

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

As Engrossed: H2/29/12
A Bill

HOUSE BILL 1060

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF
10 ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE
11 30, 2013; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE ARKANSAS DEPARTMENT OF
16 ENVIRONMENTAL QUALITY APPROPRIATION FOR THE
17 2012-2013 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Department of Environmental Quality for the 2012-2013 fiscal year,
24 the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
30	(1) U015U	ADEQ DIRECTOR	1	\$126,431
31	(2) U075U	ADEQ CHIEF DEPUTY DIRECTOR	1	\$104,250
32	(3) N067N	ADEQ DEPUTY DIR - LAND RESOURCES	1	GRADE N908
33	(4) X004C	ADEQ AIR DIVISION MANAGER	1	GRADE C129
34	(5) G005C	ADEQ WATER DIVISION MANAGER	1	GRADE C129
35	(6) G004C	MANAGING ATTORNEY	1	GRADE C129
36	(7) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128



1	(8)	G035C	ADEQ ADMINISTRATION DIVISION MGR	1	GRADE C127
2	(9)	G034C	ADEQ ASST AIR/WATER DIVISION MGR	2	GRADE C127
3	(10)	B012C	ADEQ ENGINEER P.E. BRANCH MANAGER	2	GRADE C127
4	(11)	G033C	ADEQ HAZARDOUS WASTE DIVISION MGR	1	GRADE C127
5	(12)	G032C	ADEQ MINING DIVISION MANAGER	1	GRADE C127
6	(13)	G031C	ADEQ PUBLIC OUTREACH DIVISION MGR	1	GRADE C127
7	(14)	G030C	ADEQ REG STORAGE TANKS DIV MGR	1	GRADE C127
8	(15)	G029C	ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE C127
9	(16)	G028C	ADEQ TECHNICAL SVS DIVISION MGR	1	GRADE C127
10	(17)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
11	(18)	G019C	GENERAL COUNSEL	1	GRADE C127
12	(19)	G047C	ATTORNEY SPECIALIST	8	GRADE C126
13	(20)	B015C	ENGINEER SUPERVISOR	11	GRADE C126
14	(21)	G063C	ADEQ BRANCH MANAGER	15	GRADE C125
15	(22)	B023C	ENGINEER, P.E.	20	GRADE C124
16	(23)	D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE C124
17	(24)	D039C	NETWORK SUPPORT SPECIALIST	1	GRADE C123
18	(25)	X036C	ADEQ INSPECTOR SUPERVISOR	11	GRADE C122
19	(26)	B037C	CHEMIST SUPERVISOR	3	GRADE C122
20	(27)	L028C	EPIDEMIOLOGIST	6	GRADE C122
21	(28)	B035C	GEOLOGY SUPERVISOR	5	GRADE C122
22	(29)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
23	(30)	B042C	ENGINEER	28	GRADE C121
24	(31)	R014C	PERSONNEL MANAGER	1	GRADE C121
25	(32)	B043C	PROFESSIONAL GEOLOGIST	18	GRADE C121
26	(33)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
27	(34)	X059C	ADEQ ENFORCEMENT COORDINATOR	9	GRADE C120
28	(35)	G139C	ADEQ FACILITY SUPPORT SVCS MANAGER	1	GRADE C120
29	(36)	B055C	ECOLOGIST COORDINATOR	2	GRADE C120
30	(37)	X054C	ENVIRONMENTAL PROGRAM COORDINATOR	30	GRADE C120
31	(38)	P013C	PUBLIC INFORMATION COORDINATOR	2	GRADE C120
32	(39)	X075C	ADEQ ENFORCEMENT ANALYST	13	GRADE C119
33	(40)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
34	(41)	B065C	ECOLOGIST	13	GRADE C119
35	(42)	X186C	ADEQ AIR COMPLIANCE MONITOR	2	GRADE C118
36	(43)	X093C	ADEQ INSPECTOR	80	GRADE C118

1	(44)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
2	(45)	D064C	WEBSITE DEVELOPER	1	GRADE C118
3	(46)	B081C	CHEMIST	10	GRADE C117
4	(47)	G180C	GRANTS ANALYST	3	GRADE C117
5	(48)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
6	(49)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
7	(50)	G179C	LEGAL SERVICES SPECIALIST	6	GRADE C117
8	(51)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
9	(52)	A089C	ACCOUNTANT I	2	GRADE C116
10	(53)	P027C	PUBLIC INFORMATION SPECIALIST	4	GRADE C116
11	(54)	C037C	ADMINISTRATIVE ANALYST	24	GRADE C115
12	(55)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
13	(56)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
14	(57)	C056C	ADMINISTRATIVE SPECIALIST III	38	GRADE C112
15	(58)	C073C	ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE C109
16			MAX. NO. OF EMPLOYEES	427	

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18 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
 19 Department of Environmental Quality for the 2012-2013 fiscal year, the
 20 following maximum number of part-time or temporary employees, to be known as
 21 "Extra Help", payable from funds appropriated herein for such purposes:
 22 sixty-six (66) temporary or part-time employees, when needed, at rates of pay
 23 not to exceed those provided in the Uniform Classification and Compensation
 24 Act, or its successor, or this act for the appropriate classification.

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26 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 27 appropriated, to the Arkansas Department of Environmental Quality, to be
 28 payable from the Arkansas Department of Environmental Quality Fund Account,
 29 for personal services and operating expenses of the Arkansas Department of
 30 Environmental Quality - State Operations for the fiscal year ending June 30,
 31 2013, the following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2012-2013</u>
35	(01) REGULAR SALARIES	\$3,672,684
36	(02) EXTRA HELP	25,674

1	(03) PERSONAL SERVICES MATCHING	1,080,930
2	(04) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	353,183
4	(B) CONF. & TRAVEL	32,115
5	(C) PROF. FEES	4,100
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$5,168,686</u></u>

9

10 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 11 appropriated, to the Arkansas Department of Environmental Quality, to be
 12 payable from the federal funds as designated by the Chief Fiscal Officer of
 13 the State, for personal services and operating expenses of the Arkansas
 14 Department of Environmental Quality - Federal Operations for the fiscal year
 15 ending June 30, 2013, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2012-2013</u>
19	(01) REGULAR SALARIES	\$5,202,619
20	(02) EXTRA HELP	148,585
21	(03) PERSONAL SERVICES MATCHING	1,557,492
22	(04) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	4,284,060
24	(B) CONF. & TRAVEL	271,126
25	(C) PROF. FEES	2,045,401
26	(D) CAP. OUTLAY	998,000
27	(E) DATA PROC.	0
28	(05) CONTRACTUAL SERVICES	<u>2,565,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$17,072,283</u></u>

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31 SECTION 5. APPROPRIATION - WASTE WATER LICENSING. There is hereby
 32 appropriated, to the Arkansas Department of Environmental Quality, to be
 33 payable from the Wastewater Licensing Fund, for personal services and
 34 operating expenses of the Arkansas Department of Environmental Quality -
 35 Waste Water Licensing for the fiscal year ending June 30, 2013, the
 36 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$101,646
(02) PERSONAL SERVICES MATCHING	33,556
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	26,632
(B) CONF. & TRAVEL	5,089
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$166,923</u></u>

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SECTION 6. APPROPRIATION - LAND RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Land Reclamation Fund, for land reclamation contracts of the Arkansas Department of Environmental Quality - Land Reclamation for the fiscal year ending June 30, 2013, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

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SECTION 7. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the fiscal year ending June 30, 2013, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$1,001,989
(02) EXTRA HELP	15,795
(03) PERSONAL SERVICES MATCHING	296,974
(04) OVERTIME	1,250

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1	(05) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	197,304
3	(B) CONF. & TRAVEL	47,700
4	(C) PROF. FEES	53,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,614,012</u></u>

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9 SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is
 10 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 11 be payable from the Abandoned Mine Reclamation Fund, for contractual services
 12 of the Arkansas Department of Environmental Quality - Reclamation of
 13 Abandoned Mines for the fiscal year ending June 30, 2013, the following:

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15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2012-2013</u>

17 (01) ABANDONED MINE RECLAMATION

18 CONTRACTUAL SERVICES \$5,700,000

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20 SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby
 21 appropriated, to the Arkansas Department of Environmental Quality, to be
 22 payable from the Surface Coal Mining Operation Fund, for operating expenses
 23 of the Arkansas Department of Environmental Quality - Surface Coal Mining for
 24 the fiscal year ending June 30, 2013, the following:

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26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2012-2013</u>

28 (01) MAINT. & GEN. OPERATION

29 (A) OPER. EXPENSE \$15,000

30 (B) CONF. & TRAVEL 0

31 (C) PROF. FEES 0

32 (D) CAP. OUTLAY 0

33 (E) DATA PROC. 034 TOTAL AMOUNT APPROPRIATED \$15,000

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36 SECTION 10. APPROPRIATION - MINING RECLAMATION. There is hereby

1 appropriated, to the Arkansas Department of Environmental Quality, to be
 2 payable from the Mine Reclamation Trust Fund, for contractual services of the
 3 Arkansas Department of Environmental Quality - Mining Reclamation for the
 4 fiscal year ending June 30, 2013, the following:

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	ITEM		FISCAL YEAR	
	NO.		2012-2013	
10	(01)	MINING RECLAMATION CONTRACTUAL		
11		SERVICES		<u>\$1,520,000</u>

12 SECTION 11. APPROPRIATION - FEE ADMINISTRATION. There is hereby
 13 appropriated, to the Arkansas Department of Environmental Quality, to be
 14 payable from the Arkansas Department of Environmental Quality Fee Trust Fund,
 15 for personal services and operating expenses of the Arkansas Department of
 16 Environmental Quality - Fee Administration for the fiscal year ending June
 17 30, 2013, the following:

18	19	20	21	22	23	24	25	26	27	28	29
	ITEM			FISCAL YEAR							
	NO.			2012-2013							
20	(01)	REGULAR SALARIES		\$7,680,413							
21	(02)	EXTRA HELP		45,000							
22	(03)	PERSONAL SERVICES MATCHING		2,322,992							
23	(04)	MAINT. & GEN. OPERATION									
24	(A)	OPER. EXPENSE		1,698,170							
25	(B)	CONF. & TRAVEL		152,389							
26	(C)	PROF. FEES		1,598,519							
27	(D)	CAP. OUTLAY		1,075,000							
28	(E)	DATA PROC.		<u>0</u>							
29		TOTAL AMOUNT APPROPRIATED		<u>\$14,572,483</u>							

30 SECTION 12. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.
 31 There is hereby appropriated, to the Arkansas Department of Environmental
 32 Quality, to be payable from the Solid Waste Performance Bond Fund, for
 33 contractual services of the Arkansas Department of Environmental Quality -
 34 Solid Waste Performance Bonds Program for the fiscal year ending June 30,
 35 2013, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) SOLID WASTE PERFORMANCE BONDS	
CONTRACTUAL SERVICES	<u>\$500,000</u>

SECTION 13. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$135,938
(02) PERSONAL SERVICES MATCHING	41,636
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	401,358
(B) CONF. & TRAVEL	33,960
(C) PROF. FEES	250,000
(D) CAP. OUTLAY	262,000
(E) DATA PROC.	0
(04) CONTRACTUAL SERVICES	6,194,000
(05) DATA PROCESSING PURCHASES	<u>453,937</u>
TOTAL AMOUNT APPROPRIATED	<u>\$7,772,829</u>

SECTION 14. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Emergency Response Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>

1	(01) REGULAR SALARIES	\$91,778
2	(02) PERSONAL SERVICES MATCHING	27,807
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	3,833
5	(B) CONF. & TRAVEL	2,000
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(04) CONTRACTUAL SERVICES	<u>372,655</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$498,073</u></u>

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12 SECTION 15. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby
 13 appropriated, to the Arkansas Department of Environmental Quality, to be
 14 payable from the Asbestos Control Fund, for personal services and operating
 15 expenses of the Arkansas Department of Environmental Quality - Asbestos
 16 Control Program for the fiscal year ending June 30, 2013, the following:

