

**SUBSTITUTE FOR
SENATE BILL NO. 840**

A bill to make appropriations for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2023, from the following funds:

**DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND
ENERGY**

APPROPRIATION SUMMARY

1	Full-time equated unclassified positions	6.0	
2	Full-time equated classified positions	1,264.2	
3	GROSS APPROPRIATION		\$ 596,296,200
4	Appropriated from:		
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and		
7	intradepartmental transfers		3,406,400
8	ADJUSTED GROSS APPROPRIATION		\$ 592,889,800
9	Federal revenues:		
10	Total federal revenues		185,641,700
11	Special revenue funds:		
12	Total local revenues		0
13	Total private revenues		1,415,500
14	Total other state restricted revenues		327,354,900
15	State general fund/general purpose		\$ 78,477,700
16	Sec. 102. DEPARTMENTAL ADMINISTRATION AND		
17	SUPPORT		
18	Full-time equated unclassified positions	6.0	
19	Full-time equated classified positions	85.6	
20	Unclassified salaries--FTE positions	6.0	\$ 889,700
21	Accounting service center		1,444,600
22	Administrative hearings officers		914,800
23	Environmental investigations--FTEs	11.1	1,988,200
24	Environmental support--FTEs	35.1	8,676,100
25	Environmental support projects		6,000,000
26	Executive direction--FTEs	10.0	2,339,400
27	Facilities management		987,100
28	Financial support--FTEs	29.2	3,850,200

1	Property management	8,461,500
2	GROSS APPROPRIATION	\$ 35,551,600
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG from Michigan department of state police	88,800
6	IDG from state transportation department	124,000
7	Federal revenues:	
8	Federal funds	604,700
9	Special revenue funds:	
10	Private funds	750,800
11	Air emissions fees	1,000,900
12	Aquatic nuisance control fund	89,000
13	Campground fund	29,700
14	Cleanup and redevelopment fund	2,225,500
15	Electronic waste recycling fund	42,900
16	Environmental education fund	196,400
17	Environmental pollution prevention fund	597,100
18	Fees and collections	25,200
19	Financial instruments	8,826,900
20	Great Lakes protection fund	48,300
21	Groundwater discharge permit fees	144,700
22	Infrastructure construction fund	5,300
23	Laboratory services fees	589,100
24	Land and water permit fees	228,700
25	Medical waste emergency response fund	42,900
26	Metallic mining surveillance fee revenue	10,800
27	Mineral well regulatory fee revenue	10,800
28	Nonferrous metallic mineral surveillance	51,200

1	NPDES fees		414,200
2	Oil and gas regulatory fund		844,800
3	Orphan well fund		99,700
4	Public swimming pool fund		59,100
5	Public utility assessments		697,100
6	Public water supply fees		437,100
7	Refined petroleum fund		3,580,800
8	Renew Michigan fund		3,122,000
9	Sand extraction fee revenue		10,700
10	Scrap tire regulatory fund		239,400
11	Septage waste program fund		48,300
12	Settlement funds		1,000,000
13	Sewage sludge land application fees		81,400
14	Soil erosion and sedimentation control training		
15	fund		13,500
16	Solid waste management fund - staff account		1,151,900
17	Stormwater permit fees		207,400
18	Strategic water quality initiatives fund		115,500
19	Underground storage tank cleanup fund		275,800
20	Wastewater operator training fees		51,300
21	Water pollution control revolving fund		61,200
22	Water use reporting fees		23,900
23	State general fund/general purpose	\$	7,282,800
24	Sec. 103. OFFICE OF THE GREAT LAKES		
25	Full-time equated classified positions	13.4	
26	Great Lakes restoration initiative--FTEs	10.6	\$ 7,631,600
27	Office of the Great Lakes--FTEs	2.8	816,700
28	GROSS APPROPRIATION	\$	8,448,300

1	Appropriated from:		
2	Federal revenues:		
3	Federal funds		7,657,600
4	Special revenue funds:		
5	Great Lakes protection fund		506,300
6	State general fund/general purpose	\$	284,400
7	Sec. 104. WATER RESOURCES DIVISION		
8	Full-time equated classified positions	287.9	
9	Aquatic nuisance control program--FTEs	7.5	\$ 982,200
10	Coastal management grants--FTEs	5.6	2,512,300
11	Expedited water/wastewater permits--FTEs	4.0	52,400
12	Federal - Great Lakes remedial action plan		
13	grants		583,800
14	Federal - nonpoint source water pollution		
15	grants		4,083,300
16	Fish contaminant monitoring		
17	Great Lakes restoration initiative--FTEs	0.0	3,608,500
18	Groundwater discharge permit program--FTEs	18.6	3,326,900
19	Land and water interface permit programs--FTEs	87.9	17,681,400
20	Nonpoint source pollution prevention and		
21	control project program		2,000,000
22	NPDES nonstormwater program--FTEs	79.5	15,355,200
23	Program direction and project assistance--FTEs	9.6	3,204,800
24	Sewage sludge land application program--FTEs	2.4	903,400
25	Stormwater activities--FTEs	31.6	5,768,600
26	Surface water--FTEs	26.1	8,978,100
27	Technology advancements for water monitoring		
28	Water quality protection grants		100,000

