

Act No. 121
Public Acts of 2007
Approved by the Governor*
October 31, 2007
Filed with the Secretary of State
October 31, 2007
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*Item Vetoes

Sec. 111. GRANTS

Real-time water quality monitoring \$ 250,000 (Page 7)

Sec. 1103.

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**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2007**

Introduced by Rep. Bennett

ENROLLED HOUSE BILL No. 4358

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; 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, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,561.7	
GROSS APPROPRIATION		\$ 370,844,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		18,662,900
ADJUSTED GROSS APPROPRIATION		\$ 352,181,500
Federal revenues:		
Total federal revenues		131,750,500
Special revenue funds:		
Total local revenues		0
Total private revenues		455,100
Total other state restricted revenues		188,212,700
State general fund/general purpose		\$ 31,763,200

FUND SOURCE SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,561.7	
GROSS APPROPRIATION		\$ 370,844,400

For Fiscal Year
Ending Sept. 30,
2008

Interdepartmental grant revenues:	
IDG-MDCH, local public health operations	\$ 10,472,500
IDG-MDSP	880,400
IDG, Michigan transportation fund	1,057,000
IDT, interdivisional charges	2,053,400
IDT, laboratory services	4,199,600
Total interdepartmental grants and intradepartmental transfers	18,662,900
ADJUSTED GROSS APPROPRIATION	\$ 352,181,500
Federal revenues:	
DHHS, federal	6,200
DHS, federal	3,609,300
DOC-NOAA, federal	3,670,200
DOD, federal	1,202,600
DOI, federal	594,000
EPA, brownfield cleanup revolving loan fund	1,000,000
EPA, multiple	121,668,200
Total federal revenues	131,750,500
Special revenue funds:	
Private funds	455,100
Total private revenues	455,100
Aboveground storage tank fees	760,400
Air emissions fees	13,654,900
Aquifer protection revolving fund	400,000
Campground fund	237,600
Clean Michigan initiative - administration	335,500
Clean Michigan initiative - clean water fund	3,372,000
Clean Michigan initiative - response activities	5,663,200
Cleanup and redevelopment fund	12,383,100
Community pollution prevention fund	250,000
Environmental pollution prevention fund	2,033,000
Environmental protection fund	3,907,100
Environmental response fund	6,299,700
Fees and collections	552,500
Financial instruments	5,000,000
Great Lakes protection fund	1,603,100
Groundwater discharge permit fees	2,826,000
Hazardous materials transportation permit fund	218,500
Infrastructure construction fund	400,000
Laboratory data quality recognition fund	16,200
Land and water permit fees	4,252,500
Landfill maintenance trust fund	55,900
Medical waste emergency response fund	240,300
Metallic mining surveillance fee revenue	93,500
Mineral well regulatory fee revenue	246,000
Nonferrous metallic mineral surveillance	218,600
NPDES fees	3,362,400
Oil and gas regulatory fund	7,829,100
On-site wastewater treatment program fund	592,500
Orphan well fund	2,051,900
Public swimming pool fund	541,300
Public utility assessments	786,100
Public water supply fees	3,949,600
Publication revenue	120,200
Refined petroleum fund	30,684,500
Restricted funds	18,448,500
Retired engineers technical assistance fund	1,474,300
Revitalization revolving loan fund	84,300

		For Fiscal Year Ending Sept. 30, 2008
Revolving loan revenue bonds	\$	11,400,000
Saginaw Bay and River restoration revenue		174,800
Sand extraction fee revenue		198,300
Scrap tire regulatory fund		5,846,300
Septage waste contingency fund.....		37,700
Septage waste program fund.....		720,200
Settlement funds.....		2,093,100
Sewage sludge land application fee		850,800
Small business pollution prevention revolving loan fund.....		107,700
Soil erosion and sedimentation control training fund		114,700
Solid waste program fees		4,493,500
Stormwater permit fees		2,799,400
Strategic water quality initiatives fund		10,000,000
Underground storage tank fees		3,125,500
Waste reduction fee revenue.....		4,479,600
Wastewater operator training fees		172,100
Water analysis fees		3,317,600
Water pollution control revolving fund		3,066,400
Water quality protection fund.....		25,000
Water use reporting fees		245,700
Total other state restricted revenues		188,212,700
State general fund/general purpose	\$	31,763,200

Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

Full-time equated unclassified positions	6.0	
Full-time equated classified positions.....	78.0	
Unclassified salaries—6.0 FTE positions	\$	587,600
Administrative hearings.....		441,800
Automated data processing		2,053,400
Central operations—62.0 FTE positions		6,757,100
Environmental support projects.....		5,000,000
Executive direction—9.0 FTE positions		2,306,100
Human resource optimization user charges.....		98,600
Office of the Great Lakes—7.0 FTE positions.....		1,048,900
Building occupancy charges.....		7,291,400
Rent - privately owned property.....		2,145,900
GROSS APPROPRIATION.....	\$	27,730,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP.....		112,100
IDT, interdivisional charges		2,053,400
IDT, laboratory services		471,400
Federal revenues:		
DOC-NOAA, federal		22,500
DOI, federal		160,300
EPA, multiple.....		265,100
Special revenue funds:		
Financial instruments		5,000,000
Great Lakes protection fund		603,100
Restricted funds.....		13,248,100
Settlement funds.....		104,400
State general fund/general purpose	\$	5,690,400

Sec. 103. AIR QUALITY

Full-time equated classified positions	241.5	
Air quality programs—241.5 FTE positions.....	\$	26,408,400
GROSS APPROPRIATION.....	\$	26,408,400

Appropriated from:	
Federal revenues:	
DHS, federal	\$ 2,027,600
EPA, multiple	4,470,600
Special revenue funds:	
Air emissions fees	12,889,300
Environmental response fund	106,200
Fees and collections	408,400
Oil and gas regulatory fund	107,500
Refined petroleum fund	2,850,700
State general fund/general purpose	\$ 3,548,100

Sec. 104. ENVIRONMENTAL SCIENCE AND SERVICES

Full-time equated classified positions	184.0
Program services and grant management—27.5 FTE positions	\$ 3,886,300
Laboratory services—68.0 FTE positions	6,822,900
Municipal assistance—35.5 FTE positions	5,305,100
Pollution prevention and technical assistance—53.0 FTE positions	5,085,800
Pollution prevention outreach	300,000
Retired engineers technical assistance program	1,474,300
Revitalization revolving loan program	1,000,000
GROSS APPROPRIATION	\$ 23,874,400

Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	3,577,800
Federal revenues:	
DOC-NOAA, federal	353,000
EPA, brownfield cleanup revolving loan fund	1,000,000
EPA, multiple	3,432,400
Special revenue funds:	
Private funds	300,000
Air emissions fees	765,600
Environmental protection fund	68,500
Environmental response fund	662,500
Laboratory data quality recognition fund	16,200
Public water supply fees	252,100
Retired engineers technical assistance fund	1,474,300
Revitalization revolving loan fund	84,300
Settlement funds	234,400
Small business pollution prevention revolving loan fund	107,700
Stormwater permit fees	95,500
Strategic water quality initiatives fund	400,000
Waste reduction fee revenue	4,405,000
Wastewater operator training fees	172,100
Water analysis fees	3,317,600
Water pollution control revolving fund	2,398,300
State general fund/general purpose	\$ 757,100

Sec. 105. OFFICE OF GEOLOGICAL SURVEY

Full-time equated classified positions	68.0
Coal and sand dune management—3.0 FTE positions	\$ 626,000
Metallic mine reclamation—1.0 FTE position	93,500
Mineral wells management—3.0 FTE positions	246,000
Nonferrous metallic mining—2.0 FTE positions	218,600
Orphan well—2.0 FTE positions	2,051,900
Services to oil and gas—57.0 FTE positions	7,478,300
GROSS APPROPRIATION	\$ 10,714,300

Appropriated from:	
Federal revenues:	
DOI, federal	\$ 427,700
Special revenue funds:	
Metallic mining surveillance fee revenue	93,500
Mineral well regulatory fee revenue	246,000
Nonferrous metallic mineral surveillance	218,600
Oil and gas regulatory fund	7,358,100
Orphan well fund	2,051,900
Publication revenue	120,200
Sand extraction fee revenue	198,300
State general fund/general purpose	\$ 0

Sec. 106. LAND AND WATER MANAGEMENT

Full-time equated classified positions	129.0
Program direction—8.0 FTE positions	\$ 938,700
Field permitting and project assistance—72.0 FTE positions	7,514,900
Great Lakes shorelands—28.0 FTE positions	2,662,700
Water management—21.0 FTE positions	2,688,600
GROSS APPROPRIATION	\$ 13,804,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG, Michigan transportation fund	1,002,500
Federal revenues:	
DHS, federal	999,700
DOC-NOAA, federal	1,508,800
EPA, multiple	1,047,400
Special revenue funds:	
Land and water permit fees	3,653,300
State general fund/general purpose	\$ 5,593,200

Sec. 107. REMEDIATION AND REDEVELOPMENT

Full-time equated classified positions	297.5
Contaminated site investigation, cleanup, and revitalization—230.5 FTE positions	\$ 22,924,100
Federal cleanup project management—67.0 FTE positions	8,385,800
Emergency cleanup actions	4,000,000
Refined petroleum product cleanup program	20,000,000
Environmental cleanup and redevelopment program	5,663,200
Environmental cleanup support	2,340,000
Superfund cleanup	4,000,000
GROSS APPROPRIATION	\$ 67,313,100
Appropriated from:	
Federal revenues:	
DHHS, federal	6,200
DOD, federal	1,174,500
EPA, multiple	8,403,500
Special revenue funds:	
Private funds	155,100
Clean Michigan initiative - response activities	5,663,200
Cleanup and redevelopment fund	12,383,100
Environmental protection fund	3,838,600
Environmental response fund	5,231,400
Landfill maintenance trust fund	55,900
Refined petroleum fund	26,790,900
Settlement funds	1,504,300
State general fund/general purpose	\$ 2,106,400

Sec. 108. WASTE AND HAZARDOUS MATERIALS

Full-time equated classified positions.....	183.5	
Aboveground storage tank program—8.0 FTE positions.....		\$ 760,400
Hazardous waste management program—61.0 FTE positions		6,463,200
Low-level radioactive waste authority—2.0 FTE positions		786,100
Medical waste program—2.0 FTE positions.....		240,300
Radiological protection program—14.5 FTE positions.....		1,418,800
Scrap tire regulatory program—11.0 FTE positions.....		1,061,200
Solid waste management program—50.0 FTE positions		4,568,100
Underground storage tank program—35.0 FTE positions.....		3,394,600
GROSS APPROPRIATION.....		\$ 18,692,700
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP.....		740,400
Federal revenues:		
EPA, multiple.....		4,006,600
Special revenue funds:		
Aboveground storage tank fees		760,400
Environmental pollution prevention fund.....		2,033,000
Hazardous materials transportation permit fund.....		218,500
Medical waste emergency response fund.....		240,300
Public utility assessments		786,100
Scrap tire regulatory fund		1,061,200
Solid waste program fees		4,493,500
Underground storage tank fees		3,125,500
Waste reduction fee revenue.....		74,600
State general fund/general purpose		\$ 1,152,600

Sec. 109. WATER

Full-time equated classified positions.....	358.2	
Aquifer protection program.....		\$ 350,000
Aquifer protection and dispute resolution - IDG to Michigan department of agriculture.....		50,000
Drinking water and environmental health—114.2 FTE positions.....		16,093,800
Expedited water/wastewater permits—3.0 FTE positions		400,000
Fish contaminant monitoring		316,100
Groundwater discharge—22.0 FTE positions		2,965,300
NPDES nonstormwater program—118.4 FTE positions.....		10,975,900
Sewage sludge land application program—6.5 FTE positions.....		850,800
Surface water—94.1 FTE positions		15,339,700
GROSS APPROPRIATION.....		\$ 47,341,600
Appropriated from:		
Federal revenues:		
EPA, multiple.....		18,070,000
Special revenue funds:		
Aquifer protection revolving fund.....		400,000
Campground fund		237,600
Clean Michigan initiative - administration.....		335,500
Clean Michigan initiative - clean water fund.....		3,372,000
Environmental response fund		167,100
Fees and collections		144,100
Groundwater discharge permit fees.....		2,826,000
Infrastructure construction fund		400,000
Land and water permit fees		599,200
NPDES fees		3,362,400
On-site wastewater treatment program fund		592,500
Public swimming pool fund		541,300
Public water supply fees		2,297,500
Refined petroleum fund.....		959,200

		For Fiscal Year Ending Sept. 30, 2008
Saginaw Bay and River restoration revenue	\$	174,800
Septage waste contingency fund.....		37,700
Septage waste program fund.....		320,200
Sewage sludge land application fee		850,800
Soil erosion and sedimentation control training fund		114,700
Stormwater permit fees		2,703,900
Water pollution control revolving fund		668,100
Water use reporting fees		245,700
State general fund/general purpose	\$	7,921,300

Sec. 110. CRIMINAL INVESTIGATIONS

Full-time equated classified positions.....22.0		
Environmental investigations—22.0 FTE positions.....	\$	2,587,400
GROSS APPROPRIATION	\$	2,587,400
Appropriated from:		
Federal revenues:		
DHS, federal.....		557,600
EPA, multiple.....		154,100
Special revenue funds:		
Environmental response fund		132,500
Oil and gas regulatory fund.....		363,500
Scrap tire regulatory fund		285,100
State general fund/general purpose	\$	1,094,600

Sec. 111. GRANTS

Coastal management grants	\$	2,000,000
Federal - Great Lakes remedial action plan grants		700,000
Federal - nonpoint source water pollution grants		6,500,000
Grants to counties - air pollution		83,700
Radon grants		90,000
Water pollution control and drinking water revolving fund.....		86,309,300
Drinking water program grants		1,330,000
Great Lakes research and protection grants.....		1,000,000
Local health department operations		10,472,500
Noncommunity water grants.....		1,400,000
Pollution prevention local grants		250,000
Real-time water quality monitoring.....		250,000
Septage waste compliance grants.....		400,000
Scrap tire grants.....		4,500,000
Strategic water quality initiative loans		9,600,000
Volunteer river, stream, and creek cleanup		25,000
GROSS APPROPRIATION	\$	124,910,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDCH, local public health operations		10,472,500
Federal revenues:		
DOC-NOAA, federal		1,700,000
EPA, multiple.....		80,463,000
Special revenue funds:		
Community pollution prevention fund		250,000
Great Lakes protection fund		1,000,000
Public water supply fees		1,400,000
Refined petroleum fund.....		83,700
Revolving loan revenue bonds		11,400,000
Scrap tire regulatory fund		4,500,000
Septage waste program fund.....		400,000
Settlement funds.....		250,000
Strategic water quality initiatives fund		9,600,000
Water quality protection fund.....		25,000
State general fund/general purpose	\$	3,366,300

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	7,466,300
GROSS APPROPRIATION.....	\$	7,466,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP.....		27,900
IDG, Michigan transportation fund.....		54,500
IDT, laboratory services.....		150,400
Federal revenues:		
DHS, federal.....		24,400
DOC-NOAA, federal.....		85,900
DOD, federal.....		28,100
DOI, federal.....		6,000
EPA, multiple.....		1,355,500
Special revenue funds:		
Restricted funds.....		5,200,400
State general fund/general purpose.....	\$	533,200

