

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/5/19
A Bill

HOUSE BILL 1213

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY APPROPRIATION FOR THE 2019-2020 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas Department of Environmental Quality for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	U015U	ADEQ DIRECTOR	1	GRADE SE03
(2)	N218N	ADEQ SENIOR DEPUTY DIRECTOR	1	GRADE SE02
(3)	D129C	ADEQ DIRECTOR OF INFO TECHNOLOGY	1	GRADE IT10
(4)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(5)	D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
(6)	D039C	NETWORK SUPPORT SPECIALIST	1	GRADE IT06
(7)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05



(8)	D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
(9)	D068C INFORMATION SYSTEMS ANALYST	1	GRADE IT04
(10)	D065C NETWORK SUPPORT ANALYST	1	GRADE IT04
(11)	D064C WEBSITE DEVELOPER	1	GRADE IT04
(12)	N195N ADEQ DEPUTY DIRECTOR	3	GRADE GS15
(13)	N067N ADEQ DEPUTY DIRECTOR - LAND RESOURCES	1	GRADE GS15
(14)	N180N AEDC ARKANSAS ENERGY OFFICE DIRECTOR	1	GRADE GS14
(15)	X004C ADEQ AIR DIVISION MANAGER	1	GRADE GS13
(16)	G034C ADEQ ASST AIR/WATER DIVISION MANAGER	2	GRADE GS13
(17)	N205N ADEQ DIRECTOR OF COMPLIANCE	1	GRADE GS13
(18)	N204N ADEQ DIRECTOR OF SPECIAL PROJECTS	1	GRADE GS13
(19)	B012C ADEQ ENGINEER P.E. BRANCH MANAGER	2	GRADE GS13
(20)	B141C ADEQ USED TIRE PROGRAM MANAGER	1	GRADE GS13
(21)	G005C ADEQ WATER DIVISION MANAGER	1	GRADE GS13
(22)	G019C GENERAL COUNSEL	2	GRADE GS13
(23)	G004C MANAGING ATTORNEY	1	GRADE GS13
(24)	A137C ADEQ FINANCIAL MANAGER	1	GRADE GS12
(25)	G033C ADEQ HAZARDOUS WASTE DIV MANAGER	1	GRADE GS12
(26)	G032C ADEQ MINING DIVISION MANAGER	1	GRADE GS12
(27)	G031C ADEQ PUBLIC OUTREACH DIV MANAGER	1	GRADE GS12
(28)	G030C ADEQ REGULATED STORAGE TANKS DIV MAN	1	GRADE GS12
(29)	G029C ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE GS12
(30)	G028C ADEQ TECHNICAL SERVICES DIV MANAGER	1	GRADE GS12
(31)	B142C ADEQ USED TIRE PROGRAM COORDINATOR	3	GRADE GS12
(32)	B015C ENGINEER SUPERVISOR	11	GRADE GS12
(33)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
(34)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
(35)	A021N ADEQ CHIEF FISCAL OFFICER	1	GRADE GS11
(36)	N203N ADEQ DIRECTOR OF ENTERPRISE SERVICES	1	GRADE GS11
(37)	G013C AEDC MANAGER OF STRATEGIC ENERGY DEV	1	GRADE GS11
(38)	G062C AEDC PROJECT CONSULTANT	1	GRADE GS11
(39)	G047C ATTORNEY SPECIALIST	7	GRADE GS11
(40)	B023C ENGINEER, P.E.	16	GRADE GS11
(41)	G063C ADEQ BRANCH MANAGER	16	GRADE GS10
(42)	L099C EPIDEMIOLOGY SUPERVISOR	2	GRADE GS10
(43)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09

