

State of Arkansas  
89th General Assembly  
Regular Session, 2013

*As Engrossed: H3/8/13*

# A Bill

HOUSE BILL 1056

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE  
30, 2014; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY APPROPRIATION FOR  
THE 2013-2014 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the  
Arkansas Department of Environmental Quality for the 2013-2014 fiscal year,  
the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	U015U	ADEQ DIRECTOR	1	\$128,960
(2)	U075U	ADEQ CHIEF DEPUTY DIRECTOR	1	\$106,335
(3)	N067N	ADEQ DEP DIRECTOR - LAND RESOURCES	1	GRADE N908
(4)	X004C	ADEQ AIR DIVISION MANAGER	1	GRADE C129
(5)	G005C	ADEQ WATER DIVISION MANAGER	1	GRADE C129
(6)	G004C	MANAGING ATTORNEY	1	GRADE C129
(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128



1	(8)	G035C	ADEQ ADMINISTRATION DIVISION MANAGER	1	GRADE C127
2	(9)	G034C	ADEQ ASST AIR/WATER DIVISION MANAGER	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 REGULATED STORAGE TANKS DIV MGR	1	GRADE C127
8	(15)	G029C	ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE C127
9	(16)	G028C	ADEQ TECHNICAL SERVICES 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	11	GRADE C119
35	(42)	G147C	GRANTS COORDINATOR	1	GRADE C119
36	(43)	X186C	ADEQ AIR COMPLIANCE MONITOR	2	GRADE C118

1	(44)	X093C	ADEQ INSPECTOR	80	GRADE C118
2	(45)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
3	(46)	D064C	WEBSITE DEVELOPER	1	GRADE C118
4	(47)	B081C	CHEMIST	10	GRADE C117
5	(48)	G180C	GRANTS ANALYST	2	GRADE C117
6	(49)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
7	(50)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
8	(51)	G179C	LEGAL SERVICES SPECIALIST	6	GRADE C117
9	(52)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
10	(53)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
11	(54)	A089C	ACCOUNTANT I	2	GRADE C116
12	(55)	V014C	BUYER	1	GRADE C116
13	(56)	P027C	PUBLIC INFORMATION SPECIALIST	4	GRADE C116
14	(57)	C037C	ADMINISTRATIVE ANALYST	20	GRADE C115
15	(58)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
16	(59)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
17	(60)	C056C	ADMINISTRATIVE SPECIALIST III	36	GRADE C112
18	(61)	C073C	ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE C109
19			MAX. NO. OF EMPLOYEES	421	

20

21 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 22 Department of Environmental Quality for the 2013-2014 fiscal year, the  
 23 following maximum number of part-time or temporary employees, to be known as  
 24 "Extra Help", payable from funds appropriated herein for such purposes:  
 25 seventy (70) temporary or part-time employees, when needed, at rates of pay  
 26 not to exceed those provided in the Uniform Classification and Compensation  
 27 Act, or its successor, or this act for the appropriate classification.

28

29 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 30 appropriated, to the Arkansas Department of Environmental Quality, to be  
 31 payable from the Arkansas Department of Environmental Quality Fund Account,  
 32 for personal services and operating expenses of the Arkansas Department of  
 33 Environmental Quality - State Operations for the fiscal year ending June 30,  
 34 2014, the following:

35

36 ITEM

FISCAL YEAR

1	<u>NO.</u>	<u>2013-2014</u>
2	(01) REGULAR SALARIES	\$3,598,187
3	(02) EXTRA HELP	25,674
4	(03) PERSONAL SERVICES MATCHING	1,163,856
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	353,183
7	(B) CONF. & TRAVEL	32,115
8	(C) PROF. FEES	4,100
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$5,177,115</u></u>

12

13 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby  
 14 appropriated, to the Arkansas Department of Environmental Quality, to be  
 15 payable from the federal funds as designated by the Chief Fiscal Officer of  
 16 the State, for personal services and operating expenses of the Arkansas  
 17 Department of Environmental Quality - Federal Operations for the fiscal year  
 18 ending June 30, 2014, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2013-2014</u>
22	(01) REGULAR SALARIES	\$4,399,656
23	(02) EXTRA HELP	148,585
24	(03) PERSONAL SERVICES MATCHING	1,442,564
25	(04) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	2,074,060
27	(B) CONF. & TRAVEL	251,126
28	(C) PROF. FEES	510,401
29	(D) CAP. OUTLAY	760,000
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,586,392</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 -

Waste Water Licensing for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$101,924
(02) PERSONAL SERVICES MATCHING	34,523
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	26,632
(B) CONF. & TRAVEL	5,089
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$218,168</u></u>

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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$1,004,516
(02) EXTRA HELP	15,795

1	(03) PERSONAL SERVICES MATCHING	324,782
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>\$1,644,347</u></u>

SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Arkansas Department of Environmental Quality - Reclamation of Abandoned Mines for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) ABANDONED MINE RECLAMATION	
CONTRACTUAL SERVICES	<u><u>\$5,700,000</u></u>

SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Surface Coal Mining Operation Fund, for operating expenses of the Arkansas Department of Environmental Quality - Surface Coal Mining for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$15,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$15,000</u></u>

SECTION 10. APPROPRIATION - MINING RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Mine Reclamation Trust Fund, for contractual services of the Arkansas Department of Environmental Quality - Mining Reclamation for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) MINING RECLAMATION CONTRACTUAL SERVICES	<u>\$1,520,000</u>

SECTION 11. APPROPRIATION - FEE ADMINISTRATION. 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 - Fee Administration for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$7,800,079
(02) EXTRA HELP	45,000
(03) PERSONAL SERVICES MATCHING	2,595,858
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,698,170
(B) CONF. & TRAVEL	152,389
(C) PROF. FEES	1,480,519
(D) CAP. OUTLAY	1,168,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$14,940,015</u>

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

Solid Waste Performance Bonds Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) SOLID WASTE PERFORMANCE BONDS	
CONTRACTUAL SERVICES	<u>\$3,000,000</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, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$134,272
(02) PERSONAL SERVICES MATCHING	44,487
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	401,358
(B) CONF. & TRAVEL	33,960
(C) PROF. FEES	250,000
(D) CAP. OUTLAY	386,000
(E) DATA PROC.	0
(04) CONTRACTUAL SERVICES	6,194,000
(05) DATA PROCESSING PURCHASES	<u>453,937</u>
TOTAL AMOUNT APPROPRIATED	<u>\$7,898,014</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, 2014, the following:



ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$91,125
(02) PERSONAL SERVICES MATCHING	30,014
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	3,833
(B) CONF. & TRAVEL	2,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CONTRACTUAL SERVICES	<u>372,655</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$499,627</u></u>

SECTION 15. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Asbestos Control Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Asbestos Control Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$169,464
(02) PERSONAL SERVICES MATCHING	57,200
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	29,452
(B) CONF. & TRAVEL	4,090
(C) PROF. FEES	2,100
(D) CAP. OUTLAY	0
(E) DATA. PROC.	0
(04) GRANTS	<u>150,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$412,306</u></u>

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

Department of Environmental Quality - Solid Waste Management and Recycling  
Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$900,798
(02) PERSONAL SERVICES MATCHING	296,633
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	126,529
(B) CONF. & TRAVEL	15,668
(C) PROF. FEES	0
(D) CAP. OUTLAY	20,000
(E) DATA PROC.	0
(04) RECYCLING GRANTS	4,650,000
(05) ELECTRONIC WASTE RECYCLING	
INFRASTRUCTURE	<u>2,500,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$8,509,628</u></u>

SECTION 17. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM.

There is hereby appropriated, to the Arkansas Department of Environmental  
Quality, to be payable from the Regulated Substance Storage Tank Program  
Fund, for personal services and operating expenses of the Arkansas Department  
of Environmental Quality - Regulated Substance Storage Tank Program for the  
fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$633,277
(02) PERSONAL SERVICES MATCHING	218,928
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	71,128
(B) CONF. & TRAVEL	5,005
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$928,338</u></u>

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, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$215,103
(02) PERSONAL SERVICES MATCHING	66,984
(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.	0
TOTAL AMOUNT APPROPRIATED	<u>\$21,785,048</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, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULATED STORAGE TANK & CONTRACTUAL SERVICES	<u>\$3,925,000</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, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$279,972
(02) PERSONAL SERVICES MATCHING	86,586
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	30,923
(B) CONF. & TRAVEL	6,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CONTRACTUAL SERVICES	<u>7,433,373</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$7,836,854</u></u>

SECTION 21. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Waste Tire Grant Fund, for waste tire recycling grants of the Arkansas Department of Environmental Quality - Waste Tire Recycling Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) WASTE TIRE RECYCLING GRANTS	<u><u>\$6,425,000</u></u>

SECTION 22. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Marketing Board Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - State Marketing Board for Recyclables Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$1,500

1	(02) PERSONAL SERVICES MATCHING	115
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	13,846
4	(B) CONF. & TRAVEL	6,415
5	(C) PROF. FEES	7,000
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$28,876</u></u>

9

10 SECTION 23. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is  
 11 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 12 be payable from the Environmental Education Fund, for personal services and  
 13 operating expenses of the Arkansas Department of Environmental Quality -  
 14 Environmental Education Program for the fiscal year ending June 30, 2014, the  
 15 following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2013-2014</u>
19	(01) REGULAR SALARIES	\$50,830
20	(02) PERSONAL SERVICES MATCHING	16,174
21	(03) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	152,961
23	(B) CONF. & TRAVEL	8,000
24	(C) PROF. FEES	44,000
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$271,965</u></u>

28

29 SECTION 24. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby  
 30 appropriated, to the Arkansas Department of Environmental Quality, to be  
 31 payable from the Small Business Revolving Loan Fund, for providing loans to  
 32 small businesses for projects to meet regulatory mandates in pollution  
 33 control and prevention technologies of the Arkansas Department of  
 34 Environmental Quality for the fiscal year ending June 30, 2014, the  
 35 following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) SMALL BUSINESS LOANS	<u>\$550,000</u>

## 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 operating expenses of the Arkansas Department of Environmental Quality - Small Business Revolving Loan Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) 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>\$19,660</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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES	<u>\$600,000</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 Arkansas as administered through the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) ENVIRONMENTAL SETTLEMENT TRUST	
EXPENSES	<u>\$750,000</u>

SECTION 28. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Computer and Electronic Recycling Fund, for grants and expenses of the Arkansas Department of Environmental Quality - Computer and Electronic Recycling for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) COMPUTER AND ELECTRONICS RECYCLING	
MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

SECTION 29. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the Arkansas Department of Environmental Quality for the 2013-2014 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code	No. of	Salary Rate
<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Fiscal Year</u>
		<u>Employees</u>	<u>2013-2014</u>
(1)	G032N	PC&E HEARING OFFICER	1 GRADE N907
(2)	G179C	LEGAL SERVICES SPECIALIST	<u>1</u> GRADE C117
		MAX. NO. OF EMPLOYEES	2

SECTION 30. 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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$127,373
(02) PERSONAL SERVICES MATCHING	36,685
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	49,217
(B) CONF. & TRAVEL	6,922
(C) PROF. FEES	38,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$258,197</u></u>

SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION - EXPENSES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Miscellaneous Agencies Fund Account, for expenses of the Pollution Control and Ecology Commission of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) PC&E COMMISSION EXPENSES	<u><u>\$3,977</u></u>

SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. 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 the cleanup of non hazardous sites which pose a threat to the environment for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>



(01) CONTRACTUAL SERVICES \$750,000

*SECTION 33. APPROPRIATION - WATER PERFORMANCE BOND FUND. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Water Performance Bond Fund, for contractual services for the fiscal year ending June 30, 2014, the following:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2013-2014</i>
(01) NON-MUNICIPAL DOMESTIC SEWAGE	
CONTRACTUAL SERVICES	<u>\$500,000</u>

*SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the ~~2012-2013~~ 2013-2014 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. These four positions are utilized for a specific project and are specifically exempt from the limitations, either by act or regulation, of hours worked.*

*The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.*

*SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial Action Trust Fund for the purchase of departmental laboratory equipment, including maintenance contracts, and data processing equipment and mission-critical software, including maintenance contracts, as appropriated in Section 13, in Items (03)(D) and (05) shall be funded only through interest earnings from the Hazardous Substance Remedial Action Trust Fund. Further, the Department shall report biennially to the Legislative Council all*

1 expenditures from interest earnings for these purchases.

2 The provisions of this section shall be in effect only from July 1, ~~2012~~  
3 2013 through June 30, ~~2013~~ 2014.

4  
5 *SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
6 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

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

19  
20 *SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
21 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ*  
22 *ASBESTOS PROGRAM.* The fees collected pursuant to Arkansas Code 20-27-1004(5)  
23 shall be used by the department to fund operational expenses and to provide  
24 and train personnel to administer an asbestos program, as funding is  
25 available, including:

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

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

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

1  
2        *SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
3        *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING*  
4        *REQUIREMENTS. The Department shall present the following data to Legislative*  
5        *Council quarterly, due by the 15th day of the month following the quarter,*  
6        *beginning July 15, ~~2012~~ 2013:*

7        a)     Number and type of environmental permits currently authorized by the  
8        Department and the Pollution Control and Ecology Commission in each  
9        environmental permit category;

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

12       c)     Description of each environmental permit application pending in each  
13       environmental permit category, the number of days each permit has been  
14       pending, and the reasons for delays in issuing permits for each permit that  
15       has been pending for more than 45 days;

16       d)     Number and type of enforcement actions initiated by the Department, the  
17       geographic location of each violation and the total fines and collections  
18       from Supplemental Environmental Projects, the percent increase or decrease in  
19       fines levied annually and

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

22       The provisions of this section shall be in effect only from July 1, ~~2012~~  
23       2013 through June 30, ~~2013~~ 2014.

24  
25       *SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
26       *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND*  
27       *TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,*  
28       *the Arkansas Department of Environmental Quality may transfer from various*  
29       *department funds to the Arkansas Department of Environmental Quality Fund*  
30       *Account, the sum of \$1,500,000 in fiscal year ~~2012-2013~~ 2013-2014, for the*  
31       *exclusive purpose of supplementing funding for the appropriation provided in*  
32       *Section 3. Appropriation - State Operations. The funds shall be used for*  
33       *personal services and operating expenses of the Arkansas Department of*  
34       *Environmental Quality - State Operations. Funds which remain in the Arkansas*  
35       *Department of Environmental Quality Fund Account at the close of the fiscal*  
36       *year shall be carried forward and made available for the same purpose for the*

1 following fiscal year. These funds shall be used for the purpose stated  
2 above.

3  
4 *SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
5 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING*  
6 *REQUIREMENTS. For the purposes of the fund transfers provided for in Section*  
7 *38 - Fund Transfer Provision, the amounts transferred shall not be considered*  
8 *as part of any statutory limitation on the use of funds for administration of*  
9 *programs of the Department.*

10  
11 *SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
12 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL*  
13 *POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000*  
14 *per site from the Landfill Post-Closure Trust Fund, as appropriated in*  
15 *Section 20, Item (04) for corrective action to remedy environmental impacts*  
16 *of closed disposal sites previously operated as a landfill pursuant to state*  
17 *law will be prioritized and authorized by the Commission after addressing*  
18 *corrective actions needed to address environmental impacts from permitted*  
19 *landfills closed properly. ~~The total of the said expenditures shall not~~*  
20 *~~exceed \$2,000,000 per fiscal year.~~ Expenditures exceeding \$2,000,000 per*  
21 *fiscal year must be approved by the Arkansas Pollution Control and Ecology*  
22 *Commission.*

23  
24 *SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
25 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON*  
26 *HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas*  
27 *Department of Environmental Quality Fee Trust Fund for the cleanup of non*  
28 *hazardous sites which pose a threat to the environment, as appropriated in*  
29 *Section 32, shall be funded only through interest earnings from the Arkansas*  
30 *Department of Environmental Quality Fee Trust Fund. The Arkansas Department*  
31 *of Environmental Quality shall seek cost recovery from parties responsible*  
32 *for damages to the environment that dictate the use of appropriation*  
33 *authorized in Section 32 of this act, as well as, any other funds spent by a*  
34 *governmental entity to remediate such non hazardous sites.*

35  
36 *SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 FAYETTEVILLE SHALE QUARTERLY REPORTING. The Arkansas Department of  
3 Environmental Quality shall report on a quarterly basis to the Arkansas  
4 Legislative Council or the Joint Budget Committee the number of inspections,  
5 any hearings, findings, orders, fines, or other agency regulatory or  
6 enforcement actions or activities involving the Fayetteville Shale. The  
7 quarterly reports shall be provided no later than the 15th day of the month  
8 immediately following the end of each quarter.

9 The provisions of this section shall be in effect only from July 1,  
10 ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

11  
12 *SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
13 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS*  
14 *PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM. The Arkansas Department of*  
15 *Environmental Quality shall adopt policies before September 1, 2012 to ensure*  
16 *its cooperation regarding provision to the Division of Public School Academic*  
17 *Facilities and Transportation copies of the reports of inspections required*  
18 *under Arkansas Code § 6-21-813 (d) through (f) for the Arkansas Public School*  
19 *Academic Facilities Program Act.*

20  
21 *SECTION 45. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*  
22 *authorized by this act shall be limited to the appropriation for such agency*  
23 *and funds made available by law for the support of such appropriations; and*  
24 *the restrictions of the State Procurement Law, the General Accounting and*  
25 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*  
26 *Procedures and Restrictions Act, or their successors, and other fiscal*  
27 *control laws of this State, where applicable, and regulations promulgated by*  
28 *the Department of Finance and Administration, as authorized by law, shall be*  
29 *strictly complied with in disbursement of said funds.*

30  
31 *SECTION 46. LEGISLATIVE INTENT. It is the intent of the General*  
32 *Assembly that any funds disbursed under the authority of the appropriations*  
33 *contained in this act shall be in compliance with the stated reasons for*  
34 *which this act was adopted, as evidenced by the Agency Requests, Executive*  
35 *Recommendations and Legislative Recommendations contained in the budget*  
36 *manuals prepared by the Department of Finance and Administration, letters, or*

1 summarized oral testimony in the official minutes of the Arkansas Legislative  
2 Council or Joint Budget Committee which relate to its passage and adoption.

3  
4 SECTION 47. EMERGENCY CLAUSE. It is found and determined by the  
5 General Assembly, that the Constitution of the State of Arkansas prohibits  
6 the appropriation of funds for more than a one (1) year period; that the  
7 effectiveness of this Act on July 1, 2013 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the legislative session, the delay in the  
10 effective date of this Act beyond July 1, 2013 could work irreparable harm  
11 upon the proper administration and provision of essential governmental  
12 programs. Therefore, an emergency is hereby declared to exist and this Act  
13 being necessary for the immediate preservation of the public peace, health  
14 and safety shall be in full force and effect from and after July 1, 2013.

15  
16 */s/Joint Budget Committee*  
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