

Stricken language will be deleted and underlined language will be added.
Act 191 of the Fiscal Session

State of Arkansas
93rd General Assembly
Fiscal Session, 2022

As Engrossed: H3/2/22
A Bill

HOUSE BILL 1018

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF ENERGY
AND ENVIRONMENT - DIVISION OF ENVIRONMENTAL QUALITY
FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF ENERGY AND
ENVIRONMENT - DIVISION OF ENVIRONMENTAL
QUALITY APPROPRIATION FOR THE 2022-2023
FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
established for the Department of Energy and Environment for the 2022-2023
fiscal year, the following maximum number of regular employees.

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2022-2023 |
|----------|------------|-----------------------------------|--------------------------|--|
| (1) | SC005 | SECRETARY OF ENERGY & ENVIRONMENT | 1 | GRADE SE05 |
| (2) | N218N | E&E CHIEF ADMINISTRATOR | 1 | GRADE SE02 |
| (3) | D129C | E&E DIRECTOR OF INFORMATION TECH | 1 | GRADE IT10 |
| (4) | D007C | INFORMATION SYSTEMS MANAGER | 1 | GRADE IT08 |
| (5) | D030C | INFORMATION SYSTEMS COORDINATOR | 3 | GRADE IT07 |



| | | | |
|------|---|---|------------|
| (6) | D015C STATE NETWORK ENGINEER | 1 | GRADE IT07 |
| (7) | D040C GIS ANALYST | 2 | GRADE IT06 |
| (8) | D039C NETWORK SUPPORT SPECIALIST | 1 | GRADE IT06 |
| (9) | D063C COMPUTER SUPPORT SPECIALIST | 1 | GRADE IT05 |
| (10) | D052C SOFTWARE SUPPORT ANALYST | 8 | GRADE IT05 |
| (11) | D044C SYSTEMS ANALYST | 1 | GRADE IT05 |
| (12) | D062C DATABASE ANALYST | 1 | GRADE IT04 |
| (13) | D068C INFORMATION SYSTEMS ANALYST | 1 | GRADE IT04 |
| (14) | D065C NETWORK SUPPORT ANALYST | 1 | GRADE IT04 |
| (15) | D064C WEBSITE DEVELOPER | 1 | GRADE IT04 |
| (16) | D071C COMPUTER SUPPORT ANALYST | 1 | GRADE IT03 |
| (17) | D078C GIS TECHNICIAN | 2 | GRADE IT02 |
| (18) | G298C E&E CHIEF COUNSEL | 1 | GRADE GS15 |
| (19) | N230N E&E CHIEF OF STAFF | 1 | GRADE GS15 |
| (20) | N205N E&E DIRECTOR OF COMPLIANCE | 1 | GRADE GS13 |
| (21) | N204N E&E DIRECTOR OF SPECIAL PROJECTS | 1 | GRADE GS13 |
| (22) | B012C E&E SENIOR MANAGER | 2 | GRADE GS13 |
| (23) | G019C GENERAL COUNSEL | 3 | GRADE GS13 |
| (24) | G004C MANAGING ATTORNEY | 1 | GRADE GS13 |
| (25) | G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE | 1 | GRADE GS12 |
| (26) | G031C E&E ADMIN OPERATIONS MANAGER | 1 | GRADE GS12 |
| (27) | P079C E&E CHIEF OF COMMUNICATIONS | 1 | GRADE GS12 |
| (28) | A137C E&E FINANCIAL MANAGER | 1 | GRADE GS12 |
| (29) | G028C E&E TECHNICAL OPERATIONS MANAGER | 1 | GRADE GS12 |
| (30) | A014C FISCAL DIVISION MANAGER | 1 | GRADE GS12 |
| (31) | R006C HUMAN RESOURCES ADMINISTRATOR | 1 | GRADE GS12 |
| (32) | G047C ATTORNEY SPECIALIST | 6 | GRADE GS11 |
| (33) | G076C ADMINISTRATIVE SERVICES MANAGER | 1 | GRADE GS10 |
| (34) | A044C AUDIT COORDINATOR | 1 | GRADE GS10 |
| (35) | G063C E&E BRANCH MANAGER | 1 | GRADE GS10 |
| (36) | B037C CHEMIST SUPERVISOR | 3 | GRADE GS09 |
| (37) | A038C FISCAL SUPPORT MANAGER | 1 | GRADE GS09 |
| (38) | G139C E&E FACILITY SUPPORT SVCS MANAGER | 1 | GRADE GS08 |
| (39) | R014C PERSONNEL MANAGER | 1 | GRADE GS08 |
| (40) | V007C PROCUREMENT COORDINATOR | 1 | GRADE GS08 |
| (41) | A089C ACCOUNTANT I | 2 | GRADE GS07 |

