

Act No. 171  
Public Acts of 2003  
Approved by the Governor\*  
August 12, 2003  
Filed with the Secretary of State  
August 13, 2003  
EFFECTIVE DATE: August 13, 2003

\*Item Vetoes

**Sec. 901.**

Entire Section. (Page 13)

**Sec. 1104.**

The words: "and \$1,000,000.00 is to establish and operate a comprehensive monitoring program to protect and manage the environmental quality of the St. Clair River, Lake St. Clair, and the Clinton River watershed, consistent with the appropriation made for this purpose in section 1205 of 2002 PA 520." (Page 14)

**STATE OF MICHIGAN  
92ND LEGISLATURE  
REGULAR SESSION OF 2003**

Introduced by Rep. Shulman

**ENROLLED HOUSE BILL No. 4393**

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 2004, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Full-time equated unclassified positions .....	6.0		
Full-time equated classified positions .....	1,605.7		
GROSS APPROPRIATION .....		\$	346,424,400
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers .....			14,142,900
ADJUSTED GROSS APPROPRIATION .....		\$	332,281,500
Federal revenues:			
Total federal revenues .....			129,169,500
Special revenue funds:			
Total local revenues .....			0
Total private revenues .....			435,700
Total other state restricted revenues .....			146,480,000
State general fund/general purpose .....		\$	56,196,300

**FUND SOURCE SUMMARY:**

Full-time equated unclassified positions .....	6.0		
Full-time equated classified positions .....	1,605.7		
GROSS APPROPRIATION .....		\$	346,424,400

Interdepartmental grant revenues:	
IDG-MDA.....	\$ 100,000
IDG-MDCH, local public health operations.....	10,472,500
IDG-MDSP.....	632,200
IDG, Michigan transportation fund.....	884,800
IDT, interdivisional charges.....	2,053,400
Total interdepartmental grants and intradepartmental transfers.....	14,142,900
ADJUSTED GROSS APPROPRIATION.....	\$ 332,281,500
Federal revenues:	
DOC-NOAA, federal.....	3,063,500
DOD, federal.....	455,300
DOI, federal.....	525,900
EPA, multiple.....	124,722,900
FEMA, federal.....	401,900
Total federal revenues.....	129,169,500
Special revenue funds:	
Private funds.....	435,700
Total private revenues.....	435,700
Aboveground storage tank fees.....	717,500
Air emissions fees.....	11,572,700
CESARS service fee.....	26,300
Clean Michigan initiative - administration.....	2,885,700
Clean Michigan initiative - clean water fund.....	4,400,000
Clean Michigan initiative - response activities.....	1,600,000
Cleanup and redevelopment fund.....	14,797,100
Community pollution prevention fund.....	250,000
Drinking water revolving fund.....	6,059,000
Environmental education fund.....	184,500
Environmental pollution prevention fund.....	1,492,700
Environmental protection fund.....	15,042,700
Environmental response fund.....	21,503,900
Fees and collections.....	818,700
Financial instruments.....	5,000,000
Great Lakes protection fund.....	2,551,100
Groundwater and freshwater protection fund.....	200,000
Groundwater discharge permit fees.....	1,700,000
Hazardous materials transportation permit fund.....	87,800
Land and water permit fees.....	3,330,900
Landfill maintenance trust fund.....	47,200
Metallic mining surveillance fee revenue.....	68,200
Mineral well regulatory fee revenue.....	215,300
NPDES fees.....	3,000,000
Oil and gas regulatory fund.....	7,814,200
Orphan well fund.....	2,002,000
Public utility assessments.....	786,100
Public water supply fees.....	4,445,600
Publication revenue.....	103,200
Retired engineers technical assistance fund.....	1,500,000
Saginaw Bay and River restoration revenue.....	154,500
Sand extraction fee revenue.....	188,300
Scrap tire regulatory fund.....	4,642,800
Septage waste license fees.....	1,752,400
Settlement funds.....	3,395,900
Sewage sludge land application fee.....	742,500
Soil erosion and sedimentation control training fund.....	101,300
Solid waste program fees.....	3,914,500
Stormwater permit fees.....	2,526,500
Submerged log recovery fund.....	101,600
Underground storage tank fees.....	4,245,400