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18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2012-2013</u>
20	(01) REGULAR SALARIES	\$166,942
21	(02) PERSONAL SERVICES MATCHING	52,346
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	29,452
24	(B) CONF. & TRAVEL	4,090
25	(C) PROF. FEES	2,100
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$254,930</u></u>

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30 SECTION 16. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING
 31 PROGRAM. There is hereby appropriated, to the Arkansas Department of
 32 Environmental Quality, to be payable from the Solid Waste Management
 33 Recycling Fund, for personal services and operating expenses of the Arkansas
 34 Department of Environmental Quality - Solid Waste Management and Recycling
 35 Program for the fiscal year ending June 30, 2013, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2012-2013</u>
3	(01) REGULAR SALARIES	\$883,975
4	(02) PERSONAL SERVICES MATCHING	269,779
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	126,529
7	(B) CONF. & TRAVEL	15,668
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) RECYCLING GRANTS	4,650,000
12	(05) ELECTRONIC WASTE RECYCLING	
13	INFRASTRUCTURE	<u>2,500,000</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,445,951</u></u>

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16 SECTION 17. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM.

17 There is hereby appropriated, to the Arkansas Department of Environmental
18 Quality, to be payable from the Regulated Substance Storage Tank Program
19 Fund, for personal services and operating expenses of the Arkansas Department
20 of Environmental Quality - Regulated Substance Storage Tank Program for the
21 fiscal year ending June 30, 2013, the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2012-2013</u>
25	(01) REGULAR SALARIES	\$717,944
26	(02) PERSONAL SERVICES MATCHING	228,176
27	(03) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	71,128
29	(B) CONF. & TRAVEL	5,005
30	(C) PROF. FEES	0
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,022,253</u></u>

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35 SECTION 18. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There
36 is hereby appropriated, to the Arkansas Department of Environmental Quality,

1 to be payable from the Petroleum Storage Tank Trust Fund, for personal
 2 services and operating expenses of the Arkansas Department of Environmental
 3 Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June
 4 30, 2013, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2012-2013</u>
8 (01) REGULAR SALARIES	\$216,141
9 (02) PERSONAL SERVICES MATCHING	61,830
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	18,999,800
12 (B) CONF. & TRAVEL	3,005
13 (C) PROF. FEES	2,500,156
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$21,780,932</u></u>

17
 18 SECTION 19. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.
 19 There is hereby appropriated, to the Arkansas Department of Environmental
 20 Quality, to be payable from the federal funds as designated by the Chief
 21 Fiscal Officer of the State, for contractual services of the Arkansas
 22 Department of Environmental Quality - Regulated Storage Tank Program -
 23 Federal for the fiscal year ending June 30, 2013, the following:

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2012-2013</u>
27 (01) REGULATED STORAGE TANK & CONTRACTUAL	
28 SERVICES	<u><u>\$3,925,000</u></u>

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 30 SECTION 20. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is
 31 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 32 be payable from the Landfill Post-Closure Trust Fund, for personal services
 33 and operating expenses of the Arkansas Department of Environmental Quality -
 34 Landfill Post-Closure Program for the fiscal year ending June 30, 2013, the
 35 following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2012-2013</u>
3	(01) REGULAR SALARIES	\$311,225
4	(02) PERSONAL SERVICES MATCHING	90,488
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	30,923
7	(B) CONF. & TRAVEL	6,000
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) CONTRACTUAL SERVICES	<u>7,433,373</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$7,872,009</u></u>

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14 SECTION 21. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is
 15 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 16 be payable from the Waste Tire Grant Fund, for waste tire recycling grants of
 17 the Arkansas Department of Environmental Quality - Waste Tire Recycling
 18 Program for the fiscal year ending June 30, 2013, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2012-2013</u>
22	(01) WASTE TIRE RECYCLING GRANTS	<u><u>\$6,425,000</u></u>

23

24 SECTION 22. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES
 25 PROGRAM. There is hereby appropriated, to the Arkansas Department of
 26 Environmental Quality, to be payable from the Marketing Board Fund, for
 27 personal services and operating expenses of the Arkansas Department of
 28 Environmental Quality - State Marketing Board for Recyclables Program for the
 29 fiscal year ending June 30, 2013, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2012-2013</u>
33	(01) REGULAR SALARIES	\$1,500
34	(02) PERSONAL SERVICES MATCHING	115
35	(03) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	13,846

1	(B) CONF. & TRAVEL	6,415
2	(C) PROF. FEES	7,000
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$28,876</u></u>

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7 SECTION 23. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is
 8 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 9 be payable from the Environmental Education Fund, for personal services and
 10 operating expenses of the Arkansas Department of Environmental Quality -
 11 Environmental Education Program for the fiscal year ending June 30, 2013, the
 12 following:

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14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2012-2013</u>
16	(01) REGULAR SALARIES	\$50,823
17	(02) PERSONAL SERVICES MATCHING	14,814
18	(03) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	152,961
20	(B) CONF. & TRAVEL	8,000
21	(C) PROF. FEES	94,000
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u><u>\$320,598</u></u>

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26 SECTION 24. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby
 27 appropriated, to the Arkansas Department of Environmental Quality, to be
 28 payable from the Small Business Revolving Loan Fund, for providing loans to
 29 small businesses for projects to meet regulatory mandates in pollution
 30 control and prevention technologies of the Arkansas Department of
 31 Environmental Quality for the fiscal year ending June 30, 2013, the
 32 following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2012-2013</u>
36	(01) SMALL BUSINESS LOANS	<u><u>\$550,000</u></u>

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SECTION 25. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Small Business Revolving Loan Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Small Business Revolving Loan Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$27,375
(02) PERSONAL SERVICES MATCHING	10,237
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	11,010
(B) CONF. & TRAVEL	3,650
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$57,272</u></u>

SECTION 26. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Performance Partnership Trust Fund, for expenses of designing and establishing a management organization of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES	<u><u>\$600,000</u></u>

SECTION 27. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is

hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as authorized through various settlement agreements benefiting the State of

1 Arkansas as administered through the Arkansas Department of Environmental
 2 Quality for the fiscal year ending June 30, 2013, the following:

3

4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2012-2013</u>
6	(01) ENVIRONMENTAL SETTLEMENT TRUST	
7	EXPENSES	<u>\$750,000</u>

8

9 SECTION 28. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There
 10 is hereby appropriated, to the Arkansas Department of Environmental Quality,
 11 to be payable from the Computer and Electronic Recycling Fund, for grants and
 12 expenses of the Arkansas Department of Environmental Quality - Computer and
 13 Electronic Recycling for the fiscal year ending June 30, 2013, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2012-2013</u>
17	(01) COMPUTER AND ELECTRONICS RECYCLING	
18	MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

19

20 SECTION 29. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION
 21 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the
 22 Arkansas Department of Environmental Quality for the 2012-2013 fiscal year,
 23 the following maximum number of regular employees.

24

25				Maximum Annual
26			Maximum	Salary Rate
27	Item	Class	No. of	Fiscal Year
28	<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>2012-2013</u>
29	(1)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	1 GRADE C127
30	(2)	G179C	LEGAL SERVICES SPECIALIST	<u>1</u> GRADE C117
31			MAX. NO. OF EMPLOYEES	2

32

33 SECTION 30. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 34 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the
 35 Arkansas Department of Environmental Quality, to be payable from the Arkansas
 36 Department of Environmental Quality Fee Trust Fund, for personal services and

1 operating expenses of the Arkansas Department of Environmental Quality -
 2 Pollution Control and Ecology Commission - Administrative Hearing Officer for
 3 the fiscal year ending June 30, 2013, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2012-2013</u>
7 (01) REGULAR SALARIES	\$132,747
8 (02) PERSONAL SERVICES MATCHING	34,801
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	87,217
11 (B) CONF. & TRAVEL	6,922
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$261,687</u></u>

16

17 SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 18 EXPENSES. There is hereby appropriated, to the Arkansas Department of
 19 Environmental Quality, to be payable from the Miscellaneous Agencies Fund
 20 Account, for expenses of the Pollution Control and Ecology Commission of the
 21 Arkansas Department of Environmental Quality for the fiscal year ending June
 22 30, 2013, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2012-2013</u>
26 (01) PC&E COMMISSION EXPENSES	<u><u>\$3,977</u></u>

27

28 SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is
 29 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 30 be payable from the Arkansas Department of Environmental Quality Fee Trust
 31 Fund, for the cleanup of non hazardous sites which pose a threat to the
 32 environment for the fiscal year ending June 30, 2013, the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2012-2013</u>
36 (01) CONTRACTUAL SERVICES	<u><u>\$750,000</u></u>

1
2 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
4 HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the
5 Arkansas Department of Environmental Quality - Hazardous Waste Permit Program
6 for the ~~2011-2012~~ 2012-2013 fiscal year, the following maximum number of
7 part-time or temporary employees, to be known as "Extra Help", payable from
8 funds appropriated herein for such purposes: Four (4) temporary or part-time
9 employees, when needed, at rates of pay not to exceed those provided in the
10 Uniform Classification and Compensation Act, or its successor, for the
11 appropriate classification. These four positions are utilized for a specific
12 project and are specifically exempt from the limitations, either by act or
13 regulation, of hours worked.

14 The provisions of this section shall be in effect only from July 1, ~~2010~~
15 2012 through June 30, ~~2011~~ 2013.

16
17 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT
19 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial
20 Action Trust Fund for the purchase of departmental laboratory equipment,
21 including maintenance contracts, and data processing equipment and mission-
22 critical software, including maintenance contracts, as appropriated in
23 Section 13, in Items (03)(D) and (05) shall be funded only through interest
24 earnings from the Hazardous Substance Remedial Action Trust Fund. Further,
25 the Department shall report biennially to the Legislative Council all
26 expenditures from interest earnings for these purchases.

27 The provisions of this section shall be in effect only from July 1, ~~2010~~
28 2012 through June 30, ~~2011~~ 2013.

29
30 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement
33 Trust Fund for information technology needs may be made without prior
34 approval of the Chief Fiscal Officer of the State, after seeking review of
35 the Arkansas Legislative Council. Further, utilization of this appropriation
36 for information technology needs of the Arkansas Department of Environmental

1 Quality must also be approved by the Executive Chief Information Officer
2 after the project is evaluated on the methodology recommended by the Chief
3 Information Officer and the CIO Council, including an analysis of the return
4 on investment and linkage to the Department's business objectives. Any
5 approved projects and expenditures for information technology from the
6 Environmental Settlement Trust Fund shall be reported annually to the Joint
7 Committee on Advanced Communications and Information Technology.

8
9 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ
11 ASBESTOS PROGRAM. The fees collected pursuant to Arkansas Code 20-27-1004(5)
12 shall be used by the department to fund operational expenses and to provide
13 and train personnel to administer an asbestos program, as funding is
14 available, including:

15 (a) Personnel dedicated to issue certificates and licenses to qualified
16 persons/companies, to perform audit of trainers, and to regularly update the
17 ADEQ web page providing a listing of asbestos licensed parties;

18 (b) Personnel who are trained as asbestos supervisors as defined by Arkansas
19 Code 20-27-1003 and Arkansas Pollution Control and Ecology Commission
20 Regulation No.21 to approve asbestos Notices of Intent, perform and
21 coordinate asbestos inspections, conduct enforcement actions, and provide
22 regulatory compliance information to assist the regulated community. Asbestos
23 inspectors shall have personal protective equipment when needed to enter a
24 regulated area; and

25 (c) Other personnel as necessary to administer the asbestos program.

26
27 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
29 REQUIREMENTS. The Department shall present the following data to Legislative
30 Council quarterly, due by the 15th day of the month following the quarter,
31 beginning July 15, ~~2011~~ 2012:

32 a) Number and type of environmental permits currently authorized by the
33 Department and the Pollution Control and Ecology Commission in each
34 environmental permit category;

35 b) Total funds collected from permit fees for each permit category and the
36 percent increase or decrease in permit fees annually;

1 c) Description of each environmental permit application pending in each
2 environmental permit category, the number of days each permit has been
3 pending, and the reasons for delays in issuing permits for each permit that
4 has been pending for more than 45 days;

5 d) Number and type of enforcement actions initiated by the Department, the
6 geographic location of each violation and the total fines and collections
7 from Supplemental Environmental Projects, the percent increase or decrease in
8 fines levied annually and

9 e) Description of all pending rulemaking activities and justifications
10 thereof, including economic impact and environmental benefit analysis.

11 The provisions of this section shall be in effect only from July 1,
12 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

13
14 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
16 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
17 the Arkansas Department of Environmental Quality may transfer from various
18 department funds to the Arkansas Department of Environmental Quality Fund
19 Account, the sum of \$1,500,000 in fiscal year ~~2011-2012~~ 2012-2013, for the
20 exclusive purpose of supplementing funding for the appropriation provided in
21 Section 3. Appropriation - State Operations. The funds shall be used for
22 personal services and operating expenses of the Arkansas Department of
23 Environmental Quality - State Operations. Funds which remain in the Arkansas
24 Department of Environmental Quality Fund Account at the close of the fiscal
25 year shall be carried forward and made available for the same purpose for the
26 following fiscal year. These funds shall be used for the purpose stated
27 above.

28
29 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
31 REQUIREMENTS. For the purposes of the fund transfers provided for in Section
32 38 - Fund Transfer Provision, the amounts transferred shall not be considered
33 as part of any statutory limitation on the use of funds for administration of
34 programs of the Department.

35
36 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
2 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000
3 per site from the Landfill Post-Closure Trust Fund, as appropriated in
4 Section 20, Item (04) for corrective action to remedy environmental impacts
5 of closed disposal sites previously operated as a landfill pursuant to state
6 law will be prioritized and authorized by the Commission after addressing
7 corrective actions needed to address environmental impacts from permitted
8 landfills closed properly. The total of the said expenditures shall not
9 exceed \$2,000,000 per fiscal year.

10
11 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
13 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas
14 Department of Environmental Quality Fee Trust Fund for the cleanup of non
15 hazardous sites which pose a threat to the environment, as appropriated in
16 Section 32, shall be funded only through interest earnings from the Arkansas
17 Department of Environmental Quality Fee Trust Fund. The Arkansas Department
18 of Environmental Quality shall seek cost recovery from parties responsible
19 for damages to the environment that dictate the use of appropriation
20 authorized in Section 32 of this act, as well as, any other funds spent by a
21 governmental entity to remediate such non hazardous sites.

22
23 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 FAYETTEVILLE SHALE QUARTERLY REPORTING. The Arkansas Department of
26 Environmental Quality shall report on a quarterly basis to the Arkansas
27 Legislative Council or the Joint Budget Committee the number of inspections,
28 any hearings, findings, orders, fines, or other agency regulatory or
29 enforcement actions or activities involving the Fayetteville Shale. The
30 quarterly reports shall be provided no later than the 15th day of the month
31 immediately following the end of each quarter.

32 The provisions of this section shall be in effect only from July 1,
33 ~~2011~~ 2012 through June 30, ~~2012~~ 2013.

34
35 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

1 PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM. The Arkansas Department of
2 Environmental Quality shall adopt policies before September 1, 2012 to ensure
3 its cooperation regarding provision to the Division of Public School Academic
4 Facilities and Transportation copies of the reports of inspections required
5 under Arkansas Code § 6-21-813 (d) through (f) for the Arkansas Public School
6 Academic Facilities Program Act.

7
8 SECTION 44. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 45. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this act shall be in compliance with the stated reasons for
21 which this act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 46. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly, that the Constitution of the State of Arkansas prohibits
29 the appropriation of funds for more than a one (1) year period; that the
30 effectiveness of this Act on July 1, 2012 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the legislative session, the delay in the
33 effective date of this Act beyond July 1, 2012 could work irreparable harm
34 upon the proper administration and provision of essential governmental
35 programs. Therefore, an emergency is hereby declared to exist and this Act
36 being necessary for the immediate preservation of the public peace, health

1 and safety shall be in full force and effect from and after July 1, 2012.

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/s/Joint Budget Committee

APPROVED: 03/05/2012