| | | | |
|------|---|----------|-------------------|
| (42) | B081C CHEMIST | 7 | GRADE GS07 |
| (43) | X054C ENVIRONMENTAL PROGRAM COORDINATOR | 4 | GRADE GS07 |
| (44) | C010C EXECUTIVE ASSISTANT TO THE DIRECTOR | 2 | GRADE GS07 |
| (45) | A075C FINANCIAL ANALYST I | 1 | GRADE GS07 |
| (46) | B051C GEOLOGIST | 1 | GRADE GS07 |
| (47) | S017C MAINTENANCE COORDINATOR | 1 | GRADE GS07 |
| (48) | P013C PUBLIC INFORMATION COORDINATOR | 2 | GRADE GS07 |
| (49) | X082C E&E INSPECTOR II | 1 | GRADE GS06 |
| (50) | P049C GRAPHIC ARTIST | 2 | GRADE GS06 |
| (51) | R025C HUMAN RESOURCES ANALYST | 2 | GRADE GS06 |
| (52) | G179C LEGAL SERVICES SPECIALIST | 6 | GRADE GS06 |
| (53) | P027C PUBLIC INFORMATION SPECIALIST | 2 | GRADE GS06 |
| (54) | V014C BUYER | 1 | GRADE GS05 |
| (55) | A091C FISCAL SUPPORT ANALYST | 2 | GRADE GS05 |
| (56) | C056C ADMINISTRATIVE SPECIALIST III | 4 | GRADE GS04 |
| (57) | R036C HUMAN RESOURCES SPECIALIST | 1 | GRADE GS04 |
| (58) | S046C MAINTENANCE TECHNICIAN | 3 | GRADE GS04 |
| (59) | <i>A098C FISCAL SUPPORT SPECIALIST</i> | <i>1</i> | <i>GRADE GS04</i> |
| (60) | C073C ADMINISTRATIVE SPECIALIST II | 2 | GRADE GS03 |
| (61) | S065C MAINTENANCE ASSISTANT | <u>1</u> | GRADE GS01 |
| | MAX. NO. OF EMPLOYEES | 109 | |

SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Energy and Environment for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) REGULAR SALARIES | \$6,210,302 |
| (02) PERSONAL SERVICES MATCHING | 2,012,438 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 0 |
| (B) CONF. & TRAVEL | 0 |

| | |
|---------------------------|---------------------------|
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$8,222,740</u></u> |

SECTION 3. REGULAR SALARIES. There is hereby established for the Department of Energy and Environment - Division of Environmental Quality for the 2022-2023 fiscal year, the following maximum number of regular employees.

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2022-2023 |
|----------|------------|--------------------------------------|--------------------------|--|
| (1) | U015U | DEQ DIRECTOR | 1 | GRADE SE03 |
| (2) | N195N | DEQ ASSOCIATE DIRECTOR | 3 | GRADE GS15 |
| (3) | N180N | E&E ASSOCIATE DIRECTOR ENERGY | 1 | GRADE GS14 |
| (4) | B146C | E&E PROF ENGINEER SENIOR MANAGER | 3 | GRADE GS13 |
| (5) | B012C | E&E SENIOR MANAGER | 2 | GRADE GS13 |
| (6) | G032C | E&E ENERGY OPERATIONS MANAGER | 1 | GRADE GS12 |
| (7) | B142C | E&E ENVIRONMENTAL OPERATIONS MANAGER | 4 | GRADE GS12 |
| (8) | B015C | ENGINEER SUPERVISOR | 11 | GRADE GS12 |
| (9) | G047C | ATTORNEY SPECIALIST | 1 | GRADE GS11 |
| (10) | N203N | E&E DIRECTOR OF ENTERPRISE SERVICES | 1 | GRADE GS11 |
| (11) | A021N | E&E ENERGY FISCAL OFFICER | 1 | GRADE GS11 |
| (12) | G013C | E&E ENERGY PROGRAM MANAGER | 2 | GRADE GS11 |
| (13) | B023C | ENGINEER, P.E. | 16 | GRADE GS11 |
| (14) | G063C | E&E BRANCH MANAGER | 14 | GRADE GS10 |
| (15) | L099C | EPIDEMIOLOGY SUPERVISOR | 2 | GRADE GS10 |
| (16) | A052C | ACCOUNTING COORDINATOR | 1 | GRADE GS09 |
| (17) | B042C | ENGINEER | 28 | GRADE GS09 |
| (18) | L028C | EPIDEMIOLOGIST | 4 | GRADE GS09 |
| (19) | B035C | GEOLOGY SUPERVISOR | 3 | GRADE GS09 |
| (20) | G109C | GRANTS MANAGER | 3 | GRADE GS09 |
| (21) | B055C | ECOLOGIST COORDINATOR | 3 | GRADE GS08 |
| (22) | B043C | PROFESSIONAL GEOLOGIST | 16 | GRADE GS08 |
| (23) | E023C | TRAINING PROJECT MANAGER | 1 | GRADE GS08 |

| | | | |
|------|---|----------|------------|
| (24) | B081C CHEMIST | 2 | GRADE GS07 |
| (25) | G159C DEPARTMENT BUSINESS COORDINATOR | 1 | GRADE GS07 |
| (26) | X059C E&E COMPLIANCE COORDINATOR | 6 | GRADE GS07 |
| (27) | X036C E&E INSPECTOR SUPERVISOR I | 13 | GRADE GS07 |
| (28) | B065C ECOLOGIST | 9 | GRADE GS07 |
| (29) | G248C ENERGY PROGRAM COORDINATOR | 1 | GRADE GS07 |
| (30) | G148C ENERGY PROGRAM MANAGER | 1 | GRADE GS07 |
| (31) | X054C ENVIRONMENTAL PROGRAM COORDINATOR | 20 | GRADE GS07 |
| (32) | A075C FINANCIAL ANALYST I | 1 | GRADE GS07 |
| (33) | G147C GRANTS COORDINATOR | 3 | GRADE GS07 |
| (34) | P020C PRODUCTION ARTIST | 1 | GRADE GS07 |
| (35) | A072C RESEARCH & STATISTICS MANAGER | 1 | GRADE GS07 |
| (36) | C037C ADMINISTRATIVE ANALYST | 18 | GRADE GS06 |
| (37) | X075C E&E COMPLIANCE ANALYST | 14 | GRADE GS06 |
| (38) | X093C E&E INSPECTOR II | 76 | GRADE GS06 |
| (39) | G180C GRANTS ANALYST | 6 | GRADE GS06 |
| (40) | G178C POLICY DEVELOPMENT COORDINATOR | 1 | GRADE GS06 |
| (41) | C056C ADMINISTRATIVE SPECIALIST III | 19 | GRADE GS04 |
| (42) | C073C ADMINISTRATIVE SPECIALIST II | <u>4</u> | GRADE GS03 |
| | MAX. NO. OF EMPLOYEES | 319 | |

SECTION 4. EXTRA HELP. There is hereby authorized, for the Department of Energy and Environment - Division of Environmental Quality for the 2022-2023 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: seventy (70) 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, or this act for the appropriate classification.

SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Division of Environmental Quality Fund Account, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - State Operations for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES | \$1,747,299 |
| (02) EXTRA HELP | 25,674 |
| (03) PERSONAL SERVICES MATCHING | 587,349 |
| (04) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 353,183 |
| (B) CONF. & TRAVEL | 32,115 |
| (C) PROF. FEES | 4,100 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| TOTAL AMOUNT APPROPRIATED | <u>\$2,749,720</u> |

SECTION 6. APPROPRIATION - FEDERAL OPERATIONS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Federal Operations for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---|--------------------------|
| (01) REGULAR SALARIES | \$3,528,120 |
| (02) EXTRA HELP | 148,585 |
| (03) PERSONAL SERVICES MATCHING | 1,223,445 |
| (04) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 1,083,180 |
| (B) CONF. & TRAVEL | 168,901 |
| (C) PROF. FEES | 484,401 |
| (D) CAP. OUTLAY | 780,000 |
| (E) DATA PROC. | 0 |
| (05) DIESEL EMISSION REDUCTION AWARD GRANTS | <u>450,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$7,866,632</u> |

SECTION 7. APPROPRIATION - WASTE WATER LICENSING. There is hereby

appropriated, to the Department of Energy and Environment, to be payable from the Wastewater Licensing Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Waste Water Licensing for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) REGULAR SALARIES | \$62,742 |
| (02) PERSONAL SERVICES MATCHING | 21,489 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 26,721 |
| (B) CONF. & TRAVEL | 5,000 |
| (C) PROF. FEES | 50,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$165,952</u></u> |

SECTION 8. APPROPRIATION - LAND RECLAMATION. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Land Reclamation Fund, for land reclamation contracts of the Department of Energy and Environment - Division of Environmental Quality - Land Reclamation for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|----------------------------|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) RECLAMATION CONTRACTS | <u><u>\$950,000</u></u> |

SECTION 9. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Hazardous Waste Permit Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

| <u>NO.</u> | <u>2022-2023</u> |
|---------------------------------|---------------------------|
| (01) REGULAR SALARIES | \$706,120 |
| (02) EXTRA HELP | 15,795 |
| (03) PERSONAL SERVICES MATCHING | 236,422 |
| (04) OVERTIME | 1,250 |
| (05) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 141,544 |
| (B) CONF. & TRAVEL | 47,700 |
| (C) PROF. FEES | 47,150 |
| (D) CAP. OUTLAY | 175,000 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$1,370,981</u></u> |

SECTION 10. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Reclamation of Abandoned Mines for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|---------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) ABANDONED MINE RECLAMATION | |
| CONTRACTUAL SERVICES | <u><u>\$5,700,000</u></u> |

SECTION 11. APPROPRIATION - SURFACE COAL MINING. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Surface Coal Mining Operation Fund, for operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Surface Coal Mining for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|------------------------------|------------------|
| <u>NO.</u> | <u>2022-2023</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 12. APPROPRIATION - MINING RECLAMATION. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Mine Reclamation Trust Fund, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Mining Reclamation for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---|---------------------------|
| (01) MINING RECLAMATION CONTRACTUAL SERVICES | <u><u>\$1,520,000</u></u> |

SECTION 13. APPROPRIATION - FEE ADMINISTRATION. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Division of Environmental Quality Fee Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Fee Administration for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---|--------------------------|
| (01) REGULAR SALARIES | \$6,954,724 |
| (02) EXTRA HELP | 45,000 |
| (03) PERSONAL SERVICES MATCHING | 2,370,040 |
| (04) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 2,290,941 |
| (B) CONF. & TRAVEL | 175,516 |
| (C) PROF. FEES | 500,000 |
| (D) CAP. OUTLAY | 1,050,000 |
| (E) DATA PROC. | 0 |
| (05) DIESEL EMISSION REDUCTION AWARDS GRANTS | <u><u>415,000</u></u> |

TOTAL AMOUNT APPROPRIATED \$13,801,221

SECTION 14. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.

