	72,500
21	State general fund/general purpose..... \$	719,300
22	Sec. 115. CRIMINAL INVESTIGATIONS	
23	Full-time equated classified positions.....21.0	
24	Environmental investigations..... \$	<u>1,680,900</u>
25	GROSS APPROPRIATION..... \$	1,680,900
26	Appropriated from:	

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1	Federal revenues:	
2	EPA-federal.....	119,100
3	EPA-OPM, environmental protection consolidated grants	4,100
4	Special revenue funds:	
5	MUSTFA fund.....	99,900
6	Oil and gas surveillance fee revenue.....	123,200
7	Scrap tire regulatory fund.....	51,800
8	Settlement funds.....	704,900
9	State general fund/general purpose..... \$	577,900
10	Sec. 116. GRANTS	
11	Grants to counties--air pollution..... \$	2,854,900
12	Water pollution control and drinking water revolving	
13	fund.....	102,353,500
14	Noncommunity water grants.....	1,400,000
15	Land resource program grants.....	1,900,000
16	Federal - nonpoint source water pollution grants.....	3,500,000
17	Federal - Great Lakes remedial action plan grants....	700,000
18	NPL - municipal landfill match grants.....	2,000,000
19	Great Lakes research and protection grants.....	1,000,000
20	Radon grants.....	135,000
21	Septage waste compliance grants.....	200,000
22	Scrap tire grants.....	2,950,000
23	Drinking water revolving fund implementation.....	1,330,000
24	Big Rapids dam removal.....	250,000
25	Municipal solid waste incinerator removal.....	<u>250,000</u>
26	GROSS APPROPRIATION..... \$	120,823,400

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1	Appropriated from:		
2	Federal revenues:		
3	DOC-federal.....	1,600,000	
4	EPA-federal.....	4,590,000	
5	Federal revenues.....	85,000,000	
6	Special revenue funds:		
7	Air emissions fees.....	1,664,800	
8	Cleanup and redevelopment fund.....	2,000,000	
9	Drinking water revolving fund.....	1,330,000	
10	Great Lakes protection fund.....	1,000,000	
11	Public water supply fees.....	1,400,000	
12	Scrap tire regulatory fund.....	2,950,000	
13	Septage waste license fees.....	200,000	
14	State general fund/general purpose.....	\$ 19,088,600	
15	Sec. 117. BOND ADMINISTRATION SUMMARY		
16	Full-time equated classified positions.....10.0		
17	GROSS APPROPRIATION.....	\$ 840,100	
18	ADJUSTED GROSS APPROPRIATION.....	\$ 840,100	
19	Special revenue funds:		
20	Environmental protection bond fund.....	\$ 840,100	
21	Total other state restricted revenues.....	840,100	
22	State general fund/general purpose.....	\$ 0	
23	Sec. 118. BOND ADMINISTRATIVE SERVICES		
24	Full-time equated classified positions.....2.0		
25	Field administration environmental protection bond...	\$ 28,800	
26	Internal audit staff.....	<u>87,700</u>	

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1	GROSS APPROPRIATION.....	\$	116,500
2	Appropriated from:		
3	Special revenue funds:		
4	Environmental protection bond fund.....		116,500
5	State general fund/general purpose.....	\$	0
6	Sec. 119. BOND WASTE MANAGEMENT		
7	Full-time equated classified positions.....	8.0	
8	Solid waste implementation staff.....	\$	<u>723,600</u>
9	GROSS APPROPRIATION.....	\$	723,600
10	Appropriated from:		
11	Special revenue funds:		
12	Environmental protection bond fund.....		723,600
13	State general fund/general purpose.....	\$	0

14 PART 2

15 PROVISIONS CONCERNING APPROPRIATIONS

16 GENERAL SECTIONS

17 Sec. 201. (1) In accordance with the provisions of section 30 of
18 article IX of the state constitution of 1963, total state spending in
19 this appropriation act is \$266,256,800.00 and state appropriations to be
20 paid to local units of government for fiscal year 1998-99 are estimated
21 at \$8,869,900.00. The itemized statement below identifies appropriations
22 from which spending to units of local government will occur:

23 DEPARTMENT OF ENVIRONMENTAL QUALITY

24 GRANTS

25	Grants to counties - air pollution.....	\$	2,854,900
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1	Septage waste compliance program.....	200,000
2	Scrap tire grants.....	2,950,000
3	Noncommunity water grants.....	1,400,000
4	Radon grants.....	135,000
5	Drinking water grants.....	<u>1,330,000</u>
6	TOTAL..... \$	8,869,900

7 (2) If it appears to the principal executive officer of each depart-
8 ment that state spending to local units of government will be less than
9 the amount that was projected to be expended under subsection (1), the
10 principal executive officer shall immediately give notice of the approxi-
11 mate shortfall to the department of management and budget, the senate and
12 house of representatives appropriations committees, and the senate and
13 house fiscal agencies.

14 Sec. 202. The appropriations made and the expenditures authorized
15 under this act are subject to the management and budget act, 1984 PA 431,
16 MCL 18.1101 to 18.1594.

17 Sec. 203. As used in this act:

18 (a) "CESARS" means chemical evaluation search and retrieval system.

19 (b) "Department" means the department of environmental quality.

20 (c) "DOC" means the United States department of commerce.

21 (d) "DOE" means the United States department of energy.

22 (e) "EPA" means the United States environmental protection agency.

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

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

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

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

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

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

5 (l) "PCB" means polychlorinated biphenyl.

6 Sec. 204. (1) Beginning October 1, 1998, a hiring freeze is imposed
7 on the state classified civil service. State departments and agencies
8 are prohibited from hiring any new full-time state classified civil serv-
9 ice employees or prohibited from filling any vacant state classified
10 civil service positions. This hiring freeze does not apply to internal
11 transfers of classified employees from 1 position to another within a
12 department or to positions that are funded with 80% or more federal or
13 restricted funds.

14 (2) The state budget director shall grant exceptions to this hiring
15 freeze when the director believes that such a hiring freeze will result
16 in rendering a state department or agency unable to deliver basic
17 services. The state budget director shall report by the fifteenth of
18 each month to the chairpersons of the senate and house appropriations
19 committees the number of exclusions to the hiring freeze approved during
20 the previous month and the justification for each exclusion.

21 Sec. 205. The department of civil service shall bill the department
22 at the end of the first fiscal quarter for the 1% charges authorized by
23 section 5 of article XI of the state constitution of 1963. Payments
24 shall be made for the total amount of the billing by the end of the
25 second fiscal quarter.

26 Sec. 206. (1) From funds appropriated under part 1, the department
27 shall prepare a report that lists all of the following regarding grant or

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1 loan or grant and loan programs administered by the department for the
2 fiscal year ending on September 30, 1999:

3 (a) The name of each program.

4 (b) The goals of the program, the criteria, eligibility, process,
5 filing fees, nominating procedures, and deadlines for each program.

6 (c) The maximum and minimum grant and loan available and whether
7 there is a match requirement for each program.

8 (d) The amount of any required match, and whether in-kind contribu-
9 tions may be used as part or all of a required match.

10 (e) Information pertaining to the application process, timeline for
11 each program, and the contact people within the department.

12 (f) The source of funds for each program, including the citation of
13 pertinent authorizing acts.

14 (g) Information regarding plans for the next fiscal year for the
15 phaseout, expansion, or changes for each program.

16 (h) A listing of all recipients of grants or loans awarded by the
17 department by type and amount of grant or loan.

18 (2) The reports required under this section shall be submitted to
19 the senate and house of representatives appropriations committees and
20 senate and house fiscal agencies by January 1, 2000.

21 (3) The department shall provide annual public notice of all grant
22 deadlines or provide a minimum 60-day notice of each grant program
23 deadline.