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 2007-2008 is \$219,975,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$4,300,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Noncommunity water grants.....	\$	1,400,000
Real-time water quality monitoring.....		250,000
Scrap tire grants.....		2,250,000
Septage waste compliance program.....		400,000
TOTAL.....	\$	4,300,000

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) "Department" means the department of environmental quality.
- (b) "DHHS" means the United States department of health and human services.
- (c) "DHS" means the United States department of homeland security.
- (d) "DOC" means the United States department of commerce.
- (e) "DOC-NOAA" means the DOC national oceanic and atmospheric administration.
- (f) "DOD" means the United States department of defense.
- (g) "DOI" means the United States department of interior.
- (h) "EPA" means the United States environmental protection agency.
- (i) "FTE" means full-time equated.
- (j) "IDG" means interdepartmental grant.
- (k) "IDT" means intradepartmental transfer.
- (l) "MDCH" means the Michigan department of community health.

- (m) "MDSP" means the Michigan department of state police.
- (n) "MI" means Michigan.
- (o) "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) 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. 206. The department shall use the Internet to fulfill the reporting requirements of this act. This requirement 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. 207. 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. 208. By February 15, 2008, the department shall provide the state budget director, the subcommittees on 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, 2007 and September 30, 2008.

Sec. 209. (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, 2008:

- (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 the senate and house fiscal agencies by January 1, 2008.

Sec. 211. (1) The department shall report all of the following information relative to allocations made from appropriations 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, the refined petroleum product 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. 212. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 2003 PA 173 and 2006 PA 343 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 2003 PA 171, 2003 PA 173, 2003 PA 237, and 2004 PA 350 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 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, and 2006 PA 343 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, 2003 PA 171, and 2004 PA 350 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154 and 2006 PA 343 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 213. 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. 214. From the funds appropriated in part 1 for information technology, departments and agencies 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. 215. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support 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. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2008 shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state-restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 217. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, 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 quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned or operated by veterans, if they are competitively priced and of comparable quality.

Sec. 218. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

Sec. 219. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 220. (1) The appropriation in section 102 includes \$11,165,800.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for selected line items in the executive operations and administrative support appropriation unit.

(2) The appropriation in section 112 includes \$4,214,000.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for the information technology appropriation.

(3) The department shall adopt a cost allocation plan for revenue sources supporting line items listed in sections 102 and 112. This cost allocation plan may be phased in over 2 fiscal years, beginning with the fiscal year ending September 30, 2008.

(4) The department shall provide a report on or before October 31, 2007 to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies of the line item amounts and detailed revenue sources which support the restricted fund appropriations in sections 102 and 112.

Sec. 221. The department shall not take disciplinary action against an employee for communicating truthfully and factually with a member of the legislature or his or her staff.

Sec. 222. The department shall annually report and post on its website by December 31 to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies an accounting of all civil and criminal fine revenue collected during the previous fiscal year.

Sec. 223. From the funds appropriated in part 1, the department shall assist the legislative commission on government efficiency, established in section 752 of the legislative council act, 1986 PA 268, MCL 4.1752, in its benchmarking evaluation of department programs, including, at a minimum, the air quality renewable operating permit program, the groundwater discharge program, land and water management programs, and the hazardous waste management program.

Sec. 224. (1) The department shall report no later than April 1, 2008 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 225. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 226. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

Sec. 227. It is the intent of the legislature that revenue shortfalls in state restricted funds appropriated in part 1 shall be addressed by January 15, 2008.

AIR QUALITY

Sec. 301. 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.

Sec. 302. From the funds appropriated in part 1, the department shall continue to work with individuals, organizations, and businesses to reach ozone attainment status in the 8 counties in southeast Michigan that are currently in nonattainment. To the fullest extent permitted by law and federal regulations, the department shall develop an attainment strategy that balances the public health, environmental, and economic interests of the residents, organizations, and businesses in that area.

