

Act No. 442
Public Acts of 1994
Approved by the Governor
January 7, 1995
Filed with the Secretary of State
January 10, 1995

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators Gast McManus and Hoffman

ENROLLED SENATE BILL No. 1270

AN ACT to make appropriations for the department of natural resources for the fiscal year ending September 30 1995 to provide for certain work projects to prescribe the powers and duties of certain state agencies and officials and to provide for the expenditure of the appropriations

The People of the State of Michigan enact

Sec 101 There is appropriated for the department of natural resources to supplement former appropriations for the fiscal year ending September 30 1995 from the following funds

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATIONS SUMMARY

Full time equated positions	0 0	
GROSS APPROPRIATION	\$	166 276 900
Interdepartmental grant revenues		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	166 276 900
Federal revenues		
Total federal revenues		83 300 000
Special revenue funds		
Total local revenues		0
Total private revenues		0
Total state restricted funds	-	82 976 900

For Fiscal Year
Ending Sept 30
1995

SURFACE WATER QUALITY

Water pollution control revolving fund	\$	95 500 000
GROSS APPROPRIATION	\$	95 500 000
Appropriated from		
Federal revenues		
EPA title VI		83 300 000
Special revenue funds		
Revolving loan bond funds		12 200 000
State general fund/general purpose	\$	0

ENVIRONMENTAL RESPONSE

Alternative water supply projects	\$	3 282 000
Allegan 142nd Ave Dorr		
Allegan Pullman Rd & 109th Ave		
Alpena Hibner Rd Residential Well		
Barry Residential Well Patterson Rd		
Branch North Bronson Industrial Area		
Cass Henco Enterprises		
Clare City of Clare Sanitary Landfill		
Clare Groundwater Contamination Meredith		
Kalamazoo ML Avenue Oshtemo		
Kalkaska Groundwater Contamination N Birch		
Livingston Brighton Township Dump		
Livingston Residential Well Kenicott Trail		
Marquette Harvey Oil/Shaw s Service		
Missaukee Village of Falmouth		
Missaukee GW Contamination 210 Main St		
Missaukee Residential Well Crooked Lake		
Monroe Well at 740 Temperance		
Muskegon Tech Cast Area		
Muskegon Wolf Lake/Apple Ave GW Contamination		
Newaygo Woodville Area GW Contamination		
Oakland Lanthier Foundry and Machine		
Oakland Marylestone Residential Wells		
Oakland South Milford Road Lyon Township		
Osceola GW Contamination West Rose Lake		
Osceola Joe s Sales & Service/Evart Landfill		
Otsego West Otsego Lake Grocery		
Washtenaw Residential Well Rawsonville Road		
Site investigations		7 165 000
Allegan Gun Plain Township Landfill		
Bay Saginaw River and Saginaw Bay		
Calhoun Morgan Rd Groundwater Contamination		
Iosco Multi County Landfill		
Iron Iron River (Dober Mine)		
Jackson Nottawassee Rd GW Contamination		
Kalamazoo Portage Creek/Kalamazoo River		
Livingston Bruce Products		
Manistee Packaging Corp of America		
Muskegon SCA Independent Landfill		
St Clair Winchester Disposal		
Washtenaw Mich Con Broadway Site		
Wayne Ambassador Properties (Welcome Center)		
Wayne Anaconda Brass		
Wayne Lear Siegler Plant		
Wayne Porterfield s Marina Village		
Wayne Revere Copper and Brass		
Wayne Unroyal Properties		

44 270 000

Cleanup projects

Allegan Sunrise Landfill
Alpena Fivenson Iron & Metal Co
Alpena National Gypsum Co
Antrim Woodland Oil Bellaire Bulk Plant
Benzie Woodland Oil Co
Charlevoix Arts Dry Cleaners Former
Charlevoix Charlevoix Municipal Wellfield
Charlevoix Dockside Market
Charlevoix Hookers Cleaners Former
Cheboygan City of Onaway Dump Closed
Clinton Central Michigan Railway
Clinton Federal Mogul Corp
Eaton Bob s Marathon
Eaton Parsons Chemical Co
Gladwin Buckeye Oil Field T&E Investments
Gratiot Alma Products Area GW Contamination
Ingham Adams Plating
Ingham Lansing Aurelius Road Landfill
Iosco Multi County Landfill
Kalamazoo Waste Oil Storage/Crosstown Parkway
Kalamazoo W Michigan & 6th St Oshtemo Twp
Kent Approved Industrial Removal
Kent Berkey Street Area
Kent Dura Plating Corp
Kent H Fenske S Blair #1
Kent Harvard Area Groundwater Contamination
Kent Residential Wells Sand Lake
Kent Riverview N Park Hubbard St Area
Kent State Disposal Landfill
Lake Austin Tube Company
Lapeer Marathon Otter Lake Oil Field
Lapeer Thumb Radiator Service
Leelanau Zephyr Inc
Livingston Brighton Township Dump
Livingston Bruce Products
Macomb Pulse Oil Site
Monroe ABC Cleaners Site
Monroe Kimberly Cleaners Former
Montcalm Crystal Refinery
Montcalm Lakeview Airport
Montmorency Lowell St Hillman Township
Muskegon Green Ridge Subdivision
Muskegon Peck Street Landfill
Muskegon Tech Cast Area
Muskegon Thompson Inc Landfill
Muskegon Zephyr Inc (Naph Sol Refining)
Newaygo Lake St Residential Wells
Oakland Christianson & Adams Rd Dumps
Oakland Former Selastomer Co
Oakland Waterford Hills Sanitary Landfill
Oceana State Pentwater C 1
Oceana Stoney Lake Oil Field
Oceana Village of Mears GW Contamination
Osceola Former Rancour Prop Chestnut St
Oscoda Mio Residential Wells
Ottawa ASP & Mfg Co Inc
Ottawa Ferrysburg Area GW Contamination

Ottawa Superior Plating	
Ottawa Van s Refinishing Shop	
Roscommon Fuller Oil Bulk Plant	
Roscommon Village of Roscommon	
Saginaw Larson 2605 Carrollton	
Saginaw Lawler #1 2428 Hermansau	
Saginaw Saginaw Oil Field	
Saginaw Saginaw Paint Saginaw Coatings	
Wayne Ambassador Properties (Welcome Center)	
Wayne Anaconda Brass	
Wayne Cooper Elementary School	
Wayne Detroit Metropolitan Building	
Wayne Freezer Services	
Wayne General Oil Co	
Wayne Lear Siegler Plant	
Wayne Porterfield s Marina Village	
Wayne Revere Copper and Brass	
Wayne Uniroyal Proportion	
Superfund match projects	
Cass U S Aviox	250 000
Ingham Adams Plating	185 000
Muskegon Bofors Lakeway Chemical	250 000
Oakland J & L Landfill	156 000
Contingency fund	1 250 000
GROSS APPROPRIATION	\$ 56 808 000
Appropriated from	
Special revenue funds	
Environmental protection bond fund	56 808 000
State general fund/general purpose	\$ 0
WASTE MANAGEMENT	
Composting Projects	
Roscommon Denton Township	\$ 36 300
Resource Recovery Education	
Macomb City of Mount Clemens	\$ 7 900
Macomb City of St Clair Shores	22 400
Oakland Resource Recovery & Recycling Authority of SW Oakland Co	4 700
Household Hazardous Waste Centers	
Lenawee Lenawee County	\$ 95 500
Macomb Grosse Pointes Clinton Refuse Disposal Authority	100 000
Market Development	
Allegan Simpson Plainwell Paper Company	\$ 3 935 500
Cass Watson s Tree Service Inc	310 100
Kent Autostyle Plastics Inc	4 670 300
Oakland Cadillac Products	3 957 600
Ottawa Compost Soil Technologies Inc	285 500
Recycling Projects	
Berrien Gateway	\$ 63 000
Clare Clare County	80 500
Marquette City of Ishpeming	56 200
Roscommon Denton Township	24 000
Tuscola Tuscola County	68 700
Wayne Harper Hospital	50 500
Transfer Station Construction	
St Clair Halkias Refuse Removal	\$ 146 100
Van Buren Bloomingdale Township	54 100
GROSS APPROPRIATION	\$ 13 968 900

Appropriated from			
Special revenue funds			
Environmental protection bond fund	-	\$	13 968 900
State general fund/general purpose	-	\$	0

GENERAL SECTIONS

Sec 201 In accordance with the provisions of section 30 of article IX of the state constitution of 1963 total state spending in this appropriation act is \$82 976 900 00 and state appropriations to be paid to local units of government are \$12 750 300 00 as follows

LOCAL SPENDING

Solid waste alternatives program	\$	550 300
Water pollution control revolving fund	\$	12 200 000
TOTAL	\$	12 750 300

Sec 202 The appropriations made and expenditures authorized under this act and the departments agencies commissions boards offices and programs for which an appropriation is made under this act are subject to the management and budget act Act No 431 of the Public Acts of 1984 being sections 18 1101 to 18 1594 of the Michigan Compiled Laws

Sec 203 For all projects and grant programs funded under this act the commission of natural resources or the department of natural resources shall notify each legislator whose district is to receive a grant 7 days before the grants are announced

Sec 204 It is the intent of the legislature that the state shall make bonds issued pursuant to the environmental protection bond implementation act Act No 328 of the Public Acts of 1988 being sections 299 671 to 299 685 of the Michigan Compiled Laws available to the citizens of the state by making a portion of the bonds available in denominations of \$500 00 or less and shall otherwise encourage the participation of the citizens of the state in the investment in environmental protection bonds

Sec 205 The unexpended portion of the appropriation in section 101 for the environmental bond projects is considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year The following is in compliance with section 451(3) of the management and budget act Act No 431 of the Public Acts of 1984 being section 18 1451 of the Michigan Compiled Laws

(a) The purpose of the environmental bond projects to be carried forward is to provide toxic waste cleanup management of solid wastes and increased water protection

(b) These projects will be accomplished by contract

(c) The total estimated costs of all projects is identified in each line item appropriation

(d) The tentative completion date for these projects is September 30 1997

SURFACE WATER QUALITY

Sec 301 The appropriations in section 101 for environmental protection bond water pollution control revolving fund shall not be encumbered or expended until the department of natural resources has reported to the senate and house of representatives appropriations subcommittees on natural resources those projects that have been approved for expenditure under this program

Sec 302 Loans provided by the water pollution control revolving fund pursuant to the appropriation in section 101 are to be repaid on schedule and penalties shall be assigned for delinquent repayment as provided in the state clean water assistance act Act No 317 of the Public Acts of 1988 being sections 323 451 to 323 470 of the Michigan Compiled Laws

ENVIRONMENTAL RESPONSE

Sec 401 (1) The commission of natural resources shall annually report to the governor the house of representatives and senate appropriations committees the house of representatives and senate appropriations subcommittees on natural resources the joint capital outlay subcommittee the house of representatives and senate standing committees with jurisdiction over issues related to the environment and natural resources and the house of representatives and senate fiscal agencies on the progress of the environmental protection bond cleanups for which appropriations have been made under this act This report shall include the criteria used for site selection a list of sites funded including the name address county and telephone number of the recipient or participant bond funded actions taken at each site other sources of funds used at each site in addition to bond proceeds including private actions or responsible party actions the amount of funds committed for each site and actually expended at each site further cleanup actions that may be anticipated at each site and other information considered pertinent by the commission of natural resources

(2) The annual report required under subsection (1) shall include a summary of all of the sites funded organized by the type of remedial action undertaken at the site as follows surface cleanup alternative water supply municipal water supply site investigation final cleanup design final cleanup operation and maintenance and superfund cleanup project match The report shall also include the sources of funding for each site the amount of funds committed for each site and actually expended at each site the estimated amount of funds saved because of private actions and responsible parties and staff costs associated with each site

Sec 402 The expenditure of money under this act for cleanup projects alternative water supply projects site investigations and superfund match projects does not preclude the use of private federal local or other state funds on these projects

Sec 403 In addition to the funds appropriated for environmental response projects listed in section 101 additional funds are authorized for expenditures from appropriations contained in Act No 180 of the Public Acts of 1989 Act No 55 of the Public Acts of 1990 Act No 194 of the Public Acts of 1990 Act No 31 of the Public Acts of 1991 Act No 160 of the Public Acts of 1991 Act No 74 of the Public Acts of 1993 and Act No 353 of the Public Acts of 1993 for the environmental response program with funding support from the environmental protection bond fund The department of natural resources shall provide to the senate and house of representatives appropriations subcommittees on natural resources by October 30 1995 a list documenting funds saved per site from previous appropriations and the reallocation of those funds for fiscal year 1994 95

Sec 404 The appropriation in section 101 for contingency fund shall not be encumbered or expended until the department of natural resources has reported to the senate and house of representatives appropriations subcommittees on natural resources those projects that have been approved under this program

WASTE MANAGEMENT

Sec 501 The department of natural resources shall annually report to the governor the house and senate appropriations committees the house and senate subcommittees on natural resources the house and senate standing committees on natural resources and the house and senate fiscal agencies the progress of resource recovery projects for which appropriations have been made under this act This report shall include a listing of applicants for grant money the criteria used for project selection a list of projects funded including the name address county and telephone number of the recipient or participant bond funded actions taken on each project other sources of funds used on each project in addition to bond proceeds including private actions the amount of funds expended for each project progress toward accomplishing the project s performance goals further actions anticipated on each project and other information considered pertinent by the department of natural resources

Sec 502 A grant or loan recipient shall submit project performance reports to the department of natural resources in a format specified by the department annually for not less than 10 years with the exception of resource recovery education waste reduction research and demonstration and market development research and demonstration which shall report annually for not less than 3 years A recipient of a solid waste composting grant shall be required to develop and implement a technology transfer plan to share information on the composting project with interested parties and local units of government A solid waste market development grant recipient shall be required to share the technology and processing information directly relating to the functions for which the grant was awarded with the department and other interested parties A solid waste market development grant recipient shall not be required to share information which constitutes a proprietary interest that was unique to the recipient

Sec 503 The unexpended portion of the appropriation in section 101 for composting projects resource recovery education household hazardous waste centers market development market development research and demonstration recycling projects transfer station construction and waste to energy projects shall be considered work projects and shall not lapse to the environmental protection bond fund but shall continue to be available for the purpose for which it was appropriated

Sec 504 The department of natural resources shall include consideration of the overall financial solvency of a private business entity and the percentage of state investment in project funding when as part of solid waste alternatives program requirement an applicant demonstrates his or her capability to carry out a proposed project The department of natural resources shall make provisions in each grant or loan project contract to protect the state's investment in the project

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor