

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

*As Engrossed: H2/29/12*

# A Bill

HOUSE BILL 1060

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
10 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS DEPARTMENT OF  
16 ENVIRONMENTAL QUALITY APPROPRIATION FOR THE  
17 2012-2013 FISCAL YEAR.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Arkansas Department of Environmental Quality for the 2012-2013 fiscal year,  
25 the following maximum number of regular employees.  
26

| Item | Class | Title | Maximum<br>No. of<br>Employees   | Maximum Annual             |
|------|-------|-------|----------------------------------|----------------------------|
|      |       |       |                                  | Salary Rate<br>Fiscal Year |
| No.  | Code  |       |                                  | 2012-2013                  |
| 31   | (1)   | U015U | ADEQ DIRECTOR                    | 1 \$126,431                |
| 32   | (2)   | U075U | ADEQ CHIEF DEPUTY DIRECTOR       | 1 \$104,250                |
| 33   | (3)   | N067N | ADEQ DEPUTY DIR - LAND RESOURCES | 1 GRADE N908               |
| 34   | (4)   | X004C | ADEQ AIR DIVISION MANAGER        | 1 GRADE C129               |
| 35   | (5)   | G005C | ADEQ WATER DIVISION MANAGER      | 1 GRADE C129               |
| 36   | (6)   | G004C | MANAGING ATTORNEY                | 1 GRADE C129               |



|    |      |       |                                    |    |            |
|----|------|-------|------------------------------------|----|------------|
| 1  | (7)  | D007C | INFORMATION SYSTEMS MANAGER        | 1  | GRADE C128 |
| 2  | (8)  | G035C | ADEQ ADMINISTRATION DIVISION MGR   | 1  | GRADE C127 |
| 3  | (9)  | G034C | ADEQ ASST AIR/WATER DIVISION MGR   | 2  | GRADE C127 |
| 4  | (10) | B012C | ADEQ ENGINEER P.E. BRANCH MANAGER  | 2  | GRADE C127 |
| 5  | (11) | G033C | ADEQ HAZARDOUS WASTE DIVISION MGR  | 1  | GRADE C127 |
| 6  | (12) | G032C | ADEQ MINING DIVISION MANAGER       | 1  | GRADE C127 |
| 7  | (13) | G031C | ADEQ PUBLIC OUTREACH DIVISION MGR  | 1  | GRADE C127 |
| 8  | (14) | G030C | ADEQ REG STORAGE TANKS DIV MGR     | 1  | GRADE C127 |
| 9  | (15) | G029C | ADEQ SOLID WASTE DIVISION MANAGER  | 1  | GRADE C127 |
| 10 | (16) | G028C | ADEQ TECHNICAL SVS DIVISION MGR    | 1  | GRADE C127 |
| 11 | (17) | A014C | FISCAL DIVISION MANAGER            | 1  | GRADE C127 |
| 12 | (18) | G019C | GENERAL COUNSEL                    | 1  | GRADE C127 |
| 13 | (19) | G047C | ATTORNEY SPECIALIST                | 8  | GRADE C126 |
| 14 | (20) | B015C | ENGINEER SUPERVISOR                | 11 | GRADE C126 |
| 15 | (21) | G063C | ADEQ BRANCH MANAGER                | 15 | GRADE C125 |
| 16 | (22) | B023C | ENGINEER, P.E.                     | 20 | GRADE C124 |
| 17 | (23) | D030C | INFORMATION SYSTEMS COORDINATOR    | 3  | GRADE C124 |
| 18 | (24) | D039C | NETWORK SUPPORT SPECIALIST         | 1  | GRADE C123 |
| 19 | (25) | X036C | ADEQ INSPECTOR SUPERVISOR          | 11 | GRADE C122 |
| 20 | (26) | B037C | CHEMIST SUPERVISOR                 | 3  | GRADE C122 |
| 21 | (27) | L028C | EPIDEMIOLOGIST                     | 6  | GRADE C122 |
| 22 | (28) | B035C | GEOLOGY SUPERVISOR                 | 5  | GRADE C122 |
| 23 | (29) | A052C | ACCOUNTING COORDINATOR             | 1  | GRADE C121 |
| 24 | (30) | B042C | ENGINEER                           | 28 | GRADE C121 |
| 25 | (31) | R014C | PERSONNEL MANAGER                  | 1  | GRADE C121 |
| 26 | (32) | B043C | PROFESSIONAL GEOLOGIST             | 18 | GRADE C121 |
| 27 | (33) | D052C | SOFTWARE SUPPORT ANALYST           | 7  | GRADE C121 |
| 28 | (34) | X059C | ADEQ ENFORCEMENT COORDINATOR       | 9  | GRADE C120 |
| 29 | (35) | G139C | ADEQ FACILITY SUPPORT SVCS MANAGER | 1  | GRADE C120 |
| 30 | (36) | B055C | ECOLOGIST COORDINATOR              | 2  | GRADE C120 |
| 31 | (37) | X054C | ENVIRONMENTAL PROGRAM COORDINATOR  | 30 | GRADE C120 |
| 32 | (38) | P013C | PUBLIC INFORMATION COORDINATOR     | 2  | GRADE C120 |
| 33 | (39) | X075C | ADEQ ENFORCEMENT ANALYST           | 13 | GRADE C119 |
| 34 | (40) | D063C | COMPUTER SUPPORT SPECIALIST        | 1  | GRADE C119 |
| 35 | (41) | B065C | ECOLOGIST                          | 13 | GRADE C119 |
| 36 | (42) | X186C | ADEQ AIR COMPLIANCE MONITOR        | 2  | GRADE C118 |

