

DEPARTMENT OF ENVIRONMENTAL QUALITY (930)

FISCAL YEAR 2016

As Enacted by Act 77 and Act 721 of 2015

**I) AGENCY SUMMARY & REVENUE SOURCES**

**MISSION**

The Arkansas Department of Environmental Quality's (ADEQ) purpose is to safeguard the air, water, and land resources of Arkansas by controlling or abating existing pollution of these resources, preventing new pollution through the adoption of regulations, and enforce 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 APPROPRIATION**

The total appropriation for the Arkansas Department of Environmental Quality (ADEQ) is \$104,014,781.

**FUNDING SOURCE**

The appropriations for ADEQ are funded by Fund Balances, General Revenues, special revenue funds, federal funds, and trust funds.

**II) CHANGE LEVEL REQUESTS**

**FEDERAL OPERATIONS**

The agency utilizes this appropriation for the federal portion of program activities which is received from the Environmental Protection Agency and the US Department of Interior. The change level request increase of \$942,500 in FY2016 provides for a decrease in Operating Expenses to reallocate appropriation to Professional and Administrative Fees and Grants and Aid, a decrease in Conference and Travel Fees, and an increase in Professional and Administrative Fees to meet its obligations under the Federal Grant Program. The change level request also provides for an increase in Grants and Aid to meet obligations under the DERA Grant Program and for increase in Capital Outlay to replace equipment and vehicles.

**HAZARDOUS WASTE PERMIT PROGRAM**

This appropriation is used to operate the Hazardous Waste Permit Program. The change level request provides for an increase of \$20,000 in Capital Outlay to purchase replacement vehicles for the division's inspectors.

**FEE ADMINISTRATION**

The change level request provides for an increase of \$221,000 in FY2016 for Professional Fees to help fund a contract with the University of Arkansas Agriculture Extension Service and a Capital Outlay increase to purchase equipment.

**HAZARDOUS WASTE CLEANUP**

This appropriation is used for administrative costs and expenses of providing for inspection, identification, containment, abatement, treatment, and control of hazardous substance sites. The change level request provides for an increase of \$475,833 in FY2016 to reallocate Operating Expenses, Conference Fees, and Travel from the Emergency Response Program. The change level request also provides for an increase in Capital Outlay to replace aging laboratory or

IT equipment.

**SOLID WASTE MANAGEMENT/RECYCLING PROGRAM**

The change level request provides for an increase of \$25,000 in Capital Outlay to purchase replacement vehicles for the division's inspectors.

**PCE COMMISSION EXPENSES**

The appropriation is funded by general revenue. The change level requests provides for an increase of \$500 for Commission member travel reimbursement.

**Nonmunicipal Domestic Sewage Treatment Works (Act 721 of 2015)**

The appropriation is used for personal services, operating expenses, professional fees, maintenance, and completed closure of nonmunicipal domestic sewage treatment works.

**III) ADDITIONAL POSITIONS (Total FY2015 Authorized Positions:423)**

Total Authorized Positions FY2016: 422

Total Base Level Positions: 422

Increase / (Decrease) Over Base Level: 0

Extra Help Positions FY2016: 70 (Total FY2015 Authorized Extra Help: 70)

**IV) SPECIAL LANGUAGE**

**EXTRA HELP:** Allows four (4) temporary or part-time extra help employees for Hazardous Waste Permit Program in the Land Program.

**EQUIPMENT PURCHASE RESTRICTIONS:** Provides that 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 from the Remedial Action Trust Fund, with biennial reporting of these expenditures.

**APPROPRIATION RESTRICTIONS:** 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.

**ADEQ ASBESTOS PROGRAM:** Fees collected for Asbestos Abatement Program in Air Program shall be used to fund operations expenses, provide and train personnel to administer asbestos program, and issue licenses.

**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:** provides authorization to supplement general revenue with transfers from various department funds into ADEQ Fund account after approval of the Chief Fiscal Officer of the State, and allows carry forward of any unexpended balances of funds for departmental operations.

**REPORTING REQUIREMENTS:** Amounts transferred to supplement funding for operations shall not be considered as part of any statutory limitation on the use of funds for other department programs.

**LANDFILL POST-CLOSURE CLEAN UP RESTRICTIONS:** Expenditures in excess of \$50,000 will be prioritized and expenditures shall not exceed \$2,000,000 per

fiscal year.

**NON HAZARDOUS SITE CLEAN UP RESTRICTIONS:** Expenditures shall be funded only through interest earnings from the ADEQ Fee Trust Fund.

**LANDFILL POST-CLOSURE TRUST FUND:** Allowing the agency to expend monies from the Landfill Post Closure Trust Fund to complete final closure and post-closure of a landfill.

April 2015