		For Fiscal Year Ending Sept. 30, 2004
Waste reduction fee revenue.....	\$	4,464,300
Wastewater operator training fees .....		168,400
Water analysis fees .....		2,839,700
Water pollution control revolving fund .....		2,884,300
Water quality protection fund.....		25,000
Water use reporting fees .....		130,200
Total other state restricted revenues .....		146,480,000
State general fund/general purpose .....	\$	56,196,300

#### **Sec. 102. EXECUTIVE**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions.....	15.0	
Unclassified salaries—6.0 FTE positions .....		\$ 482,600
Executive direction—8.0 FTE positions .....		847,500
Office of the Great Lakes—7.0 FTE positions.....		820,700
GROSS APPROPRIATION .....		\$ 2,150,800
Appropriated from:		
Federal revenues:		
DOI, federal.....		120,000
EPA, multiple.....		101,100
Special revenue funds:		
Environmental education fund .....		184,500
Environmental response fund .....		43,200
Great Lakes protection fund .....		501,100
Oil and gas regulatory fund .....		89,600
Settlement funds.....		210,700
State general fund/general purpose .....		\$ 900,600

#### **Sec. 103. DEPARTMENT SUPPORT SERVICES**

Full-time equated classified positions .....	72.0	
Financial and business services—32.0 FTE positions .....		\$ 1,570,600
Field operations support—20.0 FTE positions .....		1,325,600
Automated data processing .....		2,053,400
Office of special environmental projects—3.0 FTE positions.....		406,300
Personnel—13.0 FTE positions.....		715,200
Administrative hearings—4.0 FTE positions .....		369,900
Building occupancy charges.....		7,895,000
Rent - privately owned property.....		1,836,900
Environmental support projects.....		5,000,000
GROSS APPROPRIATION .....		\$ 21,172,900
Appropriated from:		
Interdepartmental grant revenues:		
IDT, interdivisional charges .....		2,053,400
Federal revenues:		
EPA, multiple.....		57,800
Special revenue funds:		
Aboveground storage tank fees .....		25,600
Air emissions fees.....		401,800
Clean Michigan initiative - administration.....		162,600
Environmental pollution prevention fund .....		62,900
Environmental response fund .....		1,443,700
Fees and collections .....		99,400
Financial instruments .....		5,000,000
Land and water permit fees .....		107,500
Oil and gas regulatory fund .....		598,100
Public utility assessments .....		12,300
Public water supply fees .....		528,100
Scrap tire regulatory fund .....		88,400

		For Fiscal Year Ending Sept. 30, 2004
Settlement funds.....	\$	170,600
Solid waste program fees .....		69,600
Stormwater permit fees .....		50,500
Underground storage tank fees .....		206,600
Waste reduction fee revenue.....		54,700
Water analysis fees .....		187,700
Water pollution control revolving fund .....		14,900
Water use reporting fees .....		8,400
State general fund/general purpose .....	\$	9,768,300

#### **Sec. 104. AIR QUALITY**

Full-time equated classified positions.....	249.5	
Air quality programs—249.5 FTE positions.....	\$	20,546,300
GROSS APPROPRIATION.....	\$	20,546,300
Appropriated from:		
Federal revenues:		
EPA, multiple.....		3,777,100
Special revenue funds:		
Air emissions fees.....		10,029,800
Environmental response fund .....		89,200
Fees and collections .....		343,000
State general fund/general purpose .....	\$	6,307,200

