FY 2023-24: ENVIRONMENT, GREAT LAKES, AND ENERGY Summary: Conference Report

Article 4, House Bill 4437 (H-1) CR-1

Conference authorizes \$30.0 million GF/GP.



Analyst: Austin Scott

	FY 2022-23 YTD	FY 2023-24	FY 2023-24	FY 2023-24	FY 2023-24	Difference: Confe From FY 2022-23	
	as of 2/8/23	Executive	House	Senate	Conference	Amount	%
IDG/IDT	\$3,406,400	\$4,033,100	\$4,033,100	\$4,033,100	\$4,035,100	\$628,700	18.5
Federal	287,641,700	440,830,300	740,830,300	440,830,300	441,297,200	153,655,500	<i>53.4</i>
Local	0	0	0	0	0	0	
Private	1,415,500	1,360,700	1,360,700	1,360,700	1,360,700	(54,800)	(3.9)
Restricted	337,354,900	303,958,900	303,958,900	303,278,900	358,966,800	21,611,900	6.4
GF/GP	98,835,800	561,238,800	395,483,400	334,238,900	245,952,100	147,116,300	148.8
Gross	\$728,654,300	\$1,311,421,800	\$1,445,666,400	\$1,083,741,900	\$1,051,611,900	\$322,957,600	44.3
FTEs	1,516.0	1,581.0	1,581.0	1,581.0	1,616.0	100.0	6.6

Notes: (1) FY 2022-23 year-to-date figures include mid-year budget adjustments through February 8, 2023. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time."

Overview

The Department of Environment, Great Lakes, and Energy (EGLE) is responsible for managing Michigan's air, land, water, and energy resources. Departmental functions include improving resource quality, reducing waste, and mitigating threats to Michigan's environment.

Major Budget Changes from FY 2022-23 YTD Appropriations		FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference <u>Change</u>
1. Lead Service Line Replacement Executive provides \$225.8 million GF/GP and authorizes 5.0 FTE positions for lead service line replacement and ongoing technical assistance in the most underprivileged ten percent of Michigan communities; \$200.0 million is designated as one-time funding. House provides \$110.0 million GF/GP and authorizes 5.0 FTE positions; \$100.0 million is designated as one-time funding. Senate provides \$110.8 million GF/GP and authorizes 5.0 FTE positions; \$100.0 million is designated as one-time funding. Conference provides \$9.4 million GF/GP.	FTE	NA	0.0
	Gross	NA	\$9,356,700
	GF/GP	NA	\$ 9,356,700
2. Environmental Justice Contaminated Site Clean-up (One-Time) Executive authorizes \$100.0 million GF/GP for air quality and contaminated site remediation in disadvantaged communities. House authorizes \$50.0 million GF/GP. Senate authorizes \$25.0 million GF/GP. Conference authorizes \$20.0 million GF/GP.	Gross	NA	\$20,000,000
	GF/GP	NA	\$20,000,000
3. Renewable Ready Communities (One-Time) Executive authorizes \$40.0 million GF/GP for grants to communities to establish wind, solar, and energy storage facilities. House concurs. Senate authorizes \$18.3 million GF/GP.	Gross	NA	\$30,000,000
	GF/GP	NA	\$30,000,000

Major Budget Changes from FY 2022-23 YTD Appropriations		FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference <u>Change</u>
4. Water State Revolving Funds – Federal Infrastructure Act IIJA Executive appropriates \$280.5 million Gross (\$30.5 million GF/GP) for local water infrastructure projects. The GF/GP funding is appropriated on a one-time basis to be used as match to access federal Infrastructure ACT funding. House concurs. Senate concurs. Conference concurs.	Gross	NA	\$280,500,000
	Federal	NA	250,000,000
	GF/GP	NA	\$30,500,000
5. Dam Risk Reduction Program (One-Time) Executive authorizes \$25.0 million GF/GP to expand access through Michigan waterways by removing dams that are not integral to invasive species mitigation, power generation, or public safety. House authorizes \$20.0 million GF/GP. Senate concurs with Executive. Conference authorizes \$1.8 million GF/GP to develop fish-passable rapids in Republic Township.	Gross	NA	\$1,800,000
	GF/GP	NA	\$1,800,000
6. Groundwater Data Collection Executive provides \$23.8 million GF/GP and authorizes 2.0 FTE positions to collect groundwater data and study Michigan's underground aquifers; \$23.5 million is designated as one-time funding. House concurs. Senate provides \$12.0 million GF/GP and authorizes 2.0 FTE positions, \$11.8 million is designated as one-time funding. Conference provides \$17.3 million GF/GP and authorizes 2.0 FTE positions, \$15.0 million is designated as one-time funding.	FTE	NA	2.0
	Gross	NA	\$17,299,700
	GF/GP	NA	\$17,299,700
7. Critical Mineral Recycling Research Hub (One-Time) Executive appropriates \$15.0 million GF/GP to evaluate the reuse of critical minerals for the production of clean energy. House appropriates \$14.8 million GF/GP. Senate does not appropriate. Conference appropriates \$5.0 million GF/GP.	Gross	NA	\$5,000,000
	GF/GP	NA	\$5,000,000
8. Propane Resiliency Enhancement Plan (One-Time) Executive authorizes \$8.5 million GF/GP to meet propane supply and affordability challenges. House concurs. Senate does not authorize. Conference does not authorize.	Gross	NA	\$0
	GF/GP	NA	\$0
9. Permitting Staff Executive provides \$6.6 million GF/GP and authorizes 44.0 FTE positions to expand and expedite departmental permit review processes. House concurs. Senate concurs. Conference concurs.	FTE	NA	44.0
	Gross	NA	\$6,615,800
	GF/GP	NA	\$6,615,800
10. Oil, Gas, and Mineral Services – Federal Infrastructure Act IIJA Executive appropriates \$10.4 million Gross (\$5.2 million GF/GP) and authorizes 2.0 FTE positions for remediation of orphaned oil and gas wells. House concurs. Senate concurs. Conference concurs.	FTE	59.0	2.0
	Gross	\$42,838,800	\$10,352,100
	IDG	223,100	0
	Federal	31,153,100	5,151,100
	Restricted	6,966,900	0
	GF/GP	\$4,495,700	\$5,201,000