(44)	B037C CHEMIST SUPERVISOR	3	GRADE GS09
(45)	B042C ENGINEER	28	GRADE GS09
(46)	L028C EPIDEMIOLOGIST	4	GRADE GS09
(47)	B035C GEOLOGY SUPERVISOR	3	GRADE GS09
(48)	G109C GRANTS MANAGER	3	GRADE GS09
(49)	G139C ADEQ FACILITY SUPPORT SVCS MANAGER	1	GRADE GS08
(50)	B055C ECOLOGIST COORDINATOR	3	GRADE GS08
(51)	R014C PERSONNEL MANAGER	1	GRADE GS08
(52)	B043C PROFESSIONAL GEOLOGIST	16	GRADE GS08
(53)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
(54)	A089C ACCOUNTANT I	2	GRADE GS07
(55)	X059C ADEQ ENFORCEMENT COORDINATOR	7	GRADE GS07
(56)	X036C ADEQ INSPECTOR SUPERVISOR	14	GRADE GS07
(57)	B081C CHEMIST	9	GRADE GS07
(58)	B065C ECOLOGIST	9	GRADE GS07
(59)	G248C ENERGY PROGRAM COORDINATOR	1	GRADE GS07
(60)	G148C ENERGY PROGRAM MANAGER	1	GRADE GS07
(61)	X054C ENVIRONMENTAL PROGRAM COORDINATOR	26	GRADE GS07
(62)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
(63)	A075C FINANCIAL ANALYST I	2	GRADE GS07
(64)	G147C GRANTS COORDINATOR	1	GRADE GS07
(65)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
(66)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
(67)	X186C ADEQ AIR COMPLIANCE MONITOR	2	GRADE GS06
(68)	X075C ADEQ ENFORCEMENT ANALYST	11	GRADE GS06
(69)	X093C ADEQ INSPECTOR	77	GRADE GS06
(70)	C037C ADMINISTRATIVE ANALYST	21	GRADE GS06
(71)	R027C BUDGET SPECIALIST	1	GRADE GS06
(72)	G180C GRANTS ANALYST	2	GRADE GS06
(73)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
(74)	G179C LEGAL SERVICES SPECIALIST	6	GRADE GS06
(75)	S017C MAINTENANCE COORDINATOR	1	GRADE GS06
(76)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
(77)	P027C PUBLIC INFORMATION SPECIALIST	2	GRADE GS06
(78)	V014C BUYER	1	GRADE GS05
(79)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05

(80)	C056C ADMINISTRATIVE SPECIALIST III	31	GRADE GS04
(81)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
(82)	S046C MAINTENANCE TECHNICIAN	2	GRADE GS04
(83)	C073C ADMINISTRATIVE SPECIALIST II	9	GRADE GS03
(84)	S065C MAINTENANCE ASSISTANT	<u>1</u>	GRADE GS01
	MAX. NO. OF EMPLOYEES	416	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Department of Environmental Quality for the 2019-2020 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 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fund Account, for personal services and operating expenses of the Arkansas Department of Environmental Quality - State Operations for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$3,794,655
(02) EXTRA HELP	25,674
(03) PERSONAL SERVICES MATCHING	1,230,891
(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.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$5,440,618</u></u>

SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby

appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Federal Operations for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$4,412,481
(02) EXTRA HELP	148,585
(03) PERSONAL SERVICES MATCHING	1,482,654
(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 GRANTS	<u>450,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$9,010,202</u></u>

SECTION 5. APPROPRIATION - WASTE WATER LICENSING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Wastewater Licensing Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Waste Water Licensing for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$59,768
(02) PERSONAL SERVICES MATCHING	20,135
(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>\$161,624</u></u>

SECTION 6. APPROPRIATION - LAND RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Land Reclamation Fund, for land reclamation contracts of the Arkansas Department of Environmental Quality - Land Reclamation for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

SECTION 7. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$921,117
(02) EXTRA HELP	15,795
(03) PERSONAL SERVICES MATCHING	302,216
(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>\$1,651,772</u></u>

SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to

be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Arkansas Department of Environmental Quality - Reclamation of Abandoned Mines for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) ABANDONED MINE RECLAMATION CONTRACTUAL SERVICES	<u>\$5,700,000</u>

SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Surface Coal Mining Operation Fund, for operating expenses of the Arkansas Department of Environmental Quality - Surface Coal Mining for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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>\$15,000</u>

SECTION 10. APPROPRIATION - MINING RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Mine Reclamation Trust Fund, for contractual services of the Arkansas Department of Environmental Quality - Mining Reclamation for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) MINING RECLAMATION CONTRACTUAL SERVICES	<u>\$1,520,000</u>

SECTION 11. APPROPRIATION - FEE ADMINISTRATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fee Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Fee Administration for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$8,432,587
(02) EXTRA HELP	45,000
(03) PERSONAL SERVICES MATCHING	2,810,570
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,290,941
(B) CONF. & TRAVEL	175,516
(C) PROF. FEES	500,000
(D) CAP. OUTLAY	1,170,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$15,424,614</u>

SECTION 12. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Solid Waste Performance Bond Fund, for contractual services of the Arkansas Department of Environmental Quality - Solid Waste Performance Bonds Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) SOLID WASTE PERFORMANCE BONDS CONTRACTUAL SERVICES	<u>\$3,000,000</u>

SECTION 13. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental

Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$116,508
(02) PERSONAL SERVICES MATCHING	36,947
(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	26,194,000
(05) DATA PROCESSING PURCHASES	<u>453,937</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$27,354,543</u></u>

SECTION 14. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for contractual services of the Arkansas Department of Environmental Quality - Emergency Response Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) CONTRACTUAL SERVICES	<u><u>\$372,655</u></u>

SECTION 15. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Asbestos Control Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Asbestos Control Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
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(01)	REGULAR SALARIES	\$244,742
(02)	PERSONAL SERVICES MATCHING	87,114
(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><u>\$517,498</u></u>

SECTION 16. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Solid Waste Management and Recycling Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Solid Waste Management and Recycling Program for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR	
<u>NO.</u>	<u>2019-2020</u>	
(01)	REGULAR SALARIES	\$793,794
(02)	PERSONAL SERVICES MATCHING	267,502
(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>\$8,424,143</u></u>

SECTION 17. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Regulated Substance Storage Tank Program

Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Regulated Substance Storage Tank Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$730,480
(02) PERSONAL SERVICES MATCHING	257,507
(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>\$1,064,120</u>

SECTION 18. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Petroleum Storage Tank Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$304,682
(02) PERSONAL SERVICES MATCHING	97,638
(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>\$21,905,281</u>

SECTION 19. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Arkansas Department of Environmental Quality - Regulated Storage Tank Program - Federal for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULATED STORAGE TANK & CONTRACTUAL SERVICES	<u>\$3,925,000</u>

SECTION 20. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Landfill Post-Closure Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Landfill Post-Closure Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$211,525
(02) PERSONAL SERVICES MATCHING	68,937
(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>\$14,426,758</u>

SECTION 21. APPROPRIATION - MARKETING RECYCLABLES PROGRAM OF THE COMPLIANCE ADVISORY PANEL. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Marketing Recyclables Program Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Marketing Recyclables Program

of the Compliance Advisory Panel for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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 22. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Environmental Education Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Environmental Education Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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 23. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby appropriated, to the Arkansas Department of Environmental Quality, 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 Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) SMALL BUSINESS LOANS	<u>\$550,000</u>

SECTION 24. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Small Business Revolving Loan Fund, for operating expenses of the Arkansas Department of Environmental Quality - Small Business Revolving Loan Program for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$11,010
(B) CONF. & TRAVEL	3,650
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$19,660</u>

SECTION 25. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Performance Partnership Trust Fund, for expenses of designing and establishing a management organization of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES	<u>\$563,000</u>

SECTION 26. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as authorized through various settlement agreements benefiting the State of Arkansas as administered through the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) ENVIRONMENTAL SETTLEMENT TRUST	
EXPENSES	<u>\$5,650,000</u>

SECTION 27. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Computer and Electronic Recycling Fund, for grants and expenses of the Arkansas Department of Environmental Quality - Computer and Electronic Recycling for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) COMPUTER AND ELECTRONICS RECYCLING	
MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

SECTION 28. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the Arkansas Department of Environmental Quality for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</u>
			<u>2019-2020</u>
(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 29. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION - ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fee Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Pollution Control and Ecology Commission - Administrative Hearing Officer for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$154,958
(02) PERSONAL SERVICES MATCHING	44,373
(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>\$293,470</u></u>

SECTION 30. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fee Trust Fund, for the cleanup of non hazardous sites which pose a threat to the environment for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) CONTRACTUAL SERVICES	<u><u>\$100,000</u></u>

SECTION 31. 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 of the Arkansas Department of Environmental Quality - Water Performance Bond Fund for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) NON-MUNICIPAL DOMESTIC SEWAGE CONTRACTUAL SERVICES	<u>\$500,000</u>

SECTION 32. 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, 2020, the sum of\$55,000.

SECTION 33. 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, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) USED TIRE RECYCLING AND ACCOUNTABILITY PROGRAM EXPENSES	<u>\$10,788,000</u>

SECTION 34. APPROPRIATION - STATE OPERATIONS - ENERGY OFFICE. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fund Account, for personal services of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$131,472

(02) PERSONAL SERVICES MATCHING	<u>38,734</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$170,206</u></u>

SECTION 35. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$167,232
(02) PERSONAL SERVICES MATCHING	55,364
(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>\$1,197,694</u></u>

SECTION 36. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is hereby appropriated, to the Arkansas Department of Environmental Quality, 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 Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$102,647
(02) PERSONAL SERVICES MATCHING	33,751
(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>\$1,432,298</u>

SECTION 37. APPROPRIATION - CLEAN CITIES COALITION - CASH. There is hereby appropriated, to the Arkansas Department of Environmental Quality, 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 Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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>\$189,005</u>

SECTION 38. APPROPRIATION - FEDERAL OPERATIONS - ENERGY OFFICE. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Arkansas Department of Environmental Quality for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$200,210

(02) PERSONAL SERVICES MATCHING	69,688
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	19,500
(B) CONF. & TRAVEL	6,750
(C) PROF. FEES	13,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) DATA PROCESSING SERVICES	2,000
(05) WEATHERIZATION ASSISTANCE PROGRAM	<u>5,561,541</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$5,873,189</u></u>

SECTION 39. 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-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, ~~2018~~ 2019. Further, the Department 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 40. 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 Department 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 Department'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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 41. 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 Department of Environmental Quality may transfer from various department funds to the Arkansas Department of Environmental Quality Fund Account the sum of \$1,500,000 in fiscal year ~~2018-2019~~ 2019-2020 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 Department of Environmental Quality - State Operations. Funds which remain in the Arkansas Department 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 42. 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 Department.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 43. 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 \$50,000 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, will be prioritized and authorized by the Commission after addressing corrective actions needed to address environmental impacts from permitted landfills closed properly. Expenditures exceeding \$2,000,000 per fiscal year must be approved by the Arkansas Pollution Control and Ecology Commission.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 44. 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 Arkansas Department 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 Arkansas Department of Environmental Quality Fee Trust Fund. The Arkansas Department 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 45. 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 closure and post-closure care of landfills owned by the districts; and

(2) Without closure and 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 Department 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 final closure and post-closure care of a landfill owned by a regional solid waste management district if the department 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; and

(2) Institute a civil action against the regional solid waste management district and all of the entities composing the regional solid waste management district to seek the recovery of any funds expended from the Landfill Post-Closure Trust Fund under subdivision (b)(1) of this section, unless satisfactory repayment arrangements are reached and agreed upon by the department with the district and the bondholders.

(c) This section is in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUSPENSION OF LANDFILL DISPOSAL FEES TO SUPPORT A COMPUTER AND ELECTRONIC EQUIPMENT RECYCLING PROGRAM.

(a) The landfill disposal fee to support a computer and electronic equipment recycling program levied under Arkansas Code § 8-6-612(a) shall not be levied from the effective date of this act through June 30, ~~2019~~ 2020.

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

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

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

The provision of this section shall be in effect only from July 1, ~~2018~~

2019 through June 30, ~~2019~~ 2020.

SECTION 47. 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 ~~at~~ in any trust fund ~~time in the~~ Landfill Post-Closure Trust Fund, Hazardous Substance Remedial Action Trust Fund, and Petroleum Storage Tank Trust Fund administered by the Arkansas Department of Environmental Quality may be invested and reinvested, subject to the written approval of the Officer of the Treasurer, ~~to the extent~~ feasible, 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 Department of Environmental Quality or the Director's designee.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRUST FUND CONTRIBUTION FEES.

(a) For purposes of collecting trust fund contribution fees under § 8-4-203(b), the Arkansas Department of Environmental Quality shall treat a public facilities boards and public water authorities as municipal systems.

(b) This section expires on June 30, ~~2019~~ 2020.

SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 50. 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 51. 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 52. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in

the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019.

/s/Joint Budget Committee