1	Water withdrawal assessment program--FTEs	5.9	834,500
2	Wetlands program--FTEs	9.2	971,200
3	GROSS APPROPRIATION		\$ 71,737,700
4	Appropriated from:		
5	Interdepartmental grant revenues:		
6	IDG from state transportation department		1,363,900
7	Federal revenues:		
8	Federal funds		26,976,300
9	Special revenue funds:		
10	Aquatic nuisance control fund		982,200
11	Clean Michigan initiative fund - clean water		
12	fund		2,617,100
13	Clean Michigan initiative fund - nonpoint		
14	source		2,000,000
15	Environmental response fund		590,000
16	Groundwater discharge permit fees		1,521,100
17	Infrastructure construction fund		52,400
18	Land and water permit fees		2,445,100
19	NPDES fees		4,384,500
20	Refined petroleum fund		456,000
21	Sewage sludge land application fees		905,200
22	Soil erosion and sedimentation control training		
23	fund		142,300
24	Stormwater permit fees		2,291,300
25	Wastewater operator training fees		311,400
26	Water pollution control revolving fund		151,600
27	Water quality protection fund		100,000
28	Water use reporting fees		262,200

1	State general fund/general purpose		\$ 24,185,100
2	Sec. 105. AIR QUALITY DIVISION		
3	Full-time equated classified positions	170.4	
4	Air quality programs--FTEs	170.4	\$ 30,641,000
5	GROSS APPROPRIATION		\$ 30,641,000
6	Appropriated from:		
7	Federal revenues:		
8	Federal funds		7,663,900
9	Special revenue funds:		
10	Air emissions fees		10,701,200
11	Fees and collections		213,400
12	Oil and gas regulatory fund		147,600
13	Public utility assessments		150,000
14	Refined petroleum fund		3,841,000
15	State general fund/general purpose		\$ 7,923,900
16	Sec. 106. REMEDIATION AND REDEVELOPMENT DIVISION		
17	Full-time equated classified positions	275.2	
18	Brownfield grants		\$ 1,100,000
19	Contaminated site investigations, cleanup and		
20	revitalization--FTEs	104.2	21,929,400
21	Emergency cleanup actions		2,000,000
22	Environmental cleanup support		1,000,000
23	Environmental cleanup and redevelopment program		27,600,000
24	Federal cleanup project management--FTEs	34.3	7,387,100
25	Laboratory services--FTEs	42.0	8,535,700
26	Refined petroleum product cleanup program--FTEs	94.7	35,386,000
27	Superfund cleanup		11,000,000
28	GROSS APPROPRIATION		\$ 115,938,200

1	Appropriated from:		
2	Federal revenues:		
3	Federal funds		16,616,200
4	Special revenue funds:		
5	Brownfield development fund		1,100,000
6	Cleanup and redevelopment fund		54,722,700
7	Environmental response fund		1,442,100
8	Laboratory services fees		8,208,000
9	Public water supply fees		327,700
10	Refined petroleum fund		33,241,600
11	State general fund/general purpose	\$	279,900
12	Sec. 107. UNDERGROUND STORAGE TANK AUTHORITY		
13	Full-time equated classified positions	8.7	
14	Underground storage tank cleanup program--FTEs	8.7 \$	20,098,000
15	GROSS APPROPRIATION	\$	20,098,000
16	Appropriated from:		
17	Federal funds		
18	Special revenue funds:		
19	Private funds		
20	Underground storage tank cleanup fund		20,098,000
21	State general fund/general purpose	\$	0
22	Sec. 108. RENEWING MICHIGAN'S ENVIRONMENT		
23	Full-time equated classified positions	114.7	
24	Information Management--FTEs	5.1 \$	3,813,500
25	Renew Michigan program--FTEs	109.6	70,255,200
26	GROSS APPROPRIATION	\$	74,068,700
27	Appropriated from:		
28	Interdepartmental grant revenues:		

1	IDG from Michigan department of state police
2	IDG from state transportation department
3	Federal revenues:
4	Federal funds
5	Special revenue funds:
6	Private funds
7	Air emissions fees
8	Aquatic nuisance control fund
9	Campground fund
10	Cleanup and redevelopment fund
11	Electronic waste recycling fund
12	Environmental education fund
13	Environmental pollution prevention fund
14	Fees and collections
15	Financial instruments
16	Great Lakes protection fund
17	Groundwater discharge permit fees
18	Laboratory services fees
19	Land and water permit fees
20	Medical waste emergency response fund
21	Nonferrous metallic mineral surveillance
22	NPDES fees
23	Oil and gas regulatory fund
24	Orphan well fund
25	Public swimming pool fund
26	Public utility assessments
27	Public water supply fees
28	Refined petroleum fund

1	Renew Michigan fund		70,255,200
2	Scrap tire regulatory fund		
3	Septage waste program fund		
4	Sewage sludge land application fee		
5	Soil erosion and sedimentation control training		
6	fund		
7	Solid waste management fund, staff account		
8	Stormwater permit fees		
9	Strategic water quality initiatives fund		
10	Underground storage tank cleanup fund		
11	Wastewater operator training fees		
12	Water pollution control revolving fund		
13	Water use reporting fees		
14	State general fund/general purpose	\$	3,813,500
15	Sec. 109. INFORMATION TECHNOLOGY		
16	Full-time equated classified positions	4.8	
17	Information technology services and projects--		
18	FTEs	4.8	\$ 9,627,300
19	GROSS APPROPRIATION	\$	9,627,300
20	Appropriated from:		
21	Interdepartmental grant revenues:		
22	IDG from Michigan department of state police		25,600
23	IDG from state transportation department		36,800
24	Federal revenues:		
25	Federal funds		1,891,800
26	Special revenue funds:		
27	Private funds		15,200
28	Air emissions fees		292,000