There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Solid Waste Performance Bond Fund, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Solid Waste Performance Bonds Program for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|--|--------------------------|
| (01) SOLID WASTE PERFORMANCE BONDS CONTRACTUAL SERVICES | <u>\$3,000,000</u> |

SECTION 15. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES | \$116,608 |
| (02) PERSONAL SERVICES MATCHING | 37,993 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 302,191 |
| (B) CONF. & TRAVEL | 35,960 |
| (C) PROF. FEES | 215,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (04) CONTRACTUAL SERVICES | 6,194,000 |
| (05) DATA PROCESSING PURCHASES | <u>453,937</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$7,355,689</u> |

SECTION 16. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is

hereby appropriated, to the Department of Energy and Environment, to be payable from the Hazardous Substance Remedial Action Trust Fund, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Emergency Response Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------|------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) CONTRACTUAL SERVICES | <u>\$372,655</u> |

SECTION 17. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Asbestos Control Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Asbestos Control Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|--------------------------------------|------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) REGULAR SALARIES | \$199,684 |
| (02) PERSONAL SERVICES MATCHING | 73,566 |
| (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) ASBESTOS CONTROL PROGRAM GRANTS | <u>150,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$458,892</u> |

SECTION 18. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Solid Waste Management and Recycling Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Solid Waste Management and Recycling Program for the fiscal year ending June 30, 2023,

the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---|---------------------------|
| (01) REGULAR SALARIES | \$593,488 |
| (02) PERSONAL SERVICES MATCHING | 201,855 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 97,179 |
| (B) CONF. & TRAVEL | 15,668 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 100,000 |
| (E) DATA PROC. | 0 |
| (04) REFUNDS/REIMBURSEMENTS | 4,650,000 |
| (05) ELECTRONIC WASTE RECYCLING INFRASTRUCTURE | <u>2,500,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$8,158,190</u></u> |

SECTION 19. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM.

There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Regulated Substance Storage Tank Program Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Regulated Substance Storage Tank Program for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|---------------------------|
| (01) REGULAR SALARIES | \$732,409 |
| (02) PERSONAL SERVICES MATCHING | 262,597 |
| (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>\$1,071,139</u></u> |

SECTION 20. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Petroleum Storage Tank Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES | \$264,342 |
| (02) PERSONAL SERVICES MATCHING | 94,355 |
| (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>\$21,861,658</u> |

SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Regulated Storage Tank Program - Federal for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|--|--------------------------|
| (01) REGULATED STORAGE TANK & CONTRACTUAL SERVICES | <u>\$3,925,000</u> |

SECTION 22. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Landfill Post-Closure Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Landfill Post-Closure Program for the fiscal year

ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|----------------------------|
| (01) REGULAR SALARIES | \$213,630 |
| (02) PERSONAL SERVICES MATCHING | 71,419 |
| (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>14,109,373</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$14,431,345</u></u> |

SECTION 23. APPROPRIATION - MARKETING RECYCLABLES PROGRAM OF THE COMPLIANCE ADVISORY PANEL. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Marketing Recyclables Program Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Marketing Recyclables Program of the Compliance Advisory Panel for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES | \$1,500 |
| (02) PERSONAL SERVICES MATCHING | 115 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 13,296 |
| (B) CONF. & TRAVEL | 6,415 |
| (C) PROF. FEES | 7,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$28,326</u></u> |

SECTION 24. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is

hereby appropriated, to the Department of Energy and Environment, to be payable from the Environmental Education Fund, for operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Environmental Education Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|------------------------------|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$111,300 |
| (B) CONF. & TRAVEL | 8,000 |
| (C) PROF. FEES | 26,700 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$146,000</u></u> |

SECTION 25. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Small Business Revolving Loan Fund, for providing loans to small businesses for projects to meet regulatory mandates in pollution control and prevention technologies of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) SMALL BUSINESS LOANS | <u><u>\$550,000</u></u> |

SECTION 26. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Small Business Revolving Loan Fund, for operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Small Business Revolving Loan Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

| <u>NO.</u> | <u>2022-2023</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><u>\$19,660</u></u> |

SECTION 27. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Performance Partnership Trust Fund, for expenses of designing and establishing a management organization of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) PERFORMANCE INTEGRATED INFORMATION | |
| SYSTEM EXPENSES | <u><u>\$563,000</u></u> |

SECTION 28. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Environmental Settlement Trust Fund, for expenses as authorized through various settlement agreements benefiting the State of Arkansas as administered through the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|-------------------------------------|---------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) ENVIRONMENTAL SETTLEMENT TRUST | |
| EXPENSES | <u><u>\$5,650,000</u></u> |

SECTION 29. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There is hereby appropriated, to the Department of Energy and Environment, to be

payable from the Computer and Electronic Recycling Fund, for grants and expenses of the Department of Energy and Environment - Division of Environmental Quality - Computer and Electronic Recycling for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|--|--------------------------|
| (01) COMPUTER AND ELECTRONICS RECYCLING 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 Department of Energy and Environment - Division of Environmental Quality for the 2022-2023 fiscal year, the following maximum number of regular employees.

| Item No. | Class Code Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2022-2023 |
|----------|---------------------------------|--------------------------------|---|
| (1) | G032N PC&E HEARING OFFICER | 1 | GRADE GS14 |
| (2) | G179C LEGAL SERVICES SPECIALIST | <u>1</u> | GRADE GS06 |
| | MAX. NO. OF EMPLOYEES | 2 | |

SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION - ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Division of Environmental Quality Fee Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Pollution Control and Ecology Commission - Administrative Hearing Officer for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES | \$164,847 |
| (02) PERSONAL SERVICES MATCHING | 47,777 |

| | |
|------------------------------|-------------------------|
| (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>\$306,763</u></u> |

SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Division 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, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) CONTRACTUAL SERVICES | <u><u>\$100,000</u></u> |

SECTION 33. APPROPRIATION - WATER PERFORMANCE BOND FUND. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Water Performance Bond Fund, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Water Performance Bond Fund for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|--|-------------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) NON MUNICIPAL DOMESTIC SEWAGE CONTRACTUAL SERVICES | <u><u>\$500,000</u></u> |

SECTION 34. APPROPRIATION - NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Nonmunicipal Domestic Sewage Treatment Works Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Nonmunicipal Domestic Sewage Treatment Works for the fiscal year ending June

30, 2023, the following:

| ITEM | FISCAL YEAR |
|---|------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) NONMUNICIPAL DOMESTIC SEWAGE TREATMENT | <u>\$55,000</u> |

SECTION 35. APPROPRIATION - USED TIRE RECYCLING AND ACCOUNTABILITY PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Used Tire Recycling Fund, for expenses of the Department of Energy and Environment - Division of Environmental Quality - Used Tire Recycling and Accountability Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---|---------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) USED TIRE RECYCLING AND ACCOUNTABILITY PROGRAM EXPENSES | <u>\$10,788,000</u> |

SECTION 36. APPROPRIATION - STATE OPERATIONS - ENERGY OFFICE. There is hereby appropriated, to the Department of Energy and Environment - Division of Environmental Quality, to be payable from the Division of Environmental Quality Fund Account, for personal services of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) REGULAR SALARIES | \$170,999 |
| (02) PERSONAL SERVICES MATCHING | <u>50,677</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$221,676</u> |

SECTION 37. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Department of Energy and Environment - Division of Environmental Quality

for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---|---------------------------|
| (01) REGULAR SALARIES | \$226,898 |
| (02) PERSONAL SERVICES MATCHING | 75,447 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 118,273 |
| (B) CONF. & TRAVEL | 36,788 |
| (C) PROF. FEES | 268,085 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (04) ENERGY CONSERVATION GRANTS AND AID | <u>551,952</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$1,277,443</u></u> |

SECTION 38. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|--|---------------------------|
| (01) REGULAR SALARIES | \$103,871 |
| (02) PERSONAL SERVICES MATCHING | 35,946 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 158,900 |
| (B) CONF. & TRAVEL | 6,000 |
| (C) PROF. FEES | 746,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (04) ENERGY EFFICIENCY ARKANSAS GRANTS | <u>385,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$1,435,717</u></u> |

SECTION 39. APPROPRIATION - CLEAN CITIES COALITION - CASH. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses and grants and aid of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---|--------------------------|
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$20,000 |
| (B) CONF. & TRAVEL | 8,750 |
| (C) PROF. FEES | 105,255 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (02) GRANTS FOR ALTERNATIVE FUEL PROJECTS | <u>55,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$189,005</u></u> |

SECTION 40. APPROPRIATION - FEDERAL OPERATIONS - ENERGY OFFICE. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES | \$411,570 |
| (02) PERSONAL SERVICES MATCHING | 148,351 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 67,880 |
| (B) CONF. & TRAVEL | 16,750 |
| (C) PROF. FEES | 13,500 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (04) LIHEAP GRANTS | 33,108,910 |

| | |
|--|----------------------------|
| (05) DATA PROCESSING SERVICES | 25,046 |
| (06) WEATHERIZATION ASSISTANCE PROGRAM | <u>5,561,541</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$39,353,548</u></u> |

SECTION 41. APPROPRIATION - ALTERNATIVE FUELS VEHICLES PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|------------------------------|--------------------------|
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$435,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$435,000</u></u> |

SECTION 42. APPROPRIATION - ENERGY PERFORMANCE CONTRACTS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2023, the following:

| ITEM NO. | FISCAL YEAR 2022-2023 |
|------------------------------|--------------------------|
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$25,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 300,000 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |

TOTAL AMOUNT APPROPRIATED \$325,000

SECTION 43. APPROPRIATION - DESIGNATED ENVIRONMENTAL SITE REMEDIATION PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Division of Environmental Quality Designated Environmental Site Remediation Trust Fund, for environmental cleanup and remediation activities at designated sites of the Department of Energy and Environment - Division of Environmental Quality - Designated Environmental Site Remediation Program for the fiscal year ending June 30, 2023, the following:

| ITEM | FISCAL YEAR |
|---|--------------------|
| <u>NO.</u> | <u>2022-2023</u> |
| (01) DESIGNATED ENVIRONMENTAL SITE REMEDATION PROGRAM EXPENSES | <u>\$2,000,000</u> |

SECTION 44. APPROPRIATION - ELECTRONIC VEHICLE INFRASTRUCTURE GRANT PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Electric Vehicle Infrastructure Fund, for grants and aid of the Department of Energy and Environment - Division of Environment Quality - Electric Vehicle Infrastructure Grant Program for the fiscal year ending June 30, 2023, the following:

| <i>ITEM</i> | <i>FISCAL YEAR</i> |
|---|-------------------------|
| <i><u>NO.</u></i> | <i><u>2022-2023</u></i> |
| <i>(01) ELECTRIC VEHICLE INFRASTRUCTURE GRANT PROGRAM</i> | <i>\$5,000,000</i> |

SECTION 45. 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 division laboratory equipment, including maintenance contracts, data processing equipment and mission-critical software, including maintenance contracts, as appropriated in the Capital Outlay and Data Processing Purchases line items of the Hazardous Waste Cleanup appropriation section, shall be funded through interest earnings and investment earnings from the Hazardous Substance Remedial Action

Trust Fund and additional funding from the Hazardous Substance Remedial Action Trust Fund on July 1, ~~2021~~ 2022. Further, the Division shall report annually to the Arkansas Legislative Council or Joint Budget Committee all expenditures for these purchases.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement Trust Fund for information technology needs may be made without prior approval of the Chief Fiscal Officer of the State, after seeking review of the Arkansas Legislative Council or Joint Budget Committee. Further, utilization of this appropriation for information technology needs of the Arkansas Division of Environmental Quality must also be approved by the Executive Chief Information Officer after the project is evaluated on the methodology recommended by the Chief Information Officer and the CIO Council, including an analysis of the return on investment and linkage to the Division's business objectives. Any approved projects and expenditures for information technology from the Environmental Settlement Trust Fund shall be reported annually to the Joint Committee on Advanced Communications and Information Technology.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Division of Environmental Quality may transfer from various department funds to the Division of Environmental Quality Fund Account the sum of \$1,500,000 in fiscal year ~~2021-2022~~ 2022-2023 for the exclusive purpose of supplementing funding for the appropriation provided in the State Operations appropriation section. The funds shall be used for personal services and operating expenses of the Arkansas Division of Environmental Quality - State Operations. Funds which remain in the Division of Environmental Quality Fund Account at the close of the fiscal year shall be

carried forward and made available for the same purpose for the following fiscal year. These funds shall be used for the purpose stated above.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING REQUIREMENTS. For the purposes of the fund transfers provided for in the preceding Fund Transfer Provision special language section, the amounts transferred shall not be considered as part of any statutory limitation on the use of funds for administration of programs of the Division.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$2,000,000 per site from the Landfill Post-Closure Trust Fund, as appropriated in the Contractual Services line item of the Landfill Post-Closure Program appropriation section, for corrective action to remedy environmental impacts of closed disposal sites previously operated as a landfill pursuant to state law, shall be subject to review and approval by the Arkansas Pollution Control and Ecology Commission after addressing corrective actions needed to address environmental impacts from permitted landfills closed properly.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Division of Environmental Quality Fee Trust Fund for the cleanup of non hazardous sites which pose a threat to the environment, as appropriated in the Non Hazardous Site Cleanup appropriation section, shall be funded only through interest earnings from the Division of Environmental Quality Fee Trust Fund. The Arkansas Division of Environmental Quality shall seek cost recovery from parties responsible for damages to the environment that dictate the use of

appropriation authorized in the Non Hazardous Site Cleanup appropriation section of this act, as well as any other funds spent by a governmental entity to remediate such non hazardous sites.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 51. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL POST-CLOSURE TRUST FUND.

(a) The General Assembly finds that:

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

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

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

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

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

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

(C) Is otherwise insolvent.

(c) This section is in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

INVESTMENTS. All funds that are held in any trust fund administered by the Arkansas Division of Environmental Quality may be invested and reinvested, subject to the written approval of the Office of the Treasurer, and all investments as authorized for use by the Office of the Treasurer may be

available to the listed funds. The movement of these funds into and out of investments shall be by fund transfers as directed by the Director of the Arkansas Division of Environmental Quality or the Director's designee.

The provisions of this section shall be in effect only from July 1, ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

SECTION 53. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account Appropriation by the Department of Energy and Environment.

(2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(4) The provisions of this section shall be in effect from the date of passage through June 30, 2023.

SECTION 54. SPECIAL LANGUAGE. Uncodified Act 2019, No. 345, § 2 is repealed.

~~LOAN. Notwithstanding the provisions of Arkansas Code Annotated § 19-5-501(b)(1)(C)(ii) and (D)(i), immediately upon the effective date of this act, the director of the Arkansas Department of Environmental Quality is authorized to request the Chief Fiscal Officer of the State to make a loan on his or her books in the amount not to exceed ten million dollars (\$10,000,000) from the Budget Stabilization Trust Fund to the Hazardous Substance Remedial Action Trust Fund. Loan repayments shall be made from time to time from any legal fund of the Arkansas Department of Environmental Quality and the entire amount of the loan shall be repaid to the Budget Stabilization Trust Fund by June 30, 2023.~~

~~By October 15, January 15, April 15, and July 15 of each fiscal year the Arkansas Department of Environmental Quality shall report to Arkansas Legislative Council or Joint Budget Committee the status of hazardous waste cleanup efforts at the Trafalgar Road site in Bella Vista, Arkansas. The report shall include:~~

- ~~a) all funds expended by each quarter of the fiscal year~~
- ~~b) source of funds expended~~
- ~~c) estimated total of funds to be expended~~
- ~~d) expected date for completion of cleanup~~
- ~~e) all efforts of cost recovery from responsible parties~~

SECTION 55. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ELECTRONIC VEHICLE INFRASTRUCTURE FUND EXPENDITURES. Any expenditure with funds from the Electric Vehicle Infrastructure Fund by the Department of Energy and Environment shall be approved by Legislative Council, or by the Joint Budget Committee if in legislative session, prior to any expenditure of funds.

The provisions of this section shall be in effect only from July 1, 2022 through June 30, 2023.

SECTION 56. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 57. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or

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

SECTION 58. EFFECTIVE DATE. This act is effective on and after July 1, 2022.

/s/ Joint Budget Committee

APPROVED: 3/8/22