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

Full-time equated classified positions.....	184.5	
Environmental services—26.5 FTE positions .....	\$	1,886,000
Laboratory services—68.0 FTE positions .....		5,886,600
Municipal assistance—35.5 FTE positions .....		4,670,800
Pollution prevention and technical assistance—54.5 FTE positions .....		5,062,800
Pollution prevention outreach .....		300,000
Retired engineers technical assistance program .....		1,500,000
GROSS APPROPRIATION.....	\$	19,306,200
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDA.....		100,000
Federal revenues:		
DOC-NOAA, federal .....		300,000
EPA, multiple.....		2,150,600
Special revenue funds:		
Private funds .....		300,000
Air emissions fees.....		654,200
Clean Michigan initiative - administration.....		147,900
Clean Michigan initiative - response activities .....		1,600,000
Drinking water revolving fund .....		1,273,800
Environmental protection fund.....		58,200
Environmental response fund .....		255,800
Public water supply fees .....		218,000
Retired engineers technical assistance fund.....		1,500,000
Settlement funds.....		363,100
Stormwater permit fees .....		86,500
Waste reduction fee revenue.....		3,962,900
Wastewater operator training fees .....		168,400
Water analysis fees .....		2,496,600
Water pollution control revolving fund .....		2,159,300
State general fund/general purpose .....	\$	1,510,900

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

Full-time equated classified positions.....	201.5	
Program direction—11.0 FTE positions.....	\$	797,800
Coal and sand dune management—3.0 FTE positions .....		594,200

		For Fiscal Year Ending Sept. 30, 2004
Field permitting and project assistance—69.0 FTE positions .....	\$	5,858,700
Great Lakes shorelands—28.0 FTE positions .....		2,374,800
Metallic mine reclamation—1.0 FTE position .....		68,200
Mineral wells management—3.0 FTE positions .....		215,300
Orphan well—2.5 FTE positions .....		2,002,000
Services to oil and gas—61.0 FTE positions .....		6,623,600
Water management—23.0 FTE positions .....		2,120,800
Submerged log recovery .....		101,600
GROSS APPROPRIATION .....	\$	20,757,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG, Michigan transportation fund .....		838,500
Federal revenues:		
DOC-NOAA, federal .....		1,237,900
DOI, federal .....		405,900
EPA, multiple .....		453,000
FEMA, federal .....		401,900
Special revenue funds:		
Environmental response fund .....		75,900
Land and water permit fees .....		2,691,700
Metallic mining surveillance fee revenue .....		68,200
Mineral well regulatory fee revenue .....		215,300
Oil and gas regulatory fund .....		6,444,500
Orphan well fund .....		2,002,000
Publication revenue .....		103,200
Sand extraction fee revenue .....		188,300
Submerged log recovery fund .....		101,600
State general fund/general purpose .....	\$	5,529,100

#### **Sec. 107. REMEDIATION AND REDEVELOPMENT**

Full-time equated classified positions .....	304.5	
Contaminated site investigation, cleanup, and revitalization—233.5 FTE positions .....	\$	19,957,900
Federal cleanup project management—71.0 FTE positions .....		7,203,200
Emergency cleanup actions .....		4,000,000
Environmental cleanup and redevelopment program .....		21,715,000
State cleanup 451 .....		3,027,900
Superfund cleanup .....		4,000,000
GROSS APPROPRIATION .....	\$	59,904,000
Appropriated from:		
Federal revenues:		
DOD, federal .....		455,300
EPA, multiple .....		8,723,200
Special revenue funds:		
Private funds .....		135,700
Clean Michigan initiative - administration .....		2,038,200
Cleanup and redevelopment fund .....		13,097,100
Environmental protection fund .....		14,915,500
Environmental response fund .....		18,569,200
Landfill maintenance trust fund .....		47,200
Settlement funds .....		1,922,600
State general fund/general purpose .....	\$	0

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

Full-time equated classified positions .....	187.5	
Aboveground storage tank program—9.0 FTE positions .....	\$	691,900
Hazardous waste management program—61.0 FTE positions .....		5,634,200
Low-level radioactive waste authority—2.0 FTE positions .....		769,700
Radiological protection program—16.5 FTE positions .....		1,504,800

		For Fiscal Year Ending Sept. 30, 2004
Scrap tire regulatory program—11.0 FTE positions .....	\$	915,000
Solid waste management program—51.0 FTE positions .....		3,846,800
Underground storage tank program—37.0 FTE positions .....		4,102,900
GROSS APPROPRIATION .....	\$	17,465,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP .....		632,200
Federal revenues:		
EPA, multiple .....		3,383,400
Special revenue funds:		
Aboveground storage tank fees .....		691,900
Environmental pollution prevention fund .....		1,429,800
Environmental response fund .....		262,700
Hazardous materials transportation permit fund .....		87,800
Public utility assessments .....		769,700
Scrap tire regulatory fund .....		915,000
Solid waste program fees .....		3,784,900
Underground storage tank fees .....		3,864,900
Waste reduction fee revenue .....		61,900
State general fund/general purpose .....	\$	1,581,100

#### **Sec. 109. WATER**

Full-time equated classified positions .....	369.2	
Aquifer protection and dispute resolution .....	\$	400,000
Aquifer protection revolving fund .....		400,000
Drinking water—84.2 FTE positions .....		13,663,600
Environmental health—30.0 FTE positions .....		2,725,400
Fish contaminant monitoring .....		316,100
Groundwater discharge—31.0 FTE positions .....		1,717,500
Groundwater use reporting .....		150,000
NPDES nonstormwater program—121.4 FTE positions .....		8,624,100
Sewage sludge land application program—6.5 FTE positions .....		742,500
Surface water—96.1 FTE positions .....		14,316,300
GROSS APPROPRIATION .....	\$	43,055,500
Appropriated from:		
Federal revenues:		
EPA, multiple .....		12,741,400
Special revenue funds:		
CESARS service fee .....		26,300
Clean Michigan initiative - administration .....		537,000
Clean Michigan initiative - clean water fund .....		4,400,000
Drinking water revolving fund .....		3,369,600
Environmental response fund .....		147,800
Fees and collections .....		376,300
Great Lakes protection fund .....		150,000
Groundwater and freshwater protection fund .....		200,000
Groundwater discharge permit fees .....		1,700,000
Land and water permit fees .....		425,000
NPDES fees .....		3,000,000
Public water supply fees .....		2,034,200
Saginaw Bay and River restoration revenue .....		154,500
Septage waste license fees .....		227,400
Sewage sludge land application fee .....		742,500
Soil erosion and sedimentation control training fund .....		101,300
Stormwater permit fees .....		2,389,500
Water pollution control revolving fund .....		590,300
Water use reporting fees .....		121,800
State general fund/general purpose .....	\$	9,620,600

**Sec. 110. CRIMINAL INVESTIGATIONS**

Full-time equated classified positions.....	22.0	
Environmental investigations—22.0 FTE positions.....	\$	1,832,600
GROSS APPROPRIATION.....	\$	1,832,600
Appropriated from:		
Federal revenues:		
EPA, multiple.....		129,900
Special revenue funds:		
Environmental response fund .....		111,700
Oil and gas regulatory fund.....		137,800
Scrap tire regulatory fund .....		58,100
State general fund/general purpose .....	\$	1,395,100

**Sec. 111. GRANTS**

Grants to counties - air pollution .....	\$	83,700
Water pollution control and drinking water revolving fund.....		102,353,500
Noncommunity water grants.....		1,400,000
Coastal management grants .....		1,800,000
Federal - nonpoint source water pollution grants .....		6,500,000
Federal - Great Lakes remedial action plan grants .....		700,000
Grants to counties - water quality monitoring.....		1,700,000
Great Lakes research and protection grants.....		1,900,000
Pollution prevention local grants .....		250,000
Radon grants .....		134,300
Septage waste compliance grants.....		1,525,000
Scrap tire grants.....		3,500,000
Drinking water revolving fund implementation .....		1,330,000
Local health department operations .....		10,472,500
Volunteer river, stream, and creek cleanup .....		25,000
GROSS APPROPRIATION.....	\$	133,674,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDCH, local public health operations.....		10,472,500
Federal revenues:		
DOC-NOAA, federal .....		1,500,000
EPA, multiple.....		92,590,000
Special revenue funds:		
Cleanup and redevelopment fund .....		1,700,000
Community pollution prevention fund .....		250,000
Drinking water revolving fund .....		1,330,000
Great Lakes protection fund .....		1,900,000
Public water supply fees .....		1,400,000
Scrap tire regulatory fund .....		3,500,000
Septage waste license fees.....		1,525,000
Water quality protection fund.....		25,000
State general fund/general purpose .....	\$	17,481,500

**Sec. 112. INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	6,559,800
GROSS APPROPRIATION.....	\$	6,559,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG, Michigan transportation fund .....		46,300
Federal revenues:		
DOC-NOAA, federal .....		25,600
EPA, multiple.....		615,400
Special revenue funds:		
Air emissions fees.....		486,900
Drinking water revolving fund .....		85,600



		For Fiscal Year Ending Sept. 30, 2004
Environmental protection fund.....	\$	69,000
Environmental response fund .....		504,700
Land and water permit fees .....		106,700
Oil and gas regulatory fund .....		544,200
Public utility assessments .....		4,100
Public water supply fees .....		265,300
Scrap tire regulatory fund .....		81,300
Settlement funds.....		728,900
Solid waste program fees .....		60,000
Underground storage tank fees .....		173,900
Waste reduction fee revenue.....		384,800
Water analysis fees .....		155,400
Water pollution control revolving fund .....		119,800
State general fund/general purpose .....	\$	2,101,900

## PART 2

### PROVISIONS CONCERNING APPROPRIATIONS

#### **GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2003-2004 is \$202,676,300.00 and state spending from state resources to be paid to local units of government for fiscal year 2003-2004 is \$20,145,500.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

#### DEPARTMENT OF ENVIRONMENTAL QUALITY

##### GRANTS

Grants to counties - air pollution .....	\$	83,700
Grants to counties - water quality monitoring.....		1,700,000
Local health department operations .....		10,472,500
Septage waste compliance program.....		1,525,000
Scrap tire grants.....		3,500,000
Noncommunity water grants.....		1,400,000
Radon grants .....		134,300
Drinking water grants .....		1,330,000
TOTAL .....	\$	20,145,500

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

Sec. 203. As used in this act:

- (a) "CESARS" means chemical evaluation search and retrieval system.
- (b) "Department" means the department of environmental quality.
- (c) "DOC" means the United States department of commerce.
- (d) "DOC-NOAA" means the DOC national oceanic and atmospheric administration.
- (e) "DOD" means the United States department of defense.
- (f) "DOI" means the United States department of interior.
- (g) "EPA" means the United States environmental protection agency.
- (h) "FEMA" means the federal emergency management agency.
- (i) "FTE" means full-time equated.
- (j) "IDG" means interdepartmental grant.
- (k) "IDT" means intradepartmental transfer.

- (l) "MDA" means the Michigan department of agriculture.
- (m) "MDCH" means the Michigan department of community health.
- (n) "MDSP" means the Michigan department of state police.
- (o) "MI" means Michigan.
- (p) "NPDES" means national pollutant discharge elimination system.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) Beginning October 1, 2004, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director shall grant exceptions to the hiring freeze described in subsection (1) when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause a loss of revenue to the state, result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 208. Unless otherwise specified in this act, the department shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced American goods or services, or both, of comparable quality are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable value.

Sec. 211. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 212. By February 15, 2004, the department shall provide the state budget director, the subcommittees on natural resources and environmental quality of the senate and house appropriations committees, and the senate and house fiscal agencies with an annual report on restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2003 and September 30, 2004.

Sec. 213. (1) From funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant or loan or grant and loan programs administered by the department for the fiscal year ending September 30, 2004:

- (a) The name of each program.
- (b) The goals of the program, the criteria, eligibility, process, filing fees, nominating procedures, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.

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

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

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

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

(2) The reports required under this section shall be submitted to the state budget office, the senate and house appropriations committees, and senate and house fiscal agencies by January 1, 2004.

Sec. 215. The department shall notify the legislature and shall provide a public meeting and public comment opportunity with respect to any request received by the state of Michigan to divert water from the Great Lakes pursuant to the water resources development act of 1986, Public Law 99-662, 100 Stat. 4082.

Sec. 216. (1) The department shall report all of the following information relative to allocations made in part 1 for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

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

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

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

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

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

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

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

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

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

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

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

(3) The report shall be made available by March 31 of each year.

Sec. 217. (1) In addition to the funds appropriated in part 1 for the environmental cleanup and redevelopment program and the leaking underground storage tank cleanup program, the department of environmental quality is authorized to expend amounts remaining from prior fiscal year appropriations to meet funding needs of legislatively approved sites.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 1989 PA 180, 1990 PA 55, 1990 PA 194, 1991 PA 31, 1991 PA 160, 1993 PA 74, 1993 PA 353, 1994 PA 442, 1996 PA 353, and 1997 PA 114 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund and unclaimed bottle deposits fund contained in 1996 PA 319, 1997 PA 114, 1998 PA 292, 1999 PA 125, 2000 PA 275, 2001 PA 43, and 2002 PA 520 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 1999 PA 111, 2000 PA 52, 2000 PA 506, and 2001 PA 120 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 218. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 219. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 220. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support department of environmental quality technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 221. The department of information technology shall establish a schedule of rates, user fees, and charges or assessments for standard services and information system support requirements to be made to departments for technology-related services and projects. This schedule, as well as copies of related interagency agreements, shall be provided to the state budget office and the house of representatives and senate committees on appropriations before October 15, 2003. The department of environmental quality shall not process any payments or fund transfers to the department of information technology until the schedule of rates, user fees, and assessments is provided to the legislature and the department of environmental quality.

### **DEPARTMENT SUPPORT SERVICES**

Sec. 301. In addition to the annual report on travel expenditures required by section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the department shall provide to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies a quarterly report within 30 days of the end of each quarter on expenses incurred for travel inside and outside the state. The report shall include, but not be limited to, the name of the person who traveled, total expenditures for compensation, fees, or remuneration for meals, transportation, and related contractual services, supplies, and materials, and the destination, reason for, and dates of the travel.

### **AIR QUALITY**

Sec. 401. The department shall report quarterly, via the department's Internet website, on air quality program expenditures and revenues. The report shall include expenditures and revenues by fund source and by program function.

### **ENVIRONMENTAL SCIENCE AND SERVICES**

Sec. 501. The funds appropriated in part 1 for pollution prevention and technical assistance include authorization for 1.0 FTE position and \$60,000.00 to provide technical assistance to organizations and businesses involved in recycling and composting.

Sec. 502. The recycling coordinator shall conduct a study of the state's capacity to handle material recovered for recycling, the feasibility of collecting and transporting the material for recycling within the state, and the ability of the state to sustain markets for products containing recycled content. The department shall make recommendations for improving and expanding recycling in the state in a report submitted to the legislature, the state budget director, and the senate and house fiscal agencies no later than December 30, 2004.

Sec. 503. By July 1, 2004, the department shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department of environmental quality, outlining the implementation of the Great Lakes water quality bond, 2002 PA 397, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

## **GEOLOGICAL AND LAND MANAGEMENT**

Sec. 601. The department shall collect Great Lakes bottomland permit fees uniformly and fairly from commercial and noncommercial users of the Great Lakes bottomlands.

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

## **REMEDIATION AND REDEVELOPMENT**

Sec. 701. The unexpended funds appropriated in part 1 for the state cleanup program, environmental cleanup and redevelopment program, emergency cleanup action, contaminated site investigations, cleanup and revitalization, state site cleanup, leaking underground storage tank cleanup program, and superfund cleanup projects are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2008.

Sec. 702. The funds appropriated in part 1 for the environmental cleanup and redevelopment program shall be used to fund redevelopment and cleanup activities on the following sites:

Allegan	Sunrise Landfill
Berrien	Coloma DCPA
Berrien	Bendix
Branch	Bronson Area Wells
Cass	U.S. Aviex
Eaton	Parsons Chemical
Gladwin	Gladwin Bulk Oil Plant State St.
Gratiot	Velsicol Chemical Corporation
Gratiot	Pine R Downstream of St. Louis
Houghton	Torch Lake
Ingham	Americhem Corporation
Iosco	Res Wells Bachman Rd.
Jackson	Exxon Petroleum
Kalamazoo	Portage Creek/Kalamazoo River
Kent	Former Autostyle Plastics, Inc.
Mecosta	Joe's Tire/Ridderman Oil
Midland	Tittabawassee River
Montmorency	Mary D's
Muskegon	Green Ridge Subdivision
Muskegon	Laketon Auto Clinic
Muskegon	Meat Block
Wayne	Plymouth Industrial Center Holding Company

Sec. 703. Of the funds appropriated in part 1 for the environmental cleanup and redevelopment program, an amount not to exceed \$2,000,000.00 shall be expended for the NPL municipal landfill match grants.