1	Aquatic nuisance control fund	26,400
2	Campground fund	8,800
3	Cleanup and redevelopment fund	654,500
4	Electronic waste recycling fund	12,800
5	Environmental education fund	4,800
6	Environmental pollution prevention fund	167,200
7	Fees and collections	6,400
8	Financial instruments	1,153,600
9	Great Lakes protection fund	14,400
10	Groundwater discharge permit fees	41,600
11	Infrastructure construction fund	1,600
12	Laboratory services fees	173,600
13	Land and water permit fees	66,400
14	Medical waste emergency response fund	12,800
15	Metallic mining surveillance fee revenue	3,200
16	Mineral well regulatory fee revenue	3,200
17	Nonferrous metallic mineral surveillance	15,200
18	NPDES fees	122,400
19	Oil and gas regulatory fund	246,400
20	Orphan well fund	29,600
21	Public swimming pool fund	17,600
22	Public utility assessments	12,800
23	Public water supply fees	129,600
24	Refined petroleum fund	1,062,500
25	Renew Michigan fund	922,500
26	Sand extraction fee revenue	3,200
27	Scrap tire regulatory fund	70,400
28	Septage waste program fund	14,400

1	Sewage sludge land application fees		24,000
2	Soil erosion and sedimentation control training		
3	fund		4,000
4	Solid waste management fund - staff account		340,800
5	Stormwater permit fees		61,600
6	Strategic water quality initiatives fund		34,400
7	Underground storage tank cleanup fund		81,600
8	Wastewater operator training fees		15,200
9	Water pollution control revolving fund		18,400
10	Water use reporting fees		7,200
11	State general fund/general purpose	\$	1,780,800
12	Sec. 110. CLIMATE AND ENERGY		
13	Office of climate and energy--FTEs	0.0 \$	254,200
14	GROSS APPROPRIATION	\$	254,200
15	Appropriated from:		
16	Federal revenues:		
17	Federal funds		49,700
18	Special revenue funds:		
19	Public utility assessments		39,700
20	State general fund/general purpose	\$	164,800
21	Sec. 111. DRINKING WATER AND ENVIRONMENTAL		
22	HEALTH		
23	Full-time equated classified positions	121.9	
24	Drinking water--FTEs	85.2 \$	12,082,600
25	Drinking water program grants		830,000
26	Environmental health--FTEs	36.7	9,102,000
27	Lead line replacement--FTEs	0.0	187,000
28	Noncommunity water grants		1,905,700

1	Septage waste compliance grants		125,000
2	GROSS APPROPRIATION	\$	24,232,300
3	Appropriated from:		
4	Federal revenues:		
5	Federal funds		12,268,100
6	Special revenue funds:		
7	Campground fund		311,300
8	Fees and collections		34,500
9	Public swimming pool fund		641,800
10	Public water supply fees		4,393,500
11	Refined petroleum fund		761,100
12	Septage waste program fund		601,200
13	Wastewater operator training fees		264,800
14	State general fund/general purpose	\$	4,956,000
15	Sec. 112. MATERIALS MANAGEMENT DIVISION		
16	Full-time equated classified positions	117.3	
17	Energy efficiency revolving fund		\$ 0
18	Environmental sustainability and stewardship--		
19	FTEs	6.7	6,248,900
20	Hazardous waste management program-- FTEs	47.8	6,243,100
21	Low-level radioactive waste authority-- FTEs	0.7	248,300
22	Medical waste program-- FTEs	1.3	325,700
23	Pollution prevention-- FTEs	4.9	2,330,800
24	Radiological protection program-- FTEs	9.1	1,860,900
25	Recycling initiative-- FTEs	5.8	1,046,400
26	Scrap tire grants		3,500,000
27	Scrap tire regulatory program--FTEs	7.5	1,388,600
28	Solid waste management program--FTEs	33.5	6,771,400

1	GROSS APPROPRIATION	\$ 29,964,100
2	Appropriated from:	
3	Interdepartmental grant revenues:	
4	IDG from Michigan department of state police	1,544,200
5	Federal revenues:	
6	Federal funds	7,204,800
7	Special revenue funds:	
8	Private funds	649,500
9	Cleanup and redevelopment fund	1,046,400
10	Coal ash care fund	262,300
11	Community pollution prevention fund	250,000
12	Electronic waste recycling fund	325,200
13	Energy efficiency and renewable energy	
14	revolving loan fund	250,100
15	Environmental pollution prevention fund	4,063,300
16	Medical waste emergency response fund	325,700
17	Public utility assessments	1,796,400
18	Retired engineers technical assistance program	
19	fund	491,200
20	Scrap tire regulatory fund	4,888,600
21	Small business pollution prevention revolving	
22	loan fund	134,400
23	Solid waste management fund - staff account	6,183,900
24	Technologically enhanced naturally occurring	
25	radioactive material	453,100
26	State general fund/general purpose	\$ 95,000
27	Sec. 113. OIL, GAS, AND MINERALS DIVISION	
28	Full-time equated classified positions	48.7

