

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1309

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
10 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS DEPARTMENT OF
16 ENVIRONMENTAL QUALITY APPROPRIATION FOR THE
17 2011-2012 FISCAL YEAR.
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Arkansas Department of Environmental Quality for the 2011-2012 fiscal year,
25 the following maximum number of regular employees.
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1) U015U	ADEQ DIRECTOR	1	\$123,492
32	(2) U075U	ADEQ CHIEF DEPUTY DIRECTOR	1	\$101,827
33	(3) N067N	ADEQ DEPUTY DIR - LAND RESOURCES	1	GRADE N908
34	(4) X004C	ADEQ AIR DIVISION MANAGER	1	GRADE C129
35	(5) G005C	ADEQ WATER DIVISION MANAGER	1	GRADE C129
36	(6) G004C	MANAGING ATTORNEY	1	GRADE C129



1	(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
2	(8)	G035C	ADEQ ADMINISTRATION DIVISION MGR	1	GRADE C127
3	(9)	G034C	ADEQ ASST AIR/WATER DIVISION MGR	2	GRADE C127
4	(10)	B012C	ADEQ ENGINEER P.E. BRANCH MANAGER	2	GRADE C127
5	(11)	G033C	ADEQ HAZARDOUS WASTE DIVISION MGR	1	GRADE C127
6	(12)	G032C	ADEQ MINING DIVISION MANAGER	1	GRADE C127
7	(13)	G031C	ADEQ PUBLIC OUTREACH DIVISION MGR	1	GRADE C127
8	(14)	G030C	ADEQ REG STORAGE TANKS DIV MGR	1	GRADE C127
9	(15)	G029C	ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE C127
10	(16)	G028C	ADEQ TECHNICAL SVS DIVISION MGR	1	GRADE C127
11	(17)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
12	(18)	G019C	GENERAL COUNSEL	1	GRADE C127
13	(19)	G047C	ATTORNEY SPECIALIST	8	GRADE C126
14	(20)	B015C	ENGINEER SUPERVISOR	11	GRADE C126
15	(21)	G063C	ADEQ BRANCH MANAGER	15	GRADE C125
16	(22)	B023C	ENGINEER, P.E.	20	GRADE C124
17	(23)	D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE C124
18	(24)	D039C	NETWORK SUPPORT SPECIALIST	1	GRADE C123
19	(25)	X036C	ADEQ INSPECTOR SUPERVISOR	11	GRADE C122
20	(26)	B037C	CHEMIST SUPERVISOR	3	GRADE C122
21	(27)	L028C	EPIDEMIOLOGIST	6	GRADE C122
22	(28)	B035C	GEOLOGY SUPERVISOR	5	GRADE C122
23	(29)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
24	(30)	B042C	ENGINEER	28	GRADE C121
25	(31)	R014C	PERSONNEL MANAGER	1	GRADE C121
26	(32)	B043C	PROFESSIONAL GEOLOGIST	18	GRADE C121
27	(33)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
28	(34)	X059C	ADEQ ENFORCEMENT COORDINATOR	9	GRADE C120
29	(35)	G139C	ADEQ FACILITY SUPPORT SVCS MANAGER	1	GRADE C120
30	(36)	B055C	ECOLOGIST COORDINATOR	2	GRADE C120
31	(37)	X054C	ENVIRONMENTAL PROGRAM COORDINATOR	30	GRADE C120
32	(38)	P013C	PUBLIC INFORMATION COORDINATOR	2	GRADE C120
33	(39)	X075C	ADEQ ENFORCEMENT ANALYST	13	GRADE C119
34	(40)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
35	(41)	B065C	ECOLOGIST	13	GRADE C119
36	(42)	X186C	ADEQ AIR COMPLIANCE MONITOR	2	GRADE C118

1	(43)	X093C	ADEQ INSPECTOR	80	GRADE C118
2	(44)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
3	(45)	D064C	WEBSITE DEVELOPER	1	GRADE C118
4	(46)	B081C	CHEMIST	10	GRADE C117
5	(47)	G180C	GRANTS ANALYST	3	GRADE C117
6	(48)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
7	(49)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
8	(50)	G179C	LEGAL SERVICES SPECIALIST	6	GRADE C117
9	(51)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
10	(52)	A089C	ACCOUNTANT I	2	GRADE C116
11	(53)	P027C	PUBLIC INFORMATION SPECIALIST	4	GRADE C116
12	(54)	C037C	ADMINISTRATIVE ANALYST	24	GRADE C115
13	(55)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
14	(56)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
15	(57)	C056C	ADMINISTRATIVE SPECIALIST III	38	GRADE C112
16	(58)	C073C	ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE C109
17			MAX. NO. OF EMPLOYEES	427	

18

19 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
 20 Department of Environmental Quality for the 2011-2012 fiscal year, the
 21 following maximum number of part-time or temporary employees, to be known as
 22 "Extra Help", payable from funds appropriated herein for such purposes:
 23 sixty-six (66) temporary or part-time employees, when needed, at rates of pay
 24 not to exceed those provided in the Uniform Classification and Compensation
 25 Act, or its successor, or this act for the appropriate classification.

26

27 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 28 appropriated, to the Arkansas Department of Environmental Quality, to be
 29 payable from the Arkansas Department of Environmental Quality Fund Account,
 30 for personal services and operating expenses of the Arkansas Department of
 31 Environmental Quality - State Operations for the fiscal year ending June 30,
 32 2012, the following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2011-2012</u>
36	(01) REGULAR SALARIES	\$3,606,769

1	(02) EXTRA HELP	25,674
2	(03) PERSONAL SERVICES MATCHING	1,068,079
3	(04) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	353,183
5	(B) CONF. & TRAVEL	32,115
6	(C) PROF. FEES	4,100
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$5,089,920</u></u>

10

11 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 12 appropriated, to the Arkansas Department of Environmental Quality, to be
 13 payable from the federal funds as designated by the Chief Fiscal Officer of
 14 the State, for personal services and operating expenses of the Arkansas
 15 Department of Environmental Quality - Federal Operations for the fiscal year
 16 ending June 30, 2012, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2011-2012</u>
20	(01) REGULAR SALARIES	\$5,091,841
21	(02) EXTRA HELP	148,585
22	(03) PERSONAL SERVICES MATCHING	1,535,246
23	(04) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	4,289,060
25	(B) CONF. & TRAVEL	271,126
26	(C) PROF. FEES	2,045,401
27	(D) CAP. OUTLAY	1,051,000
28	(E) DATA PROC.	0
29	(05) CONTRACTUAL SERVICES	2,565,000
30	(06) ARRA OF 2009	<u>750,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$17,747,259</u></u>

32

33 SECTION 5. APPROPRIATION - WASTE WATER LICENSING. There is hereby
 34 appropriated, to the Arkansas Department of Environmental Quality, to be
 35 payable from the Wastewater Licensing Fund, for personal services and
 36 operating expenses of the Arkansas Department of Environmental Quality -

1 Waste Water Licensing for the fiscal year ending June 30, 2012, the
 2 following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2011-2012</u>
6 (01) REGULAR SALARIES	\$99,640
7 (02) PERSONAL SERVICES MATCHING	33,148
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	26,632
10 (B) CONF. & TRAVEL	5,089
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	20,000
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$184,509</u></u>

15
 16 SECTION 6. APPROPRIATION - LAND RECLAMATION. There is hereby
 17 appropriated, to the Arkansas Department of Environmental Quality, to be
 18 payable from the Land Reclamation Fund, for land reclamation contracts of the
 19 Arkansas Department of Environmental Quality - Land Reclamation for the
 20 fiscal year ending June 30, 2012, the following:

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2011-2012</u>
24 (01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

25
 26 SECTION 7. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is
 27 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 28 be payable from the Hazardous Waste Permit Fund, for personal services and
 29 operating expenses of the Arkansas Department of Environmental Quality -
 30 Hazardous Waste Permit Program for the fiscal year ending June 30, 2012, the
 31 following:

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2011-2012</u>
35 (01) REGULAR SALARIES	\$977,978
36 (02) EXTRA HELP	15,795

1	(03) PERSONAL SERVICES MATCHING	292,281
2	(04) OVERTIME	1,250
3	(05) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	197,304
5	(B) CONF. & TRAVEL	47,700
6	(C) PROF. FEES	53,000
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,585,308</u></u>

10

11 SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is
 12 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 13 be payable from the Abandoned Mine Reclamation Fund, for contractual services
 14 of the Arkansas Department of Environmental Quality - Reclamation of
 15 Abandoned Mines for the fiscal year ending June 30, 2012, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2011-2012</u>
19	(01) ABANDONED MINE RECLAMATION	
20	CONTRACTUAL SERVICES	<u><u>\$5,700,000</u></u>

21

22 SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby
 23 appropriated, to the Arkansas Department of Environmental Quality, to be
 24 payable from the Surface Coal Mining Operation Fund, for operating expenses
 25 of the Arkansas Department of Environmental Quality - Surface Coal Mining for
 26 the fiscal year ending June 30, 2012, the following:

27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2011-2012</u>
30	(01) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	\$15,000
32	(B) CONF. & TRAVEL	0
33	(C) PROF. FEES	0
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u><u>\$15,000</u></u>

1
 2 SECTION 10. APPROPRIATION - MINING RECLAMATION. There is hereby
 3 appropriated, to the Arkansas Department of Environmental Quality, to be
 4 payable from the Mine Reclamation Trust Fund, for contractual services of the
 5 Arkansas Department of Environmental Quality - Mining Reclamation for the
 6 fiscal year ending June 30, 2012, the following:

7

8 ITEM	FISCAL YEAR
9 <u>NO.</u>	<u>2011-2012</u>
10 (01) MINING RECLAMATION CONTRACTUAL	
11 SERVICES	<u>\$1,520,000</u>

12

13 SECTION 11. APPROPRIATION - FEE ADMINISTRATION. There is hereby
 14 appropriated, to the Arkansas Department of Environmental Quality, to be
 15 payable from the Arkansas Department of Environmental Quality Fee Trust Fund,
 16 for personal services and operating expenses of the Arkansas Department of
 17 Environmental Quality - Fee Administration for the fiscal year ending June
 18 30, 2012, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2011-2012</u>
22 (01) REGULAR SALARIES	\$7,520,622
23 (02) EXTRA HELP	45,000
24 (03) PERSONAL SERVICES MATCHING	2,292,052
25 (04) MAINT. & GEN. OPERATION	
26 (A) OPER. EXPENSE	1,698,170
27 (B) CONF. & TRAVEL	152,389
28 (C) PROF. FEES	1,598,519
29 (D) CAP. OUTLAY	1,087,000
30 (E) DATA PROC.	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$14,393,752</u>

32

33 SECTION 12. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.
 34 There is hereby appropriated, to the Arkansas Department of Environmental
 35 Quality, to be payable from the Solid Waste Performance Bond Fund, for
 36 contractual services of the Arkansas Department of Environmental Quality -

1 Solid Waste Performance Bonds Program for the fiscal year ending June 30,
 2 2012, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2011-2012</u>
6 (01) SOLID WASTE PERFORMANCE BONDS	
7 CONTRACTUAL SERVICES	<u>\$500,000</u>

8

9 SECTION 13. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
 10 appropriated, to the Arkansas Department of Environmental Quality, to be
 11 payable from the Hazardous Substance Remedial Action Trust Fund, for personal
 12 services and operating expenses of the Arkansas Department of Environmental
 13 Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2012,
 14 the following:

15

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2011-2012</u>
18 (01) REGULAR SALARIES	\$132,779
19 (02) PERSONAL SERVICES MATCHING	40,994
20 (03) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	401,358
22 (B) CONF. & TRAVEL	33,960
23 (C) PROF. FEES	250,000
24 (D) CAP. OUTLAY	223,000
25 (E) DATA PROC.	0
26 (04) CONTRACTUAL SERVICES	6,194,000
27 (05) DATA PROCESSING PURCHASES	<u>453,937</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$7,730,028</u>

29

30 SECTION 14. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is
 31 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 32 be payable from the Hazardous Substance Remedial Action Trust Fund, for
 33 personal services and operating expenses of the Arkansas Department of
 34 Environmental Quality - Emergency Response Program for the fiscal year ending
 35 June 30, 2012, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2011-2012</u>
3	(01) REGULAR SALARIES	\$89,667
4	(02) PERSONAL SERVICES MATCHING	27,380
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	3,833
7	(B) CONF. & TRAVEL	2,000
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) CONTRACTUAL SERVICES	<u>372,655</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$495,535</u></u>

13

14 SECTION 15. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby
 15 appropriated, to the Arkansas Department of Environmental Quality, to be
 16 payable from the Asbestos Control Fund, for personal services and operating
 17 expenses of the Arkansas Department of Environmental Quality - Asbestos
 18 Control Program for the fiscal year ending June 30, 2012, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2011-2012</u>
22	(01) REGULAR SALARIES	\$163,280
23	(02) PERSONAL SERVICES MATCHING	51,723
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	29,452
26	(B) CONF. & TRAVEL	4,090
27	(C) PROF. FEES	2,100
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$250,645</u></u>

31

32 SECTION 16. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING
 33 PROGRAM. There is hereby appropriated, to the Arkansas Department of
 34 Environmental Quality, to be payable from the Solid Waste Management
 35 Recycling Fund, for personal services and operating expenses of the Arkansas
 36 Department of Environmental Quality - Solid Waste Management and Recycling

1 Program for the fiscal year ending June 30, 2012, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2011-2012</u>
5 (01) REGULAR SALARIES	\$866,568
6 (02) PERSONAL SERVICES MATCHING	266,409
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	126,529
9 (B) CONF. & TRAVEL	15,668
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	0
13 (04) RECYCLING GRANTS	4,650,000
14 (05) ELECTRONIC WASTE RECYCLING	
15 INFRASTRUCTURE	<u>2,500,000</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$8,425,174</u></u>

17

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

19 There is hereby appropriated, to the Arkansas Department of Environmental
 20 Quality, to be payable from the Regulated Substance Storage Tank Program
 21 Fund, for personal services and operating expenses of the Arkansas Department
 22 of Environmental Quality - Regulated Substance Storage Tank Program for the
 23 fiscal year ending June 30, 2012, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2011-2012</u>
27 (01) REGULAR SALARIES	\$701,178
28 (02) PERSONAL SERVICES MATCHING	224,935
29 (03) MAINT. & GEN. OPERATION	
30 (A) OPER. EXPENSE	71,128
31 (B) CONF. & TRAVEL	5,005
32 (C) PROF. FEES	0
33 (D) CAP. OUTLAY	0
34 (E) DATA PROC.	<u>0</u>
35 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,002,246</u></u>

36

SECTION 18. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Petroleum Storage Tank Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) REGULAR SALARIES	\$212,797
(02) PERSONAL SERVICES MATCHING	61,151
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	18,999,800
(B) CONF. & TRAVEL	3,005
(C) PROF. FEES	2,500,156
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$21,776,909</u></u>

SECTION 19. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Arkansas Department of Environmental Quality - Regulated Storage Tank Program - Federal for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) REGULATED STORAGE TANK & CONTRACTUAL SERVICES	<u><u>\$3,925,000</u></u>

SECTION 20. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Landfill Post-Closure Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Landfill Post-Closure Program for the fiscal year ending June 30, 2012, the

1 following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2011-2012</u>
5 (01) REGULAR SALARIES	\$304,762
6 (02) PERSONAL SERVICES MATCHING	89,177
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	30,923
9 (B) CONF. & TRAVEL	6,000
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	35,000
12 (E) DATA PROC.	0
13 (04) CONTRACTUAL SERVICES	<u>7,398,373</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$7,864,235</u></u>

15

16 SECTION 21. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is
 17 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 18 be payable from the Waste Tire Grant Fund, for waste tire recycling grants of
 19 the Arkansas Department of Environmental Quality - Waste Tire Recycling
 20 Program for the fiscal year ending June 30, 2012, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2011-2012</u>
24 (01) WASTE TIRE RECYCLING GRANTS	<u>\$6,425,000</u>

25

26 SECTION 22. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES
 27 PROGRAM. There is hereby appropriated, to the Arkansas Department of
 28 Environmental Quality, to be payable from the Marketing Board Fund, for
 29 personal services and operating expenses of the Arkansas Department of
 30 Environmental Quality - State Marketing Board for Recyclables Program for the
 31 fiscal year ending June 30, 2012, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2011-2012</u>
35 (01) REGULAR SALARIES	\$1,500
36 (02) PERSONAL SERVICES MATCHING	115

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	13,846
3	(B) CONF. & TRAVEL	6,415
4	(C) PROF. FEES	7,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$28,876</u></u>

8

9 SECTION 23. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is
 10 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 11 be payable from the Environmental Education Fund, for personal services and
 12 operating expenses of the Arkansas Department of Environmental Quality -
 13 Environmental Education Program for the fiscal year ending June 30, 2012, the
 14 following:

15

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2011-2012</u>
18	(01) REGULAR SALARIES	\$49,563
19	(02) PERSONAL SERVICES MATCHING	14,579
20	(03) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	152,961
22	(B) CONF. & TRAVEL	8,000
23	(C) PROF. FEES	94,000
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u><u>\$319,103</u></u>

27

28 SECTION 24. APPROPRIATION - LEAD-BASED PAINT HAZARD PROGRAM. There is
 29 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 30 be payable from the Lead-Based Paint Hazard Fund, for operating expenses of
 31 the Lead-Based Paint Program of the Arkansas Department of Environmental
 32 Quality for the fiscal year ending June 30, 2012, the following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2011-2012</u>
36	(01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$16,825
2	(B) CONF. & TRAVEL	1,425
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$18,250</u></u>

7

8 SECTION 25. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby

9 appropriated, to the Arkansas Department of Environmental Quality, to be

10 payable from the Small Business Revolving Loan Fund, for providing loans to

11 small businesses for projects to meet regulatory mandates in pollution

12 control and prevention technologies of the Arkansas Department of

13 Environmental Quality for the fiscal year ending June 30, 2012, the

14 following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2011-2012</u>
18	(01) SMALL BUSINESS LOANS	<u><u>\$550,000</u></u>

19

20 SECTION 26. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.

21 There is hereby appropriated, to the Arkansas Department of Environmental

22 Quality, to be payable from the Small Business Revolving Loan Fund, for

23 personal services and operating expenses of the Arkansas Department of

24 Environmental Quality - Small Business Revolving Loan Program for the fiscal

25 year ending June 30, 2012, the following:

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2011-2012</u>
29	(01) REGULAR SALARIES	\$26,739
30	(02) PERSONAL SERVICES MATCHING	10,109
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	11,010
33	(B) CONF. & TRAVEL	3,650
34	(C) PROF. FEES	5,000
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$56,508

2

3 SECTION 27. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

4 There is hereby appropriated, to the Arkansas Department of Environmental
 5 Quality, to be payable from the Performance Partnership Trust Fund, for
 6 expenses of designing and establishing a management organization of the
 7 Arkansas Department of Environmental Quality for the fiscal year ending June
 8 30, 2012, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2011-2012</u>
12 (01) PERFORMANCE INTEGRATED INFORMATION	
13 SYSTEM EXPENSES	<u>\$600,000</u>

14

15 SECTION 28. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is
 16 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 17 be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as
 18 authorized through various settlement agreements benefiting the State of
 19 Arkansas as administered through the Arkansas Department of Environmental
 20 Quality for the fiscal year ending June 30, 2012, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2011-2012</u>
24 (01) ENVIRONMENTAL SETTLEMENT TRUST	
25 EXPENSES	<u>\$750,000</u>

26

27 SECTION 29. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There
 28 is hereby appropriated, to the Arkansas Department of Environmental Quality,
 29 to be payable from the Computer and Electronic Recycling Fund, for grants and
 30 expenses of the Arkansas Department of Environmental Quality - Computer and
 31 Electronic Recycling for the fiscal year ending June 30, 2012, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2011-2012</u>
35 (01) COMPUTER AND ELECTRONICS RECYCLING	
36 MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

SECTION 30. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION
 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the
 Arkansas Department of Environmental Quality for the 2011-2012 fiscal year,
 the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
(1)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	1	GRADE C127
(2)	G179C	LEGAL SERVICES SPECIALIST	<u>1</u>	GRADE C117
		MAX. NO. OF EMPLOYEES	2	

SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the
 Arkansas Department of Environmental Quality, to be payable from the Arkansas
 Department of Environmental Quality Fee Trust Fund, for personal services and
 operating expenses of the Arkansas Department of Environmental Quality -
 Pollution Control and Ecology Commission - Administrative Hearing Officer for
 the fiscal year ending June 30, 2012, the following:

ITEM NO.		FISCAL YEAR 2011-2012
(01)	REGULAR SALARIES	\$131,932
(02)	PERSONAL SERVICES MATCHING	34,634
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	87,217
	(B) CONF. & TRAVEL	6,922
	(C) PROF. FEES	0
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$260,705</u>

SECTION 32. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 EXPENSES. There is hereby appropriated, to the Arkansas Department of

1 Environmental Quality, to be payable from the Miscellaneous Agencies Fund
 2 Account, for expenses of the Pollution Control and Ecology Commission of the
 3 Arkansas Department of Environmental Quality for the fiscal year ending June
 4 30, 2012, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2011-2012</u>
8 (01) PC&E COMMISSION EXPENSES	<u>\$3,977</u>

9
 10 SECTION 33. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is
 11 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 12 be payable from the Arkansas Department of Environmental Quality Fee Trust
 13 Fund, for the cleanup of non hazardous sites which pose a threat to the
 14 environment for the fiscal year ending June 30, 2012, the following:

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2011-2012</u>
18 (01) CONTRACTUAL SERVICES	<u>\$750,000</u>

19
 20 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 22 HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the
 23 Arkansas Department of Environmental Quality - Hazardous Waste Permit Program
 24 for the ~~2010-2011~~ 2011-2012 fiscal year, the following maximum number of
 25 part-time or temporary employees, to be known as "Extra Help", payable from
 26 funds appropriated herein for such purposes: Four (4) temporary or part-time
 27 employees, when needed, at rates of pay not to exceed those provided in the
 28 Uniform Classification and Compensation Act, or its successor, for the
 29 appropriate classification. These four positions are utilized for a specific
 30 project and are specifically exempt from the limitations, either by act or
 31 regulation, of hours worked.

32 The provisions of this section shall be in effect only from July 1, ~~2010~~
 33 2011 through June 30, ~~2011~~ 2012.

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

1 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial
2 Action Trust Fund for the purchase of departmental laboratory equipment,
3 including maintenance contracts, and data processing equipment and mission-
4 critical software, including maintenance contracts, as appropriated in
5 Section 13, in Items (03)(D) and (05) shall be funded only through interest
6 earnings from the Hazardous Substance Remedial Action Trust Fund. Further,
7 the Department shall report biennially to the Legislative Council all
8 expenditures from interest earnings for these purchases.

9 The provisions of this section shall be in effect only from July 1, ~~2010~~
10 2011 through June 30, ~~2011~~ 2012.

11
12 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

14 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement
15 Trust Fund for information technology needs may be made without prior
16 approval of the Chief Fiscal Officer of the State, after seeking review of
17 the Arkansas Legislative Council. Further, utilization of this appropriation
18 for information technology needs of the Arkansas Department of Environmental
19 Quality must also be approved by the Executive Chief Information Officer
20 after the project is evaluated on the methodology recommended by the Chief
21 Information Officer and the CIO Council, including an analysis of the return
22 on investment and linkage to the Department's business objectives. Any
23 approved projects and expenditures for information technology from the
24 Environmental Settlement Trust Fund shall be reported annually to the Joint
25 Committee on Advanced Communications and Information Technology.

26
27 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ

29 ASBESTOS PROGRAM. The fees collected pursuant to Arkansas Code 20-27-1004(5)
30 shall be used by the department to fund operational expenses and to provide
31 and train personnel to administer an asbestos program, as funding is
32 available, including:

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

36 (b) Personnel who are trained as asbestos supervisors as defined by Arkansas

1 Code 20-27-1003 and Arkansas Pollution Control and Ecology Commission
2 Regulation No.21 to approve asbestos Notices of Intent, perform and
3 coordinate asbestos inspections, conduct enforcement actions, and provide
4 regulatory compliance information to assist the regulated community. Asbestos
5 inspectors shall have personal protective equipment when needed to enter a
6 regulated area; and

7 (c) Other personnel as necessary to administer the asbestos program.
8

9 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
11 REQUIREMENTS. The Department shall present the following data to Legislative
12 Council quarterly, due by the 15th day of the month following the quarter,
13 beginning July 15, ~~2010~~ 2011:

14 a) Number and type of environmental permits currently authorized by the
15 Department and the Pollution Control and Ecology Commission in each
16 environmental permit category;

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

19 c) Description of each environmental permit application pending in each
20 environmental permit category, the number of days each permit has been
21 pending, and the reasons for delays in issuing permits for each permit that
22 has been pending for more than 45 days;

23 d) Number and type of enforcement actions initiated by the Department, the
24 geographic location of each violation and the total fines and collections
25 from Supplemental Environmental Projects, the percent increase or decrease in
26 fines levied annually and

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

29 The provisions of this section shall be in effect only from July 1,
30 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.
31

32 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
34 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
35 the Arkansas Department of Environmental Quality may transfer from various
36 department funds to the Arkansas Department of Environmental Quality Fund

1 Account, the sum of \$1,500,000 in fiscal year ~~2010-2011~~ 2011-2012, for the
2 exclusive purpose of supplementing funding for the appropriation provided in
3 Section 3. Appropriation - State Operations. The funds shall be used for
4 personal services and operating expenses of the Arkansas Department of
5 Environmental Quality - State Operations. Funds which remain in the Arkansas
6 Department of Environmental Quality Fund Account at the close of the fiscal
7 year shall be carried forward and made available for the same purpose for the
8 following fiscal year. These funds shall be used for the purpose stated
9 above.

10
11 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
13 REQUIREMENTS. For the purposes of the fund transfers provided for in Section
14 39 - Fund Transfer Provision, the amounts transferred shall not be considered
15 as part of any statutory limitation on the use of funds for administration of
16 programs of the Department.

17
18 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
20 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000
21 per site from the Landfill Post-Closure Trust Fund, as appropriated in
22 Section 20, Item (04) for corrective action to remedy environmental impacts
23 of closed disposal sites previously operated as a landfill pursuant to state
24 law will be prioritized and authorized by the Commission after addressing
25 corrective actions needed to address environmental impacts from permitted
26 landfills closed properly. The total of the said expenditures shall not
27 exceed ~~five percent (5%)~~ \$2,000,000 per fiscal year. ~~of the fund balance as~~
28 ~~of July 1, 2009.~~

29
30 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
32 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas
33 Department of Environmental Quality Fee Trust Fund for the cleanup of non
34 hazardous sites which pose a threat to the environment, as appropriated in
35 Section 33, shall be funded only through interest earnings from the Arkansas
36 Department of Environmental Quality Fee Trust Fund. The Arkansas Department

1 of Environmental Quality shall seek cost recovery from parties responsible
2 for damages to the environment that dictate the use of appropriation
3 authorized in Section 33 of this act, as well as, any other funds spent by a
4 governmental entity to remediate such non hazardous sites.

5
6 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
8 DISPOSAL FEES. (a)(1) The collection of all landfill disposal fees that are
9 or were to be collected under § 8-6-612 shall be suspended until July 1, ~~2011~~
10 2012, and collection of the following landfill disposal fees shall be
11 substituted until that date:

12 (A) Each landfill permittee shall pay fifteen cents (15¢)
13 per uncompacted cubic yard of solid waste; and

14 (B) Each landfill permittee shall pay thirty cents (30¢)
15 per compacted cubic yard of solid waste received at the landfill.

16 (2) If a landfill permittee is required or chooses to operate on
17 a weight basis, the landfill disposal fee shall be one dollar (\$1.00) per ton
18 of solid waste received at the landfill.

19 (b) The following shall be exempt from payment of fees under
20 subsection (a) of this section:

21 (1) A solid waste transporter under § 8-6-603(10); and

22 (2) A landfill permittee where a private industry bears the
23 expense of operating and maintaining the landfill solely for the disposal of
24 wastes generated by the industry.

25 (c) The fees under subdivisions (a) of this section shall be:

26 (1) Collected in the same manner as stated in § 8-6-607(1) and
27 (2); and

28 (2) Deemed to be special revenues to be deposited into the State
29 Treasury to the credit of the Solid Waste Management and Recycling Fund for
30 support of the computer and electronic recycling program.

31 (d) Solid waste collected during the annual Keep Arkansas Beautiful
32 and Keep America Beautiful campaigns that are sponsored by the Keep Arkansas
33 Beautiful Commission is exempt from the fees under subsection (a) of this
34 section.

35
36 SECTION 44. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

1 authorized by this act shall be limited to the appropriation for such agency
2 and funds made available by law for the support of such appropriations; and
3 the restrictions of the State Procurement Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal
6 control laws of this State, where applicable, and regulations promulgated by
7 the Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

9
10 SECTION 45. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this act shall be in compliance with the stated reasons for
13 which this act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 46. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly, that the Constitution of the State of Arkansas prohibits
21 the appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2011 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2011 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2011.