

**FY 2022-23: DEPARTMENT OF ENVIRONMENT,  
GREAT LAKES, & ENERGY**  
Summary: As Passed the House  
House Bill 5782 (H-3)



Analyst: Austin Scott

|                   | FY 2021-22 YTD<br>as of 2/9/22 | FY 2022-23<br>Executive | FY 2022-23<br>House  | FY 2022-23<br>Senate | FY 2022-23<br>Conference | Difference: House<br>From FY 2021-22 YTD |             |
|-------------------|--------------------------------|-------------------------|----------------------|----------------------|--------------------------|--|-------------|
|                   |                                |                         |                      |                      |                          | Amount                                   | %           |
| IDG/IDT           | \$3,544,900                    | \$3,406,400             | \$3,406,400          | \$                   | \$                       | (\$138,500)                              | (3.9)       |
| <b>Federal</b>    | 226,889,200                    | 453,641,700             | 526,566,700          |                      |                          | 299,677,500                              | 132.1       |
| <b>Local</b>      | 0                              | 0                       | 0                    |                      |                          | 0  | --          |
| <b>Private</b>    | 1,411,200                      | 1,415,500               | 1,415,500            |                      |                          | 4,300                                    | 0.3         |
| <b>Restricted</b> | 304,550,000                    | 327,354,900             | 327,354,900          |                      |                          | 22,804,900                               | 7.5         |
| <b>GF/GP</b>      | 153,375,400                    | 218,280,700             | 106,552,900          |                      |                          | (46,822,500)                             | (30.5)      |
| <b>Gross</b>      | <b>\$689,770,700</b>           | <b>\$1,004,099,200</b>  | <b>\$965,296,400</b> | <b>\$</b>            | <b>\$</b>                | <b>\$275,525,700</b>                     | <b>39.9</b> |
| FTEs              | 1,467.0                        | 1,543.0                 | 1,467.0              |                      |                          | 0.0                                      | 0.0         |

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.

|              | FY 2021-22<br>Year-to-Date<br>(as of 2/9/22) | FY 2022-23<br>House<br>Change |
|--------------|--|-------------------------------|
| <b>Gross</b> | NA   | \$0                           |
| GF/GP        | NA   | \$0                           |

**2. Water State Revolving Funds – Federal Infrastructure Act IJA**

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.

|              |                      |                      |
|--------------|----------------------|----------------------|
| <b>Gross</b> | <b>\$120,000,000</b> | <b>\$214,000,000</b> |
| Federal      | 100,000,000          | 214,000,000          |
| Restricted   | 15,000,000           | 0                    |
| GF/GP        | \$5,000,000          | \$0                  |

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

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.

|              |                     |                     |
|--------------|---------------------|---------------------|
| FTE          | 59.0                | 0.0                 |
| <b>Gross</b> | <b>\$11,630,900</b> | <b>\$31,000,000</b> |
| IDG          | 220,000             | 0                   |
| Federal      | 150,000             | 31,000,000          |
| Restricted   | 6,879,900           | 0                   |
| GF/GP        | \$4,381,000         | \$0                 |

**4. Environmental Sustainability and Stewardship – Federal Infrastructure Act IJA**

Executive appropriates \$15.8 million of federal Infrastructure Act funding and authorizes 5.0 FTE positions for energy efficiency projects.

House appropriates federal funding, does not authorize FTE positions.

|              |                    |                     |
|--------------|--------------------|---------------------|
| FTE          | 11.0               | 0.0                 |
| <b>Gross</b> | <b>\$6,224,000</b> | <b>\$15,800,000</b> |
| Federal      | 3,806,700          | 15,800,000          |
| Private      | 140,000            | 0                   |
| Restricted   | 2,277,300          | 0                   |
| GF/GP        | \$0                | \$0                 |

| <b>Major Budget Changes from FY 2021-22 YTD Appropriations</b>  |              | <b>FY 2021-22<br/>Year-to-Date<br/>(as of 2/9/22)</b> | <b>FY 2022-23<br/>House<br/>Change</b> |
|---|--------------|---|--|
| <b>5. Energy Efficiency Revolving Fund – Federal Infrastructure Act I/JA</b>  | <b>Gross</b> | <b>NA</b>   | <b>\$7,200,000</b>                     |
| <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.   | GF/GP        | NA  | \$0                                    |
| <b>6. High Water Infrastructure Grants (One-Time)</b>   | <b>Gross</b> | <b>\$14,325,000</b>                                   | <b>(\$14,325,000)</b>                  |
| <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.  |              |   |  |
| <b>7. Contaminated Site Cleanup (One-Time)</b>  | <b>Gross</b> | <b>\$10,000,000</b>                                   | <b>\$15,000,000</b>                    |
| <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   | 25,000,000                             |
| <u>House</u> replaces GF/GP funding with \$25.0 million in federal Coronavirus State Fiscal Recovery Fund.  | GF/GP        | \$10,000,000  | (\$10,000,000)                         |
| <b>8. Environmental Health</b>  | 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. | <b>Gross</b> | <b>\$7,351,600</b>                                    | <b>\$1,750,000</b>                     |
| <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                              |
|   | Restricted   | 1,431,000   | 250,000                                |
|   | GF/GP        | \$2,538,600   | \$0                                    |
| <b>9. Drinking Water</b>  | FTE          | 68.0  | 0.0                                    |
| <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.   | <b>Gross</b> | <b>\$11,915,600</b>                                   | <b>\$0</b>                             |
| <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                                      |
|   | Restricted   | 3,199,100   | 0                                      |
|   | GF/GP        | \$2,372,600   | \$0                                    |
| <b>10. Air Quality Programs</b>   | FTE          | 187.0   | 0.0                                    |
| <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.  | <b>Gross</b> | <b>\$30,416,600</b>                                   | <b>\$0</b>                             |
| <u>House</u> does not appropriate funding, does not authorize FTE positions.  | Federal      | 7,493,200   | 0                                      |
|   | Restricted   | 14,807,400  | 0                                      |
|   | GF/GP        | \$8,116,000   | \$0                                    |
| <b>11. Grants and Records Management</b>  | FTE          | NA  | 0.0                                    |
| <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.   | <b>Gross</b> | <b>NA</b>   | <b>\$0</b>                             |
| <u>House</u> does not appropriate funding, does not authorize FTE positions.  | GF/GP        | NA  | \$0                                    |
| <b>12. Radiological Protection Program – Legacy Cleanups</b>  | 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.   | <b>Gross</b> | <b>\$2,035,500</b>                                    | <b>(\$25,000)</b>                      |
| <u>House</u> concurs.   | IDG          | 1,720,500   | (200,000)                              |
|   | Federal      | 315,000   | 0                                      |
|   | GF/GP        | \$0   | \$175,000                              |

| <b>Major Budget Changes from FY 2021-22 YTD Appropriations</b>   |  | <b>FY 2021-22<br/>Year-to-Date<br/>(as of 2/9/22)</b> | <b>FY 2022-23<br/>House<br/>Change</b> |
|--|--|---|--|
| <b>13. Environmental Cleanup and Redevelopment Program – Legacy Cleanups</b>   |  | <b>Gross</b>  | <b>NA</b>                              |
| <b>Executive</b> establishes new program by appropriating \$27.6 million from the Cleanup and Redevelopment Fund to cleanup legacy contaminated sites.   |  | Restricted  | NA                                     |
| <b>House</b> concurs.  |  | GF/GP   | NA                                     |
|  |  |   | <b>\$27,600,000</b>                    |
|  |  |   | 27,600,000                             |
|  |  |   | \$0                                    |
| <b>14. Refined Petroleum Product Program (One-Time) – Legacy Cleanups</b>  |  | FTE   | 99.0                                   |
| <b>Executive</b> appropriates \$19.2 million from the Refined Petroleum Fund to cleanup legacy contaminated sites.   |  | <b>Gross</b>  | <b>\$35,123,600</b>                    |
| <b>House</b> concurs.  |  | Federal   | 2,105,100                              |
|  |  | Restricted  | 33,018,500                             |
|  |  | GF/GP   | \$0                                    |
|  |  |   | <b>\$19,170,900</b>                    |
|  |  |   | 19,170,900                             |
|  |  |   | \$0                                    |
| <b>15. Contaminated Site Investigations, Cleanup, and Revitalization – Legacy Cleanups</b>   |  | FTE   | 130.0                                  |
| <b>Executive</b> appropriates \$2.4 million from the Cleanup and Redevelopment Fund and authorizes 16.0 FTE positions to cleanup legacy contaminated sites.  |  | <b>Gross</b>  | <b>\$19,079,000</b>                    |
| <b>House</b> appropriates funding, does not authorize FTE positions.   |  | Restricted  | 18,784,400                             |
|  |  | GF/GP   | \$294,600                              |
|  |  |   | <b>\$2,393,100</b>                     |
|  |  |   | 2,393,100                              |
|  |  |   | \$0                                    |
| <b>16. Municipal Assistance</b>  |  | FTE   | 29.0                                   |
| <b>Executive</b> 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.   |  | <b>Gross</b>  | <b>\$5,007,600</b>                     |
| <b>House</b> appropriates funding, does not authorize FTE positions.   |  | Federal   | 3,272,900                              |
|  |  | Restricted  | 1,734,700                              |
|  |  | GF/GP   | \$0                                    |
|  |  |   | <b>\$1,407,700</b>                     |
|  |  |   | 1,200,000                              |
|  |  |   | 207,700                                |
|  |  |   | \$0                                    |
| <b>17. Hazardous Waste Management Program</b>  |  | FTE   | 45.0                                   |
| <b>Executive</b> appropriates \$200,000 in available restricted revenue from technologically enhanced naturally occurring radioactive material.  |  | <b>Gross</b>  | <b>\$5,926,800</b>                     |
| <b>House</b> concurs.  |  | Federal   | 2,315,600                              |
|  |  | Restricted  | 3,511,200                              |
|  |  | GF/GP   | \$100,000                              |
|  |  |   | <b>\$200,000</b>                       |
|  |  |   | 0                                      |
|  |  |   | 200,000                                |
|  |  |   | \$0                                    |
| <b>18. Environmental Cleanup Support</b>   |  | <b>Gross</b>  | <b>\$30,300,000</b>                    |
| <b>Executive</b> 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                             |
| <b>House</b> concurs.  |  | GF/GP   | \$0                                    |
|  |  |   | <b>(\$29,300,000)</b>                  |
|  |  |   | (29,300,000)                           |
|  |  |   | \$0                                    |
| <b>19. Septage Waste Compliance Grants</b>   |  | <b>Gross</b>  | <b>\$275,000</b>                       |
| <b>Executive</b> reduces \$150,000 from the Septage Waste Program Fund to align appropriation authority with available revenue.  |  | Restricted  | 275,000                                |
| <b>House</b> concurs.  |  | GF/GP   | \$0                                    |
|  |  |   | <b>(\$150,000)</b>                     |
|  |  |   | (150,000)                              |
|  |  |   | \$0                                    |
| <b>20. Removal of FY 2021-22 One-Time Funding</b>  |  | <b>Gross</b>  | <b>\$93,350,100</b>                    |
| <b>Executive</b> removes \$112.4 million Gross (\$67.4 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, Water Infrastructure Improvements for the Nation Act, and Watershed Council Grants. |  | Federal   | 45,000,000                             |
| <b>House</b> concurs.  |  | Restricted  | 100                                    |
|  |  | GF/GP   | \$48,350,000                           |
|  |  |   | <b>(\$93,350,100)</b>                  |
|  |  |   | (45,000,000)                           |
|  |  |   | (100)                                  |
|  |  |   | (\$48,350,000)                         |
| <b>21. Dam Safety Emergency Action Fund</b>  |  | <b>Gross</b>  | <b>\$6,000,000</b>                     |
| <b>Executive</b> 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                            |
| <b>House</b> adds \$9.0 million GF/GP to increase program funding to \$15.0 million GF/GP.   |  |   | <b>\$9,000,000</b>                     |
|  |  |   | \$9,000,000                            |

| <b><u>Major Budget Changes from FY 2021-22 YTD Appropriations</u></b>  |  | <b><u>FY 2021-22<br/>Year-to-Date<br/>(as of 2/9/22)</u></b> | <b><u>FY 2022-23<br/>House<br/>Change</u></b>                                  |
|--|--|--|--|
| <b>22. Dam Safety Grant Program (One-Time)</b><br><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.<br><u>House</u> adds \$2.0 million GF/GP to increase program funding to \$15.0 million GF/GP.   | <b>Gross</b><br>GF/GP  | <b>\$13,000,000</b><br>\$13,000,000                          | <b>\$2,000,000</b><br>\$2,000,000  |
| <b>23. Title 5 Air Fees – Air Quality Programs (One-Time)</b><br><u>House</u> appropriates \$1.0 million GF/GP to support the enforcement of Title 5 of the federal Clean Air Act.   | <b>Gross</b><br>GF/GP  | <b>NA</b><br>NA  | <b>\$1,000,000</b><br>\$1,000,000  |
| <b>24. ARP – Drilling Studies (One-Time)</b><br><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.   | <b>Gross</b><br>Federal<br>GF/GP                                 | <b>NA</b><br>NA<br>NA  | <b>\$32,500,000</b><br>32,500,000<br>\$0                                       |
| <b>25. ARP – Geological Data Collection (One-Time)</b><br><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.  | <b>Gross</b><br>Federal<br>GF/GP                                 | <b>NA</b><br>NA<br>NA  | <b>\$5,000,000</b><br>5,000,000<br>\$0   |
| <b>26. ARP – Integrity Monitoring (One-Time)</b><br><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. | <b>Gross</b><br>Federal<br>GF/GP                                 | <b>NA</b><br>NA<br>NA  | <b>\$3,300,000</b><br>3,300,000<br>\$0   |
| <b>27. ARP – Monitoring Wells (One-Time)</b><br><u>House</u> appropriates \$4.0 million in federal Coronavirus State Fiscal Recovery Fund to install monitoring wells in specified counties.   | <b>Gross</b><br>Federal<br>GF/GP                                 | <b>NA</b><br>NA<br>NA  | <b>\$4,000,000</b><br>4,000,000<br>\$0   |
| <b>28. ARP – Geophysical Studies (One-Time)</b><br><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.  | <b>Gross</b><br>Federal<br>GF/GP                                 | <b>NA</b><br>NA<br>NA  | <b>\$3,125,000</b><br>3,125,000<br>\$0   |
| <b>29. Geological Data Collection (One-Time)</b><br><u>House</u> appropriates \$12.0 million GF/GP to the Michigan Geological Survey to conduct data collection and mapping of data obtained from bedrock core drilling.   | <b>Gross</b><br>GF/GP  | <b>NA</b><br>NA  | <b>\$12,000,000</b><br>\$12,000,000  |
| <b>30. Disposal of firefighting foam containing PFAS (One-Time)</b><br><u>House</u> appropriates \$500,000 GF/GP to dispose of firefighting foam containing PFAS.  | <b>Gross</b><br>GF/GP  | <b>NA</b><br>NA  | <b>\$500,000</b><br>\$500,000  |
| <b>31. Inland Aquatic Invasive Plant Species and Eradication Program (One-Time)</b><br><u>House</u> adds a \$100 GF/GP placeholder for a program to eradicate aquatic invasive plant species.  | <b>Gross</b><br>GF/GP  | <b>NA</b><br>NA  | <b>\$100</b><br>\$100  |
| <b>32. Economic Adjustments</b><br>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.              | <b>Gross</b><br>IDG<br>Federal<br>Private<br>Restricted<br>GF/GP | <b>NA</b><br>NA<br>NA<br>NA<br>NA<br>NA                      | <b>\$4,729,000</b><br>61,500<br>1,052,500<br>4,300<br>2,433,300<br>\$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 retains.

### **Sec. 209. GF/GP Lapse – RETAINED**

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

Executive revises due date to December 31, House retains 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 retains without change.

### **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 retains.

### **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 retains.

### **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 retains.

### **Sec. 219. Receipt and Retention of Reports – RETAINED**

Requires department to receive and retain copies of all reports.

Executive deletes, House retains.

### **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 deletes, House retains.

### **Sec. 221. Severance Reporting – RETAINED**

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

Executive deletes, House retains.

### **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 deletes, House retains.

### **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 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 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 revises to remove the \$2.5 million cap.

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

## **Major Boilerplate Changes from FY 2021-22**

### **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 retains.

### **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 retains.

### **Sec. 238. Permitting Report – RETAINED**

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

Executive deletes, House retains.

### **Sec. 239. Permitting Standards – NEW**

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.

### **Sec. 240. Remote Working Prohibition – NEW**

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

House adds new section.

### **Sec. 241. Rules and Regulations Federal Standard – NEW**

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

House adds new section.

### **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.

### **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 deletes, House retains.

### **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 retains.

### **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 retains.

### **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 concurs.

### **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 concurs.

## **Major Boilerplate Changes from FY 2021-22**

### **Sec. 314. Geographically Proximate Cleanups – NEW**

Encourages the department to remediate contaminated sites in geographically proximate areas when possible.  
House adds new section.

### **Sec. 315. Environmental Response Fund and Natural Resource Damage Fund Receive and Expend – DELETED**

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 adds new section, House does 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 concurs.

### **Sec. 401. Land and Water Interface Permit Programs Dam Safety Earmark – REVISED**

Earmarks \$350,000 and 2.0 FTE positions from Land and Water Interface Permit Programs for Dam Safety Programs.  
Executive retains, 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 concurs.

### **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 concurs.

### **Sec. 950. Water State Revolving Funds – NEW**

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.

### **Sec. 1000. 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 does not add.

### **Sec. 1001. Work Project – ARP – Drilling Studies – NEW**

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.

### **Sec. 1002. Work Project – ARP – Geological Data Collection – NEW**

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.

### **Sec. 1003. Work Project – ARP – Integrity Monitoring – NEW**

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.

### **Sec. 1004. Work Project – ARP – Monitoring Wells – NEW**

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.

**Sec. 1005. Work Project – ARP – Geophysical Studies – NEW**

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.

**Sec. 1007. Work Project – Geological Data Collection – NEW**

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.

**Sec. 1008. Oversight Panel – NEW**

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.

**Sec. 1003. Dam Safety Grant Program – RETAINED**

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

Executive deletes, House retains and renumbers to 1009.

**Sec. 1004. Dam Safety Emergency Action Fund – RETAINED**

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 deletes, House retains and renumbers to 1010.

**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 concurs.

**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 concurs.

**Sec. 1007. Cooperative Lakes Monitoring Program – DELETED**

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 deletes, House concurs.

**Sec. 1008. 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 deletes, House retains and renumbers to 1011.

**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 concurs.

**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 concurs.

**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 concurs.



**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 deletes, House concurs.

**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 concurs.

**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 concurs.

**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 concurs.

**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 concurs.

**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 concurs.