

**FY 2022-23: DEPARTMENT OF ENVIRONMENT,
GREAT LAKES, AND ENERGY**
Summary: Conference Report
Article 4, House Bill 5783 (H-2) CR-1



Analyst: Austin Scott

	FY 2021-22 YTD as of 2/9/22	FY 2022-23 Executive	FY 2022-23 House	FY 2022-23 Senate	FY 2022-23 Conference	Difference: Conference From FY 2021-22 YTD	
						Amount	%
IDG/IDT	\$3,544,900	\$3,406,400	\$3,406,400	\$3,406,400	\$3,406,400	(\$138,500)	(3.9)
Federal	226,889,200	453,641,700	526,566,700	185,641,700	287,641,700	60,752,500	26.8
Local	0	0	0	0	0	0	--
Private	1,411,200	1,415,500	1,415,500	1,415,500	1,415,500	4,300	0.3
Restricted	304,550,000	327,354,900	327,354,900	327,354,900	337,354,900	32,804,900	10.8
GF/GP	153,375,400	218,280,700	106,552,900	78,477,700	98,835,800	(54,539,600)	(35.6)
Gross	\$689,770,700	\$1,004,099,200	\$965,296,400	\$596,296,200	\$728,654,300	\$38,883,600	5.6
FTEs	1,467.0	1,543.0	1,467.0	1,270.2	1,516.0	49.0	(3.3)

Notes: (1) FY 2021-22 year-to-date figures include mid-year budget adjustments through February 9, 2022. (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 2021-22 YTD Appropriations

1. Community Technical, Managerial, and Financial Support for Lead Line Replacement (One-Time)

Executive provides \$48.0 million GF/GP for local grants to replace lead service lines and upgrade water treatment facilities; preference for disadvantaged communities.

House does not provide.

Senate does not provide

Conference replaces GF/GP funding with \$48.0 million in federal Coronavirus State Fiscal Recovery Fund.

	FY 2021-22 Year-to-Date (as of 2/9/22)	FY 2022-23 Conference Change
Gross	NA	\$48,000,000
Federal	NA	48,000,000
GF/GP	NA	\$0

2. Water State Revolving Funds – Federal Infrastructure Act IIJA

Executive appropriates \$250.4 million Gross (\$36.4 million GF/GP) for federal Infrastructure Act funding for local water infrastructure projects. The GF/GP funding is appropriated on a one-time basis to be used as match to access federal funding.

House appropriates federal funding, does not appropriate GF/GP. The \$36.4 million GF/GP used as match to access federal funding is appropriated and designated as a work project in 2022 PA 53.

Senate does not appropriate.

Conference does not appropriate.

	FY 2021-22 Year-to-Date (as of 2/9/22)	FY 2022-23 Conference Change
Gross	\$120,000,000	\$0
Federal	100,000,000	0
Restricted	15,000,000	0
GF/GP	\$5,000,000	\$0

3. Oil, Gas, and Mineral Services – Federal Infrastructure Act IIJA

Executive appropriates \$31.0 million of federal Infrastructure Act funding and authorizes 2.0 FTE positions for remediation of orphaned oil and gas wells.

House appropriates federal funding, does not authorize FTE positions.

Senate does not appropriate.

Conference appropriates federal funding, authorizes 2.0 FTE positions on a limited-term basis in section 925.

	FY 2021-22 Year-to-Date (as of 2/9/22)	FY 2022-23 Conference Change
FTE	59.0	0.0
Gross	\$11,630,900	\$31,000,000
IDG	220,000	0
Federal	150,000	31,000,000
Restricted	6,879,900	0
GF/GP	\$4,381,000	\$0

Major Budget Changes from FY 2021-22 YTD Appropriations		FY 2021-22 Year-to-Date (as of 2/9/22)	FY 2022-23 Conference Change	
4. Environmental Sustainability and Stewardship – Federal Infrastructure Act IIJA		FTE	11.0	0.0
		Gross	\$6,224,000	\$15,800,000
<u>Executive</u> appropriates \$15.8 million of federal Infrastructure Act funding and authorizes 5.0 FTE positions for energy efficiency projects.		Federal	3,806,700	15,800,000
<u>House</u> appropriates federal funding, does not authorize FTE positions.		Private	140,000	0
<u>Senate</u> does not appropriate.		Restricted	2,277,300	0
<u>Conference</u> appropriates federal funding, authorizes 5.0 FTE positions on a limited-term basis in section 902.		GF/GP	\$0	\$0
5. Energy Efficiency Revolving Fund – Federal Infrastructure Act IIJA		Gross	NA	\$7,200,000
<u>Executive</u> appropriates \$7.2 million of federal Infrastructure Act funding for energy efficiency projects.		Federal	NA	7,200,000
<u>House</u> concurs with Executive.		GF/GP	NA	\$0
<u>Senate</u> does not appropriate.				
<u>Conference</u> concurs with Executive.				
6. High Water Infrastructure Grants (One-Time)		Gross	\$14,325,000	(\$14,325,000)
<u>Executive</u> adds \$20.0 million GF/GP for infrastructure grants to address flooding, erosion, and other coastal issues.		GF/GP	\$14,325,000	(\$14,325,000)
<u>House</u> eliminates funding.				
<u>Senate</u> eliminates funding.				
<u>Conference</u> eliminates funding.				
7. Contaminated Site Cleanup (One-Time)		Gross	\$10,000,000	\$0
<u>Executive</u> includes \$10.0 million GF/GP for the prioritization and remediation of newly contaminated properties statewide that emerge throughout the year.		Federal	0	0
<u>House</u> replaces GF/GP funding with \$25.0 million in federal Coronavirus State Fiscal Recovery Fund.		GF/GP	\$10,000,000	\$0
<u>Senate</u> eliminates funding.				
<u>Conference</u> maintains funding.				
8. Environmental Health		FTE	57.0	0.0
<u>Executive</u> appropriates \$9.1 million Gross (\$7.4 million GF/GP) and authorizes 7.0 FTE positions to strengthen water supply oversight and support local health departments in monitoring and testing drinking water; also aligns authorization with available federal and restricted funding.		Gross	\$7,351,600	\$7,917,900
<u>House</u> appropriates \$1.8 million Gross (\$0 GF/GP), does not authorize FTE positions, and rolls up appropriation into "Drinking water and environmental health" line item.		Federal	3,382,000	1,500,000
<u>Senate</u> does not appropriate.		Restricted	1,431,000	250,000
<u>Conference</u> appropriates \$7.9 million Gross (\$6.2 million GF/GP).		GF/GP	\$2,538,600	\$6,167,900
9. NPDES Nonstormwater Program		FTE	98.0	7.0
<u>Conference</u> appropriates \$1.2 million GF/GP and authorizes 7.0 FTE positions to strengthen water supply oversight and support local health departments in monitoring and testing drinking water.		Gross	\$15,222,700	\$1,190,000
		Federal	6,865,500	0
		Restricted	4,294,200	0
		GF/GP	\$4,063,000	\$1,190,000

Major Budget Changes from FY 2021-22 YTD Appropriations		FY 2021-22 Year-to-Date (as of 2/9/22)	FY 2022-23 Conference Change
10. Drinking Water	FTE	68.0	7.0
<u>Executive</u> appropriates \$1.8 million GF/GP and authorizes 12.0 FTE positions to strengthen water supply oversight and support local health departments in monitoring and testing drinking water.	Gross	\$11,915,600	\$1,799,900
<u>House</u> does not appropriate funding, does not authorize FTE positions, and rolls up appropriation into "Drinking water and environmental health" line item.	Federal	6,343,900	0
<u>Senate</u> does not appropriate.	Restricted	3,199,100	0
<u>Conference</u> appropriates \$1.8 million GF/GP and authorizes 7.0 FTE positions.	GF/GP	\$2,372,600	\$1,799,900
11. Air Quality Programs	FTE	187.0	15.0
<u>Executive</u> appropriates \$4.4 million GF/GP and authorizes 24.0 FTE positions to expand air quality monitoring staff and operations, and to reduce permit review wait times.	Gross	\$30,416,600	\$4,439,800
<u>House</u> does not appropriate funding, does not authorize FTE positions.	Federal	7,493,200	0
<u>Senate</u> does not appropriate.	Restricted	14,807,400	0
<u>Conference</u> appropriates \$4.4 million GF/GP and authorizes 15.0 FTE positions.	GF/GP	\$8,116,000	\$4,439,800
12. Grants and Records Management	FTE	NA	4.0
<u>Executive</u> appropriates \$2.9 million GF/GP and authorizes 6.0 FTE positions to create new program to digitize and manage departmental grants and records; \$2.0 million GF/GP is appropriated on a one-time basis.	Gross	NA	\$2,935,400
<u>House</u> does not appropriate funding, does not authorize FTE positions.	GF/GP	NA	\$2,935,400
<u>Senate</u> does not appropriate.			
<u>Conference</u> appropriates \$2.9 million GF/GP and authorizes 4.0 FTE positions.			
13. Radiological Protection Program – Legacy Cleanups	FTE	12.0	0.0
<u>Executive</u> appropriates \$175,000 GF/GP to cleanup legacy contaminated sites and reduces \$200,000 interdepartmental grant received from Michigan State Police for a net reduction of \$25,000 Gross.	Gross	\$2,035,500	(\$25,000)
<u>House</u> concurs with Executive.	IDG	1,720,500	(200,000)
<u>Senate</u> reduces \$200,000 interdepartmental grant received from Michigan State Police.	Federal	315,000	0
<u>Conference</u> concurs with Executive.	GF/GP	\$0	\$175,000
14. Environmental Cleanup and Redevelopment Program – Legacy Cleanups	Gross	NA	\$27,600,000
<u>Executive</u> establishes new program by appropriating \$27.6 million from the Cleanup and Redevelopment Fund to cleanup legacy contaminated sites.	Restricted	NA	27,600,000
<u>House</u> concurs with Executive.	GF/GP	NA	\$0
<u>Senate</u> concurs with Executive.			
<u>Conference</u> concurs with Executive.			
15. Refined Petroleum Product Program (One-Time) – Legacy Cleanups	FTE	99.0	0.0
<u>Executive</u> appropriates \$19.2 million from the Refined Petroleum Fund to cleanup legacy contaminated sites.	Gross	\$35,123,600	\$19,170,900
<u>House</u> concurs with Executive.	Federal	2,105,100	0
<u>Senate</u> concurs with Executive.	Restricted	33,018,500	19,170,900
<u>Conference</u> concurs with Executive.	GF/GP	\$0	\$0