ENVIRONMENTAL SCIENCE AND SERVICES

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

Sec. 402. By July 1, 2008, 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 provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, 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.

OFFICE OF GEOLOGICAL SURVEY

Sec. 501. It is the intent of the legislature that the office of geological survey continue its work with Western Michigan University's department of geosciences to maintain core samples at the Michigan basin core research laboratory as part of the Michigan geological repository for research and education at Western Michigan University and it is encouraged to explore new opportunities for mutually beneficial research and collaboration between the department and the university.

LAND AND WATER MANAGEMENT

Sec. 601. The department may waive permit fees for nonprofit organizations conducting approved stream habitat improvement projects.

Sec. 602. The department shall continue to make refinements to the wetland mapping information as additional information becomes available in an effort to provide a level of detail such that a person can determine from the map with a reasonable amount of certainty whether or not a parcel or substantial portion of a parcel in question is in fact a wetland subject to regulation by the department.

REMEDIATION AND REDEVELOPMENT

Sec. 701. The unexpended funds appropriated in part 1 for emergency cleanup actions, the refined petroleum product cleanup program, and the environmental cleanup and redevelopment program 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, 2012.

Sec. 702. From funds appropriated in part 1 for activities related to cleanup sites under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, the department shall incorporate into remedial action plans area-wide or site-specific cleanup criteria derived from peer-reviewed risk assessment based on bioavailability studies, site-specific human exposure data, and any other scientifically based risk assessment studies that are available and relevant. The department shall submit a report listing efforts made by the department to comply with this section. This report shall be provided to the house and senate appropriations subcommittees on environmental quality on or before January 1, 2008.

Sec. 703. The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	County
Alcona Oil Co, Inc.	Alcona
Somers Service Inc.	Alcona
State Park Grocery	Alcona
Laughing Whitefish Trading Post	Alger
Midway Resort Inc.	Alger
Fennville Feed Supply	Allegan
Butch's Tackle & Marine	Antrim
Pickup Capital of the North (former)	Antrim
L'Anse Marathon	Baraga
Res Wells Woodland	Barry
Pfanne's Grocery	Bay
B & M Party Store	Benzie
Village of Honor Res. Wells	Benzie
Frank's Pro Station	Berrien
Dave's Repair	Cass
Indian Lake Mini Super	Cass
Rigg's Corner Store	Cass
Dockside Market	Charlevoix
Mr. Mug's Donut Shop	Chippewa
Park Shell Service	Chippewa
Ackels Car Care	Clinton
Bob's Marathon	Eaton
Central Distributing	Genesee
Ackett's Country Corners	Gladwin
Gazey & Aleck Station	Gladwin
Evans Wallpaper & Paint	Grand Traverse
Hoefflin's Service	Grand Traverse
Universal Car Wash	Grand Traverse
Venture Investments	Grand Traverse
Former Union 76	Hillsdale
Dunk's Garage	Huron
Port Austin Shell	Huron
Action Auto #23	Ingham
Former Clark #531	Ingham
DNR - RED - Whittemore (Tax Reverted)	Iosco
Firstbank Winn Branch	Isabella
Former Gulf (Napolean)	Jackson
Alamo General Store	Kalamazoo
Liberty Gas	Kalamazoo
McDonald's Crosstown Service	Kalamazoo
Moore's Milwood Service	Kalamazoo
Davis Country Corners	Kalkaska
Taffletown Tavern	Kalkaska
Kountry Korers	Kent
Rockford Market	Kent
Uncle Lee's Trading Post	Kent
B & T Properties	Lapeer
Lakeland Montessori School	Livingston
Millie's Market	Livingston
Bob's Standard Service	Luce
C & V Grocery	Luce
D&D Jefferson Inc	Macomb
Montgomery Ward	Macomb
Red Barn Market	Manistee
Greenwood Self Serve	Marquette
Harvey Oil Co.	Marquette
Joe & Son's Service	Marquette
Paton's Country Store	Marquette