Major Budget Changes from FY 2022-23 YTD Appropriations		FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference <u>Change</u>
11. Spending Authorization Alignment Executive increases federal funding by \$166,600 and reduces restricted funding by \$5.2 million across divisions to align spending authorization with available resources. House concurs. Senate concurs. Conference concurs.	Gross	NA	(\$5,082,800)
	Federal	NA	166,600
	Restricted	NA	(5,249,400)
	GF/GP	NA	\$0
12. Executive Direction – Michigan Agency for Energy Executive authorizes \$1.0 million Gross (\$0 GF/GP) to support extant Michigan Agency for Energy FTE positions in EGLE. House concurs. Senate concurs. Conference concurs.	FTE Gross IDG Federal Private Restricted GF/GP	20.0 \$3,465,300 17,600 103,500 4,200 2,227,300 \$1,112,700	0.0 \$1,006,000 9,400 0 0 996,600 \$0
13. Fee Increase – Groundwater Discharge Permit Program Executive proposes to eliminate the sunset and raise groundwater discharge permit fees to support \$680,000 in additional restricted funding and 4.0 new FTE positions to expand monitoring and permitting of fee-subject facilities. House concurs. Senate provides 4.0 new FTE positions. Conference concurs.	FTE	22.0	4.0
	Gross	\$3,419,600	\$680,000
	Restricted	1,521,100	680,000
	GF/GP	\$1,898,500	\$0
14. Land and Water Interface Permit Programs Executive provides \$653,800 in interdepartmental grant funding from the Michigan Department of Transportation and authorizes 3.0 FTE positions to support the permitting of infrastructure project permitting processes. House concurs. Senate concurs. Conference concurs.	FTE	119.0	3.0
	Gross	\$18,285,200	\$653,800
	IDG	1,363,900	653,800
	Federal	2,115,900	0
	Restricted	2,445,100	0
	GF/GP	\$12,360,300	\$0
15. Departmental Cost Allocations Executive appropriates \$225,600 Gross (\$0 GF/GP) to align allocated costs with available IDG, private, and restricted resources. House concurs. Senate concurs. Conference concurs.	Gross IDG Private Restricted GF/GP	NA NA NA NA	\$225,600 (29,700) (54,300) 309,600 \$0
16. Renew Michigan Program Executive authorizes 5.0 FTE positions to address recent amendments to solid waste management provisions in the Natural Resources and Environmental Protection Act. House concurs. Senate concurs. Conference concurs.	FTE	111.0	5.0
	Gross	\$70,255,200	\$0
	Restricted	70,255,200	0
	GF/GP	\$0	\$0
17. Materials Management Division Internal Transfers Executive transfers division funding and FTE positions among the Low Level Radioactive Waste Authority Program, Medical Waste Program, Radiological Protection Program, Recycling, Scrap Tire Regulatory Program, and Solid Waste Management Program; all changes net to zero. House concurs. Senate concurs. Conference concurs.	FTE	NA	0.0
	Gross	NA	\$0
	GF/GP	NA	\$0

Major Budget Changes from FY 2022-23 YTD Appropriations		FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference <u>Change</u>
18. Removal of FY 2022-23 One-Time Funding Executive removes \$148.8 million Gross (\$17.7 million GF/GP) for one- time programs included in the FY 2022-23 budget. Programs included ARP – Community Technical, Managerial, and Financial Support for Lead Line Replacement, Buffalo Reef, Contaminated Site Cleanup, Cooperative Lakes Monitoring Program, Disposal of Firefighting Foam Containing PFAS, federal Infrastructure Investment and Jobs Act funding, Grants and Records Management, Private Well Testing, and Refined Petroleum Product Cleanup Program. House concurs. Senate concurs. Conference concurs.	Gross	\$148,820,900	(\$148,820,900)
	Federal	102,000,000	(102,000,000)
	Restricted	29,170,900	(29,170,900)
	GF/GP	\$17,650,000	(\$17,650,000)
19. PFAS Remediation – Airports (One-Time) House authorizes \$2.0 million GF/GP for PFAS-free firefighting equipment for Michigan airports. Senate does not authorize. Conference does not authorize.	Gross	NA	\$0
	GF/GP	NA	\$0
20. Water Treatment Facility (One-Time) House authorizes \$2.0 million GF/GP for a water treatment facility in Saline, Washtenaw County. Senate does not authorize. Conference does not authorize.	Gross	NA	\$0
	GF/GP	NA	\$0
21. Transfer Facility (One-Time) House authorizes \$1.0 million GF/GP for a waste and recycling transfer station in Benton Harbor, Berrien County. Senate does not authorize. Conference authorizes \$1.0 million GF/GP.	Gross	NA	\$1,000,000
	GF/GP	NA	\$1,000,000
22. Water and Energy Nexus Research (One-Time) House authorizes \$100,000 GF/GP to support water and energy nexus research. Senate does not authorize. Conference authorizes \$2.5 million GF/GP	Gross	NA	\$2,500,000
	GF/GP	NA	\$2,500,000
23. Water Career and Workforce Development Pilot (One-Time) House authorizes \$100,000 GF/GP for a water career and workforce development pilot program in Benton Harbor, Berrien County. Senate does not authorize. Conference authorizes \$100,000 GF/GP.	Gross	NA	\$100,000
	GF/GP	NA	\$100,000
24. Delineation of Critical Sand Dunes (One-Time) House authorizes a \$100 GF/GP placeholder for the delineation of critical sand dunes. Senate does not authorize. Conference authorizes \$2.5 million GF/GP	Gross	NA	\$2,500,000
	GF/GP	NA	\$2,500,000
 25. Water Utility Data Transparency – Water Affordability (One-Time) House authorizes a \$100 GF/GP placeholder to support a water utility data transparency – water affordability program. Senate does not authorize. Conference does not authorize. 	Gross	NA	\$0
	GF/GP	NA	\$0

Major Budget Changes from FY 2022-23 YTD Appropriations		FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference <u>Change</u>
26. ARP – Community Technical, Managerial, and Financial Support for Lead Line Replacement (One-Time) House appropriates \$100.0 million in federal Coronavirus State Fiscal Recovery Fund for technical assistance to communities for lead line replacement. Senate does not appropriate. Conference does not appropriate.	Gross	NA	\$0
	Federal	NA	0
	GF/GP	NA	\$0
27. ARP – Drinking Water Asset Management (One-Time) House provides \$75.0 million federal Coronavirus State Fiscal Recovery Fund for grants to create asset management plans or distribution system material inventories for drinking water systems. Senate does not provide. Conference does not provide.	Gross	NA	\$0
	Federal	NA	0
	GF/GP	NA	\$0
28. ARP – Healthy Hydration (One-Time) House appropriates \$25.0 million federal Coronavirus State Fiscal Recovery Fund for the purchase of drinking water filtration devices in schools and child cares centers located in areas of need. Senate does not appropriate. Conference does not appropriate.	Gross	NA	\$0
	Federal	NA	0
	GF/GP	NA	\$0
29. ARP – Water State Revolving Funds (One-Time) House appropriates \$100.0 million in federal Coronavirus State Fiscal Recovery Fund for drinking water, storm water, and wastewater infrastructure improvement projects. Senate does not appropriate. Conference does not appropriate.	Gross	NA	\$0
	Federal	NA	0
	GF/GP	NA	\$0
30. Wastewater Infrastructure Enhancement (One-Time) Senate authorizes \$20.0 million GF/GP to support wastewater infrastructure projects statewide. Conference does not authorize.	Gross	NA	\$0
	GF/GP	NA	\$0
31. Great Lakes Water Authority Water Infrastructure (One-Time) Senate authorizes a \$100 GF/GP placeholder for the Great Lakes Water Authority. Conference does not authorize.	Gross	NA	\$0
	GF/GP	NA	\$0
32. Executive Revision 2024-1 Conference reflects a net addition of \$53,600 Gross (\$26,800 GF/GP) and rolls up 29 line item appropriations to concur with Executive Revision 2024-1 issued on April 14, 2023.	Gross IDG Federal Restricted GF/GP	NA NA NA NA NA	\$53,600 2,000 16,900 7,900 \$26,800
33. Air Quality Programs Conference appropriates \$600,000 GF/GP to support 4.0 newly authorized FTE positions.	FTE	202.0	4.0
	Gross	\$35,486,600	\$600,000
	Federal	7,663,900	0
	Restricted	15,053,200	0
	GF/GP	12,769,500	\$600,000
34. Water Resource Programs <u>Conference</u> appropriates \$450,000 GF/GP to support 3.0 newly authorized FTE positions in a line resulting from the roll up of most extant line items in the Water Resources Division	FTE	NA	3.0
	Gross	NA	\$450,000
	GF/GP	NA	\$450,000
35. Water Quality Programs Conference appropriates \$450,000 GF/GP to support 3.0 newly authorized FTE positions in a line resulting from the roll up of most extant line items in the Water Resources Division	FTE	NA	3.0
	Gross	NA	\$450,000
	GF/GP	NA	\$450,000
36. Water Project Inflation (One-Time) Conference authorizes \$15.0 million GF/GP for water project inflation.	Gross	NA	\$15,000,000
	GF/GP	NA	\$15,000,000

Major Budget Changes from FY 2022-23 YTD Appropriations		FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference <u>Change</u>
37. Water Infrastructure Reserve Fund (One-Time) Conference provides \$5.0 million GF/GP for a water infrastructure reserve fund.	Gross	NA	\$5,000,000
	GF/GP	NA	\$5,000,000
38. Sustainable Business Park (One-Time) Conference appropriates \$5.0 million GF/GP to support the infrastructure necessary to develop a sustainable business park to replace the need for new landfills in Kent County.	Gross	NA	\$5,000,000
	GF/GP	NA	\$5,000,000
39. Geologic Core Facility (One-Time) Conference authorizes \$3.0 million GF/GP for a facility to store geologic core samples of the Michigan Geological Survey at Western Michigan University.	Gross	NA	\$2,985,200
	GF/GP	NA	\$2,985,200
40. Carbon Emissions Tracking Software and services (One-Time) Conference provides \$1.7 million GF/GP for the department to collaborate with DTMB to develop a carbon management platform	Gross	NA	\$1,700,000
	GF/GP	NA	\$1,700,000
41. Reverse Vending Machine Technology (One-Time) Conference appropriates \$2.0 million GF/GP for the installation of reverse vending machine technology to beverage container redemption.	Gross	NA	\$2,000,000
	GF/GP	NA	\$2,000,000
42. Contaminated Site Remediation and Redevelopment (One-Time) Conference authorizes \$55.0 million in available fund balance from the Cleanup and Redevelopment Fund to expand the remediation and redevelopment of non-petroleum contaminated sites.	Gross	NA	\$55,000,000
	Restricted	NA	55,000,000
	GF/GP	NA	\$0
43. Municipal Assistance <u>Conference</u> appropriates \$450,000 in federal funding for municipal assistance, which provides support for State Revolving Fund programs that support water infrastructure projects.	FTE	23.0	0.0
	Gross	5,125,300	\$450,000
	Federal	3,171,500	450,000
	Restricted	1,953,800	0
	GF/GP	\$0	\$0
44. Economic Adjustments Executive reflects a net reduction of \$1.4 million Gross (\$318,900 GF/GP) for negotiated salary and wage increases (2.0% on October 1, 2023), actuarially required retirement contributions, worker's compensation, building occupancy charges, rent, and other economic adjustments. House concurs. Senate concurs. Conference concurs.	Gross IDG Federal Private Restricted GF/GP	NA NA NA NA NA	(\$1,417,200) (6,800) (129,100) (500) (961,900) (\$318,900)

Sec. 205. Report Recipients - NEW

Requires boilerplate reports be submitted to appropriations subcommittees, fiscal agencies, legislative policy offices, and the state budget office unless otherwise stated.