Major Budget Changes from FY 2021-22 YTD Appropriations		FY 2021-22 Year-to-Date (as of 2/9/22)	FY 2022-23 Conference Change
16. Contaminated Site Investigations, Cleanup, and Revitalization– Legacy Cleanups	FTE	130.0	16.0
	Gross	\$19,079,000	\$2,393,100
<u>Executive</u> appropriates \$2.4 million from the Cleanup and Redevelopment Fund and authorizes 16.0 FTE positions to cleanup legacy contaminated sites.	Restricted	18,784,400	2,393,100
<u>House</u> appropriates funding, does not authorize FTE positions.	GF/GP	\$294,600	\$0
<u>Senate</u> appropriates funding, does not authorize FTE positions.			
<u>Conference</u> concurs with Executive.			
17. Municipal Assistance	FTE	29.0	0.0
	Gross	\$5,007,600	\$1,407,700
<u>Executive</u> appropriates \$1.4 million Gross (\$0 GF/GP) and authorizes 4.0 FTE positions to increase loan processing staff and access to federal water infrastructure loans for local communities.	Federal	3,272,900	1,200,000
<u>House</u> appropriates funding, does not authorize FTE positions.	Restricted	1,734,700	207,700
<u>Senate</u> appropriates funding, does not authorize FTE positions.	GF/GP	\$0	\$0
<u>Conference</u> appropriates funding, authorizes 4.0 FTE positions in section 950.			
18. Hazardous Waste Management Program	FTE	45.0	0.0
	Gross	\$5,926,800	\$200,000
<u>Executive</u> appropriates \$200,000 in available restricted revenue from technologically enhanced naturally occurring radioactive material.	Federal	2,315,600	0
<u>House</u> concurs with Executive.	Restricted	3,511,200	200,000
<u>Senate</u> concurs with Executive.	GF/GP	\$100,000	\$0
<u>Conference</u> concurs with Executive.			
19. Environmental Cleanup Support	Gross	\$30,300,000	(\$29,300,000)
<u>Executive</u> reduces \$29.3 million from the Environmental Response Fund that is no longer needed to perform contaminated site cleanup at former Premcor Refining Group gas station sites.	Restricted	30,300,000	(29,300,000)
<u>House</u> concurs with Executive.	GF/GP	\$0	\$0
<u>Senate</u> concurs with Executive.			
<u>Conference</u> concurs with Executive.			
20. Septage Waste Compliance Grants	Gross	\$275,000	(\$150,000)
<u>Executive</u> reduces \$150,000 from the Septage Waste Program Fund to align appropriation authority with available revenue.	Restricted	275,000	(150,000)
<u>House</u> concurs with Executive.	GF/GP	\$0	\$0
<u>Senate</u> concurs with Executive.			
<u>Conference</u> concurs with Executive.			
21. Removal of FY 2021-22 One-Time Funding	Gross	\$92,750,100	(\$92,750,100)
<u>Executive</u> removes \$93.4 million Gross (\$48.4 million GF/GP) for one-time programs included in the FY 2021-22 budget. Programs included the Contaminated Site Emergency Reserve Fund, Drinking Water Emergency Assistance, Harbor Site Environmental Cleanup, Lead Line Replacement, PFAS Remediation, Sustainable Business Park, Wastewater Retention Basin, and Water Infrastructure Improvements for the Nation Act.	Federal	45,000,000	(45,000,000)
<u>House</u> concurs with Executive.	Restricted	100	(100)
<u>Senate</u> concurs with Executive.	GF/GP	\$47,750,000	(\$47,750,000)
<u>Conference</u> concurs with Executive.			
22. Dam Safety Emergency Action Fund	Gross	\$6,000,000	(\$6,000,000)
<u>Executive</u> eliminates \$6.0 million GF/GP to respond to dam emergencies where the owner has not adequately maintained their dam.	GF/GP	\$6,000,000	(\$6,000,000)
<u>House</u> adds \$9.0 million GF/GP to increase program funding to \$15.0 million GF/GP.			
<u>Senate</u> eliminates funding.			
<u>Conference</u> eliminates funding.			

<u>Major Budget Changes from FY 2021-22 YTD Appropriations</u>		<u>FY 2021-22 Year-to-Date (as of 2/9/22)</u>	<u>FY 2022-23 Conference Change</u>
23. Dam Safety Grant Program (One-Time) <u>Executive</u> eliminates \$13.0 million GF/GP to establish grants to address imminent threats or significant risks at publicly-owned or privately-owned dams. <u>House</u> adds \$2.0 million GF/GP to increase program funding to \$15.0 million GF/GP. <u>Senate</u> eliminates funding. <u>Conference</u> eliminates funding.	Gross GF/GP	\$13,000,000 \$13,000,000	(\$13,000,000) (\$13,000,000)
24. Title 5 Air Fees – Air Quality Programs (One-Time) <u>House</u> appropriates \$1.0 million GF/GP to support the enforcement of Title 5 of the federal Clean Air Act. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross GF/GP	NA NA	\$0 \$0
25. ARP – Drilling Studies (One-Time) <u>House</u> appropriates \$32.5 million in federal Coronavirus State Fiscal Recovery Fund to conduct core drilling to the bedrock to garner raw data that will depict water availability, aggregate location, and PFAS. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross Federal GF/GP	NA NA NA	\$0 0 \$0
26. ARP – Geological Data Collection (One-Time) <u>House</u> appropriates \$5.0 million in federal Coronavirus State Fiscal Recovery Fund to the Michigan Geological Survey to conduct data collection and mapping of data obtained from bedrock core drilling. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross Federal GF/GP	NA NA NA	\$0 0 \$0
27. ARP – Integrity Monitoring (One-Time) <u>House</u> appropriates \$3.3 million in federal Coronavirus State Fiscal Recovery Fund to contract with an integrity oversight monitor that specializes in geological, geophysical, and hydrogeological projects to ensure legal compliance, detect misconduct, and promote best practices in the expenditure of ARP and geological appropriations. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross Federal GF/GP	NA NA NA	\$0 0 \$0
28. ARP – Monitoring Wells (One-Time) <u>House</u> appropriates \$4.0 million in federal Coronavirus State Fiscal Recovery Fund to install monitoring wells in specified counties. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross Federal GF/GP	NA NA NA	\$0 0 \$0
29. ARP – Geophysical Studies (One-Time) <u>House</u> appropriates \$3.1 million in federal Coronavirus State Fiscal Recovery Fund to yield a more enhanced three dimensional profile for areas studied by core drilling. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross Federal GF/GP	NA NA NA	\$0 0 \$0
30. Michigan Geological Survey <u>House</u> appropriates \$12.0 million GF/GP on a one-time basis to the Michigan Geological Survey to conduct data collection and mapping of data. <u>Senate</u> appropriates \$1.7 million GF/GP on a one-time basis. <u>Conference</u> appropriates \$3.0 million GF/GP	Gross GF/GP	NA NA	\$3,000,000 \$3,000,000

<u>Major Budget Changes from FY 2021-22 YTD Appropriations</u>		<u>FY 2021-22 Year-to-Date (as of 2/9/22)</u>	<u>FY 2022-23 Conference Change</u>
31. Disposal of firefighting foam containing PFAS (One-Time) <u>House</u> appropriates \$500,000 GF/GP to dispose of firefighting foam containing PFAS. <u>Senate</u> does not appropriate. <u>Conference</u> concurs with House.	Gross GF/GP	NA NA	\$500,000 \$500,000
32. Inland Aquatic Invasive Plant Species and Eradication Program (One-Time) <u>House</u> adds a \$100 GF/GP placeholder for a program to eradicate aquatic invasive plant species. <u>Senate</u> does not appropriate. <u>Conference</u> does not appropriate.	Gross GF/GP	NA NA	\$0 \$0
33. Cooperative Lakes Monitoring Program (One-Time) <u>Senate</u> appropriates \$150,000 GF/GP to support the continuation of EGLE's contract for the Cooperative Lakes Monitoring Program. <u>Conference</u> concurs with Senate.	Gross GF/GP	NA NA	\$150,000 \$150,000
34. Private Well Testing (One-Time) <u>Senate</u> appropriates \$5.0 million GF/GP for grants to local health departments to provide free or low-cost water testing to private well owners. <u>Conference</u> concurs with Senate.	Gross GF/GP	NA NA	\$5,000,000 \$5,000,000
35. Sea Wall Project (One-Time) <u>Senate</u> appropriates \$1.0 million GF/GP for a sea wall in Muskegon. <u>Conference</u> does not appropriate.	Gross GF/GP	NA NA	\$0 \$0
36. Watershed Council Grants <u>Executive</u> eliminates funding for grants to watershed councils for education, administration, and conservation efforts. <u>House</u> eliminates funding. <u>Senate</u> maintains funding. <u>Conference</u> maintains funding.	Gross GF/GP	\$600,000 \$600,000	\$0 \$0
37. Wetland Mitigation Grants (One-Time) <u>Senate</u> appropriates \$10.0 million GF/GP for grants to provide assistance for wetland mitigation actions. <u>Conference</u> does not appropriate.	Gross GF/GP	NA NA	\$0 \$0
38. 5% Reduction in Prior Year General Fund (One-Time) <u>Senate</u> reduces GF/GP by 5% from FY 2020-21 excluding GF/GP used Water State Revolving Funds, total reduction is \$2.8 million. <u>Conference</u> does not reduce GF/GP.	Gross GF/GP	NA NA	\$0 \$0
39. Buffalo Reef (One-Time) <u>Conference</u> appropriates \$10.0 million from the Cleanup and Redevelopment Fund to build a coal dock jetty for the dredging of stamp sands from Lake Superior in Keweenaw County.	Gross Restricted GF/GP	NA NA NA	\$10,000,000 10,000,000 \$0
40. Economic Adjustments <u>Executive</u> reflects increased costs of \$4.7 million Gross (\$1.2 million GF/GP) for negotiated salary and wage increases (5.0% on October 1, 2022 and 0.5% to annualize the FY 2021-22 1.0% increase that began on April 1, 2022), actuarially required retirement contributions, worker's compensation, building occupancy charges, and other economic adjustments. <u>House</u> concurs with Executive. <u>Senate</u> concurs with Executive. <u>Conference</u> concurs with Executive.	Gross IDG Federal Private Restricted GF/GP	NA NA NA NA NA NA	\$4,729,000 61,500 1,052,500 4,300 2,433,300 \$1,177,400

Major Boilerplate Changes from FY 2021-22

Sec. 206. 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's signing letter stated this section was unenforceable.)*
Executive deletes, House, Senate, and Conference retain.

Sec. 208. Legal Services – RETAINED

Denies permission to hire attorneys to provide legal services provided by attorney general.
Executive, House, and Conference retain, Senate revises to provide permission to hire attorneys to provide legal services provided by attorney general.

Sec. 209. GF/GP Lapse – REVISED

Requires report of estimated GF/GP appropriation lapses at close of previous year.
Executive and Senate revise due date to December 31, House and Conference retain November 30 due date.

Sec. 210. Contingency Fund Transfer Authority – RETAINED

Provides authority for contingency fund transfers of up to \$5.0 million restricted; authorizes expenditure after legislative transfer to specific line items.
Executive revises to include contingency authority of \$3.0 million federal, \$10.0 million restricted, and \$1.0 million private;
House and Conference retains without change.
Senate deletes.

Sec. 215. Businesses in Economically Deprived or Depressed Communities – RETAINED

Requires director to take reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts.
Executive, House, and Conference retain, Senate deletes.

Sec. 216. FTE Vacancies and Remote Work Report – RETAINED

Requires department to report 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.
Executive deletes, House, Senate, and Conference retain.

Sec. 217. 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's signing letter stated this section was unenforceable.)*
Executive deletes, House, Senate, and Conference retain.

Sec. 218. State Administrative Board Transfers – RETAINED

Authorizes legislature to adopt a concurrent resolution to intertransfer funds within the department's budget if the State Administrative Board transfers appropriated funds. *(Governor's signing letter stated this section was unenforceable.)*
Executive deletes, House and Senate retain.

Sec. 219. Receipt and Retention of Reports – RETAINED

Requires department to receive and retain copies of all reports.
Executive and Senate delete, House and Conference retain.

Sec. 220. Report on Policy Changes Made to Implement Public Acts Affecting Department – RETAINED

Requires the 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 and Senate delete, House and Conference retain.

Sec. 221. Severance Reporting – RETAINED

Requires department to report details of severance pay for certain departmental employees.
Executive deletes, House, Senate, and Conference retain.

Sec. 222. COVID-19 Vaccine Disclosure – RETAINED

Prohibits state officials from requiring COVID-19 vaccine disclosure as a condition of receiving state services or developing a vaccine passport.
Executive and Senate delete, House and Conference retain.

Major Boilerplate Changes from FY 2021-22

Sec. 223. Appropriations for Environmental Cleanup Projects – REVISED

Re-appropriates unspent funding from Cleanup and Redevelopment Fund, leaking underground storage tank funding, bottle deposits funding, CMI – Response Activities Fund, brownfield grants and loans, waterfront grants, and Strategic Water Quality Initiatives Fund for expenditure for any site listed in an appropriation act.

Executive, Senate, and Conference revise to add Contaminated Site Cleanup and Renew Michigan Program to the list of re-appropriations; designates unexpended and unencumbered amounts from the Renew Michigan Fund and from FY 2021-22 General Fund appropriations as "appropriated for expenditure."

House revises to add Contaminated Site Cleanup and Renew Michigan Program to the list of re-appropriations; designates unexpended and unencumbered amounts from the Renew Michigan Fund appropriations as "appropriated for expenditure."

Sec. 224. Settlement Fund Revenue Carryforward – REVISED

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

Executive and Conference revise to remove the \$2.5 million cap.

House revises to lower the cap to \$250,000.

Senate retains.

Sec. 225. Rule Promulgation – RETAINED

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. (*Governor's signing letter stated this section was unenforceable.*)

Executive deletes, House, Senate, and Conference retain.

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

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's signing letter stated this section was unenforceable.*)

Executive deletes, House, Senate, and Conference retain.

Sec. 238. Permitting Report – RETAINED

Requires a report on the department's permitting programs including applications, approvals, denials, and backlogs.

Executive deletes, House, Senate, and Conference retain.

Sec. 239. Permitting Standards – DELETED

Encourages the department to accommodate landowner permit requests to the further extent possible in accordance with the Natural Resources & Environmental Protection Act.

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

Sec. 240. Remote Working – NEW

Prohibits the department from permitting employees to work remotely unless they were working remotely prior to February 28, 2020.

House adds new section, Senate does not add, Conference revises to state legislative intent to prioritize in-person work where possible.

Sec. 241. Rules and Regulations Federal Standard – DELETED

Prohibits the department from establishing rules and regulations more stringent than federal standards.

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

Sec. 242. Legislator and Health Department Notification – NEW

Requires the department to inform local state legislators and local health departments when cleaning up contaminated sites.

House adds new section, Senate does not add, Conference revises to eliminate notification for cleanups and substitutes with notification for "significant incidents to protect life and property," eliminates notification to local health department.

Sec. 243. Michigan Geological Survey – NEW

Directs expenditure of funding to the Michigan Geological Survey to conduct data collection and mapping to expand geologic information.

Conference adds new section.

Sec. 302. Contaminated Site Investigations Staffing Costs – RETAINED

Limits the department to expending not more than 3% of Contaminated Site Investigations appropriation on administration.

Executive and Senate delete, House and Conference retain.

Major Boilerplate Changes from FY 2021-22

Sec. 303. Contaminated Site Investigations Legacy Cleanups Staff – NEW

Earmarks 16.0 FTE positions of Contaminated Site Investigations appropriation for legacy cleanups.
Conference adds new section.

Sec. 305. Refined Petroleum Fund – RETAINED

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 retain.

Sec. 306. Refined Petroleum Fund Cleanup Site List – RETAINED

Requires list of cleanup sites addressed by Refined Petroleum Product Cleanup Program for the new fiscal year and closed sites from the preceding fiscal year.
Executive deletes, House, Senate, and Conference retain.

Sec. 308. Work Projects – Emergency Cleanup Actions and Refined Petroleum Product Cleanup Program – REVISED

Authorizes unexpended funds appropriated for Emergency Cleanup Actions, Emergency Cleanup Support, and Refined Petroleum Product Cleanup Program to be considered work project appropriations and carried forward into succeeding fiscal year; program will perform contaminated site cleanups.
Executive revises to designate Environmental Cleanup Support and Brownfields Grants as work projects.
House, Senate, and Conference concur.

Sec. 312. Work Project – Environmental Cleanup Support – DELETED

Authorizes unexpended funds appropriated for Environmental Cleanup Support to be considered work project appropriations and carried forward into succeeding fiscal year; program will perform contaminated site cleanup at former Premcor Refining Group gas station sites.
Executive deletes, House, Senate, and Conference concur.

Sec. 314. Geographically Proximate Cleanups – NEW

Encourages the department to remediate contaminated sites in geographically proximate areas when possible.
House, and Conference add new section, Senate does not add.

Sec. 315. Environmental Response Fund and Natural Resource Damage Fund Receive and Expend – NEW

Authorizes expenditure of funds from the Environmental Response Fund or Natural Resource Damage Fund upon receipt as outlined by legal decisions; requires a report on this section's preceding fiscal year's expenditures by February 1.
Executive and Conference add new section, House and Senate do not add.

Sec. 351. Superfund Cleanup – DELETED

Earmarks \$10.0 million of appropriation to be used for contaminated site cleanup at the Spartan Chemical site in Kent County; designates unexpended funding as a work project appropriation.
Executive deletes, House, Senate, and Conference concur.

Sec. 401. Land and Water Interface Permit Programs Dam Safety Earmark – RETAINED

Earmarks \$350,000 and 2.0 FTE positions from Land and Water Interface Permit Programs for Dam Safety Programs.
Executive, Senate, and Conference retain, House revises to 4.0 FTE positions.

Sec. 411. Chapaton Treatment Lagoon Report – DELETED

Requires department to report information and materials needed to permit and regulate Chapaton open-air wastewater treatment lagoon in Macomb County.
Executive deletes, House, Senate, and Conference concur.

Sec. 801. Work Project – Renew Michigan Program – NEW

Authorizes unexpended funds appropriated for the Renew Michigan Program to be considered a work project appropriation and carried forward into succeeding fiscal year; program will support environmental cleanup and redevelopment, waste management, and recycling.
Executive adds new section, House, Senate, and Conference concur.

Sec. 902. Limited Term FTEs – Environmental Sustainability and Stewardship – NEW

Authorizes 5.0 limited term FTE positions to issue energy efficiency grants to communities from the Environmental Sustainability and Stewardship appropriation in part 1
Conference adds new section.

Major Boilerplate Changes from FY 2021-22

Sec. 925. Limited Term FTEs – Oil, Gas, and Mineral Services – NEW

Authorizes 2.0 limited term FTE positions to close abandoned gas and oil wells from the Oil, Gas, and Minerals appropriation in part 1

Conference adds new section.

Sec. 950. FTE Earmark – Municipal Assistance – NEW

Earmarks 4.0 federally-funded FTE positions to review and approve clean water and wastewater grants and loans from the Municipal Assistance appropriation in part 1

Conference adds new section.

Sec. 950. Water State Revolving Funds – DELETED

Directs the department to allow water state revolving fund applicants to contract for digital and smart water programs, include dam projects in funding applications, and expend funding for the remediation of unused PFAS chemicals intended for firefighting.

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

Sec. 1000. Prior Grant Awards Not Disqualifying Applicants – RETAINED

Prevents grant recipients from being disqualified for future grant awards on account of receiving previous grant awards.

Executive and Senate delete, House and Conference retain.

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

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

Conference adds new section.

Sec. 1001. Work Project – Water State Revolving Funds – DELETED

Authorizes unexpended funds appropriated for Water State Revolving Funds to be considered a work project appropriation and carried forward into succeeding fiscal year; program will provide financing of water infrastructure projects.

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

Sec. 1001. Work Project – ARP – Drilling Studies – DELETED

Authorizes unexpended funds appropriated for ARP Drilling Studies to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to conduct core drilling to the bedrock to garner raw data that will depict water availability, aggregate location, and PFAS.

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

Sec. 1002. Work Project – Buffalo Reef – NEW

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.

Senate and Conference add new section.

Sec. 1002. Work Project – ARP – Geological Data Collection – DELETED

Authorizes unexpended funds appropriated for ARP Geological Data Collection to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to conduct data collection and mapping of data obtained from bedrock core drilling.

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

Sec. 1003. Cooperative Lakes Monitoring Program – RETAINED

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

Executive and House delete, Senate and Conference retain.

Sec. 1003. Work Project – ARP – Integrity Monitoring – DELETED

Authorizes unexpended funds appropriated for ARP Integrity Monitoring to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to contract with an integrity monitor to ensure legal compliance, detect misconduct, and promote best practices in the expenditure of one-time ARP and geological appropriations.

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

Sec. 1004. Private Well Testing – NEW

Directs expenditure of funding for Private Well Testing as grants to local health departments to provide free or low-cost water testing to private well owners; requires report.

Senate and Conference add new section.

Major Boilerplate Changes from FY 2021-22

Sec. 1004. Work Project – ARP – Monitoring Wells – DELETED

Authorizes unexpended funds appropriated for ARP Monitoring Wells to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to install monitoring wells in specified counties.

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

Sec. 1005. Work Project – ARP – Geophysical Studies – DELETED

Authorizes unexpended funds appropriated for ARP Geophysical Studies to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used to yield a more enhanced three dimensional profile for areas subject to drilling studies.

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

Sec. 1007. Work Project – Geological Data Collection – DELETED

Authorizes unexpended funds appropriated for Geological Data Collection to be considered a work project appropriation and carried forward into succeeding fiscal year; funds will be used by the Michigan Geological Survey to conduct data collection and mapping of data obtained from bedrock core drilling.

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

Sec. 1008. Oversight Panel – DELETED

Requires the department to establish an oversight panel to recommend and review methods, mapping protocols, and study processes to meet US Geological Survey standards.

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

Sec. 1003. Dam Safety Grant Program – DELETED

Directs expenditure of the Dam Safety Grant Program for projects to mitigate risky dams; requires annual report on program.

Executive, Senate, and Conference delete, House retains and renumbers to 1009.

Sec. 1003. Sea Wall Project – DELETED

Directs expenditure of the Sea Wall Project for Muskegon.

Senate adds new section, Conference does not add.

Sec. 1004. Dam Safety Emergency Action Fund – DELETED

Directs expenditure of the Dam Safety Emergency Action Fund for EGLE to mitigate risky dams if the dam owner is unwilling or unable to take action; requires annual report on activities of the fund.

Executive, Senate, and Conference delete, House retains and renumbers to 1010.

Sec. 1004. Geologic Data Collection – DELETED

Directs expenditure of funding for Geologic Data Collection to the Michigan Geological Survey to conduct data collection mapping in up to 25 targeted areas.

Senate adds new section, Conference does not add.

Sec. 1005. Water Infrastructure Improvements for the Nation Act – DELETED

Re-establishes the appropriation for the Water Infrastructure Improvements for the Nation program as a work project account; authorizes unspent funds at the end of the fiscal year to be carried forward into the following fiscal year. Funding was originally appropriated in 2017 PA 33.

Executive deletes, House, Senate, and Conference concur.

Sec. 1006. High Water Infrastructure Grants – DELETED

Directs expenditure of funding for High Water Infrastructure Grants for planning and infrastructure grants to local communities for severe weather; caps individual grants at \$500,000 and requires a 20% match.

Executive deletes, House, Senate, and Conference concur.

Sec. 1006. Wetland Mitigation Grants – DELETED

Directs expenditure of funding for Wetland Mitigation Grants for grants to provide assistance for wetland mitigation actions, including wetland mitigation banking credits; requires a 20% match.

Senate adds new section, Conference does not add.

Sec. 1009. PFAS Remediation – DELETED

Directs expenditure of funding for grants to drinking water systems for PFAS contaminant remediation or alternate water system connection costs; requires report on expenditures.

Executive deletes, House, Senate, and Conference concur.

Major Boilerplate Changes from FY 2021-22

Sec. 1010. Wastewater Retention Basins – DELETED

Directs expenditure of funding for Wastewater Retention Basins to increase the storage capacity of wastewater retention basins for combined sewer overflows and infrastructure in Macomb County.

Executive deletes, House, Senate, and Conference concur.

Sec. 1011. Harbor Site Environmental Cleanup – DELETED

Directs expenditure of funding for Harbor Site Environmental Cleanup to remediate contaminated soil and mitigate adjacent wetlands in Muskegon

Executive deletes, House, Senate, and Conference concur.

Sec. 1012. Sustainable Business Park – DELETED

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.

Executive deletes, House, Senate, and Conference concur.

Sec. 1013. Watershed Council Grants – DELETED

Directs expenditure of funding for Watershed Council Grants for grants to watershed councils for education, administration, and conservation efforts; caps individual grants at \$40,000; requires report on grant recipients and grant amounts by April 1.

Executive, House, and Conference delete, Senate renumbers to 1002.

Sec. 1014. Lead Service Line Replacements – DELETED

Directs expenditure of funding for Lead Service Line Replacements to replace lead service lines and improve drinking water safety in Benton Harbor; designates appropriation as a work project account.

Executive deletes, House, Senate, and Conference concur.

Sec. 1015. Contaminated Site Cleanup – DELETED

Directs expenditure of funding for Contaminated Site Cleanup for the prioritization and remediation of newly contaminated properties statewide that do not qualify for other cleanup funding; designates appropriation as a work project account.

Executive deletes, House, Senate, and Conference concur.

Sec. 1016. Contaminated Site Cleanup Contingency Reserve Fund – DELETED

Creates a Contaminated Site Cleanup Contingency Reserve Fund and directs expenditure of fund for the prioritization and remediation of newly contaminated properties statewide that do not qualify for other cleanup funding; requires a legislative transfer for expenditure.

Executive deletes, House, Senate, and Conference concur.

Sec. 1017. Contaminated Site Cleanup Contingency Reserve Fund Transfer – DELETED

Designates \$10.0 million to be transferred into the Contaminated Site Cleanup Contingency Reserve Fund as described in Sec. 1016.

Executive deletes, House, Senate, and Conference concur.

Sec. 1018. Drinking Water Emergency Assistance – DELETED

Directs expenditure of funding for Drinking Water Emergency Assistance to address drinking water systems contamination response and remediation; designates appropriation as a work project account.

Executive deletes, House, Senate, and Conference concur.

FY 2021-22 Supplemental Appropriation Items

Article 15, House Bill 5783 (H-2) CR-1

**Appropriation
Change**

1. Environmental Sustainability and Stewardship

Appropriates \$6.5 million in available state restricted revenue to provide grants to public and private applicants for community energy management services, clean energy manufacturing, and energy policy initiatives.

Gross	\$6,500,000
Restricted	6,500,000
GF/GP	\$0

FY 2019-20 Supplemental Boilerplate Items
Article 15, House Bill 5783 (H-2) CR-1

Sec. 451. Environmental Sustainability and Stewardship

Designates unexpended funds as a work project appropriation; program will provide grant assistance to public and private applicants for community energy management services, clean energy manufacturing, and energy policy initiatives.