24 Sec. 207. Funds appropriated in part 1 shall not be used for the
25 purchase of foreign goods or services, or both, if competitively priced
26 American goods or services, or both, of comparable quality are
27 available. By May 1, 1999, the department shall submit a report to the

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1 state budget director, the speaker and minority leader of the house of
2 representatives, the majority and minority leaders of the senate, the
3 chairpersons of the house and senate appropriations committees, and the
4 house and senate fiscal agencies on efforts to comply with this section.

5 Sec. 207a. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$30,000,000.00 for federal
7 contingency funds. These funds are not available for expenditure until
8 they have been transferred to another line item in this bill pursuant to
9 section 393(2) of the management and budget act, 1984 PA 431, MCL
10 18.1393.

11 (2) In addition to the funds appropriated in part 1, there is appro-
12 priated an amount not to exceed \$5,000,000.00 for state restricted con-
13 tingency funds. These funds are not available for expenditure until they
14 have been transferred to another line item in this bill pursuant to sec-
15 tion 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

16 (3) In addition to the funds appropriated in part 1, there is appro-
17 priated an amount not to exceed \$100,000.00 for local contingency funds.
18 These funds are not available for expenditure until they have been trans-
19 ferred to another line item in this bill pursuant to section 393(2) of
20 the management and budget act, 1984 PA 431, MCL 18.1393.

21 (4) In addition to the funds appropriated in part 1, there is appro-
22 priated an amount not to exceed \$100,000.00 for private contingency
23 funds. These funds are not available for expenditure until they have
24 been transferred to another line item in this bill pursuant to section
25 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

26 Sec. 208. The state budget director shall provide a list of
27 proposed work projects funded, in whole or in part, from appropriations

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1 in this act to the house and senate appropriations committees on
2 November 15, 1998. This list shall provide detailed information includ-
3 ing the total work project funding level, spending for the fiscal year
4 ending September 30, 1998, and the amount of budget authority required to
5 complete the project.

6 Sec. 210. (1) The department shall submit to the department of man-
7 agement and budget, the house and senate appropriations committees, the
8 house and senate fiscal agencies, and the house and senate standing com-
9 mittees having jurisdiction over technology issues quarterly reports on
10 the department's efforts to change the department's computer software and
11 hardware as necessary to perform properly in the year 2000 and beyond.
12 These reports shall identify actual progress in comparison to the
13 department's approved work plan for these efforts.

14 (2) The department may present progress billings to the department
15 of management and budget for the costs incurred in changing computer
16 software and hardware as necessary to perform properly in the year 2000
17 and beyond. When progress billings are presented for reimbursement, the
18 department of management and budget shall identify and forward as appro-
19 priate the funding sources that should support the work performed.

20 Sec. 211. (1) In the expenditure of funds appropriated under this
21 act, the director of the department shall take all reasonable steps to
22 ensure that businesses in deprived and depressed communities compete for
23 and perform contracts to provide services or supplies, or both, for the
24 department.

25 (2) The director of the department shall strongly encourage firms
26 with which the department contracts to subcontract with businesses

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1 certified by the department of civil rights in depressed and deprived
2 communities for services or supplies, or both.

3 Sec. 213. The department shall provide the state budget director,
4 the subcommittees on natural resources and environmental quality of the
5 house and senate appropriations committees, and the senate and house
6 fiscal agencies with a report twice a year on restricted fund balances,
7 projected revenues, and expenditures.

8 Sec. 217. The department shall provide an annual report on the
9 total amount of funds received from responsible parties and legal settle-
10 ments, and the disposition of these funds.

11 Sec. 223. (1) In addition to the funds appropriated for the envi-
12 ronmental cleanup and redevelopment program listed in section 111, the
13 department of environmental quality is authorized to expend amounts
14 remaining from prior fiscal year appropriations to meet funding needs of
15 legislatively approved sites.

16 (2) Unexpended and unencumbered amounts remaining from appropria-
17 tions from the environmental protection bond fund contained in 1989
18 PA 180, 1990 PA 55, 1990 PA 194, 1991 PA 31, 1991 PA 160, 1993 PA 74,
19 1993 PA 353, 1994 PA 442, 1996 PA 353, and 1997 PA 114 are appropriated for
20 expendi-
21 ture for any site listed in this act and any site listed in the public
22 acts referenced in this subsection.

23 (3) Unexpended and unencumbered amounts remaining from appropria-
24 tions from the cleanup and redevelopment fund and unclaimed bottle depos-
25 its fund contained in 1996 PA 319, 1997 PA 113, and 1997 PA 114 are
26 appropriated for expenditure for any site listed in this act and any site
listed in the public acts referenced in this subsection.

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1 (4) The department of environmental quality shall provide an annual
2 report by April 1, 1999 to the state budget director, the house and
3 senate appropriations subcommittees on environmental quality, and the
4 house and senate fiscal agencies that separately identifies the expendi-
5 tures authorized by this section from the revenues available from the
6 environmental bond fund, the unclaimed bottle deposit fund, and the
7 cleanup and redevelopment fund.

8 Sec. 224. The level of revenue appropriated in part 1 from oil and
9 gas surveillance fee revenue is contingent on the enactment into law of
10 House Bill No. 5294 and House Bill No. 5399 of the 89th Legislature.

11 Sec. 225. The level of revenue appropriated in part 1 from land and
12 water management permit fee revenue is contingent on the enactment into
13 law of House Bill No. 5114 of the 89th Legislature.

14 Sec. 226. The level of revenue appropriated in part 1 from air
15 emission fee revenue is contingent upon the enactment into law of Senate
16 Bill No. 813 of the 89th Legislature.

17 Sec. 227. (1) The department shall notify the legislature and offer
18 a public meeting and public comment opportunity with respect to any
19 request received by the state of Michigan to divert water from the Great
20 Lakes pursuant to the federal water resources development act of 1986.

21 (2) By September 30, 1999, the department shall prepare and submit
22 to the governor and legislature a report on anticipated Great Lakes water
23 diversions in the twenty-first century and recommendations on a research
24 program and other measures needed to evaluate the impact of proposed
25 Great Lakes water diversions. The report shall also contain recommenda-
26 tions on appropriate state and federal policy and legislation needed to
27 prevent or minimize, or both, the adverse impacts of new and increased

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1 Great Lakes water diversions, including proposals to draw water from the
2 Great Lakes for commercial shipment outside the Great Lakes basin.

3 Sec. 228. By December 1, 1998, the department shall provide the
4 senate and house appropriations subcommittees on environmental quality
5 and the senate and house fiscal agencies a report that outlines programs
6 funded under this act. The report shall provide explanation of the
7 activities and personnel funded with each line item, consistent with the
8 format of this act.

9 Sec. 229. A copy of all reports to the legislature required under
10 this act shall be forwarded to the senate and house majority and minority
11 policy offices.

Sec. 230. (1) The department shall convene a task force on environmental equity and justice. The purpose of the task force is to determine whether economically disadvantaged populations and communities have experienced or are likely to experience disproportionate adverse environmental or human health impacts as a result of state government environmental policies, permits or other actions. The task force shall recommend methods to prevent, minimize and mitigate any adverse environmental or human health impacts. The task force shall include representatives of the Senate Majority and Minority Leaders, the Speaker and Minority Leader of the House, health care community, manufacturer's association, higher education institutions--2 members, chamber of commerce, nonprofit civil rights organizations, environmental advocacy organizations--2 members, national association for the advancement of colored people (NAACP), municipal associations, and the department. The task force shall present its findings and recommendations to the Senate Majority and Minority Leaders and the Speaker and Minority Leader of the House by June 1, 1999.

(2) Task force members shall serve without compensation, but shall be reimbursed for travel and per diem expenses.

12 **DEPARTMENTAL OPERATIONAL SUPPORT**

13 Sec. 301. The department shall report by February 1, 1999 to the
14 senate and house of representatives appropriations committees and to the
15 senate and house fiscal agencies. The report shall include both of the
16 following:

17 (a) The amount of contributions, gifts, bequests, grants, and dona-
18 tions received by the department for the fiscal year ending September 30,
19 1998.