Custer Abandoned Station
 Altona General Store
 Joe's Tire/Ridderman Oil
 RLJ Realty
 Kreagers
 The Landing
 Luna Pier Fuel Stop
 Amble Oil Co.
 Coral General Store
 Edmore Mobil
 Marvin Jensen
 Joey's Service
 Wyson's General Store
 James J. Caradine
 415 E. Hudson
 Don & Stan's/Joe's Towing
 Emma Milner Property
 Farmer's Petroleum Corporation
 Little Caesar's
 Franklin Forge
 Rose City Feed & Tack
 Ontonagon Mobil Mart
 Andy's Standard Service
 Pete's Place
 Family Book Shelve
 Big Mac's Market
 Charlie's Place
 Chapin General Store
 Former Gas Station-104 W. Grand River
 Save-U Station (former)
 Payless SuperAmerica
 Salmo Property
 Evvelyn Gibbons
 Fred's Country Sunoco
 Lloyd Cochran
 S & S Auto
 Sunshine Oil
 Cal's Car Care, Inc.
 Mercury Manufacturing
 Reclamation Co.
 Auto Parts Center
 Mar-Lyn's Lakeside Resort
 Village of Harrietta

Mason
 Mecosta
 Mecosta
 Midland
 Missaukee
 Missaukee
 Monroe
 Montcalm
 Montcalm
 Montcalm
 Montcalm
 Montmorency
 Montmorency
 Muskegon
 Oakland
 Oakland
 Oakland
 Oakland
 Oakland
 Ogemaw
 Ogemaw
 Ontonagon
 Osceola
 Osceola
 Oscoda
 Roscommon
 Roscommon
 Saginaw
 Shiawassee
 Shiawassee
 St. Joseph
 Tuscola
 Washtenaw
 Washtenaw
 Washtenaw
 Washtenaw
 Washtenaw
 Wayne
 Wayne
 Wayne
 Wexford
 Wexford
 Wexford

Sec. 704. The funds appropriated in part 1 for the environmental cleanup and redevelopment program shall be used to fund cleanup activities on the following sites:

Site Name	County
Osceola Refinery (former)	Osceola
Former Petoskey Petrolane	Emmet
Bay Harbor	Emmet
Former Autostyle Plastics, Inc.	Kent
Harbor Plating	Berrien
Americhem Corporation	Ingham
House of Imports	Oakland
Packaging Corporation of America	Manistee
Manistique Industrial Park	Schoolcraft

Sec. 705. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 706. It is the intent of the legislature that the office of the auditor general conduct a performance audit of the leaking underground storage tank program. The performance audit shall include an investigation of the effectiveness of the program, including the adequacy of program funding, the use of draft and final operational memoranda, and consistency in the enforcement of regulations. The department shall fully cooperate with the auditor general during the performance audit.

Sec. 707. The department shall not expend funds appropriated in part 1 if using operational memoranda or other similar documents that are in draft form to impose regulations on individuals or businesses conducting environmental cleanup projects, except as provided in part 213 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21301 to 324.21331, or when there is written consent between the department and the individual or business.

WASTE AND HAZARDOUS MATERIALS

Sec. 801. It is the intent of the legislature that the recommendations of the site review board, as established in section 11117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11117, are the final approval for each site construction permit application that is referred to the board by the department.

Sec. 802. The department shall annually provide a report to the city of Romulus, city of Taylor, and Wayne County with respect to the activity of a multisource commercial hazardous waste disposal well, as defined in part 625 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.62501 to 324.62518, containing all of the following:

(a) Information concerning the release or discharge of any hazardous waste or hazardous waste constituent that may endanger public drinking water supplies or the environment.

(b) Information concerning the fire, explosion, or other release or discharge of any hazardous waste or hazardous waste constituent that could threaten human health or the environment or a spill that has reached surface water or groundwater.

(c) A summary of groundwater quality data, data graphs, data tables, statistical analyses to date, and identification of any statistically significant increases.

(d) With respect to the information described in subdivisions (a) to (c), a description of any noncompliance and its cause; the periods of noncompliance, including exact dates and times; whether the noncompliance has been corrected and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance and when those activities occurred or will occur.

WATER

Sec. 901. By February 1, 2008, 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, 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.

Sec. 902. From the funds appropriated in part 1, the department shall conduct a comparative analysis of the NPDES permit program for large confined animal feeding operations with the Michigan agriculture environmental assurance program (MAEAP). The analysis shall include a comparison of standards in effect at the time of MAEAP verification of a farm. The collection of data, evaluation, and final report shall be conducted in collaboration with the department of agriculture. The analysis shall be submitted to the state budget director, the senate and house appropriations subcommittees on environmental quality and agriculture, the senate and house standing committees on issues primarily related to environmental quality and agriculture, and the senate and house fiscal agencies by April 1, 2008.

Sec. 903. From the funds appropriated in part 1 for the surface water program, the department, in conjunction with the department of agriculture, shall submit a report to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies by September 30, 2008 that documents all of the following information:

(a) The number of concentrated animal feeding operations (CAFOs) in the state, and the number of those which have permits under the national pollution discharge elimination system (NPDES).

(b) The number and nature of inspections of CAFOs undertaken by the department and the department of agriculture, including whether the inspections included testing of the water, soil, or air, and a summary of the results of those inspections.

(c) An estimate of the number of CAFOs that utilize sewage lagoons, the capacity of those lagoons, and whether those lagoons are lined.

(d) An estimate of the funding dedicated toward permitting, inspection, and enforcement of current laws regulating CAFOs.

Sec. 904. From the funds appropriated in part 1 for the surface water program, the department shall prepare a plan by September 30, 2008 for the virtual elimination of sewage discharges into waters of the state by 2015. The plan shall be submitted to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies. The plan shall include all of the following information:

(a) A discussion of the major infrastructure projects undertaken and planned over the next 5 to 10 years to increase the capacity of public wastewater treatment facilities to better handle sewage waste and stormwater runoff.

(b) Trends over the last 5 years on the amount of untreated or undertreated sewage that was discharged into waters of the state from wastewater treatment facilities or their connected systems, and estimates on the amount of discharge that the department expects will occur in the next 5 to 10 years, assuming infrastructure upgrades.

(c) A discussion of the role of nonpoint discharges of sewage waste either through failing on-site septic systems or the land application of sewage and the impact on waters of the state.

(d) A discussion of the regulatory program designed to limit adverse impacts on waters of the state from sewage discharges and the sufficiency of funding allocated to those programs.

(e) A discussion of the funding available to local units of government to upgrade public wastewater treatment facilities or on-site systems.

(f) Recommendations for program changes or funding that would be required to achieve the virtual elimination of sewage discharges into the waters of the state by 2015.

Sec. 905. From the funds appropriated in part 1, the department shall assess municipal separate storm sewer system permit fees pursuant to section 3118(1)(d) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.3118, only on the owners and operators of municipal separate storm sewer systems.

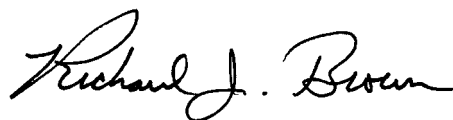
GRANTS

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 324.11720, 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. The appropriation in part 1 for real-time water quality monitoring is a grant to Macomb County and St. Clair County to support a real-time water quality monitoring program in the St. Clair watershed. By September 30, 2008, grant recipients shall report to the department on the plan's implementation and the status of the project. The department shall forward the report to the state budget director, the senate and house appropriations subcommittees on environmental quality, the senate and house standing committees on natural resources and environmental issues, and the senate and house fiscal agencies. Funding is contingent upon development of a department-approved plan for long-term funding of operation and maintenance of the real-time monitoring system for the Huron-Erie corridor.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor