

**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:**

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PART 1

LINE-ITEM APPROPRIATIONS

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



**HB 5589, As Passed Senate, May 27, 1998**

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
11	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	<b>Sec. 102. EXECUTIVE</b>		
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:		
	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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<b>1</b>	<b>Sec. 103. PROGRAM SUPPORT SERVICES</b>		
<b>2</b>	Full-time equated classified positions.....	67.5	
<b>3</b>	Financial support services.....	\$	1,361,200
<b>4</b>	Field operations support.....		1,325,100
<b>5</b>	Automated data processing.....		5,913,800
<b>6</b>	Office of special environmental projects.....		554,600
<b>7</b>	Personnel.....		652,100
<b>8</b>	Administrative hearings.....		<u>357,100</u>
<b>9</b>	GROSS APPROPRIATION.....	\$	10,163,900
<b>10</b>	Appropriated from:		
<b>11</b>	IDT-interdivisional charges.....		5,762,900
<b>12</b>	Federal revenues:		
<b>13</b>	EPA, LUST trust.....		22,000
<b>14</b>	EPA, superfund.....		68,600
<b>15</b>	Special revenue funds:		
<b>16</b>	Environmental protection bond fund.....		17,000
<b>17</b>	Environmental response fund.....		734,600
<b>18</b>	Land and water permit fees.....		30,500
<b>19</b>	Michigan underground storage tank financial assurance		
<b>20</b>	fund.....		157,200
<b>21</b>	Oil and gas surveillance fee revenue.....		366,900
<b>22</b>	Public water supply fees.....		150,400
<b>23</b>	Scrap tire regulatory fund.....		30,400
<b>24</b>	Settlement funds.....		192,900
<b>25</b>	State general fund/general purpose.....	\$	2,630,500
<b>26</b>	<b>Sec. 104. DEPARTMENTAL OPERATION SUPPORT</b>		

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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	<b>Sec. 105. GEOLOGICAL SURVEY</b>		
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	<b>Sec. 106. LAND AND WATER MANAGEMENT</b>		
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	<b>Sec. 107. AIR QUALITY</b>	
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	<b>Sec. 108. SURFACE WATER QUALITY</b>	

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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	<b>Sec. 109. DRINKING WATER PROTECTION &amp; RADIOLOGICAL HEALTH</b>			
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	<b>Sec. 110. LOW LEVEL RADIOACTIVE WASTE AUTHORITY</b>	
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	<b>Sec. 111. ENVIRONMENTAL RESPONSE</b>	
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 <span style="background-color: gray; color: gray;">      </span> 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	<b>Sec. 112. STORAGE TANKS</b>	
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	<b>Sec. 113. WASTE MANAGEMENT</b>		
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	<b>Sec. 114. ENVIRONMENTAL ASSISTANCE DIVISION</b>		
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	<b>Sec. 115. CRIMINAL INVESTIGATIONS</b>	
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	<b>Sec. 116. GRANTS</b>	
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	<b>Sec. 117. BOND ADMINISTRATION SUMMARY</b>	
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	<b>Sec. 118. BOND ADMINISTRATIVE SERVICES</b>	
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	<b>Sec. 119. BOND WASTE MANAGEMENT</b>		
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 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

5

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.