1	Oil, gas, and mineral services--FTEs	48.7	\$	11,619,700
2	GROSS APPROPRIATION		\$	11,619,700
3	Appropriated from:			
4	Interdepartmental grant revenues:			
5	IDG from department of licensing and regulatory			
6	affairs			223,100
7	Federal revenues:			
8	Federal funds			153,100
9	Special revenue funds:			
10	Metallic mining surveillance fee revenue			92,500
11	Mineral well regulatory fee revenue			214,000
12	Native copper mine fund			50,000
13	Nonferrous metallic mineral surveillance			376,900
14	Oil and gas regulatory fund			3,803,400
15	Orphan well fund			2,341,700
16	Sand extraction fee revenue			88,400
17	State general fund/general purpose		\$	4,276,600
18	Sec. 114. WATER INFRASTRUCTURE			
19	Full-time equated classified positions	15.6		
20	Municipal assistance--FTEs	15.6	\$	6,509,300
21	Water state revolving funds			120,000,000
22	GROSS APPROPRIATION		\$	126,509,300
23	Appropriated from:			
24	Federal revenues:			
25	Federal funds			104,555,500
26	Special revenue funds:			
27	Revolving loan revenue bonds			15,000,000
28	Strategic water quality initiatives fund			1,226,600

1	Water pollution control revolving fund		727,200
2	State general fund/general purpose	\$	5,000,000
3	Sec. 115. ONE-TIME APPROPRIATIONS		
4	Cooperative lakes monitoring program		150,000
5	Geologic data collection		1,684,900
6	Private well testing		5,000,000
7	Refined petroleum product cleanup program		19,170,900
8	Sea Wall Project		1,000,000
9	Watershed council grants		600,000
10	Wetland mitigation grants		10,000,000
11	GROSS APPROPRIATION	\$	37,605,800
12	Appropriated from:		
13	Federal revenues:		
14	Federal funds		
15	Special revenue funds:		
16	Refined petroleum fund		19,170,900
17	State general fund/general purpose	\$	18,434,900

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for the fiscal year 2022-2023 is \$405,832,600.00 and state spending from state sources to be paid to local units of government for the fiscal year 2022-2023 is \$35,716,000.00. The itemized statement below identifies appropriations from which spending to

1 local units of government will occur:

2 DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND		
3 ENERGY		
4	Brownfield grants	\$ 1,000,000
5	Emergency cleanup actions	116,000
6	Environmental health	400,000
7	Environmental sustainability and stewardship	100,000
8	Medical waste program	70,000
9	Noncommunity water grants	2,000,000
10	Pollution prevention	200,000
11	Private well testing	5,000,000
12	Refined petroleum product cleanup program	5,000,000
13	Renewing Michigan's environment	20,000,000
14	Scrap tire grants	1,000,000
15	Septage waste compliance grants	130,000
16	Surface water	200,000
17	Technology advancements for water monitoring	500,000
18	TOTAL	\$ 35,716,000

19 Sec. 202. The appropriations authorized under this part and
 20 part 1 are subject to the management and budget act, 1984 PA 431,
 21 MCL 18.1101 to 18.1594.

22 Sec. 203. As used in this part and part 1:

23 (a) "Department" means the department of environment, Great
 24 Lakes, and energy.

25 (b) "Director" means the director of the department.

26 (c) "FTE" means full-time equated.

27 (d) "IDG" means interdepartmental grant.

28 (e) "IIJA" means the infrastructure investment and jobs act,
 29 Public Law 117-58.

1 (f) "NPDES" means the national pollutant discharge elimination
2 system.

3 Sec. 204. The department and agencies receiving appropriations
4 in part 1 shall use the internet to fulfill the reporting
5 requirements of this part. This requirement shall include
6 transmission of reports via email to the recipients identified for
7 each reporting requirement, or it shall include placement of
8 reports on an internet site.

9 Sec. 205. To the extent permissible under section 261 of the
10 management and budget act, 1984 PA 431, MCL 18.1261, all of the
11 following apply to funds appropriated in part 1:

12 (a) The funds must not be used for the purchase of foreign
13 goods or services, or both, if competitively priced and of
14 comparable quality American goods or services, or both, are
15 available.

16 (b) Preference must be given to goods or services, or both,
17 manufactured or provided by Michigan businesses, if they are
18 competitively priced and of comparable quality.

19 (c) Preference must be given to goods or services, or both,
20 that are manufactured or provided by Michigan businesses owned and
21 operated by veterans, if they are competitively priced and of
22 comparable quality.

23 Sec. 206. The department shall not take disciplinary action
24 against an employee of the department or departmental agency in the
25 state classified civil service because the employee communicates
26 with a member of the senate or house or a member's staff, unless
27 the communication is prohibited by law and the department or agency
28 taking disciplinary action is exercising its authority as provided
29 by law.

1 Sec. 207. Consistent with section 217 of the management and
2 budget act, 1984 PA 431, MCL 18.1217, the department receiving
3 appropriations in part 1 shall prepare a report on out-of-state
4 travel expenses not later than January 1 of each year. The travel
5 report shall be a listing of all travel by classified and
6 unclassified employees outside this state in the immediately
7 preceding fiscal year that was funded in whole or in part with
8 funds appropriated in the department's budget. The report shall be
9 submitted to the senate and house appropriations committees, the
10 senate and house fiscal agencies, and the state budget director.
11 The report shall include the following information:

12 (a) The dates of each travel occurrence.

13 (b) The total transportation and related costs of each travel
14 occurrence, including the proportion funded with state general
15 fund/general purpose revenues, the proportion funded with state
16 restricted revenues, the proportion funded with federal revenues,
17 and the proportion funded with other revenues.

18 Sec. 208. Funds appropriated in part 1 may be used by a
19 principal executive department, state agency, or authority to hire
20 a person to provide legal services that the attorney general has
21 the responsibility or the discretion to provide. A principal
22 executive department, state agency, or authority may request
23 reimbursement from the office of attorney general for costs
24 incurred for the purposes of hiring outside counsel to provide
25 legal services.

26 Sec. 209. Not later than December 31, the state budget office
27 shall prepare and transmit a report that provides for estimates of
28 the total general fund/general purpose appropriation lapses at the
29 close of the prior fiscal year. This report shall summarize the

1 projected year-end general fund/general purpose appropriation
2 lapses by major departmental program or program areas. The report
3 shall be transmitted to the chairs of the senate and house
4 appropriations committees and the senate and house fiscal agencies.

5 Sec. 211. From the funds appropriated in part 1, the
6 department shall provide to the department of technology,
7 management, and budget information sufficient to maintain a
8 searchable website accessible by the public at no cost that
9 includes, but is not limited to, all of the following for the
10 department:

- 11 (a) Fiscal year-to-date expenditures by category.
- 12 (b) Fiscal year-to-date expenditures by appropriation unit.
- 13 (c) Fiscal year-to-date payments to a selected vendor,
14 including the vendor name, payment date, payment amount, and
15 payment description.
- 16 (d) The number of active department employees by job
17 classification.
- 18 (e) Job specifications and wage rates.

19 Sec. 212. Within 14 days after the release of the executive
20 budget recommendation, the department shall provide to the state
21 budget office information sufficient to provide the chairpersons of
22 the senate and house appropriations committees, the chairpersons of
23 the senate and house appropriations subcommittees on natural
24 resources and environment, Great Lakes, and energy, and the senate
25 and house fiscal agencies with an annual report on estimated state
26 restricted fund balances, state restricted fund projected revenues,
27 and state restricted fund expenditures for the fiscal years ending
28 September 30, 2022 and September 30, 2023.

29 Sec. 213. The department shall maintain, on a publicly

1 accessible website, a department scorecard that identifies, tracks,
2 and regularly updates key metrics that are used to monitor and
3 improve the department's performance.

4 Sec. 214. Total authorized appropriations from all sources
5 under part 1 for legacy costs for the fiscal year ending September
6 30, 2023 are estimated at \$34,914,100.00. From this amount, total
7 department appropriations for pension-related legacy costs are
8 estimated at \$21,197,400.00. Total agency appropriations for
9 retiree health care legacy costs are estimated at \$13,716,700.00.

10 Sec. 216. (1) On a quarterly basis, the department shall
11 report to the senate and house appropriations committees, the
12 senate and house appropriations subcommittees on the environment,
13 Great Lakes, and energy, and the senate and house fiscal agencies
14 the following information:

15 (a) The number of FTEs in pay status by type of staff and
16 civil service classification.

17 (b) A comparison by line item of the number of FTEs authorized
18 from funds appropriated in part 1 to the actual number of FTEs
19 employed by the department at the end of the reporting period.

20 (2) By March 1 of the current fiscal year and semiannually
21 thereafter, the department shall report to the senate and house
22 appropriations committees, the senate and house appropriations
23 subcommittees on the environment, Great Lakes, and energy, and the
24 senate and house fiscal agencies the following information:

25 (a) Number of employees that were engaged in remote work in
26 2022.

27 (b) Number of employees authorized to work remotely and the
28 actual number of those working remotely in the current reporting
29 period.

1 (c) Estimated net cost savings achieved by remote work.

2 (d) Reduced use of office space associated with remote work.

3 Sec. 217. Appropriations in part 1 shall, to the extent
4 possible by the department, not be expended until all existing work
5 project authorization available for the same purposes is exhausted.

6 Sec. 218. If the state administrative board, acting under
7 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
8 appropriated under this article, the legislature may, by a
9 concurrent resolution adopted by a majority of the members elected
10 to and serving in each house, intertransfer funds within this
11 article for the particular department, board, commission, officer,
12 or institution.

13 Sec. 221. (1) From the funds appropriated in part 1, the
14 department shall do all of the following:

15 (a) Report to the house and senate appropriations committees,
16 the house and senate fiscal agencies, the house and senate policy
17 offices, and the state budget office any amount of severance pay
18 for a department director, deputy director, or other high-ranking
19 department official not later than 14 days after a severance
20 agreement with the director or official is signed. The name of the
21 director or official and the amount of severance pay must be
22 included in the report required by this subdivision.

23 (b) Maintain an internet site that posts any severance pay in
24 excess of 6 weeks of wages, regardless of the position held by the
25 former department employee receiving severance pay.

26 (c) By February 1, report to the house and senate
27 appropriations subcommittees on the department budget, the house
28 and senate fiscal agencies, the house and senate policy offices,
29 and the state budget office on the total amount of severance pay

1 remitted to former department employees during the fiscal year
2 ending September 30, 2022 and the total number of former department
3 employees that were remitted severance pay during the fiscal year
4 ending September 30, 2022.

5 (2) As used in this section, "severance pay" means
6 compensation that is both payable or paid upon the termination of
7 employment and in addition to either wages or benefits earned
8 during the course of employment or generally applicable retirement
9 benefits.

10 Sec. 223. (1) The department may expend amounts remaining from
11 the current and prior fiscal year appropriations to meet funding
12 needs of the environmental cleanup and redevelopment program,
13 contaminated site cleanup, the renew Michigan program, the refined
14 petroleum product cleanup program, brownfield grants and loans,
15 waterfront grants, and the environmental bond site reclamation
16 program.

17 (2) Unexpended and unencumbered amounts remaining from
18 appropriations from the clean Michigan initiative fund - response
19 activities contained in 2011 PA 63, 2013 PA 59, 2014 PA 252, 2015
20 PA 84, 2016 PA 268, and 2017 PA 107 are appropriated for
21 expenditure.

22 (3) Unexpended and unencumbered amounts remaining from
23 appropriations from the refined petroleum fund activities contained
24 in 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107,
25 2018 PA 207, 2019 PA 57, and 2020 PA 166 are appropriated for
26 expenditure.

27 (4) Unexpended and unencumbered amounts remaining from the
28 appropriations from the strategic water quality initiatives fund
29 contained in 2011 PA 50, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014

1 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107, and 2018 PA 207 are
2 appropriated for expenditure.

3 (5) For the strategic water quality initiatives fund, funds
4 not yet disbursed are appropriated for expenditure for the same
5 program under sections 5201, 5202, and 5204e of the natural
6 resources and environmental protection act, 1994 PA 451, MCL
7 324.5201, 324.5202, and 324.5204e.

8 (6) Unexpended and unencumbered amounts remaining from the
9 appropriations from the renew Michigan fund contained in 2018 PA
10 207, 2019 PA 57, 2020 PA 166, and 2021 PA 87 are appropriated for
11 expenditure.

12 (7) Unexpended and unencumbered amounts remaining from the
13 appropriations from the general fund contained in 2021 PA 87 are
14 appropriated for expenditure.

15 Sec. 224. Unexpended settlement revenues at the end of the
16 fiscal year may be carried forward into the settlement fund in the
17 succeeding fiscal year up to a maximum carryforward of
18 \$2,500,000.00.

19 Sec. 225. (1) Funds appropriated in part 1 shall not be used
20 by the department to promulgate a rule that will apply to a small
21 business and that will have a disproportionate economic impact on
22 small businesses because of the size of those businesses if the
23 department fails to reduce the disproportionate economic impact of
24 the rule on small businesses as provided under section 40 of the
25 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

26 (2) As used in this section:

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

29 (b) "Small business" means that term as defined under section

1 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
2 24.207a.

3 Sec. 235. (1) Each quarter, the department shall prepare a
4 report that contains information pertaining to all remediation and
5 redevelopment efforts funded from part 1.

6 (2) The report must contain the following information:

7 (a) List of sites where work is planned to occur, including
8 the county for each site.

9 (b) The type of site, whether refined petroleum cleanup,
10 nonrefined petroleum cleanup, brownfield, or a combination of
11 types.

12 (c) A brief description of how the issue will be addressed,
13 including whether contractors will be utilized.

14 (d) The estimated date for project completion.

15 (e) The amount and funding source or sources allocated to the
16 site.

17 (3) The report shall be submitted to the house and senate
18 subcommittees on the environment, Great Lakes, and energy and the
19 state budget director.

20 Sec. 236. The department shall provide a report detailing the
21 expenditure of departmental funds appropriated in 2015 PA 143, 2016
22 PA 3, 2016 PA 268, and 2016 PA 340. The report shall include the
23 following:

24 (a) The names and locations of entities receiving funds.

25 (b) The purpose for each expenditure.

26 (c) The status of programs supported by this funding.

27 (d) A brief description of how related problems have been or
28 will be resolved if expenditures are made for immediate response.

29 (e) The job titles and number of departmental FTEs engaged in

1 the Flint declaration of emergency response effort.

2 Sec. 237. From the funds appropriated in part 1, the
3 department shall be responsible for the necessary and reasonable
4 attorney fees and costs incurred by private and independent legal
5 counsel chosen by current and former classified and unclassified
6 department employees in the defense of the department employees
7 named as a party in any state or federal lawsuits or investigations
8 related to the city of Flint municipal water system.

9 Sec. 238. By February 1, 2023, the department shall submit a
10 report to the standing committees and appropriations subcommittees
11 of the senate and house of representatives with primary
12 responsibility for issues under the jurisdiction of the department
13 that details departmental activities of the most recent fiscal year
14 in administering permitting programs. The report shall include, at
15 a minimum, all of the following:

16 (a) The number of FTEs assigned to each permitting program and
17 the number of unfilled positions at the beginning and end of the
18 most recent fiscal year.

19 (b) The number of permit applications received by the
20 department in the preceding year, including applications for new
21 and increased uses and reissuances.

22 (c) The number of permits for each program approved.

23 (d) The number of permits for each program denied.

24 (e) The percentage and number of permit applications that were
25 reviewed for administrative completeness within statutory time
26 frames.

