

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas *As Engrossed: H2/14/17 H3/27/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 1393

4

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, 2018; AND FOR OTHER PURPOSES.

12

13

14

Subtitle

15

AN ACT FOR THE ARKANSAS DEPARTMENT OF

16

ENVIRONMENTAL QUALITY APPROPRIATION FOR

17

THE 2017-2018 FISCAL YEAR.

18

19

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 2017-2018 fiscal year,

24

the following maximum number of regular employees.

25

26

Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2017-2018

30

(1) U015U ADEQ DIRECTOR

1

\$131,552

31

(2) U075U ADEQ CHIEF DEPUTY DIRECTOR

1

\$108,472

32

(3) N195N ADEQ DEPUTY DIRECTOR

3

GRADE N908

33

(4) N067N ADEQ DEPUTY DIRECTOR - LAND RESOURCE

1

GRADE N908

34

(5) A021N ADEQ CHIEF FISCAL OFFICER

1

GRADE N903

35

(6) N203N ADEQ DIRECTOR OF ENTERPRISE SERVICES

1

GRADE N903

36

(7) X004C ADEQ AIR DIVISION MANAGER

1

GRADE C129



1	(8)	G005C	ADEQ WATER DIVISION MANAGER	1	GRADE C129
2	(9)	G004C	MANAGING ATTORNEY	1	GRADE C129
3	(10)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
4	(11)	G035C	ADEQ ADMINISTRATION DIVISION MANAGER	1	GRADE C127
5	(12)	G034C	ADEQ ASST AIR/WATER DIVISION MANAGER	2	GRADE C127
6	(13)	B012C	ADEQ ENGINEER P.E. BRANCH MANAGER	2	GRADE C127
7	(14)	G033C	ADEQ HAZARDOUS WASTE DIVISION MANAGER	1	GRADE C127
8	(15)	G032C	ADEQ MINING DIVISION MANAGER	1	GRADE C127
9	(16)	G031C	ADEQ PUBLIC OUTREACH DIVISION MANAGER	1	GRADE C127
10	(17)	G030C	ADEQ REG STORAGE TANKS DIV MANAGER	1	GRADE C127
11	(18)	G029C	ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE C127
12	(19)	G028C	ADEQ TECH SERVICES DIVISION MANAGER	1	GRADE C127
13	(20)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
14	(21)	G019C	GENERAL COUNSEL	2	GRADE C127
15	(22)	G047C	ATTORNEY SPECIALIST	7	GRADE C126
16	(23)	B015C	ENGINEER SUPERVISOR	11	GRADE C126
17	(24)	G063C	ADEQ BRANCH MANAGER	14	GRADE C125
18	(25)	B023C	ENGINEER, P.E.	17	GRADE C124
19	(26)	D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE C124
20	(27)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
21	(28)	L099C	EPIDEMIOLOGY SUPERVISOR	2	GRADE C123
22	(29)	D039C	NETWORK SUPPORT SPECIALIST	1	GRADE C123
23	(30)	X036C	ADEQ INSPECTOR SUPERVISOR	13	GRADE C122
24	(31)	B037C	CHEMIST SUPERVISOR	3	GRADE C122
25	(32)	L028C	EPIDEMIOLOGIST	5	GRADE C122
26	(33)	B035C	GEOLOGY SUPERVISOR	4	GRADE C122
27	(34)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
28	(35)	B042C	ENGINEER	30	GRADE C121
29	(36)	B043C	PROFESSIONAL GEOLOGIST	16	GRADE C121
30	(37)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
31	(38)	X059C	ADEQ ENFORCEMENT COORDINATOR	7	GRADE C120
32	(39)	G139C	ADEQ FACILITY SUPPORT SVCS MANAGER	1	GRADE C120
33	(40)	B055C	ECOLOGIST COORDINATOR	3	GRADE C120
34	(41)	X054C	ENVIRONMENTAL PROGRAM COORDINATOR	29	GRADE C120
35	(42)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
36	(43)	X075C	ADEQ ENFORCEMENT ANALYST	11	GRADE C119

1	(44)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
2	(45)	B065C	ECOLOGIST	10	GRADE C119
3	(46)	G147C	GRANTS COORDINATOR	2	GRADE C119
4	(47)	X186C	ADEQ AIR COMPLIANCE MONITOR	2	GRADE C118
5	(48)	X093C	ADEQ INSPECTOR	77	GRADE C118
6	(49)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
7	(50)	A075C	FINANCIAL ANALYST I	1	GRADE C118
8	(51)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
9	(52)	D064C	WEBSITE DEVELOPER	1	GRADE C118
10	(53)	B081C	CHEMIST	9	GRADE C117
11	(54)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
12	(55)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
13	(56)	G179C	LEGAL SERVICES SPECIALIST	6	GRADE C117
14	(57)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
15	(58)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
16	(59)	A089C	ACCOUNTANT I	2	GRADE C116
17	(60)	V014C	BUYER	1	GRADE C116
18	(61)	P027C	PUBLIC INFORMATION SPECIALIST	3	GRADE C116
19	(62)	C037C	ADMINISTRATIVE ANALYST	20	GRADE C115
20	(63)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
21	(64)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
22	(65)	C056C	ADMINISTRATIVE SPECIALIST III	32	GRADE C112
23	(66)	C073C	ADMINISTRATIVE SPECIALIST II	11	GRADE C109
24	(67)	S065C	MAINTENANCE ASSISTANT	<u>1</u>	GRADE C108
25			MAX. NO. OF EMPLOYEES	403	

26

27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
 28 Department of Environmental Quality for the 2017-2018 fiscal year, the
 29 following maximum number of part-time or temporary employees, to be known as
 30 "Extra Help", payable from funds appropriated herein for such purposes:
 31 seventy (70) temporary or part-time employees, when needed, at rates of pay
 32 not to exceed those provided in the Uniform Classification and Compensation
 33 Act, or its successor, or this act for the appropriate classification.

34

35 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 36 appropriated, to the Arkansas Department of Environmental Quality, to be

1 payable from the Arkansas Department of Environmental Quality Fund Account,
 2 for personal services and operating expenses of the Arkansas Department of
 3 Environmental Quality - State Operations for the fiscal year ending June 30,
 4 2018, the following:

6	ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2017-2018</u>
8	(01) REGULAR SALARIES	\$3,459,659
9	(02) EXTRA HELP	25,674
10	(03) PERSONAL SERVICES MATCHING	1,157,590
11	(04) MAINT. & GEN. OPERATION	
12	(A) OPER. EXPENSE	353,183
13	(B) CONF. & TRAVEL	32,115
14	(C) PROF. FEES	4,100
15	(D) CAP. OUTLAY	0
16	(E) DATA PROC.	<u>0</u>
17	TOTAL AMOUNT APPROPRIATED	<u><u>\$5,032,321</u></u>

18

19 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 20 appropriated, to the Arkansas Department of Environmental Quality, to be
 21 payable from the federal funds as designated by the Chief Fiscal Officer of
 22 the State, for personal services and operating expenses of the Arkansas
 23 Department of Environmental Quality - Federal Operations for the fiscal year
 24 ending June 30, 2018, the following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2017-2018</u>
28	(01) REGULAR SALARIES	\$4,059,405
29	(02) EXTRA HELP	148,585
30	(03) PERSONAL SERVICES MATCHING	1,420,483
31	(04) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	1,789,060
33	(B) CONF. & TRAVEL	168,901
34	(C) PROF. FEES	676,401
35	(D) CAP. OUTLAY	670,000
36	(E) DATA PROC.	0

1	(05) DIESEL EMISSION REDUCTION GRANTS	<u>450,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,382,835</u></u>

3

4 SECTION 5. APPROPRIATION - WASTE WATER LICENSING. There is hereby
 5 appropriated, to the Arkansas Department of Environmental Quality, to be
 6 payable from the Wastewater Licensing Fund, for personal services and
 7 operating expenses of the Arkansas Department of Environmental Quality -
 8 Waste Water Licensing for the fiscal year ending June 30, 2018, the
 9 following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2017-2018</u>
13	(01) REGULAR SALARIES	\$52,137
14	(02) PERSONAL SERVICES MATCHING	18,357
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	26,632
17	(B) CONF. & TRAVEL	5,089
18	(C) PROF. FEES	50,000
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$152,215</u></u>

22

23 SECTION 6. APPROPRIATION - LAND RECLAMATION. There is hereby
 24 appropriated, to the Arkansas Department of Environmental Quality, to be
 25 payable from the Land Reclamation Fund, for land reclamation contracts of the
 26 of the Arkansas Department of Environmental Quality - Land Reclamation for
 27 the fiscal year ending June 30, 2018, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2017-2018</u>
31	(01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

32

33 SECTION 7. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is
 34 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 35 be payable from the Hazardous Waste Permit Fund, for personal services and
 36 operating expenses of the Arkansas Department of Environmental Quality -

1 Hazardous Waste Permit Program for the fiscal year ending June 30, 2018, the
 2 following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2017-2018</u>
6 (01) REGULAR SALARIES	\$911,089
7 (02) EXTRA HELP	15,795
8 (03) PERSONAL SERVICES MATCHING	309,655
9 (04) OVERTIME	1,250
10 (05) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	182,304
12 (B) CONF. & TRAVEL	47,700
13 (C) PROF. FEES	48,000
14 (D) CAP. OUTLAY	40,000
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,555,793</u></u>

17
 18 SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is
 19 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 20 be payable from the Abandoned Mine Reclamation Fund, for contractual services
 21 of the Arkansas Department of Environmental Quality - Reclamation of
 22 Abandoned Mines for the fiscal year ending June 30, 2018, the following:

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2017-2018</u>
26 (01) ABANDONED MINE RECLAMATION	
27 CONTRACTUAL SERVICES	<u><u>\$5,700,000</u></u>

28
 29 SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby
 30 appropriated, to the Arkansas Department of Environmental Quality, to be
 31 payable from the Surface Coal Mining Operation Fund, for operating expenses
 32 of the Arkansas Department of Environmental Quality - Surface Coal Mining for
 33 the fiscal year ending June 30, 2018, the following:

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2017-2018</u>

1	(01) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	\$15,000
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$15,000</u></u>

8

9 SECTION 10. APPROPRIATION - MINING RECLAMATION. There is hereby
 10 appropriated, to the Arkansas Department of Environmental Quality, to be
 11 payable from the Mine Reclamation Trust Fund, for contractual services of the
 12 Arkansas Department of Environmental Quality - Mining Reclamation for the
 13 fiscal year ending June 30, 2018, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2017-2018</u>

17	(01) MINING RECLAMATION CONTRACTUAL	
18	SERVICES	<u><u>\$1,520,000</u></u>

19

20 SECTION 11. APPROPRIATION - FEE ADMINISTRATION. There is hereby
 21 appropriated, to the Arkansas Department of Environmental Quality, to be
 22 payable from the Arkansas Department of Environmental Quality Fee Trust Fund,
 23 for personal services and operating expenses of the Arkansas Department of
 24 Environmental Quality - Fee Administration for the fiscal year ending June
 25 30, 2018, the following:

26

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2017-2018</u>

29	(01) REGULAR SALARIES	\$7,204,053
30	(02) EXTRA HELP	45,000
31	(03) PERSONAL SERVICES MATCHING	2,493,297
32	(04) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	1,307,170
34	(B) CONF. & TRAVEL	121,911
35	(C) PROF. FEES	964,519
36	(D) CAP. OUTLAY	1,095,000

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$13,230,950</u></u>

3

4 SECTION 12. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.

5 There is hereby appropriated, to the Arkansas Department of Environmental
6 Quality, to be payable from the Solid Waste Performance Bond Fund, for
7 contractual services of the Arkansas Department of Environmental Quality -
8 Solid Waste Performance Bonds Program for the fiscal year ending June 30,
9 2018, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2017-2018</u>
13	(01) SOLID WASTE PERFORMANCE BONDS	
14	CONTRACTUAL SERVICES	<u>\$3,000,000</u>

15

16 SECTION 13. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
17 appropriated, to the Arkansas Department of Environmental Quality, to be
18 payable from the Hazardous Substance Remedial Action Trust Fund, for personal
19 services and operating expenses of the Arkansas Department of Environmental
20 Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2018,
21 the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2017-2018</u>
25	(01) REGULAR SALARIES	\$235,643
26	(02) PERSONAL SERVICES MATCHING	82,025
27	(03) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	405,191
29	(B) CONF. & TRAVEL	35,960
30	(C) PROF. FEES	250,000
31	(D) CAP. OUTLAY	80,000
32	(E) DATA PROC.	0
33	(04) CONTRACTUAL SERVICES	6,194,000
34	(05) DATA PROCESSING PURCHASES	<u>453,937</u>
35	TOTAL AMOUNT APPROPRIATED	<u><u>\$7,736,756</u></u>

36

1 SECTION 14. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is
 2 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 3 be payable from the Hazardous Substance Remedial Action Trust Fund, for
 4 contractual services of the Arkansas Department of Environmental Quality -
 5 Emergency Response Program for the fiscal year ending June 30, 2018, the
 6 following:

8 ITEM	FISCAL YEAR
9 NO.	2017-2018
10 (01) CONTRACTUAL SERVICES	<u>\$372,655</u>

11

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, 2018, the following:

17

18 ITEM	FISCAL YEAR
19 NO.	2017-2018
20 (01) REGULAR SALARIES	\$222,894
21 (02) PERSONAL SERVICES MATCHING	81,995
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.	0
28 (04) ASBESTOS CONTROL PROGRAM GRANTS	<u>150,000</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$490,531</u>

30

31 SECTION 16. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING
 32 PROGRAM. There is hereby appropriated, to the Arkansas Department of
 33 Environmental Quality, to be payable from the Solid Waste Management and
 34 Recycling Fund, for personal services and operating expenses of the Arkansas
 35 Department of Environmental Quality - Solid Waste Management and Recycling
 36 Program for the fiscal year ending June 30, 2018, the following:

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2017-2018</u>
4	(01) REGULAR SALARIES	\$680,874
5	(02) PERSONAL SERVICES MATCHING	236,212
6	(03) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	126,529
8	(B) CONF. & TRAVEL	15,668
9	(C) PROF. FEES	0
10	(D) CAP. OUTLAY	25,000
11	(E) DATA PROC.	0
12	(04) REFUNDS/REIMBURSEMENTS	4,650,000
13	(05) ELECTRONIC WASTE RECYCLING	
14	INFRASTRUCTURE	<u>2,500,000</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,234,283</u></u>

16

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

18 There is hereby appropriated, to the Arkansas Department of Environmental
 19 Quality, to be payable from the Regulated Substance Storage Tank Program
 20 Fund, for personal services and operating expenses of the Arkansas Department
 21 of Environmental Quality - Regulated Substance Storage Tank Program for the
 22 fiscal year ending June 30, 2018, the following:

23

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2017-2018</u>
26	(01) REGULAR SALARIES	\$617,278
27	(02) PERSONAL SERVICES MATCHING	231,221
28	(03) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	71,128
30	(B) CONF. & TRAVEL	5,005
31	(C) PROF. FEES	0
32	(D) CAP. OUTLAY	0
33	(E) DATA PROC.	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u><u>\$924,632</u></u>

35

36 SECTION 18. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There

1 is hereby appropriated, to the Arkansas Department of Environmental Quality,
 2 to be payable from the Petroleum Storage Tank Trust Fund, for personal
 3 services and operating expenses of the Arkansas Department of Environmental
 4 Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June
 5 30, 2018, the following:

6	7 ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2017-2018</u>
9	(01) REGULAR SALARIES	\$262,510
10	(02) PERSONAL SERVICES MATCHING	82,829
11	(03) MAINT. & GEN. OPERATION	
12	(A) OPER. EXPENSE	18,999,800
13	(B) CONF. & TRAVEL	3,005
14	(C) PROF. FEES	2,500,156
15	(D) CAP. OUTLAY	0
16	(E) DATA PROC.	<u>0</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$21,848,300</u>

18

19 SECTION 19. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.
 20 There is hereby appropriated, to the Arkansas Department of Environmental
 21 Quality, to be payable from the federal funds as designated by the Chief
 22 Fiscal Officer of the State, for contractual services of the Arkansas
 23 Department of Environmental Quality - Regulated Storage Tank Program -
 24 Federal for the fiscal year ending June 30, 2018, the following:

25	26 ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2017-2018</u>
28	(01) REGULATED STORAGE TANK & CONTRACTUAL	
29	SERVICES	<u>\$3,925,000</u>

30

31 SECTION 20. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is
 32 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 33 be payable from the Landfill Post-Closure Trust Fund, for personal services
 34 and operating expenses of the Arkansas Department of Environmental Quality -
 35 Landfill Post-Closure Program for the fiscal year ending June 30, 2018, the
 36 following:

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2017-2018</u>
4	(01) REGULAR SALARIES	\$243,532
5	(02) PERSONAL SERVICES MATCHING	76,245
6	(03) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	30,923
8	(B) CONF. & TRAVEL	6,000
9	(C) PROF. FEES	0
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(04) CONTRACTUAL SERVICES	<u>17,434,373</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$17,791,073</u>

14

15 SECTION 21. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is
 16 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 17 be payable from the Waste Tire Grant Fund, for waste tire recycling grants of
 18 the Arkansas Department of Environmental Quality - Waste Tire Recycling
 19 Program for the fiscal year ending June 30, 2018, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2017-2018</u>
23	(01) WASTE TIRE RECYCLING GRANTS	<u>\$6,425,000</u>

24

25 SECTION 22. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES
 26 PROGRAM. There is hereby appropriated, to the Arkansas Department of
 27 Environmental Quality, to be payable from the Marketing Board Fund, for
 28 personal services and operating expenses of the Arkansas Department of
 29 Environmental Quality - State Marketing Board for Recyclables Program for the
 30 fiscal year ending June 30, 2018, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2017-2018</u>
34	(01) REGULAR SALARIES	\$1,500
35	(02) PERSONAL SERVICES MATCHING	115
36	(03) MAINT. & GEN. OPERATION	

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

7

8 SECTION 23. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is
 9 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 10 be payable from the Environmental Education Fund, for personal services and
 11 operating expenses of the Arkansas Department of Environmental Quality -
 12 Environmental Education Program for the fiscal year ending June 30, 2018, the
 13 following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2017-2018</u>
17	(01) REGULAR SALARIES	\$51,834
18	(02) PERSONAL SERVICES MATCHING	16,977
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	152,961
21	(B) CONF. & TRAVEL	8,000
22	(C) PROF. FEES	44,000
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$273,772</u></u>

26

27 SECTION 24. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby
 28 appropriated, to the Arkansas Department of Environmental Quality, to be
 29 payable from the Small Business Revolving Loan Fund, for providing loans to
 30 small businesses for projects to meet regulatory mandates in pollution
 31 control and prevention technologies of the Arkansas Department of
 32 Environmental Quality for the fiscal year ending June 30, 2018, the
 33 following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2017-2018</u>

1 (01) SMALL BUSINESS LOANS \$550,000

2

3 SECTION 25. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.

4 There is hereby appropriated, to the Arkansas Department of Environmental
 5 Quality, to be payable from the Small Business Revolving Loan Fund, for
 6 operating expenses of the Arkansas Department of Environmental Quality -
 7 Small Business Revolving Loan Program for the fiscal year ending June 30,
 8 2018, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2017-2018</u>
12 (01) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	\$11,010
14 (B) CONF. & TRAVEL	3,650
15 (C) PROF. FEES	5,000
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	<u>0</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$19,660</u>

19

20 SECTION 26. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

21 There is hereby appropriated, to the Arkansas Department of Environmental
 22 Quality, to be payable from the Performance Partnership Trust Fund, for
 23 expenses of designing and establishing a management organization of the
 24 Arkansas Department of Environmental Quality for the fiscal year ending June
 25 30, 2018, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2017-2018</u>
29 (01) PERFORMANCE INTEGRATED INFORMATION	
30 SYSTEM EXPENSES	<u>\$563,000</u>

31

32 SECTION 27. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is
 33 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 34 be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as
 35 authorized through various settlement agreements benefiting the State of
 36 Arkansas as administered through the Arkansas Department of Environmental

1 Quality for the fiscal year ending June 30, 2018, the following:

2

3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2017-2018</u>
5	(01) ENVIRONMENTAL SETTLEMENT TRUST	
6	EXPENSES	<u>\$5,650,000</u>

7

8 SECTION 28. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There

9 is hereby appropriated, to the Arkansas Department of Environmental Quality,

10 to be payable from the Computer and Electronic Recycling Fund, for grants and

11 expenses of the Arkansas Department of Environmental Quality - Computer and

12 Electronic Recycling for the fiscal year ending June 30, 2018, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2017-2018</u>
16	(01) COMPUTER AND ELECTRONICS RECYCLING	
17	MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

18

19 SECTION 29. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION

20 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the

21 Arkansas Department of Environmental Quality for the 2017-2018 fiscal year,

22 the following maximum number of regular employees.

23

24			Maximum Annual
25		Maximum	Salary Rate
26	Item Class	No. of	Fiscal Year
27	<u>No. Code Title</u>	<u>Employees</u>	<u>2017-2018</u>
28	(1) G032N PC&E HEARING OFFICER	1	GRADE N907
29	(2) G179C LEGAL SERVICES SPECIALIST	<u>1</u>	GRADE C117
30	MAX. NO. OF EMPLOYEES	2	

31

32 SECTION 30. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -

33 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the

34 Arkansas Department of Environmental Quality, to be payable from the Arkansas

35 Department of Environmental Quality Fee Trust Fund, for personal services and

36 operating expenses of the Arkansas Department of Environmental Quality -

1 Pollution Control and Ecology Commission - Administrative Hearing Officer for
 2 the fiscal year ending June 30, 2018, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2017-2018</u>
6 (01) REGULAR SALARIES	\$149,639
7 (02) PERSONAL SERVICES MATCHING	43,103
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	49,217
10 (B) CONF. & TRAVEL	6,922
11 (C) PROF. FEES	38,000
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$286,881</u></u>

15

16 SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 17 EXPENSES. There is hereby appropriated, to the Arkansas Department of
 18 Environmental Quality, to be payable from the Miscellaneous Agencies Fund
 19 Account, for expenses of the Pollution Control and Ecology Commission of the
 20 Arkansas Department of Environmental Quality for the fiscal year ending June
 21 30, 2018, the following:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2017-2018</u>
25 (01) PC&E COMMISSION EXPENSES	<u><u>\$3,936</u></u>

26

27 SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is
 28 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 29 be payable from the Arkansas Department of Environmental Quality Fee Trust
 30 Fund, for the cleanup of non hazardous sites which pose a threat to the
 31 environment for the fiscal year ending June 30, 2018, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2017-2018</u>
35 (01) CONTRACTUAL SERVICES	<u><u>\$100,000</u></u>

36

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, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) NON-MUNICIPAL DOMESTIC SEWAGE	
CONTRACTUAL SERVICES	<u>\$500,000</u>

SECTION 34. APPROPRIATION - NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Nonmunicipal Domestic Sewage Treatment Works Trust Fund, for personal services, operating expenses, professional fees, maintenance, and completed closure of a nonmunicipal domestic sewage treatment works of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2018, the sum of\$55,000.

SECTION 35. APPROPRIATION - USED TIRE RECYCLING AND ACCOUNTABILITY PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Used Tire Recycling Fund, for expenses of the Arkansas Department of Environmental Quality - Used Tire Recycling and Accountability Program for the fiscal year ending June 30, 2018 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) USED TIRE RECYCLING & ACCOUNTABILITY	
PROGRAM EXPENSES	<u>\$10,788,00</u>

SECTION 36. 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, data processing equipment and mission-

1 critical software, including maintenance contracts, as appropriated in the
2 Capital Outlay and Data Processing Purchases line items of the Hazardous
3 Waste Cleanup appropriation section, shall be funded ~~only~~ through interest
4 earnings and investment earnings from the Hazardous Substance Remedial Action
5 Trust Fund and additional funding from the Hazardous Substance Remedial
6 Action Trust Fund on July 1, 2017. Further, the Department shall report
7 ~~biennially~~ annually to the Arkansas Legislative Council or Joint Budget
8 Committee all expenditures ~~from interest earnings~~ for these purchases.

9 The provisions of this section shall be in effect only from July 1, ~~2016~~
10 2017 through June 30, ~~2017~~ 2018.

11
12 SECTION 37. 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 or Joint Budget Committee. Further,
18 utilization of this appropriation for information technology needs of the
19 Arkansas Department of Environmental Quality must also be approved by the
20 Executive Chief Information Officer after the project is evaluated on the
21 methodology recommended by the Chief Information Officer and the CIO Council,
22 including an analysis of the return on investment and linkage to the
23 Department's business objectives. Any approved projects and expenditures for
24 information technology from the Environmental Settlement Trust Fund shall be
25 reported annually to the Joint Committee on Advanced Communications and
26 Information Technology.

27 The provisions of this section shall be in effect only from July 1, ~~2016~~
28 2017 through June 30, ~~2017~~ 2018.

29
30 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
32 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
33 the Arkansas Department of Environmental Quality may transfer from various
34 department funds to the Arkansas Department of Environmental Quality Fund
35 Account the sum of \$1,500,000 in fiscal year ~~2016-2017~~ 2017-2018 for the
36 exclusive purpose of supplementing funding for the appropriation provided in

1 the State Operations appropriation section. The funds shall be used for
2 personal services and operating expenses of the Arkansas Department of
3 Environmental Quality - State Operations. Funds which remain in the Arkansas
4 Department of Environmental Quality Fund Account at the close of the fiscal
5 year shall be carried forward and made available for the same purpose for the
6 following fiscal year. These funds shall be used for the purpose stated
7 above.

8 The provisions of this section shall be in effect only from July 1, ~~2016~~
9 2017 through June 30, ~~2017~~ 2018.

10

11 SECTION 39. 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 the
14 preceding Fund Transfer Provision special language section, the amounts
15 transferred shall not be considered as part of any statutory limitation on
16 the use of funds for administration of programs of the Department.

17 The provisions of this section shall be in effect only from July 1, ~~2016~~
18 2017 through June 30, ~~2017~~ 2018.

19

20 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
22 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000
23 per site from the Landfill Post-Closure Trust Fund, as appropriated in the
24 Contractual Services line item of the Landfill Post-Closure Program
25 appropriation section, for corrective action to remedy environmental impacts
26 of closed disposal sites previously operated as a landfill pursuant to state
27 law, will be prioritized and authorized by the Commission after addressing
28 corrective actions needed to address environmental impacts from permitted
29 landfills closed properly. Expenditures exceeding \$2,000,000 per fiscal year
30 must be approved by the Arkansas Pollution Control and Ecology Commission.

31 The provisions of this section shall be in effect only from July 1, ~~2016~~
32 2017 through June 30, ~~2017~~ 2018.

33

34 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
36 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas

1 Department of Environmental Quality Fee Trust Fund for the cleanup of non
2 hazardous sites which pose a threat to the environment, as appropriated in
3 the Non Hazardous Site Cleanup appropriation section, shall be funded only
4 through interest earnings from the Arkansas Department of Environmental
5 Quality Fee Trust Fund. The Arkansas Department of Environmental Quality
6 shall seek cost recovery from parties responsible for damages to the
7 environment that dictate the use of appropriation authorized in the Non
8 Hazardous Site Cleanup appropriation section of this act, as well as any
9 other funds spent by a governmental entity to remediate such non hazardous
10 sites.

11 The provisions of this section shall be in effect only from July 1, ~~2016~~
12 2017 through June 30, ~~2017~~ 2018.

13
14 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
16 POST-CLOSURE TRUST FUND.

17 (a) The General Assembly finds that:

18 (1) A growing number of regional solid waste management districts
19 within the state are facing difficulty in funding the necessary costs of
20 closure and post-closure care of landfills owned by the districts; and

21 (2) Without closure and post-closure care of landfills,
22 irreparable harm to human health and the environment will occur.

23 (b) Notwithstanding Arkansas Code § 8-6-1001 et seq. and any Landfill
24 Post-Closure Trust Fund cleanup restrictions enumerated in this Act, the
25 Arkansas Department of Environmental Quality also may:

26 (1) Expend monies from the Landfill Post-Closure Trust Fund to a
27 state-approved contractor or the regional solid waste management district to
28 complete all actions necessary to achieve the final closure and post-closure
29 care of a landfill owned by a regional solid waste management district if the
30 department determines that the regional solid waste management district:

31 (A) Has filed for protection under federal bankruptcy law;

32 (B) Is unable to meet its debt obligations in the ordinary
33 course of its operations; or

34 (C) Is otherwise insolvent; and

35 (2) Institute a civil action against the regional solid waste
36 management district and all of the entities composing the regional solid

1 waste management district to seek the recovery of any funds expended from the
2 Landfill Post-Closure Trust Fund under subdivision (b)(1) of this section,
3 unless satisfactory repayment arrangements are reached and agreed upon by the
4 department with the district and the bondholders.

5 (c) This section is in effect only from July 1, ~~2016~~ 2017 through June
6 30, ~~2017~~ 2018.

7

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

10 SUSPENSION OF LANDFILL DISPOSAL FEES TO SUPPORT A COMPUTER AND ELECTRONIC
11 EQUIPMENT RECYCLING PROGRAM.

12 (a) The landfill disposal fee to support a computer and electronic
13 equipment recycling program levied under Arkansas Code § 8-6-612(a) shall not
14 be levied from the effective date of this act through June 30, ~~2017~~ 2018.

15 (b) Any landfill disposal fees collected under Arkansas Code § 8-6-
16 612(a) before the effective date of this act shall be:

17 (1) Collected as provided under Arkansas Code § 8-6-612(c); and

18 (2) Distributed as provided under Arkansas Code § 8-6-616 and
19 this Act.

20 The provision of this section shall be in effect only from July 1, ~~2016~~
21 2017 through June 30, ~~2017~~ 2018.

22

23 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 INVESTMENTS. All funds that are held at any time in the Landfill Post-
26 Closure Trust Fund, Hazardous Substance Remedial Action Trust Fund, and
27 Petroleum Storage Tank Trust Fund may be invested and reinvested, subject to
28 the written approval of the Office of the Treasurer, to the extent feasible,
29 and all investments as authorized for use by the Office of the Treasurer may
30 be available to the listed funds. The movement of these funds into and out
31 of investments shall be by fund transfers as directed by the Director of the
32 Arkansas Department of Environmental Quality.

33 The provisions of this section shall be in effect only from July 1, 2017
34 through June 30, 2018.

35

36 SECTION 45. 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 46. 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 47. 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, 2017 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, 2017 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, 2017.

30
31 */s/ Joint Budget Committee*
32
33
34
35
36