|    |      |       |                               |           |            |
|----|------|-------|-------------------------------|-----------|------------|
| 1  | (43) | X093C | ADEQ INSPECTOR                | 80        | GRADE C118 |
| 2  | (44) | D065C | NETWORK SUPPORT ANALYST       | 1         | GRADE C118 |
| 3  | (45) | D064C | WEBSITE DEVELOPER             | 1         | GRADE C118 |
| 4  | (46) | B081C | CHEMIST                       | 10        | GRADE C117 |
| 5  | (47) | G180C | GRANTS ANALYST                | 3         | GRADE C117 |
| 6  | (48) | R025C | HUMAN RESOURCES ANALYST       | 1         | GRADE C117 |
| 7  | (49) | D068C | INFORMATION SYSTEMS ANALYST   | 1         | GRADE C117 |
| 8  | (50) | G179C | LEGAL SERVICES SPECIALIST     | 6         | GRADE C117 |
| 9  | (51) | S017C | MAINTENANCE COORDINATOR       | 1         | GRADE C117 |
| 10 | (52) | A089C | ACCOUNTANT I                  | 2         | GRADE C116 |
| 11 | (53) | P027C | PUBLIC INFORMATION SPECIALIST | 4         | GRADE C116 |
| 12 | (54) | C037C | ADMINISTRATIVE ANALYST        | 24        | GRADE C115 |
| 13 | (55) | A091C | FISCAL SUPPORT ANALYST        | 1         | GRADE C115 |
| 14 | (56) | R036C | HUMAN RESOURCES SPECIALIST    | 1         | GRADE C113 |
| 15 | (57) | C056C | ADMINISTRATIVE SPECIALIST III | 38        | GRADE C112 |
| 16 | (58) | C073C | ADMINISTRATIVE SPECIALIST II  | <u>22</u> | GRADE C109 |
| 17 |      |       | MAX. NO. OF EMPLOYEES         | 427       |            |

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19 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 20 Department of Environmental Quality for the 2012-2013 fiscal year, the  
 21 following maximum number of part-time or temporary employees, to be known as  
 22 "Extra Help", payable from funds appropriated herein for such purposes:  
 23 sixty-six (66) temporary or part-time employees, when needed, at rates of pay  
 24 not to exceed those provided in the Uniform Classification and Compensation  
 25 Act, or its successor, or this act for the appropriate classification.

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27 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 28 appropriated, to the Arkansas Department of Environmental Quality, to be  
 29 payable from the Arkansas Department of Environmental Quality Fund Account,  
 30 for personal services and operating expenses of the Arkansas Department of  
 31 Environmental Quality - State Operations for the fiscal year ending June 30,  
 32 2013, the following:

33

| 34 | ITEM                  | FISCAL YEAR      |
|----|-----------------------|------------------|
| 35 | <u>NO.</u>            | <u>2012-2013</u> |
| 36 | (01) REGULAR SALARIES | \$3,672,684      |

|   |                                 |                           |
|---|---------------------------------|---------------------------|
| 1 | (02) EXTRA HELP                 | 25,674                    |
| 2 | (03) PERSONAL SERVICES MATCHING | 1,080,930                 |
| 3 | (04) MAINT. & GEN. OPERATION    |                           |
| 4 | (A) OPER. EXPENSE               | 353,183                   |
| 5 | (B) CONF. & TRAVEL              | 32,115                    |
| 6 | (C) PROF. FEES                  | 4,100                     |
| 7 | (D) CAP. OUTLAY                 | 0                         |
| 8 | (E) DATA PROC.                  | <u>0</u>                  |
| 9 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$5,168,686</u></u> |

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11 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby  
 12 appropriated, to the Arkansas Department of Environmental Quality, to be  
 13 payable from the federal funds as designated by the Chief Fiscal Officer of  
 14 the State, for personal services and operating expenses of the Arkansas  
 15 Department of Environmental Quality - Federal Operations for the fiscal year  
 16 ending June 30, 2013, the following:

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| 18 | ITEM                            | FISCAL YEAR                |
|----|---------------------------------|----------------------------|
| 19 | <u>NO.</u>                      | <u>2012-2013</u>           |
| 20 | (01) REGULAR SALARIES           | \$5,202,619                |
| 21 | (02) EXTRA HELP                 | 148,585                    |
| 22 | (03) PERSONAL SERVICES MATCHING | 1,557,492                  |
| 23 | (04) MAINT. & GEN. OPERATION    |                            |
| 24 | (A) OPER. EXPENSE               | 4,284,060                  |
| 25 | (B) CONF. & TRAVEL              | 271,126                    |
| 26 | (C) PROF. FEES                  | 2,045,401                  |
| 27 | (D) CAP. OUTLAY                 | 998,000                    |
| 28 | (E) DATA PROC.                  | 0                          |
| 29 | (05) CONTRACTUAL SERVICES       | <u>2,565,000</u>           |
| 30 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$17,072,283</u></u> |

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32 SECTION 5. APPROPRIATION - WASTE WATER LICENSING. There is hereby  
 33 appropriated, to the Arkansas Department of Environmental Quality, to be  
 34 payable from the Wastewater Licensing Fund, for personal services and  
 35 operating expenses of the Arkansas Department of Environmental Quality -  
 36 Waste Water Licensing for the fiscal year ending June 30, 2013, the

1 following:

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| 3  | ITEM                            | FISCAL YEAR             |
|----|---------------------------------|-------------------------|
| 4  | <u>NO.</u>                      | <u>2012-2013</u>        |
| 5  | (01) REGULAR SALARIES           | \$101,646               |
| 6  | (02) PERSONAL SERVICES MATCHING | 33,556                  |
| 7  | (03) MAINT. & GEN. OPERATION    |                         |
| 8  | (A) OPER. EXPENSE               | 26,632                  |
| 9  | (B) CONF. & TRAVEL              | 5,089                   |
| 10 | (C) PROF. FEES                  | 0                       |
| 11 | (D) CAP. OUTLAY                 | 0                       |
| 12 | (E) DATA PROC.                  | <u>0</u>                |
| 13 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$166,923</u></u> |

14

15 SECTION 6. APPROPRIATION - LAND RECLAMATION. There is hereby  
 16 appropriated, to the Arkansas Department of Environmental Quality, to be  
 17 payable from the Land Reclamation Fund, for land reclamation contracts of the  
 18 Arkansas Department of Environmental Quality - Land Reclamation for the  
 19 fiscal year ending June 30, 2013, the following:

20

| 21 | ITEM                       | FISCAL YEAR             |
|----|----------------------------|-------------------------|
| 22 | <u>NO.</u>                 | <u>2012-2013</u>        |
| 23 | (01) RECLAMATION CONTRACTS | <u><u>\$950,000</u></u> |

24

25 SECTION 7. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is  
 26 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 27 be payable from the Hazardous Waste Permit Fund, for personal services and  
 28 operating expenses of the Arkansas Department of Environmental Quality -  
 29 Hazardous Waste Permit Program for the fiscal year ending June 30, 2013, the  
 30 following:

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| 32 | ITEM                            | FISCAL YEAR      |
|----|---------------------------------|------------------|
| 33 | <u>NO.</u>                      | <u>2012-2013</u> |
| 34 | (01) REGULAR SALARIES           | \$1,001,989      |
| 35 | (02) EXTRA HELP                 | 15,795           |
| 36 | (03) PERSONAL SERVICES MATCHING | 296,974          |

|   |                              |                           |
|---|------------------------------|---------------------------|
| 1 | (04) OVERTIME                | 1,250                     |
| 2 | (05) MAINT. & GEN. OPERATION |                           |
| 3 | (A) OPER. EXPENSE            | 197,304                   |
| 4 | (B) CONF. & TRAVEL           | 47,700                    |
| 5 | (C) PROF. FEES               | 53,000                    |
| 6 | (D) CAP. OUTLAY              | 0                         |
| 7 | (E) DATA PROC.               | <u>0</u>                  |
| 8 | TOTAL AMOUNT APPROPRIATED    | <u><u>\$1,614,012</u></u> |

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10 SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is  
 11 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 12 be payable from the Abandoned Mine Reclamation Fund, for contractual services  
 13 of the Arkansas Department of Environmental Quality - Reclamation of  
 14 Abandoned Mines for the fiscal year ending June 30, 2013, the following:

15

| 16 | ITEM                            | FISCAL YEAR               |
|----|---------------------------------|---------------------------|
| 17 | <u>NO.</u>                      | <u>2012-2013</u>          |
| 18 | (01) ABANDONED MINE RECLAMATION |                           |
| 19 | CONTRACTUAL SERVICES            | <u><u>\$5,700,000</u></u> |

20

21 SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby  
 22 appropriated, to the Arkansas Department of Environmental Quality, to be  
 23 payable from the Surface Coal Mining Operation Fund, for operating expenses  
 24 of the Arkansas Department of Environmental Quality - Surface Coal Mining for  
 25 the fiscal year ending June 30, 2013, the following:

26

| 27 | ITEM                         | FISCAL YEAR            |
|----|------------------------------|------------------------|
| 28 | <u>NO.</u>                   | <u>2012-2013</u>       |
| 29 | (01) MAINT. & GEN. OPERATION |                        |
| 30 | (A) OPER. EXPENSE            | \$15,000               |
| 31 | (B) CONF. & TRAVEL           | 0                      |
| 32 | (C) PROF. FEES               | 0                      |
| 33 | (D) CAP. OUTLAY              | 0                      |
| 34 | (E) DATA PROC.               | <u>0</u>               |
| 35 | TOTAL AMOUNT APPROPRIATED    | <u><u>\$15,000</u></u> |

36

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, 2013, the following:

| ITEM   | FISCAL YEAR        |
|--|--------------------|
| <u>NO.</u>                                   | <u>2012-2013</u>   |
| (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, 2013, the following:

| ITEM                            | FISCAL YEAR         |
|---------------------------------|---------------------|
| <u>NO.</u>                      | <u>2012-2013</u>    |
| (01) REGULAR SALARIES           | \$7,680,413         |
| (02) EXTRA HELP                 | 45,000              |
| (03) PERSONAL SERVICES MATCHING | 2,322,992           |
| (04) MAINT. & GEN. OPERATION    |                     |
| (A) OPER. EXPENSE               | 1,698,170           |
| (B) CONF. & TRAVEL              | 152,389             |
| (C) PROF. FEES                  | 1,598,519           |
| (D) CAP. OUTLAY                 | 1,075,000           |
| (E) DATA PROC.                  | <u>0</u>            |
| TOTAL AMOUNT APPROPRIATED       | <u>\$14,572,483</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,

1 2013, the following:

2

| 3 ITEM                               | FISCAL YEAR      |
|--------------------------------------|------------------|
| 4 <u>NO.</u>                         | <u>2012-2013</u> |
| 5 (01) SOLID WASTE PERFORMANCE BONDS |                  |
| 6 CONTRACTUAL SERVICES               | <u>\$500,000</u> |

7

8 SECTION 13. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby  
 9 appropriated, to the Arkansas Department of Environmental Quality, to be  
 10 payable from the Hazardous Substance Remedial Action Trust Fund, for personal  
 11 services and operating expenses of the Arkansas Department of Environmental  
 12 Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2013,  
 13 the following:

14

| 15 ITEM                            | FISCAL YEAR        |
|------------------------------------|--------------------|
| 16 <u>NO.</u>                      | <u>2012-2013</u>   |
| 17 (01) REGULAR SALARIES           | \$135,938          |
| 18 (02) PERSONAL SERVICES MATCHING | 41,636             |
| 19 (03) MAINT. & GEN. OPERATION    |                    |
| 20 (A) OPER. EXPENSE               | 401,358            |
| 21 (B) CONF. & TRAVEL              | 33,960             |
| 22 (C) PROF. FEES                  | 250,000            |
| 23 (D) CAP. OUTLAY                 | 262,000            |
| 24 (E) DATA PROC.                  | 0                  |
| 25 (04) CONTRACTUAL SERVICES       | 6,194,000          |
| 26 (05) DATA PROCESSING PURCHASES  | <u>453,937</u>     |
| 27 TOTAL AMOUNT APPROPRIATED       | <u>\$7,772,829</u> |

28

29 SECTION 14. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is  
 30 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 31 be payable from the Hazardous Substance Remedial Action Trust Fund, for  
 32 personal services and operating expenses of the Arkansas Department of  
 33 Environmental Quality - Emergency Response Program for the fiscal year ending  
 34 June 30, 2013, the following:

35

| 36 ITEM | FISCAL YEAR |
|---------|-------------|
|---------|-------------|



| 1  | <u>NO.</u>                      | <u>2012-2013</u>        |
|----|---------------------------------|-------------------------|
| 2  | (01) REGULAR SALARIES           | \$91,778                |
| 3  | (02) PERSONAL SERVICES MATCHING | 27,807                  |
| 4  | (03) MAINT. & GEN. OPERATION    |                         |
| 5  | (A) OPER. EXPENSE               | 3,833                   |
| 6  | (B) CONF. & TRAVEL              | 2,000                   |
| 7  | (C) PROF. FEES                  | 0                       |
| 8  | (D) CAP. OUTLAY                 | 0                       |
| 9  | (E) DATA PROC.                  | 0                       |
| 10 | (04) CONTRACTUAL SERVICES       | <u>372,655</u>          |
| 11 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$498,073</u></u> |

12

13 SECTION 15. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby  
 14 appropriated, to the Arkansas Department of Environmental Quality, to be  
 15 payable from the Asbestos Control Fund, for personal services and operating  
 16 expenses of the Arkansas Department of Environmental Quality - Asbestos  
 17 Control Program for the fiscal year ending June 30, 2013, the following:

18

| 19 | ITEM                            | FISCAL YEAR             |
|----|---------------------------------|-------------------------|
| 20 | <u>NO.</u>                      | <u>2012-2013</u>        |
| 21 | (01) REGULAR SALARIES           | \$166,942               |
| 22 | (02) PERSONAL SERVICES MATCHING | 52,346                  |
| 23 | (03) MAINT. & GEN. OPERATION    |                         |
| 24 | (A) OPER. EXPENSE               | 29,452                  |
| 25 | (B) CONF. & TRAVEL              | 4,090                   |
| 26 | (C) PROF. FEES                  | 2,100                   |
| 27 | (D) CAP. OUTLAY                 | 0                       |
| 28 | (E) DATA PROC.                  | <u>0</u>                |
| 29 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$254,930</u></u> |

30

31 SECTION 16. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING  
 32 PROGRAM. There is hereby appropriated, to the Arkansas Department of  
 33 Environmental Quality, to be payable from the Solid Waste Management  
 34 Recycling Fund, for personal services and operating expenses of the Arkansas  
 35 Department of Environmental Quality - Solid Waste Management and Recycling  
 36 Program for the fiscal year ending June 30, 2013, the following:

| 1  | 2    | ITEM                       | FISCAL YEAR        |
|----|------|----------------------------|--------------------|
| 3  | NO.  |                            | 2012-2013          |
| 4  | (01) | REGULAR SALARIES           | \$883,975          |
| 5  | (02) | PERSONAL SERVICES MATCHING | 269,779            |
| 6  | (03) | MAINT. & GEN. OPERATION    |                    |
| 7  | (A)  | OPER. EXPENSE              | 126,529            |
| 8  | (B)  | CONF. & TRAVEL             | 15,668             |
| 9  | (C)  | PROF. FEES                 | 0                  |
| 10 | (D)  | CAP. OUTLAY                | 0                  |
| 11 | (E)  | DATA PROC.                 | 0                  |
| 12 | (04) | RECYCLING GRANTS           | 4,650,000          |
| 13 | (05) | ELECTRONIC WASTE RECYCLING |                    |
| 14 |      | INFRASTRUCTURE             | <u>2,500,000</u>   |
| 15 |      | TOTAL AMOUNT APPROPRIATED  | <u>\$8,445,951</u> |

16

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

18 There is hereby appropriated, to the Arkansas Department of Environmental  
 19 Quality, to be payable from the Regulated Substance Storage Tank Program  
 20 Fund, for personal services and operating expenses of the Arkansas Department  
 21 of Environmental Quality - Regulated Substance Storage Tank Program for the  
 22 fiscal year ending June 30, 2013, the following:

23

| 24 | ITEM | FISCAL YEAR                |                    |
|----|------|----------------------------|--------------------|
| 25 | NO.  | 2012-2013                  |                    |
| 26 | (01) | REGULAR SALARIES           | \$717,944          |
| 27 | (02) | PERSONAL SERVICES MATCHING | 228,176            |
| 28 | (03) | MAINT. & GEN. OPERATION    |                    |
| 29 | (A)  | OPER. EXPENSE              | 71,128             |
| 30 | (B)  | CONF. & TRAVEL             | 5,005              |
| 31 | (C)  | PROF. FEES                 | 0                  |
| 32 | (D)  | CAP. OUTLAY                | 0                  |
| 33 | (E)  | DATA PROC.                 | <u>0</u>           |
| 34 |      | TOTAL AMOUNT APPROPRIATED  | <u>\$1,022,253</u> |

35

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

1 is hereby appropriated, to the Arkansas Department of Environmental Quality,  
 2 to be payable from the Petroleum Storage Tank Trust Fund, for personal  
 3 services and operating expenses of the Arkansas Department of Environmental  
 4 Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June  
 5 30, 2013, the following:

| ITEM                            | FISCAL YEAR                |
|---------------------------------|----------------------------|
| <u>NO.</u>                      | <u>2012-2013</u>           |
| (01) REGULAR SALARIES           | \$216,141                  |
| (02) PERSONAL SERVICES MATCHING | 61,830                     |
| (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><u>\$21,780,932</u></u> |

18  
 19 SECTION 19. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.

20 There is hereby appropriated, to the Arkansas Department of Environmental  
 21 Quality, to be payable from the federal funds as designated by the Chief  
 22 Fiscal Officer of the State, for contractual services of the Arkansas  
 23 Department of Environmental Quality - Regulated Storage Tank Program -  
 24 Federal for the fiscal year ending June 30, 2013, the following:

| ITEM  | FISCAL YEAR               |
|---|---------------------------|
| <u>NO.</u>  | <u>2012-2013</u>          |
| (01) REGULATED STORAGE TANK & CONTRACTUAL<br>SERVICES | <u><u>\$3,925,000</u></u> |

31 SECTION 20. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is  
 32 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 33 be payable from the Landfill Post-Closure Trust Fund, for personal services  
 34 and operating expenses of the Arkansas Department of Environmental Quality -  
 35 Landfill Post-Closure Program for the fiscal year ending June 30, 2013, the  
 36 following:

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| ITEM                            | FISCAL YEAR               |
|---------------------------------|---------------------------|
| <u>NO.</u>                      | <u>2012-2013</u>          |
| (01) REGULAR SALARIES           | \$311,225                 |
| (02) PERSONAL SERVICES MATCHING | 90,488                    |
| (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>7,433,373</u>          |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$7,872,009</u></u> |

SECTION 21. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Waste Tire Grant Fund, for waste tire recycling grants of the Arkansas Department of Environmental Quality - Waste Tire Recycling Program for the fiscal year ending June 30, 2013, the following:

| ITEM                             | FISCAL YEAR               |
|----------------------------------|---------------------------|
| <u>NO.</u>                       | <u>2012-2013</u>          |
| (01) WASTE TIRE RECYCLING GRANTS | <u><u>\$6,425,000</u></u> |

SECTION 22. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Marketing Board Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - State Marketing Board for Recyclables Program for the fiscal year ending June 30, 2013, the following:

| ITEM                            | FISCAL YEAR      |
|---------------------------------|------------------|
| <u>NO.</u>                      | <u>2012-2013</u> |
| (01) REGULAR SALARIES           | \$1,500          |
| (02) PERSONAL SERVICES MATCHING | 115              |
| (03) MAINT. & GEN. OPERATION    |                  |

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

7

8 SECTION 23. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is  
 9 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 10 be payable from the Environmental Education Fund, for personal services and  
 11 operating expenses of the Arkansas Department of Environmental Quality -  
 12 Environmental Education Program for the fiscal year ending June 30, 2013, the  
 13 following:

14

| 15 | ITEM                            | FISCAL YEAR             |
|----|---------------------------------|-------------------------|
| 16 | <u>NO.</u>                      | <u>2012-2013</u>        |
| 17 | (01) REGULAR SALARIES           | \$50,823                |
| 18 | (02) PERSONAL SERVICES MATCHING | 14,814                  |
| 19 | (03) MAINT. & GEN. OPERATION    |                         |
| 20 | (A) OPER. EXPENSE               | 152,961                 |
| 21 | (B) CONF. & TRAVEL              | 8,000                   |
| 22 | (C) PROF. FEES                  | 94,000                  |
| 23 | (D) CAP. OUTLAY                 | 0                       |
| 24 | (E) DATA PROC.                  | <u>0</u>                |
| 25 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$320,598</u></u> |

26

27 SECTION 24. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby  
 28 appropriated, to the Arkansas Department of Environmental Quality, to be  
 29 payable from the Small Business Revolving Loan Fund, for providing loans to  
 30 small businesses for projects to meet regulatory mandates in pollution  
 31 control and prevention technologies of the Arkansas Department of  
 32 Environmental Quality for the fiscal year ending June 30, 2013, the  
 33 following:

34

| 35 | ITEM       | FISCAL YEAR      |
|----|------------|------------------|
| 36 | <u>NO.</u> | <u>2012-2013</u> |

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

2

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

4 There is hereby appropriated, to the Arkansas Department of Environmental  
 5 Quality, to be payable from the Small Business Revolving Loan Fund, for  
 6 personal services and operating expenses of the Arkansas Department of  
 7 Environmental Quality - Small Business Revolving Loan Program for the fiscal  
 8 year ending June 30, 2013, the following:

9

| 10 ITEM                            | FISCAL YEAR      |
|------------------------------------|------------------|
| 11 <u>NO.</u>                      | <u>2012-2013</u> |
| 12 (01) REGULAR SALARIES           | \$27,375         |
| 13 (02) PERSONAL SERVICES MATCHING | 10,237           |
| 14 (03) MAINT. & GEN. OPERATION    |                  |
| 15 (A) OPER. EXPENSE               | 11,010           |
| 16 (B) CONF. & TRAVEL              | 3,650            |
| 17 (C) PROF. FEES                  | 5,000            |
| 18 (D) CAP. OUTLAY                 | 0                |
| 19 (E) DATA PROC.                  | <u>0</u>         |
| 20 TOTAL AMOUNT APPROPRIATED       | <u>\$57,272</u>  |

21

22 SECTION 26. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

23 There is hereby appropriated, to the Arkansas Department of Environmental  
 24 Quality, to be payable from the Performance Partnership Trust Fund, for  
 25 expenses of designing and establishing a management organization of the  
 26 Arkansas Department of Environmental Quality for the fiscal year ending June  
 27 30, 2013, the following:

28

| 29 ITEM                                    | FISCAL YEAR      |
|--|------------------|
| 30 <u>NO.</u>                              | <u>2012-2013</u> |
| 31 (01) PERFORMANCE INTEGRATED INFORMATION |                  |
| 32 SYSTEM EXPENSES                         | <u>\$600,000</u> |

33

34 SECTION 27. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is  
 35 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 36 be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as

1 authorized through various settlement agreements benefiting the State of  
 2 Arkansas as administered through the Arkansas Department of Environmental  
 3 Quality for the fiscal year ending June 30, 2013, the following:

|   |                                     |                  |
|---|-------------------------------------|------------------|
| 5 | ITEM                                | FISCAL YEAR      |
| 6 | <u>NO.</u>                          | <u>2012-2013</u> |
| 7 | (01) ENVIRONMENTAL SETTLEMENT TRUST |                  |
| 8 | EXPENSES                            | <u>\$750,000</u> |

9  
 10 SECTION 28. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There  
 11 is hereby appropriated, to the Arkansas Department of Environmental Quality,  
 12 to be payable from the Computer and Electronic Recycling Fund, for grants and  
 13 expenses of the Arkansas Department of Environmental Quality - Computer and  
 14 Electronic Recycling for the fiscal year ending June 30, 2013, the following:

|    |   |                  |
|----|---|------------------|
| 16 | ITEM                                    | FISCAL YEAR      |
| 17 | <u>NO.</u>                              | <u>2012-2013</u> |
| 18 | (01) COMPUTER AND ELECTRONICS RECYCLING |                  |
| 19 | MANAGEMENT EXPENSES OR GRANTS           | <u>\$250,000</u> |

20  
 21 SECTION 29. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION  
 22 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the  
 23 Arkansas Department of Environmental Quality for the 2012-2013 fiscal year,  
 24 the following maximum number of regular employees.

| 26 |            |             |                                     | Maximum Annual      |
|----|------------|-------------|-------------------------------------|---------------------|
| 27 |            |             |                                     | Salary Rate         |
| 28 | Item       | Class       | Maximum                             | Fiscal Year         |
| 29 | <u>No.</u> | <u>Code</u> | <u>Title</u>                        | <u>2012-2013</u>    |
| 30 | (1)        | G024C       | DEPARTMENT ADMINISTRATIVE LAW JUDGE | 1 GRADE C127        |
| 31 | (2)        | G179C       | LEGAL SERVICES SPECIALIST           | <u>1</u> GRADE C117 |
| 32 |            |             | MAX. NO. OF EMPLOYEES               | 2                   |

33  
 34 SECTION 30. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -  
 35 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the  
 36 Arkansas Department of Environmental Quality, to be payable from the Arkansas

1 Department of Environmental Quality Fee Trust Fund, for personal services and  
 2 operating expenses of the Arkansas Department of Environmental Quality -  
 3 Pollution Control and Ecology Commission - Administrative Hearing Officer for  
 4 the fiscal year ending June 30, 2013, the following:

| 5 | 6          | 7                          | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16                      |
|---|------------|----------------------------|---|---|----|----|----|----|----|----|-------------------------|
|   | ITEM       |                            |   |   |    |    |    |    |    |    | FISCAL YEAR             |
|   | <u>NO.</u> |                            |   |   |    |    |    |    |    |    | <u>2012-2013</u>        |
|   | (01)       | REGULAR SALARIES           |   |   |    |    |    |    |    |    | \$132,747               |
|   | (02)       | PERSONAL SERVICES MATCHING |   |   |    |    |    |    |    |    | 34,801                  |
|   | (03)       | MAINT. & GEN. OPERATION    |   |   |    |    |    |    |    |    |                         |
|   | (A)        | OPER. EXPENSE              |   |   |    |    |    |    |    |    | 87,217                  |
|   | (B)        | CONF. & TRAVEL             |   |   |    |    |    |    |    |    | 6,922                   |
|   | (C)        | PROF. FEES                 |   |   |    |    |    |    |    |    | 0                       |
|   | (D)        | CAP. OUTLAY                |   |   |    |    |    |    |    |    | 0                       |
|   | (E)        | DATA PROC.                 |   |   |    |    |    |    |    |    | <u>0</u>                |
|   |            | TOTAL AMOUNT APPROPRIATED  |   |   |    |    |    |    |    |    | <u><u>\$261,687</u></u> |

17  
 18 SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -  
 19 EXPENSES. There is hereby appropriated, to the Arkansas Department of  
 20 Environmental Quality, to be payable from the Miscellaneous Agencies Fund  
 21 Account, for expenses of the Pollution Control and Ecology Commission of the  
 22 Arkansas Department of Environmental Quality for the fiscal year ending June  
 23 30, 2013, the following:

| 24 | 25         | 26                       | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34                    |
|----|------------|--------------------------|----|----|----|----|----|----|----|-----------------------|
|    | ITEM       |                          |    |    |    |    |    |    |    | FISCAL YEAR           |
|    | <u>NO.</u> |                          |    |    |    |    |    |    |    | <u>2012-2013</u>      |
|    | (01)       | PC&E COMMISSION EXPENSES |    |    |    |    |    |    |    | <u><u>\$3,977</u></u> |

29 SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is  
 30 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 31 be payable from the Arkansas Department of Environmental Quality Fee Trust  
 32 Fund, for the cleanup of non hazardous sites which pose a threat to the  
 33 environment for the fiscal year ending June 30, 2013, the following:

| 34 | 35         | 36 |  |  |  |  |  |  |  |                  |
|----|------------|----|--|--|--|--|--|--|--|------------------|
|    | ITEM       |    |  |  |  |  |  |  |  | FISCAL YEAR      |
|    | <u>NO.</u> |    |  |  |  |  |  |  |  | <u>2012-2013</u> |



1 (01) CONTRACTUAL SERVICES \$750,000

2

3 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
5 HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the  
6 Arkansas Department of Environmental Quality - Hazardous Waste Permit Program  
7 for the ~~2011-2012~~ 2012-2013 fiscal year, the following maximum number of  
8 part-time or temporary employees, to be known as "Extra Help", payable from  
9 funds appropriated herein for such purposes: Four (4) temporary or part-time  
10 employees, when needed, at rates of pay not to exceed those provided in the  
11 Uniform Classification and Compensation Act, or its successor, for the  
12 appropriate classification. These four positions are utilized for a specific  
13 project and are specifically exempt from the limitations, either by act or  
14 regulation, of hours worked.

15 The provisions of this section shall be in effect only from July 1, ~~2010~~  
16 2012 through June 30, ~~2011~~ 2013.

17

18 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT  
20 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial  
21 Action Trust Fund for the purchase of departmental laboratory equipment,  
22 including maintenance contracts, and data processing equipment and mission-  
23 critical software, including maintenance contracts, as appropriated in  
24 Section 13, in Items (03)(D) and (05) shall be funded only through interest  
25 earnings from the Hazardous Substance Remedial Action Trust Fund. Further,  
26 the Department shall report biennially to the Legislative Council all  
27 expenditures from interest earnings for these purchases.

28 The provisions of this section shall be in effect only from July 1, ~~2010~~  
29 2012 through June 30, ~~2011~~ 2013.

30

31 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
33 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement  
34 Trust Fund for information technology needs may be made without prior  
35 approval of the Chief Fiscal Officer of the State, after seeking review of  
36 the Arkansas Legislative Council. Further, utilization of this appropriation

1 for information technology needs of the Arkansas Department of Environmental  
2 Quality must also be approved by the Executive Chief Information Officer  
3 after the project is evaluated on the methodology recommended by the Chief  
4 Information Officer and the CIO Council, including an analysis of the return  
5 on investment and linkage to the Department's business objectives. Any  
6 approved projects and expenditures for information technology from the  
7 Environmental Settlement Trust Fund shall be reported annually to the Joint  
8 Committee on Advanced Communications and Information Technology.

9  
10 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ  
12 ASBESTOS PROGRAM. The fees collected pursuant to Arkansas Code 20-27-1004(5)  
13 shall be used by the department to fund operational expenses and to provide  
14 and train personnel to administer an asbestos program, as funding is  
15 available, including:

16 (a) Personnel dedicated to issue certificates and licenses to qualified  
17 persons/companies, to perform audit of trainers, and to regularly update the  
18 ADEQ web page providing a listing of asbestos licensed parties;

19 (b) Personnel who are trained as asbestos supervisors as defined by Arkansas  
20 Code 20-27-1003 and Arkansas Pollution Control and Ecology Commission  
21 Regulation No.21 to approve asbestos Notices of Intent, perform and  
22 coordinate asbestos inspections, conduct enforcement actions, and provide  
23 regulatory compliance information to assist the regulated community. Asbestos  
24 inspectors shall have personal protective equipment when needed to enter a  
25 regulated area; and

26 (c) Other personnel as necessary to administer the asbestos program.

27  
28 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING  
30 REQUIREMENTS. The Department shall present the following data to Legislative  
31 Council quarterly, due by the 15th day of the month following the quarter,  
32 beginning July 15, ~~2011~~ 2012:

33 a) Number and type of environmental permits currently authorized by the  
34 Department and the Pollution Control and Ecology Commission in each  
35 environmental permit category;

36 b) Total funds collected from permit fees for each permit category and the

1 percent increase or decrease in permit fees annually;

2 c) Description of each environmental permit application pending in each  
3 environmental permit category, the number of days each permit has been  
4 pending, and the reasons for delays in issuing permits for each permit that  
5 has been pending for more than 45 days;

6 d) Number and type of enforcement actions initiated by the Department, the  
7 geographic location of each violation and the total fines and collections  
8 from Supplemental Environmental Projects, the percent increase or decrease in  
9 fines levied annually and

10 e) Description of all pending rulemaking activities and justifications  
11 thereof, including economic impact and environmental benefit analysis.

12 The provisions of this section shall be in effect only from July 1,  
13 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

14  
15 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
17 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,  
18 the Arkansas Department of Environmental Quality may transfer from various  
19 department funds to the Arkansas Department of Environmental Quality Fund  
20 Account, the sum of \$1,500,000 in fiscal year ~~2011-2012~~ 2012-2013, for the  
21 exclusive purpose of supplementing funding for the appropriation provided in  
22 Section 3. Appropriation - State Operations. The funds shall be used for  
23 personal services and operating expenses of the Arkansas Department of  
24 Environmental Quality - State Operations. Funds which remain in the Arkansas  
25 Department of Environmental Quality Fund Account at the close of the fiscal  
26 year shall be carried forward and made available for the same purpose for the  
27 following fiscal year. These funds shall be used for the purpose stated  
28 above.

29  
30 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING  
32 REQUIREMENTS. For the purposes of the fund transfers provided for in Section  
33 38 - Fund Transfer Provision, the amounts transferred shall not be considered  
34 as part of any statutory limitation on the use of funds for administration of  
35 programs of the Department.

36

1 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL  
3 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000  
4 per site from the Landfill Post-Closure Trust Fund, as appropriated in  
5 Section 20, Item (04) for corrective action to remedy environmental impacts  
6 of closed disposal sites previously operated as a landfill pursuant to state  
7 law will be prioritized and authorized by the Commission after addressing  
8 corrective actions needed to address environmental impacts from permitted  
9 landfills closed properly. The total of the said expenditures shall not  
10 exceed \$2,000,000 per fiscal year.

11  
12 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON  
14 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas  
15 Department of Environmental Quality Fee Trust Fund for the cleanup of non  
16 hazardous sites which pose a threat to the environment, as appropriated in  
17 Section 32, shall be funded only through interest earnings from the Arkansas  
18 Department of Environmental Quality Fee Trust Fund. The Arkansas Department  
19 of Environmental Quality shall seek cost recovery from parties responsible  
20 for damages to the environment that dictate the use of appropriation  
21 authorized in Section 32 of this act, as well as, any other funds spent by a  
22 governmental entity to remediate such non hazardous sites.

23  
24 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 FAYETTEVILLE SHALE QUARTERLY REPORTING. The Arkansas Department of  
27 Environmental Quality shall report on a quarterly basis to the Arkansas  
28 Legislative Council or the Joint Budget Committee the number of inspections,  
29 any hearings, findings, orders, fines, or other agency regulatory or  
30 enforcement actions or activities involving the Fayetteville Shale. The  
31 quarterly reports shall be provided no later than the 15th day of the month  
32 immediately following the end of each quarter.

33 The provisions of this section shall be in effect only from July 1,  
34 ~~2011~~ 2012 through June 30, ~~2012~~ 2013.

35  
36 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS*  
2 *PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM. The Arkansas Department of*  
3 *Environmental Quality shall adopt policies before September 1, 2012 to ensure*  
4 *its cooperation regarding provision to the Division of Public School Academic*  
5 *Facilities and Transportation copies of the reports of inspections required*  
6 *under Arkansas Code § 6-21-813 (d) through (f) for the Arkansas Public School*  
7 *Academic Facilities Program Act.*

8  
9 SECTION 44. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
10 authorized by this act shall be limited to the appropriation for such agency  
11 and funds made available by law for the support of such appropriations; and  
12 the restrictions of the State Procurement Law, the General Accounting and  
13 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
14 Procedures and Restrictions Act, or their successors, and other fiscal  
15 control laws of this State, where applicable, and regulations promulgated by  
16 the Department of Finance and Administration, as authorized by law, shall be  
17 strictly complied with in disbursement of said funds.

18  
19 SECTION 45. LEGISLATIVE INTENT. It is the intent of the General  
20 Assembly that any funds disbursed under the authority of the appropriations  
21 contained in this act shall be in compliance with the stated reasons for  
22 which this act was adopted, as evidenced by the Agency Requests, Executive  
23 Recommendations and Legislative Recommendations contained in the budget  
24 manuals prepared by the Department of Finance and Administration, letters, or  
25 summarized oral testimony in the official minutes of the Arkansas Legislative  
26 Council or Joint Budget Committee which relate to its passage and adoption.

27  
28 SECTION 46. EMERGENCY CLAUSE. It is found and determined by the  
29 General Assembly, that the Constitution of the State of Arkansas prohibits  
30 the appropriation of funds for more than a one (1) year period; that the  
31 effectiveness of this Act on July 1, 2012 is essential to the operation of  
32 the agency for which the appropriations in this Act are provided, and that in  
33 the event of an extension of the legislative session, the delay in the  
34 effective date of this Act beyond July 1, 2012 could work irreparable harm  
35 upon the proper administration and provision of essential governmental  
36 programs. Therefore, an emergency is hereby declared to exist and this Act

1 being necessary for the immediate preservation of the public peace, health  
2 and safety shall be in full force and effect from and after July 1, 2012.

3  
4 */s/Joint Budget Committee*  
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