27 (f) The percentage and number of permit applications for which
28 a final action was taken by the department within statutory time
29 frames for new and increased uses and reissuances.

1 (g) Activities to reduce any backlog of permits exceeding the
2 statutory time frames and the average time frame for permit
3 approvals for each program.

4 (h) Activities to reduce the percentage of permit applications
5 submitted as incomplete, in need of modification, or additional
6 information before final determination.

7 (i) Under conditions in which the department states a permit
8 is incomplete or denied, the department shall provide an
9 explanation as to the reason or reasons the permit is insufficient
10 and how the permit can be strengthened or made complete.

11

12 **REMEDICATION AND REDEVELOPMENT DIVISION**

13 Sec. 301. Revenues remaining in the laboratory services fees
14 fund at the end of the fiscal year shall carry forward into the
15 succeeding fiscal year.

16 Sec. 305. It is the intent of the legislature to repay the
17 refined petroleum fund for the \$70,000,000.00 that was transferred
18 to the environmental protection fund created in section 503a of the
19 natural resources and environmental protection act, 1994 PA 451,
20 MCL 324.503a, as part of the resolution for the fiscal year 2006-
21 2007 budget.

22 Sec. 306. The funds appropriated in part 1 for the refined
23 petroleum cleanup program shall be used to fund corrective actions
24 performed by the department pursuant to section 21320 of the
25 natural resources and environmental protection act, 1994 PA 451,
26 MCL 324.21320.

27 Sec. 308. The unexpended funds appropriated in part 1 for
28 emergency cleanup actions, environmental cleanup support,
29 brownfield grants, and the refined petroleum product cleanup

1 program are designated as work project appropriations, and any
2 unencumbered or unallotted funds shall not lapse at the end of the
3 fiscal year and shall be available for expenditures for projects
4 under this section until the projects have been completed. The
5 following is in compliance with section 451a of the management and
6 budget act, 1984 PA 431, MCL 18.1451a:

7 (a) The purpose of the projects is to provide contaminated
8 site cleanup.

9 (b) The projects will be accomplished by utilizing contracts
10 with service providers.

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

13 (d) The tentative completion date is September 30, 2027.

14 Sec. 310. (1) Upon approval by the state budget director, the
15 department may expend from the general fund of the state an amount
16 to meet the cash-flow requirements of projects funded under any of
17 the following that are financed from bond proceeds and for which
18 bonds have been authorized but not yet issued:

19 (a) Part 52 of the natural resources and environmental
20 protection act, 1994 PA 451, MCL 324.5201 to 324.5206.

21 (b) Part 193 of the natural resources and environmental
22 protection act, 1994 PA 451, MCL 324.19301 to 324.19306.

23 (c) Part 196 of the natural resources and environmental
24 protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

25 (2) Upon the sale of bonds for projects described in
26 subsection (1), the department shall credit the general fund of the
27 state an amount equal to that expended from the general fund.

28

29 **WATER RESOURCES DIVISION**

1 Sec. 401. From the funds appropriated in part 1 for land and
2 water interface permit programs, not less than \$350,000.00 and not
3 fewer than 2.0 FTE positions are allocated for dam safety programs.
4 These amounts are in addition to any funding and FTEs utilized for
5 this purpose in the fiscal year ending September 30, 2022.

6 Sec. 405. If a certified health department does not exist in a
7 city, county, or district or does not fulfill its responsibilities
8 under part 117 of the natural resources and environmental
9 protection act, 1994 PA 451, MCL 324.11701 to 324.11721, then the
10 department may spend funds appropriated in part 1 under the septage
11 waste compliance program in accordance with section 11716 of the
12 natural resources and environmental protection act, 1994 PA 451,
13 MCL 324.11716.

14 Sec. 410. From the funds appropriated in part 1, the
15 department shall compile a report by November 1 on the status of
16 the implementation plan for the western Lake Erie basin
17 collaborative agreement. In an effort to learn more about the
18 presence and timing of harmful algal blooms, the report shall
19 contain all of the following:

20 (a) An estimated cost of removal of total phosphorus per pound
21 at the 4 major wastewater treatment plants.

22 (b) A description of the grants that have been awarded.

23 (c) A description of the work that has commenced on the issue
24 of dissolved reactive phosphorus, the expected objectives and
25 outcomes of that work, and a list of the parties involved in that
26 effort.

27 (d) A description of the efforts and outcomes aimed at the
28 total phosphorus reduction for the River Raisin watershed.

29

1 UNDERGROUND STORAGE TANK AUTHORITY

2 Sec. 701. The unexpended funds appropriated in part 1 for the
3 underground storage tank cleanup program are designated as a work
4 project appropriation, and any unencumbered or unallotted funds
5 shall not lapse at the end of the fiscal year and shall be
6 available for expenditures for projects under this section until
7 the projects have been completed. The following is in compliance
8 with section 451a of the management and budget act, 1984 PA 431,
9 MCL 18.1451a:

10 (a) The purpose of the project is to provide contaminated site
11 cleanup.

12 (b) The project will be accomplished by utilizing contracts
13 with service providers.

14 (c) The total estimated cost of the project is \$20,000,000.00.

15 (d) The tentative completion date is September 30, 2027.

16

17 RENEWING MICHIGAN'S ENVIRONMENT

18 Sec. 801. The unexpended funds appropriated in part 1 for the
19 renew Michigan program are designated as a work project
20 appropriation, and any unencumbered or unallotted funds shall not
21 lapse at the end of the fiscal year and shall be available for
22 expenditures for projects under this section until the projects
23 have been completed. The following is in compliance with section
24 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

25 (a) The purpose of the project is for environmental cleanup
26 and redevelopment, waste management, and recycling.

27 (b) The project will be accomplished by utilizing state
28 employees or contracts with service providers, or both.

29 (c) The total estimated cost of the project is \$69,000,000.00.

1 (d) The tentative completion date is September 30, 2027.

2
3 **MATERIALS MANAGEMENT DIVISION**

4 Sec. 901. In addition to the money appropriated in part 1, the
5 department may receive and expend money from the Volkswagen
6 Environmental Mitigation Trust Agreement to provide funding for
7 activities as outlined within the State's Mitigation Plan. The
8 department shall prepare an annual report to the appropriations
9 subcommittees, the fiscal agencies, and the state budget office by
10 February 1, 2024 of the expenditures incurred under this section
11 during the fiscal year ending September 30, 2023.

12
13 **ONE-TIME APPROPRIATIONS**

14 Sec. 1001. From funds appropriated in part 1 for the
15 cooperative lakes monitoring program, the department shall provide
16 funding in the amount of \$150,000.00 to support the continuation of
17 the department's contract for the cooperative lakes monitoring
18 program and to ensure the continued operation of this program.

19 Sec. 1002. (1) From the funds appropriated in part 1 for
20 watershed council grants, \$600,000.00 in grant funds shall be
21 awarded to watershed councils for education, administration, and
22 conservation efforts. A grant to an individual watershed council
23 shall not exceed \$40,000.00.

24 (2) On or before April 1, the department shall transmit to the
25 appropriations subcommittees, the fiscal agencies, and the state
26 budget office and post on the department's website a report on the
27 previous calendar year's activities of the watershed grant program.
28 The report shall include a list of all grantees and award amounts.

29 Sec. 1003. The funds appropriated in part 1 for seawall

1 construction project are directed to a city with a population
2 between 35,000 and 39,000 according to the most recent federal
3 decennial census for the completion of a seawall to provide public
4 access for recreation purposes.

5 Sec. 1004. From the funds appropriated in part 1 for geologic
6 data collection, the department shall make \$1,684,900.00 available
7 to the Michigan Geological Survey (MGS) to conduct data collection
8 mapping to expand geologic information in up to 25 targeted areas
9 in this state.

10 Sec. 1005. (1) From the funds appropriated in part 1 for the
11 remediation and redevelopment division, the department shall
12 designate \$10,000,000.00 in funding to cover costs associated with
13 the planning and construction for the buffalo reef project.

14 (2) The unexpended portion of funds appropriated for buffalo
15 reef project is considered a work project appropriation and any
16 unencumbered or unallotted funds shall not lapse at the end of the
17 fiscal year and shall be available for expenditure for the project
18 under this section until the project has been completed. The
19 following is in compliance with section 451a(1) of the management
20 and budget act, 1984, PA 431, MCL 18.1451a:

21 (a) The purpose of the project is to build a coal dock jetty
22 for the dredging of stamp sands from Lake Superior in Gay,
23 Michigan.

24 (b) The project will be accomplished by utilizing all of the
25 following:

26 (i) Federal resources, state resources, contracts, or grants.

27 (ii) Railroad corridor title work and property acquisition.

28 (iii) Final disposal area property acquisition.

29 (iv) Final disposal area design.

1 (v) Additional maintenance dredging of the trough and Grand
2 Traverse Harbor to protect the reef.

3 (vi) Continued physical surveys of the stamp sands and reef.

4 (c) The total estimated cost of the project is \$10,000,000.00.

5 (d) The tentative completion date is September 30, 2024.

6 Sec. 1006. (1) From the funds appropriated in part 1 for
7 wetland mitigation grants, the department shall award grants to
8 provide assistance for wetland mitigation actions, including the
9 purchase of wetland mitigation banking credits when available.
10 Grant applicants must provide a 20% match. The grant program would
11 provide assistance to those with approved wetland mitigation
12 requirements resulting from permit applications under part 303 of
13 the natural resources and environmental protection act, 1994 PA
14 451, MCL 324.30301 to 324.30328.

15 (2) The grant agreement must contain terms established by the
16 department and the requirement that the grant recipient repay the
17 grant, within 90 days of being informed to do so, with interest at
18 a rate not to exceed 8% per year, in the event that the permit is
19 not issued in accordance with part 303 of the natural resources and
20 environmental protection act, 1994 PA 451, MCL 324.30301 to
21 324.30328.

22 Sec. 1007. (1) From the funds appropriated in part 1 for
23 private well testing, the department shall award grants to local
24 health departments to provide free or low-cost water testing to
25 private well owners. Testing offered shall include coliforms,
26 nitrates, nitrites, arsenic, and other contaminants as determined
27 by application.

28 (2) On or before April 1, the department shall transmit to the
29 appropriations subcommittees, the fiscal agencies, and the state

1 budget office and post on the department's website a report on the
2 previous calendar year's activities funded with private well
3 testing funds. The report shall include a list of all grantees and
4 award amounts.