Sec. 704. If federal funding is available, the department shall work with local stakeholders to identify the sources of contamination in the Ruddiman Creek watershed and shall submit an application for federal funding pursuant to the Great Lakes legacy act of 2002, title I of the Great Lakes and Lake Champlain act of 2002, Public Law 107-303, 116 Stat. 2355, for this sediment cleanup project.

## **WASTE AND HAZARDOUS MATERIALS**

Sec. 802. By February 1, 2004, the department shall submit to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the senate and house appropriations subcommittees on environmental quality, the state budget director, and the senate and house fiscal agencies a report on out-of-state waste disposed of in landfills in this state. The report shall include, but not be limited to, the amount, type, and state of origin for all out-of-state waste.

## **WATER**

Sec. 901. Of the funds appropriated in part 1 for water quality monitoring, funding up to \$20,000.00 may be provided, on a 50:50 cost-sharing basis, to erect signs at beaches owned by governmental entities. These signs will inform the public where the most recent beach water quality information may be found.

Sec. 902. The appropriation in part 1 for aquifer protection and dispute resolution includes a \$100,000.00 interdepartmental grant to the Michigan department of agriculture to cover costs related to implementation of part 317 of the natural resources and environmental protection act, 1994 PA 451.

Sec. 903. The funds appropriated in part 1 for groundwater use reporting shall be awarded as a grant for the development of a groundwater database needed to model the demands for domestic water uses of groundwater supplies.

Sec. 904. The appropriation in part 1 for drinking water includes \$1,000,000.00 from the clean Michigan initiative - clean water fund for preparation of the statewide groundwater inventory and map established in section 32802 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.32802.

Sec. 909. By February 1, 2004, the department shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year, to the senate and house appropriations subcommittees on environmental quality and natural resources, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal agencies. The report shall include a summary of how the appropriations in part 1 for NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

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

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

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

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

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

## **CRIMINAL INVESTIGATIONS**

Sec. 1001. From funds appropriated in part 1, the department shall conduct periodic inspections of imported solid waste at disposal facilities to mitigate the unpermitted disposal of waste at Michigan disposal sites.

Sec. 1002. With funds appropriated in part 1, the department shall provide training in support of local efforts to regulate solid waste disposal. Department environmental conservation officers shall be directed to help train law enforcement officers and other enforcement personnel to develop community partnerships to combat illegal dumping at the local level.

## **GRANTS**

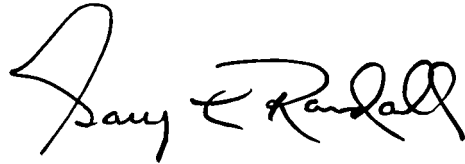
Sec. 1101. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11719, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

Sec. 1102. Of the funds appropriated in part 1 for scrap tire grants, \$100,000.00 shall be available for grants to communities to cover scrap tire fire suppression costs, provided owner liability bonds and other available funding sources have been exhausted.

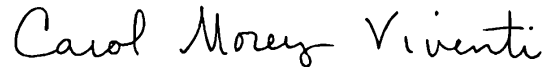
Sec. 1103. From the funds appropriated in part 1 for the drinking water revolving loan program, the department shall provide low-interest loans for public water supply systems found to be out of compliance with federal arsenic standards.

Sec. 1104. Of the money appropriated in part 1 for grants to counties - water quality monitoring, \$700,000.00 is for the city of St. Clair Shores for dredging of contaminated canals and \$1,000,000.00 is to establish and operate a comprehensive monitoring program to protect and manage the environmental quality of the St. Clair River, Lake St. Clair, and the Clinton River watershed, consistent with the appropriation made for this purpose in section 1205 of 2002 PA 520.

This act is ordered to take immediate effect.



\_\_\_\_\_  
Clerk of the House of Representatives



\_\_\_\_\_  
Secretary of the Senate

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor