

**DEPARTMENT OF ENVIRONMENTAL QUALITY (930)
2011-13 BIENNIUM - EXECUTIVE RECOMMENATION**

I) AGENCY SUMMARY & REVENUE SOURCES

MISSION

The Arkansas Department of Environmental Quality (ADEQ) is an executive agency whose purpose is to safeguard the air, water, and land resources of Arkansas by controlling or abating existing pollution of these resources and preventing new pollution through the adoption of regulations and the enforcement of existing state and federal regulations concerning pollution. The Pollution Control and Ecology Commission promulgates rules and regulations for the Department and provides an appeal of permitting or grants decisions rendered by the director or his delegate or of administrative enforcement or emergency actions.

TOTAL BIENNIAL BUDGET

The total budget for the first year is \$108,192,974 and \$107,391,974 for the second year of the biennium.

FUNDING SOURCE

The budget is funded by Fund Balances, General Revenues, special revenue funds, federal funds, and trust funds.

II) CHANGES/APPROPRIATIONS

The Executive Recommendations provides for no increase in General Revenue funding for the biennium. The recommended changes include -

- Provide for restoration of 7 positions to work with the increased activities due to the Fayetteville Shale Project. These will be funded by an Arkansas Game and Fish Commission Grant.
- Increases in Federal Appropriation Capital Outlay of \$551,000 in FY12 and \$498,000 in FY13 to provide for the replacement of fleet vehicles.
- Increase in Capital Outlay from the Waste Water Licensing Fund which is funded by licensing fees to replace one vehicle in the first year of the biennium and an increase in Fee Administration appropriation to replace a vehicle each year.
- Increase in Capital Outlay of \$223,000 in FY12 and \$262,000 in FY13 to replace a spectrometer to analyze environmental samples for organic contaminants like pesticides and solvents and other equipment needed within Hazardous Waste Cleanup.
- Reallocation within the Landfill Post Closure Program from Contractual Services to Capital Outlay in the first year of the biennium to replace a vehicle.

III) POSITIONS

Total positions for FY 2011-2013: 429

Total positions for FY 2011: 430

IV) SPECIAL LANGUAGE

- Allows four (4) temporary or part-time extra help employees for Hazardous Waste Permit Program in the Land Program.
- Provides that appropriation for capital outlay and data processing purchases for the Hazardous Waste Clean Up appropriation be used for the purchase of departmental laboratory equipment and data processing equipment and funded only through interest earnings of from the Remedial Action Trust Fund, and that the Department shall report biennially these expenditures.
- Appropriation restriction language states no expenditure from the Environmental Settlement Trust Fund for Information Technology needs may be made without prior approval of Chief Fiscal Officer of the State and review by Arkansas Legislative Council. Also, utilization of appropriation for information technology needs must be approved by Exec. Chief Information Officer and approved projects and expenditures must be reported annually to the Joint Committee on Advanced Communications and Information Technology.
- States fees collected for Asbestos Abatement Program in Air Program shall be used to fund operations expenses, provide and train personnel to administer asbestos program & issue licenses
- Adds quarterly reporting requirements for environmental permit applications, permit fees, applications pending, enforcement actions initiated by the department, total fines and collections and pending rulemaking activities with economic impact and environmental benefit analysis.
- Fund transfer provision to supplement general revenue with transfers from various department funds into ADEQ Fund account.
- Allows carry forward of any unexpended balances of funds for Computer and Electronic Recycling Management Expenses or Grants from the first fiscal year into the second fiscal year.