House and Conference add new section, Senate does not add new section.

Sec. 207. Disciplinary Action Against State Employees - RETAINED

Prohibits department from disciplining state employees for communicating with members of the legislature and their staffs, unless communication is prohibited by law. (Governor deemed this section unenforceable in FY 2022-23.)

<u>Executive</u> deletes, <u>House</u>, <u>Senate</u>, and <u>Conference</u> retain.

Sec. 210. GF/GP Lapse - REVISED

Requires report of estimated GF/GP appropriation lapses at close of previous year.

<u>Executive</u> and <u>Senate</u> revise due date from November 30 to December 31, <u>House</u> and <u>Conference</u> revise due date to December 15 and report recipients to those listed in Sec. 205.

Sec. 211. Contingency Fund Transfer Authority - REVISED

Allows for the legislative transfer process to increase state restricted authorization by up to \$5.0 million.

<u>Executive</u> revises to increase federal authorization by up to \$10.0 million, state restricted authorization by up to \$3.0 million, and private authorization by up to \$1.0 million; House and Senate concur.

Conference revises to increase private authorization by up to \$10.0 million.

Sec. 212. Expenditure Posting on Internet - RETAINED

Requires expenditures to be reported on the internet on a searchable website, including specific expenditure information. <u>Executive</u> deletes, <u>House</u>, <u>Senate</u>, and <u>Conference</u> retain.

Sec. 213. Restricted Fund Revenues, Expenditures, and Fund Balances - REVISED

Requires annual report on fund balances, revenues, and expenditures for state restricted funds for previous and current fiscal years.

Executive deletes, House and Conference revise report recipients to those listed in Sec. 205, Senate retains.

Sec. 214. Website Scorecard - REVISED

Requires department to maintain on a publicly accessible website a department scorecard with key metrics concerning the department's performance.

Executive deletes, House and Senate retain, Conference strikes "department scorecard" and replaces with "information."

Sec. 215. Identification of Legacy Costs - DELETED

Estimates annual appropriations for legacy costs, including pension-related legacy costs and health care-related legacy costs.

Executive deletes, House, Senate, and Conference concur.

Sec. 217. FTE Vacancies and Remote Work Report - REVISED

Requires department to report on the number of FTE positions filled, FTE vacancies, the number of employees working remotely, the number of employees authorized to work remotely, estimated cost savings from remote work, and reduction in office space due to working remotely.

<u>Executive</u> and <u>Senate</u> revise to remove remote work provisions, <u>House</u> and <u>Conference</u> concur and revise report recipients to those listed in Sec. 205.

Sec. 218. Remote Working - RETAINED

States legislative intent to prioritize in-person work for the state's workforce where possible unless they were working remotely prior to February 28, 2020.

Executive deletes, House, Senate, and Conference retain.

Sec. 219. State Administrative Board Transfers - RETAINED

Allows legislature to adopt a concurrent resolution to intertransfer funds within the department's budget if the State Administrative Board transfers appropriated funds. (Governor deemed this section unenforceable in FY 2022-23.) Executive, House, and Senate delete; Conference retains.

Sec. 221. Receipt and Retention of Reports - RETAINED

Requires department to receive and retain copies of all reports.

Executive deletes, House, Senate, and Conference retain.

Sec. 222. Report on Policy Changes Made to Implement Public Acts Affecting Department - RETAINED

Requires department to report on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year by April 1.

Executive deletes, House, Senate, and Conference retain.

Sec. 223. Severance Reporting - REVISED

Requires department to report details of severance pay for certain departmental employees.

Executive deletes, House and Conference revise to remove internet posting requirement, Senate retains.

Sec. 224. COVID-19 Vaccine Disclosure - DELETED

Prohibits state officials from requiring COVID-19 vaccine disclosure as a condition of receiving state services or developing a vaccine passport.

Executive deletes, House, Senate, and Conference concur.

Sec. 224. Expending Available Work Project Authorization – RETAINED

Advises department not to expend appropriations until existing work project authorization for the same purpose has been expended. (Governor deemed this section unenforceable in FY 2022-23.)

Executive deletes, House, Senate, and Conference retain.

Sec. 225. Access to State and Local Services - REVISED

Prohibits appropriations from being used to restrict or interfere with actions related to diversity, equity, and inclusion; to restrict or impede community access to government programs; or restrict an individual's ability to exercise the right to reproductive freedom; requires local governments to report on actions that attempt to restrict duties of local health officers. Executive adds new section, House concurs, Senate does not add.

<u>Conference</u> revises to prohibit appropriations from being used to restrict or impede a marginalized community's access to government programs; requires local governments to report on actions that attempt to restrict duties of local health officers.

Sec. 227. Appropriations for Environmental Cleanup Projects – REVISED

Re-appropriates unspent funding from Environmental Cleanup and Redevelopment Program, Contaminated Site Cleanup, the Renew Michigan Program, the Refined Petroleum Product Cleanup Program, Brownfield Grants and Loans, Waterfront Grants, the Environmental Bond Site Reclamation Program, and general fund for expenditure.

<u>Executive</u> deletes, <u>House</u>, <u>Senate</u>, and <u>Conference</u> revise to include environmental cleanup support, contaminated site cleanup contingency reserve, Premcor remediation activities, and PFAS remediation grant program.

Sec. 228. Settlement Fund Revenue Carryforward - RETAINED

Authorizes carryforward of up to \$2.5 million of settlement revenues into succeeding fiscal year.

Executive deletes, House, Senate, and Conference retain.

Sec. 229. Rule Promulgation - DELETED

Requires report on any policy changes made to implement a public act; prohibits department from adopting a rule that applies to a small business if it has a disproportionate economic impact.

Executive deletes, House, Senate, and Conference concur.

Sec. 229. FTE Vacancies and Commensurate Positions - NOT INCLUDED

Requires semiannual report on the number of vacant FTE positions in the department, state pay ranges for each vacant FTE position, and average pay ranges of commensurate private sector positions for each vacant FTE position. House adds new section, Senate and Conference do not add.

Sec. 235. Quarterly Remediation and Redevelopment Report - REVISED

Requires quarterly list of cleanup sites addressed by Remediation and Redevelopment Division and estimated costs for each.

Executive revises report to semiannually, <u>House, Senate</u>, and <u>Conference</u> concur.

Sec. 237. Employee Legal Costs Related to Drinking Water Declaration of Emergency – DELETED

Requires department to be responsible for payment of current and former department employees' legal costs from legal actions taken related to drinking water declaration of emergency. (Governor deemed this section unenforceable in FY 2022-23.)

Executive deletes, House, Senate, and Conference concur.

Sec. 238. Permitting Report - RETAINED

Requires report on department's permitting programs including applications, approvals, denials, and backlogs. Executive and Senate delete, House and Conference retain.

Sec. 242. Legislator Notification – RETAINED

Requires department to inform local state legislators within 12 hours when responding to significant incidents to protect life and property.

Executive deletes, House, Senate, and Conference retain.

Sec. 243. Michigan Geological Survey - DELETED

Requires appropriation for the Michigan Geological Survey to be used to conduct data collection and mapping to expand geologic information.

Executive, Senate, and Conference delete; House retains.

Sec. 302. Contaminated Site Investigations Staffing Costs - DELETED

Limits department to expending not more than 3% of Contaminated Site Investigations appropriation on administration. Executive, House, and Conference delete; Senate retains.

Sec. 303. Contaminated Site Investigations Legacy Cleanups Staff - DELETED

Earmarks 16.0 FTE positions of Contaminated Site Investigations appropriation for legacy cleanups.

Executive deletes, House, Senate, and Conference concur.

Sec. 305. Refined Petroleum Fund - DELETED

Expresses legislative intent to restore \$70.0 million Refined Petroleum Fund transferred to General Fund in FY 2006-07. Executive deletes, House, Senate, and Conference concur.

Sec. 306. Refined Petroleum Cleanup Program - DELETED

Requires Refined Petroleum Product Cleanup Program appropriations to be expended in accordance with NREPA. <u>Executive</u> deletes, <u>House</u>, <u>Senate</u>, and <u>Conference</u> concur.

Sec. 308. Work Projects - Remediation and Redevelopment Division - REVISED

Authorizes unexpended funds appropriated for Brownfield Grants, Emergency Cleanup Actions, Environmental Cleanup Support, and the Refined Petroleum Product Cleanup Program to be considered work project appropriations and carried forward into succeeding fiscal year; program will perform contaminated site cleanups.

<u>Executive</u> revises to include contaminated site cleanup, environmental cleanup and redevelopment program, <u>House,</u> Senate, and Conference concur.

Sec. 314. Geographically Proximate Cleanups - DELETED

Encourages department to remediate contaminated sites in geographically proximate areas when possible. Executive deletes, House, Senate, and Conference concur.

Sec. 401. Land and Water Interface Permit Programs Dam Safety Earmark - DELETED

Earmarks \$350,000 and 2.0 FTE positions from Land and Water Interface Permit Programs for Dam Safety Programs. Executive deletes, House, Senate, and Conference concur.

Sec. 410. Lake Erie Report - REVISED

Requires department to compile report on status of implementation plan for western Lake Erie basin collaborative agreement; requires report to include estimated cost of removal of total phosphorus per pound at four major wastewater treatment plants, description of grants awarded, description of work that has commenced on issue of dissolved reactive phosphorus, expected objectives and outcomes of that work, list of parties involved in that effort, and description of efforts and outcomes aimed at total phosphorus reduction for River Raisin watershed.

Executive deletes, House and Senate retain, Conference revised to semi-annual report due in odd years.

Sec. 902. Limited Term FTEs - Environmental Sustainability and Stewardship - DELETED

Authorizes 5.0 limited term FTE positions from the Environmental Sustainability and Stewardship appropriation to issue energy efficiency grants to communities.

Executive deletes, House, Senate, and Conference concur.

Sec. 925. Limited Term FTEs - Oil, Gas, and Mineral Services - DELETED

Authorizes 2.0 limited term FTE positions from the Oil, Gas, and Minerals appropriation to close abandoned gas and oil

Executive deletes, House, Senate, and Conference concur.

Sec. 926. Earmark - Oil, Gas, and Mineral Services - NOT INCLUDED

Earmarks \$10.4 million and 2.0 FTE positions from the Oli, Gas, and Mineral Services appropriation to support remediation of orphaned oil and gas wells; at least 40% of funding must be used in overburdened or significantly overburdened communities as defined in NREPA.

House adds new section, Senate and Conference do not add.

Sec. 950. FTE Earmark - Municipal Assistance - DELETED

Earmarks 4.0 federally-funded FTE positions from the Municipal Assistance appropriation to review and approve clean water and wastewater grants and loans.

Executive, House, and Senate, retain; Conference deletes.

Sec. 951. Earmark - Lead Service Line Replacement - NEW

Earmarks \$5.0 million from the Lead Service Line Replacement appropriation to support lead line replacement activities in overburdened and significantly overburdened communities as defined in NREPA.

<u>Executive</u> adds new section, <u>House</u> and <u>Senate</u> concur and revise earmark to reflect funding in part 1, <u>Conference</u> concurs and revises to remove earmark.

Sec. 952. Community Technical, Managerial, and Financial Support for Lead Line Replacement - NEW

Requires the Community Technical, Managerial, and Financial Support for Lead Line Replacement appropriation to support lead line replacement activities in overburdened and significantly overburdened communities as defined in NREPA.

Executive adds new section, House, Senate, and Conference concur.

Sec. 953. Water State Revolving Funds - DELETED

Requires at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA.

<u>House</u> adds new section, <u>Senate</u> adds new section with earmarks for the Downriver Utility Wastewater Authority (\$10.0 million) and three other recipients, Conference deletes.

Sec. 1000. Prior Grant Awards Not Disqualifying Applicants - DELETED

Prevents grant recipients from being disqualified for future grant awards on account of receiving previous grant awards. <u>Executive</u> deletes, <u>House</u>, <u>Senate</u>, and <u>Conference</u> concur.

Sec. 1001. ARP – Community Technical, Managerial, and Financial Support for Lead Line Replacement – DELETED

Encourages department to work with MDARD to coordinate technical assistance to communities.

<u>Executive</u>, <u>Senate</u>, and <u>Conference</u> delete, <u>House</u> revises to require at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA.

Sec. 1001. Work Project - Critical Mineral Recycling Research Hub - NEW

Authorizes unexpended funds for Critical Mineral Recycling Research Hub totaling \$15.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to award grants of no more than \$5.0 million each to Michigan based companies or consortiums partnered with a Michigan based university to create a critical mineral recycling research hub to research the reuse of critical materials for clean energy production.

Executive adds new section; <u>House</u> concurs and revises total to \$14.8 million to reflect funding in part 1, allows matching grants for Michigan universities studying the opportunities to recycle and innovate circular economy opportunities to maximize the use of critical minerals from electric vehicles and other battery storage units; <u>Senate</u> does not add; <u>Conference</u> concurs and revises total to \$5.0 million to reflect funding in part 1, allows matching grants for Michigan universities and colleges studying the opportunities to recycle and innovate circular economy opportunities to maximize the use of critical minerals from electric vehicles and other battery storage units.

Sec. 1002. Work Project - Buffalo Reef - DELETED

Authorizes unexpended funds for Buffalo Reef totaling \$10.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to build a coal dock jetty for the dredging of stamp sands from Lake Superior in Keweenaw County.

Executive deletes, House, Senate, and Conference concur.

Sec. 1002. Work Project - ARP - Drinking Water Asset Management - NOT INCLUDED

Requires appropriation to be used for grants of up to \$1.0 million to create asset management plans or distribution system material inventories for drinking water systems; requires at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA.

House adds new section, Senate and Conference do not add.

Sec. 1002. Work Project - Dam Risk Reduction Program - NEW

Authorizes unexpended funds for Dam Risk Reduction Program totaling \$25.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to remove dams in order to restore Michigan's waterways and accomplish objectives of the Michigan Healthy Climate Plan.

<u>Executive</u> and <u>Senate</u> add new section, <u>House</u> concurs and revises total to \$20.0 million to reflect funding in part 1; <u>Conference</u> concurs and revises total to \$1.8 million to reflect funding in part 1 and revises purpose to developing fish-passable rapids in Republic Township.

Sec. 1003. Cooperative Lakes Monitoring Program - DELETED

Requires funding for Cooperative Lakes Monitoring Program to be used to continue the program, which helps volunteers monitor local lake water quality and document changes over time.

Executive deletes, House, Senate, and Conference concur.

Sec. 1003. Work Project – ARP – Healthy Hydration – NOT INCLUDED

Requires the department to work with the Department of Education to purchase filtered drinking water stations or water filters to filter organic and manmade materials and chemicals from drinking water in schools and child care centers located in areas of need; requires schools to provide 2% matching funds; designates unexpended funding as a work project appropriation; purpose of the program is to implement a program to reimburse school districts, nonpublic schools, and child care centers for filtered drinking water stations, tap mounted water filters, water filter pitchers, or universal cartridge water filters; requires at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA.

House adds new section, Senate and Conference do not add.

Sec. 1003. Delineation of Critical Sand Dunes - NEW

Requires the department to conduct a delineation of Michigan's sand dunes and assess critical dune areas. House and Conference add new section, Senate does not add.

Sec. 1004. Private Well Testing - DELETED

Requires funding for Private Well Testing to be used for grants to local health departments to provide free or low-cost water testing to private well owners; requires report.

Executive deletes, House, Senate, and Conference concur.

Sec. 1004. Work Project - ARP - Water State Revolving Funds - DELETED

Authorizes unexpended funds for ARP – Water State Revolving Funds totaling \$100.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to improve clean water infrastructure and drinking water infrastructure; requires at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA; lists possible uses of project funding; earmarks \$6.2 million for Center Line to offset an administrative consent order to fix its equalization basin.

House adds new section, Senate and Conference do not add.

Sec. 1004. Earmarks and Work Project – Environmental Justice Contaminated Site Clean-up – NEW

Requires at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA; earmarks \$50.0 million from the Environmental Justice Contaminated Site Clean-up appropriation to reduce health burdens in communities with elevated exposure to pollutants due to proximity to emitting sources as identified by the Office of Environmental Justice Public Advocate; earmarks \$50.0 million from the Environmental Justice Contaminated Site Clean-up appropriation for the remediation and redevelopment of contaminated sites identified in environmental justice communities as determined by the Office of Environmental Justice Public Advocate; authorizes unexpended funds for Environmental Justice Contaminated Site Clean-up totaling \$100.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to remediate and redevelop sites of contamination and improve public health impacts related to environmental pollution in environmental justice communities.

Executive adds new section, <u>House</u>, <u>Senate</u>, and <u>Conference</u> concur and revise earmarks and totals to reflect funding in part 1.

Sec. 1005. Work Project – Groundwater Data Collection – NEW

Authorizes unexpended funds for Groundwater Data Collection totaling \$23.5 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to acquire data and perform research on groundwater resources of the state of Michigan.

Executive adds new section, <u>House concurs</u>, <u>Senate and Conference concur and revise earmark to reflect funding in part 1</u>

Sec. 1006. Wastewater Infrastructure Enhancements - NOT INCLUDED

Specifies earmarks for funding in par 1 for wastewater infrastructure enhancements.

Senate adds new section, Conference does not add.

Sec. 1006. Work Project - Renewable Ready Communities - NEW

Authorizes unexpended funds for Renewable ready Communities totaling \$40.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to provide grants to local communities for the creation of regional renewable facilities.

Executive adds new section; House concurs and revises to specify that program grants will be utilized as matching or incentive grants to communities ready to implement advanced clean energy projects; grants may be used for project planning & development, equipment and/or services required to advance clean energy; requires at least 40% of funding to be used in overburdened or significantly overburdened communities as defined in NREPA; Senate concurs and revises project purpose; Conference concurs and revises project purpose to incentivize communities to host renewable energy projects that may incorporate energy storage components..

Sec. 1007. Transfer Facility - NEW

Requires funding for Transfer Facility to be used establish a waste and recycling transfer station in Benton Harbor, Berrien County.

House and Conference add new section, Senate does not add.

Sec. 1008. Water and Energy Nexus Research - NEW

Provides matching grants to Michigan universities studying emerging, responsible clean energy technologies that maximize this state's water resources including geothermal, heat pumps, pump storage, offshore wind and small scale hydroelectric power.

House and Conference add new section, Senate does not add.

Sec. 1009. Water Career and Workforce Development Pilot - NEW

Requires funding for Water Career and Workforce Development Pilot to be used establish a water career and workforce development pilot program to train water treatment plant operators in Benton Harbor, Berrien County. House and Conference add new section, Senate does not add.

Sec. 1010. Work Project – Lead Service Line Replacement – NOT INCLUDED

Authorizes unexpended funds for Lead Service Line Replacement totaling \$200.0 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to replace lead service lines in overburdened or significantly overburdened communities as defined in NREPA.

<u>Executive</u> adds new section, <u>House</u> and <u>Senate</u> concur and revises total to reflect funding in part 1; <u>Senate</u> adds earmarks for three locations; <u>Conference</u> does not add.

Sec. 1010. Reverse Vending Machine Technology - NEW

Requires funding for Reverse Vending Machine Technology be expended to strengthen Michigan's beverage container redemption program.

Conference adds new section.

Sec. 1011. PFAS Remediation – Airports – NOT INCLUDED

Requires funding for PFAS Remediation – Airports to be used to support purchase of PFAS-free firefighting equipment and the cleaning of existing equipment to remove PFAS for Michigan airports.

House adds new section, Senate and Conference do not add.

Sec. 1011. Carbon Emissions Tracking Software and Services - NEW

Requires funding for Caron Emissions Tracking Software and Services be expended in collaboration with DTMB to develop a carbon management platform.

Conference adds new section.

Sec. 1012. Earmarks and Work Project - Propane Resiliency Enhancement Plan - NOT INCLUDED

Earmarks \$5.0 million from the Propane Resiliency Enhancement Plan appropriation to expand the storage capacity of propane suppliers for transport and distribution; earmarks \$3.5 million from the Propane Resiliency Enhancement Plan appropriation for storage and maintenance costs connected to expanded propane pipeline and fractionation capacity; authorizes unexpended funds for Propane Resiliency Enhancement Plan totaling \$8.5 million to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to support propane supply and affordability for Michigan consumers who rely on propane for energy, preparedness, continuity.

<u>Executive</u> adds new section; <u>House</u> concurs and revises to specify that funds will provide strategic emergency propane storage to support economic development and insulate delivered fuel customers against future cost volatility; <u>Senate</u> and <u>Conference</u> do not add.

Sec. 1012. Sustainable Business Park - NEW

Directs expenditure of funding for Sustainable Business Park to support the infrastructure necessary to develop a sustainable business park to replace the need for new landfills in Kent County. Conference adds new section.

Sec. 1013. Water Infrastructure Reserve Fund - NEW

Directs expenditure of funding for Water Infrastructure Reserve Fund to be used for municipal water infrastructure needs upon legislative transfer.

Conference adds new section.

Sec. 1017. Water Treatment Facility - NOT INCLUDED

Requires funding for Water Treatment Facility to be used establish a new water treatment plant and community drinking water source in Saline, Washtenaw County.

House adds new section, Senate and Conference do not add.

Sec. 1018. Healthy Hydration Local Match Revision - NOT INCLUDED

States legislative intent that match funds required under section 304(2) of 2022 PA 53 for ARP – healthy hydration be reduced from 50% to 2%.

House adds new section, Senate and Conference do not add.

FY 2022-23 Supplemental Appropriation Items Article 16, House Bill 4437 (H-1) CR-1		Appropriation Change
 Executive Direction – Climate Pollution Reduction Grants Includes \$3.0 million from the federal Inflation Reduction Act for climate pollution reduction at the state level. 	Gross Federal GF/GP	\$3,000,000 3,000,000 \$0
2. Air Quality Programs Grant Includes \$673,200 from the federal Inflation Reduction Act to expand air quality monitoring in Wayne County.	Gross Federal GF/GP	\$673,200 673,200 \$0
3. Energy Efficiency Revolving Fund Appropriates \$8.4 million from the federal Infrastructure Investment and Jobs Act Fund for energy efficiency projects for businesses and homeowners.	Gross Federal GF/GP	\$8,400,000 8,400,000 \$0
4. Environmental Sustainability and Stewardship – Energy Grid Resiliency Includes \$43.0 million Gross (\$5.6 million GF/GP) for federal IIJA funds to be granted to public utilities and other eligible entities for energy grid resiliency.	Gross Federal GF/GP	\$43,042,100 37,427,900 \$5,614,200
5. Environmental Sustainability and Stewardship – State Energy Program Authorizes \$11.0 million from the Energy Efficiency and Renewable Energy Revolving Loan Fund to provide grants to public and private recipients for Michigan's energy program.	Gross Restricted GF/GP	\$11,000,000 11,000,000 \$0
6. Environmental Sustainability and Stewardship – Environmental Justice Includes \$1.0 million from the federal Inflation Reduction Act to be used to provide assistance to communities with environmental justice programs for pollution prevention, monitoring, and other remediation activities.	Gross Federal GF/GP	\$1,000,000 1,000,000 \$0
7. Solid Waste Management Program Appropriates \$775,000 in federal funds to support permitting, staff training, and engagement with stakeholders through the Coal Combustion Residuals Permitting Program.	Gross Federal GF/GP	\$775,000 775,000 \$0
8. AmeriCorps and Office of Climate and Energy Appropriates \$2.2 million Gross (\$414,800 GF/GP) for climate initiatives through the AmeriCorps agency for national service and volunteerism.	Gross Federal GF/GP	\$2,174,800 1,760,000 \$414,800
9. ARP – Propane Resiliency Enhancement Plan Includes \$8.0 million in federal ARP funds to meet propane supply and affordability challenges.	Gross Federal GF/GP	\$8,000,000 8,000,000 \$0
10. ARP – Water Infrastructure Projects Includes \$233.2 million in federal ARP funds for water infrastructure projects including lead service line replacements, wastewater infrastructure improvements, and other water system initiatives.	Gross Federal GF/GP	\$233,200,000 233,200,000 \$0
11. Contaminated Site Cleanup Includes \$100.0 million GF/GP to expand remediation and redevelopment of non-petroleum contaminated sites.	Gross GF/GP	\$100,000,000 \$100,000,000
12. PFAS and Emerging Contaminants Includes \$37.3 million from the federal Infrastructure Investment and Jobs Act Fund to be used to remediate emerging contaminants in disadvantaged or small communities.	Gross Federal GF/GP	\$37,348,000 37,348,000 \$0
13. PFAS Remediation – Airports Includes \$2.0 million GF/GP to purchase PFAS-free firefighting equipment or equipment to remove PFAS for airports.	Gross GF/GP	\$2,000,000 \$2,000,000

FY 2022-23 Supplemental Boilerplate Items

Article 16, House Bill 4437 (H-1) CR-1

Sec. 501. Climate Pollution Reduction Grants

Designates unexpended funds for climate pollution reduction grants as a work project appropriation; funds would be used to create a comprehensive climate pollution plan.

FY 2022-23 Supplemental Boilerplate Items

Article 16, House Bill 4437 (H-1) CR-1

Sec. 502. Limited-Term Employees for Climate Pollution Reduction

Authorizes the department to hire 3.0 limited-term FTE positions to implement the climate pollution reduction plan.

Sec. 503. Air Quality Programs

Designates unexpended funds for air quality programs as a work project appropriation; funds would be used to improve air quality, reduce pollution, and minimize health impacts.

Sec. 504. Energy Efficiency Revolving Fund

Designates unexpended funds for Energy Efficiency Revolving Fund as a work project appropriation; funds would be used for energy efficiency projects for businesses and homeowners.

Sec. 505. Environmental Sustainability and Stewardship - Energy Grid Resiliency

Designates unexpended funds for Environmental Sustainability and Stewardship as a work project appropriation; funds would be used for grants for public utilities and other eligible entities for energy grid resiliency.

Sec. 506. Environmental Sustainability and Stewardship - State Energy Program

Designates unexpended funds for Environmental Sustainability and Stewardship as a work project appropriation; funds would be used to provide grants to public and private recipients for Michigan's energy program.

Sec. 507. Environmental Sustainability and Stewardship - Environmental Justice

Designates unexpended funds for Environmental Sustainability and Stewardship as a work project appropriation; funds would be used to provide assistance to communities with environmental justice programs for pollution prevention, monitoring, and other remediation activities.

Sec. 508. Solid Waste Management Program

Designates unexpended funds for Solid Waste Management Program as a work project appropriation; funds would be used to support permitting, staff training, and engagement with stakeholders through the Coal Combustion Residuals Permitting Program.

Sec. 509. AmeriCorps and Office of Climate and Energy

Designates unexpended funds for AmeriCorps and Office of Climate and Energy as a work project appropriation; funds would be used to support a climate-focused AmeriCorps program.

Sec. 510. Propane Resiliency Enhancement Plan

Earmarks \$5.0 million from the Propane Resiliency Enhancement Plan appropriation to expand the storage capacity of propane suppliers for transport and distribution; earmarks \$3.0 million for storage and maintenance costs connected to expanded propane pipeline and fractionation capacity; requires a report; designates unexpended funds as a work project appropriation.

Sec. 511. Water Infrastructure Projects

Earmarks federal funds appropriated for water infrastructure projects; lead service line replacements, wastewater infrastructure improvements, and other water system initiatives would occur in the following locations: Eastpointe, Delta Township, Midland, Genesee County, Saline, Chesterfield, St. Clair, Downriver, Hamtramck, Traverse City, Gibraltar, Centerline, Milan, Wayne, Manchester, and the Great Lakes Water Authority.

Sec. 512. Contaminated Site Cleanup

Earmarks funds appropriated for contaminated site cleanup for expansion of remediation and redevelopment of non-petroleum contaminated sites; designates unexpended funds as a work project appropriation.

Sec. 513. PFAS and Emerging Contaminants

Designates unexpended funds for PFAS and Emerging Contaminants as a work project appropriation; funds would be used to remediate emerging contaminants in disadvantaged and small communities.

Sec. 514. Limited-Term Employees for PFAS and Emerging Contaminants

Authorizes the department to hire 1.0 limited-term FTE position to assist with remediating emerging contaminants in disadvantaged and small communities.

Sec. 515. PFAS Remediation - Airports

Requires funding to be used to purchase PFAS-free firefighting equipment or equipment to remove PFAS for airports.