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

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1 GEOLOGICAL SURVEY

2 Sec. 401. The total appropriation in section 105 from oil and gas
3 surveillance fee revenue for fiscal year 1998-99 is \$7,982,100.00 in the
4 geological survey division. If total estimated revenue for fiscal year
5 1998-99 is expected to be less than the total appropriation, programs
6 shall be reduced on an equal basis throughout the division.

7 Sec. 402. From the funds appropriated in section 105 for services
8 to oil and gas programs, \$180,000.00 may be transferred to the department
9 of agriculture to establish a program for monitoring oil and gas produc-
10 tion meters pending enactment of House Bill Nos. 5294 and 5399 of the
11 89th Legislature.

12 LAND AND WATER MANAGEMENT

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

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22 Sec. 503. The funds appropriated in section 106 for the Looking
23 Glass River shall be allocated to the Clinton soil conservation district
24 for a pilot soil erosion reduction program.

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1 AIR QUALITY

2 Sec. 601. From the funds appropriated in section 107, the depart-
3 ment shall report on the status of implementation planning and permit
4 backlog reduction activities under part 55 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.5501 to 324.5542,
6 including status of revenue collections, on an annual basis. The report
7 shall be provided to the house of representatives and senate appropria-
8 tions subcommittees on environmental quality, the standing committees of
9 the house of representatives and the senate that are responsible for
10 issues pertaining to air quality, and the governor on or before March 1,
11 1999.

12 SURFACE WATER QUALITY

13 Sec. 701. The appropriation in section 108 for the surface water
14 permits program includes \$1,500,000.00 to reduce the backlog of discharge
15 permits. The department shall prioritize its use of funds to ensure the
16 elimination of the backlog of those permits that result in discharges
17 into surface waters where public health problems have arisen and recrea-
18 tional use of the surface water curtailed. This backlog shall be elimi-
19 nated by September 30, 1999.

20 Sec. 702. Of the funds appropriated in section 108 for surface
21 water surveillance, a minimum of \$250,000.00 shall be designated for
22 grants to local organizations for water quality monitoring activities.

23 Sec. 703. From the appropriation in section 108 for surface water
24 quality monitoring, not more than \$50,000.00 shall be expended to create
25 a combined sewer overflow data base. Public access to this data base and

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1 testing protocols to assess the impact of combined sewer overflows shall
2 be provided within 6 months after the effective date of this act.

3 Sec. 704. The \$100,000.00 appropriation in section 106 for volun-
4 teer river, stream, and creek cleanup programs shall be distributed on a
5 statewide basis to volunteer organizations for stream, river, and creek
6 cleanup projects. Funds shall be distributed through a simplified appli-
7 cation process providing up to \$5,000.00 to organizations that provide a
8 50% match. Priority shall be given to existing volunteer organizations
9 and targeted to those watersheds with documented pollution problems.

10 DRINKING WATER

11 Sec. 802. The funds appropriated in section 109 for the center for
12 applied environmental research and outreach shall be designated for the
13 University of Michigan - Flint to address land use, watershed, brown-
14 field, and groundwater issues in the Genesee valley region.

15 LOW LEVEL RADIOACTIVE WASTE AUTHORITY

16 Sec. 901. Of the funds appropriated in section 110 for low level
17 radioactive waste authority, the department shall work with the public
18 service commission in preparing a study to evaluate the effects that
19 utility deregulation will have on the generation of high and low level
20 radioactive waste, the funding necessary for dismantling nuclear power
21 plants as they are decommissioned, and disposal of the resulting waste
22 stream. This report shall be provided to the house and senate standing

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1 committees on appropriations and the house and senate fiscal agencies by
2 June 1, 1999.

3 ENVIRONMENTAL RESPONSE

4 Sec. 1001. From the appropriation in part 1 for the program under
5 part 201 of the natural resources and environmental protection act, 1994
6 PA 451, MCL 324.20101 to 324.20142, environmental cleanup and redevelop-
7 ment program, the department shall continue to make authorizations for
8 response activities at environmental contamination sites and for the
9 administration of the program created by part 201 of the natural
10 resources and environmental protection act, 1994 PA 451, MCL 324.20101 to
11 324.20142.

