

**DEPARTMENT OF ENVIRONMENTAL QUALITY (930)
2009-11 BIENNIUM**

I) AGENCY SUMMARY & REVENUE SOURCES

MISSION

The Arkansas Department of Environmental Quality (ADEQ) is an executive agency whose purpose is to safeguard the air, water, and land resources of Arkansas by controlling or abating existing pollution of these resources and preventing new pollution through the adoption of regulations and the enforcement of existing state and federal regulations concerning pollution. The Pollution Control and Ecology Commission promulgates rules and regulations for the Department and provides an appeal of permitting or grants decisions rendered by the director or his delegate or of administrative enforcement or emergency actions.

TOTAL BIENNIAL BUDGET

The total budget for the first year is \$108,389,211 and \$106,000,609 for the second year of the biennium.

FUNDING SOURCE

The budget is funded by Fund Balances, General Revenues, special revenue funds, federal funds, unfunded appropriations/Revolving Funds/Non-Revenue receipts, and trust funds.

II) CHANGES/APPROPRIATIONS

The Executive Recommendations provides for an increase in General Revenue appropriation of \$319,725 in the first year of the Biennium and \$230,226 in the second year. The General Revenue Funding is increased by \$1.5m each year. These increases include -

- Provide for 4 additional positions to work with the increased activities due to the Fayetteville Shale Project. The Increases will cover additional Salary and Matching Expenses for an ADEQ Inspector Supervisor, ADEQ Enforcement Coordinator and 2 ADEQ Inspectors as well as increases in Operating Expenses, Capital Outlay and Travel Expenses for these new positions.

- Increases in Federal Appropriation Capital Outlay of \$228,100 in FY10 and \$132,300 in FY11 to provide for the replacement of fleet vehicles and to replace obsolete equipment.

- Increase in Capital Outlay in the Hazardous Waste Permit Program which is funded by fees for permit applications and renewals of \$30,000 each year to replace one vehicle each year.

- Increase Appropriation of \$179,921 in FY10 and \$107,712 in FY11 for continuation of a supplemental position (Legal Policy Advisor) for the purpose of advising the Director.

- Increase in Capital Outlay of \$74,500 in FY10 and \$54,300 in FY11 to provide one hybrid vehicle to the Air Division

each year and to purchase a large format laminator.

III) POSITIONS

Total positions for FY 2009-2011: 427

Total positions for FY 2009: 423

IV) SPECIAL LANGUAGE

- Allows four (4) temporary or part-time extra help employees for Hazardous Waste Permit Program in the Land Program.
- Provides that appropriation for capital outlay and data processing purchases for the Hazardous Waste Clean Up appropriation be used for the purchase of departmental laboratory equipment and data processing equipment and funded only through interest earnings of from the Remedial Action Trust Fund, and that the Department shall report biennially these expenditures.
- Appropriation restriction language states no expenditure from the Environmental Settlement Trust Fund for Information Technology needs may be made without prior approval of Chief Fiscal Officer of the State and review by Arkansas Legislative Council. Also, utilization of appropriation for information technology needs must be approved by Exec. Chief Information Officer and approved projects and expenditures must be reported annually to the Joint Committee on Advanced Communications and Information Technology.
- States fees collected for Asbestos Abatement Program in Air Program shall be used to fund operations expenses, provide and train personnel to administer asbestos program & issue licenses
- Adds quarterly reporting requirements for environmental permit applications, permit fees, applications pending, enforcement actions initiated by the department, total fines and collections and pending rulemaking activities with economic impact and environmental benefit analysis.
- Fund transfer provision to supplement general revenue with transfers from various department funds into ADEQ Fund account.
- Allows carry forward of any unexpended balances of funds for Computer and Electronic Recycling Management Expenses or Grants from the first fiscal year into the second fiscal year.