12 Sec. 1002. The unexpended portion of the appropriation in
13 section 111 for the state cleanup program, environmental cleanup and
14 redevelopment program, emergency cleanup action, NPL-municipal landfill
15 match grants, state cleanup, and superfund cleanup projects is considered
16 work project appropriations and any unencumbered or unallotted funds are
17 carried forward into the succeeding fiscal year. The following is in
18 compliance with section 451(3) of the management and budget act, 1984
19 PA 431, MCL 18.1451:

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

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

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

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1 (d) The tentative completion date is September 30, 2000.

2 Sec. 1004. Of the funds appropriated in section 111 as state match
3 for the superfund cleanup program, an amount not to exceed \$250,000.00
4 shall be expended as state match for the hazardous substance research
5 center.

6 Sec. 1005. The funds appropriated in section 111 for the environ-
7 mental cleanup and redevelopment program shall be used to fund cleanup
8 activities on the following sites:

9 Allegan - Gunplain Township Landfill
10 Allegan - Village of Douglas
11 Alpena - National Gypsum
12 Antrim - Alba Highway 5895
13 Calhoun - McLeieer Oil/Elm Street
14 Cass - Henco Enterprises
15 Delta - Delta Chemical and Iron Company
16 Grand Traverse - Cone Drive TEXTRON
17 Gratiot - Gratiot County Landfill
18 Houghton - Florida Gas
19 Ingham - Americhem Corporation
20 Iosco - Fairway Surplus
21 Jackson - Albion-Scipio Oil Field
22 Jackson - Universal Vise and Tool
23 Kalkaska - State Blue Lake 1-4
24 Kent - Michigan State - Twin Lakes Area
25 Kent - State Disposal Landfill
26 Lenawee - Drexel Park Wells

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1 Lenawee - Fabco Products
2 Livingston - Thermofil
3 Manistee - Adamczak Road
4 Monroe - Van Deilen Industries
5 Montcalm - Crystal Oil Field
6 Muskegon - Ott/Story/Cordova Chemical
7 Muskegon - SCA Independent Landfill
8 Oakland - Rockcroft Street Residential Wells
9 Ottawa - Fenske Landfill
10 Ottawa - Former Burnside Manufacturing Company
11 Presque Isle - Draysey #1 Oil Production and Brine Disposal Wells
12 Shiawassee - Magnetek
13 St. Clair - Fort Gratiot Sanitary Landfill
14 Tuscola - RCS/Evans Products
15 Van Buren - Covert Township-County Road 378 Sludge Pits
16 Wayne - Detroit Coke
17 Wayne - Detroit River Sediments
18 Wayne - MichCon Station H
19 Wayne - Revere Copper and Brass
20 Wexford - AAR Cadillac Manufacturing
21 Sec. 1006. The department shall report all of the following infor-
22 mation relative to allocations made in section 111 for the environmental
23 cleanup and redevelopment program, state cleanup, emergency actions,
24 super fund cleanup, and revitalization revolving loan fund to the senate
25 and house of representatives appropriations subcommittees on environmen-
26 tal quality and the senate and house fiscal agencies:

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

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

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

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

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

10 (f) The amount of the allocation, or the anticipated financing for
11 the site.

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

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

16 (3) The report prepared [REDACTED] shall also include the
17 status of all state owned facilities that are on the list compiled under
18 part 201 of the natural resources and environmental protection act, 1994
19 PA 451, MCL 324.20101 to 324.20142.

20 (4) The report prepared [REDACTED] shall be made available
21 by March of each year.

22 STORAGE TANKS

23 Sec. 1101. (1) The funds appropriated in section 112 from the
24 Michigan underground storage tank financial assurance fund for the
25 purpose of carrying out the duties and responsibilities as specified in

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1 part 215 of the natural resources and environmental protection act, 1994
2 PA 451, MCL 324.21501 to 324.21551, are considered work project appropri-
3 ations and any unencumbered funds are carried forward into the succeeding
4 fiscal year. The following is in compliance with section 451(3) of the
5 management and budget act, 1984 PA 431, MCL 18.1451:

6 (a) The purpose of the projects to be carried forward is to carry
7 out the responsibilities of part 215 of the natural resources and envi-
8 ronmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551.

9 (b) The projects will be accomplished by contract and state
10 employees.

11 (c) The total estimated cost is identified in a line-item
12 appropriation.

13 (d) The tentative completion date is September 30, 2000.

14 (2) The Michigan underground storage tank financial assurance policy
15 board shall allocate the amount of the underground storage tank financial
16 assurance fund to be distributed to the department. If the amount recom-
17 mended by the board is less than that appropriated in section 112, expen-
18 ditures shall be adjusted accordingly.

19 (3) Included in the amounts appropriated in section 112 from the
20 Michigan underground storage tank financial assurance fund are amounts
21 sufficient to pay debt service costs on the bonds or notes issued pursu-
22 ant to part 215 of the natural resources and environmental protection
23 act, 1994 PA 451, MCL 324.21501 to 324.21551.

24 Sec. 1102. The department shall provide the senate and house of
25 representatives appropriations subcommittees on environmental quality and
26 the senate and house fiscal agencies with a March 31, 1999 and year-end
27 report on the Michigan underground storage tank financial assurance

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1 fund. The March 31, 1999 report shall include the fund balance, estimate
2 of available revenues, number and dollar value of claims processed
3 through September 30, 1998, and total estimated claims liability through
4 December 22, 2000. The year-end report shall be provided within 30 days
5 of the end of the fiscal year and include fund balance, estimate of
6 available revenues, number and dollar value of claims processed for the
7 fiscal year 1998-99 and total estimated claims liability through
8 December 22, 2000.

9 Sec. 1103. The unexpended portion of the appropriation in section
10 101 for the leaking underground storage tank cleanup program is consid-
11 ered work project appropriations and any unencumbered or unallotted funds
12 are carried over into the succeeding fiscal year. The following is in
13 compliance with section 451(3) of the management and budget act, 1984
14 PA 431, MCL 18.1451:

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

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

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

20 (d) The tentative completion date for these projects is September
21 30, 2000.

22 Sec. 1105. The funds appropriated in section 112 for the leaking
23 underground storage tank cleanup program shall be used to fund cleanup
24 activities on the following sites:

25 Antrim - Res. Wells Torch Lake Township

26 Baraga - Skanee Grange

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1 Barry - State and Apple
 Benzie - Betsie Bay Dockominiums

3

4 Berrien - Gene's Party Pantry
 Genesee - Former Fedchenko

6

7 Gladwin - Winegar's Trading Post
 Grand Traverse - Grand Traverse Union 76

9

10 Hillsdale - Briner Oil/North Adams Convenience Store
 Ionia - Gene Carr

12

13 Ionia - Justice Junction
 Jackson - B and B Mobil/Hardware

15

16 Kalamazoo - Gull Lake Market
 Kalamazoo - McDonald's Crosstown Service

18

19 Kent - Fennema Trenching, Inc.
 Kent - Grattan Service

21

22 Kent - Uncle Lee's
 Mackinac - Jarema's Grocery

24

25 Missaukee - The Landing
 Monroe - Jim Spas

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- 1 Montcalm - Lakeway Party
- 2 Montcalm - McBride County Store and Marvin Jensen Tax-Reverted
- 3 Property
- 4 Montmorency - Pointe Bait
- 5 Montmorency - William's Auto Repair
- 6 Muskegon - Broton's Service
- 7 Muskegon - Lemmen Shell Mart
- 8 Newaygo - Hardy Grocery
- 9 Oakland - G-R 76 Service
- 10 Oakland - Hagen Enterprises
- 11 Oakland - Six Lakes Service
- 12 Oceana - East Hart Party Store
- 13 Oceana - Rothbury Hardware
- 14 Osceola - Pete's Place
- 15 Oscoda - Family Book Shelves
- 16 Otsego - West Otsego Lake Grocery
- 17 Roscommon - Big Mac's Market
- 18 Roscommon - G and T Gas Station
- 19 Roscommon - Kilgour Property
- 20 Roscommon - Larry Lajb Property
- 21 St. Joseph - Corey Lake Marina
- 22 St. Joseph - Klinger Lake Marina
- 23 Van Buren - Pullman Industries
- 24 Washtenaw - J and M Oil Co.
- 25 Wayne - Ecorse Mini Mart
- 26 Wayne - Former Union 76 Car Care

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Wayne - Sirhan Service

2

3 ENVIRONMENTAL ASSISTANCE

Sec. 1201. The funds appropriated in section 114 for community

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6 and understanding of information regarding pollution discharges and
releases and trends, and to foster pollution prevention through use of

8

9 by a stakeholder process with equitable representation by and participa-
tion of the general public, affected communities, environmental organiza-

11

12 centralized databases in the surface water, air quality, environmental
response, waste management, and underground storage tank divisions, which

14

15 (a) Aggregated discharge and release information on a statewide
basis.

17

18 (c) Enforcement actions.

(d) Other information the department considers relevant.

20

21 tal services, \$300.000.00 is for the Michigan RETAP program to initiate a
pilot project with public universities to evaluate whether they can pro-

23

24 hensive program. The pilot program shall focus on the assessment of
hazardous materials use and training of personnel at small- and

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1 medium-sized businesses. The program shall also include internship
2 opportunities for students with professionals who evaluate businesses'
3 environments for materials handling, production efficiencies, and waste
4 reduction processes.

Sec. 1203. Of the funds appropriated in section 114 for pollution prevention, \$100,000.00 shall be used to develop a fresh water resources institute, sponsored by Grand Valley State University, to provide educational opportunities regarding protection of this state's surface and ground water.

Sec. 1204. Of the funds appropriated in section 114 for pollution prevention, \$100,000.00 shall be used for cleanup of Lake St. Clair.

5 CRIMINAL INVESTIGATIONS

6 Sec. 1301. The department shall provide training in support of
7 local efforts to regulate solid waste disposal. Department environmental
8 conservation officers shall be directed to help train law enforcement
9 officers and other enforcement personnel to develop community partner-
10 ships to combat illegal dumping at the local level.

11 GRANTS

12 Sec. 1401. If a certified health department does not exist in a
13 city, county, or district or does not fulfill its responsibilities under
14 part 117 of the natural resources and environmental protection act, 1994
15 PA 451, MCL 324.11701 to 324.11719, then the department may spend funds
16 appropriated in section 116 under the septage waste compliance program in
17 accordance with section 11716 of part 117 of the natural resources and
18 environmental protection act, 1994 PA 451, MCL 324.11716.

19 Sec. 1403. The appropriations in section 116 for water pollution
20 control and drinking water revolving fund shall not be encumbered or
21 expended until the department has reported to the house and senate appro-
22 priations subcommittees on environmental quality those projects that have
23 been approved for expenditure under this program.

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1 Sec. 1404. Loans provided by the water pollution control revolving
2 fund pursuant to the appropriation in section 116 are to be repaid on
3 schedule and penalties shall be assigned for delinquent repayment as pro-
4 vided in part 53 of the natural resources and environmental protection
5 act, 1994 PA 451, MCL 324.5301 to 324.5316.

6 Sec. 1406. Of the funds appropriated in section 116 for scrap tire
7 grants, \$100,000.00 shall be allocated to Monroe County for mitigating
8 the costs associated with scrap tire fire suppression.

9 Sec. 1407. The funds appropriated in section 116 for municipal
10 solid waste incinerator removal are to provide funding for governmentally
11 owned incinerators that have been closed due to regulations to protect
12 public health, or are con- sidered a safety hazard.