

DEPT OF ENERGY & ENVIRONMENT - DIV OF ENVIRONMENTAL QUALITY

State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2022

None

Employment Summary

	Male	Female	Total	%
White Employees	133	99	232	86 %
Black Employees	11	14	25	9 %
Other Racial Minorities	10	2	12	5 %
Total Minorities			37	14 %
Total Employees			269	100 %

Publications

A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
None	N/A	N	N	0	N/A	0	0.00

Department Appropriation Summary

Appropriation	Historical Data						Agency Request and Executive Recommendation							
	2021-2022		2022-2023		2022-2023		2023-2024				2024-2025			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
2TP ADEQ - State Operations	2,235,360	24	2,138,231	19	2,749,720	33	3,656,024	29	3,656,024	29	3,662,992	29	3,662,992	29
2TQ ADEQ - Federal Operations	5,993,493	73	9,019,518	80	7,866,632	72	9,913,509	89	9,913,509	89	9,974,109	89	9,974,109	89
2TR Waste Water Licensing	108,292	1	84,628	0	165,952	1	316,911	0	316,911	0	316,911	0	316,911	0
2TS Land Reclamation	3,850	0	501,570	0	950,000	0	950,000	0	950,000	0	950,000	0	950,000	0
2TT Hazardous Waste Permit Program	1,118,274	12	1,324,705	12	1,370,981	13	1,737,078	13	1,737,078	13	1,745,658	13	1,745,658	13
2TU Reclamation of Abandoned Mines - State	2,314,714	0	2,501,435	0	5,700,000	0	5,700,000	0	5,700,000	0	5,700,000	0	5,700,000	0
2TV Surface Coal Mining	51	0	15,000	0	15,000	0	15,000	0	15,000	0	15,000	0	15,000	0
2TW Mining Reclamation	39,442	0	744,141	0	1,520,000	0	1,520,000	0	1,520,000	0	1,520,000	0	1,520,000	0
2TX Fee Administration	9,966,682	131	14,514,984	145	13,801,221	138	15,713,529	152	15,713,529	152	15,822,356	152	15,822,356	152
2TY Solid Waste Performance Bonds	0	0	9,915	0	3,000,000	0	2,000,000	0	2,000,000	0	2,000,000	0	2,000,000	0
2TZ Hazardous Waste Cleanup	331,099	1	4,338,449	0	7,355,689	2	7,355,689	1	7,355,689	1	7,356,349	1	7,356,349	1
2UA Emergency Response Program	0	0	372,655	0	372,655	0	372,655	0	372,655	0	372,655	0	372,655	0
2UB Asbestos Control Program	175,263	4	423,456	4	458,892	5	509,473	4	509,473	4	512,113	4	512,113	4
2UC Solid Waste Mgmt/Recycling Prog	4,608,926	12	8,238,601	13	8,158,190	12	5,903,915	13	5,903,915	13	5,912,824	13	5,912,824	13
2UD Reg. Substance Storage Tank	961,194	16	1,193,522	17	1,071,139	17	1,363,187	17	1,363,187	17	1,374,900	17	1,374,900	17
2UE Petroleum Storage Tank Trust	5,397,230	2	21,461,529	2	21,861,658	4	21,861,658	2	21,861,658	2	21,861,658	2	21,861,658	2
2UF Regulated Storage Tank Program	622,071	0	1,500,000	0	3,925,000	0	3,925,000	0	3,925,000	0	3,925,000	0	3,925,000	0
2UG Landfill Post Closure Program	447,304	4	10,929,943	4	14,431,345	4	14,456,110	4	14,456,110	4	14,458,750	4	14,458,750	4
2UJ Mktg Recyclables Prog of the Compliance /	12,279	0	28,326	0	28,326	0	28,326	0	28,326	0	28,326	0	28,326	0
2UK Environmental Education Program	48,116	0	146,000	0	146,000	0	146,000	0	146,000	0	146,000	0	146,000	0
2UN Small Business Loans	0	0	550,000	0	550,000	0	550,000	0	550,000	0	550,000	0	550,000	0
2UP Sm Bus Revolving Loan Prog Exp	0	0	19,660	0	19,660	0	19,660	0	19,660	0	19,660	0	19,660	0
2UQ Performance Partnership Syst Exp	0	0	93,710	0	563,000	0	563,000	0	563,000	0	563,000	0	563,000	0
2UR Environmental Settlement Trust	0	0	436,277	0	5,650,000	0	5,650,000	0	5,650,000	0	5,650,000	0	5,650,000	0
2US Computer/Electronic Recycling	53,668	0	250,000	0	250,000	0	250,000	0	250,000	0	250,000	0	250,000	0
344 PCE Comm Admn Hearing Officer	68,543	1	333,713	2	306,763	2	329,850	2	329,850	2	331,170	2	331,170	2
36A Fee Administration Non-Haz Clean Up	0	0	100,000	0	100,000	0	100,000	0	100,000	0	100,000	0	100,000	0
AU3 EV Infrastructure 781 of 2021	0	0	0	0	5,000,000	0	5,000,000	0	5,000,000	0	5,000,000	0	5,000,000	0
E92 Environmental Site Remediation Trust	0	0	0	0	2,000,000	0	2,000,000	0	0	0	2,000,000	0	0	0
F72 Performance Bond Fund	0	0	172,350	0	500,000	0	500,000	0	500,000	0	500,000	0	500,000	0
M98 Nonmunicipal Domestic Sewage Treatment	1,592	0	55,000	0	55,000	0	55,000	0	55,000	0	55,000	0	55,000	0
V37 Used Tire Recycling Program	8,230,500	8	9,416,908	7	10,788,000	0	10,788,000	7	10,788,000	7	10,788,000	7	10,788,000	7
V86 Energy Efficiency Arkansas	556,136	1	1,351,561	1	1,435,717	2	1,435,717	1	1,435,717	1	1,435,717	1	1,435,717	1

Department Appropriation Summary

Appropriation	Historical Data						Agency Request and Executive Recommendation							
	2021-2022		2022-2023		2022-2023		2023-2024				2024-2025			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
V87 Clean Cities	332	0	189,005	0	189,005	0	189,005	0	189,005	0	189,005	0	189,005	0
V88 Alternative Fuels Vehicles Program	0	0	435,000	0	435,000	0	435,000	0	435,000	0	435,000	0	435,000	0
V89 Energy Performance Contracts	0	0	325,000	0	325,000	0	325,000	0	325,000	0	325,000	0	325,000	0
V90 State Operations	0	0	0	0	221,676	2	221,676	0	221,676	0	221,676	0	221,676	0
V91 State Energy Plan - Federal	834,286	4	2,148,638	4	1,277,443	4	1,282,471	4	1,282,471	4	1,285,111	4	1,285,111	4
V92 Federal Operations	35,322,152	12	46,741,360	11	39,353,548	10	39,659,011	13	39,659,011	13	39,667,837	13	39,667,837	13
NOT REQUESTED FOR THE BIENNIUM														
AI4 ARPA-ADEQ	2,509,750	0	0	0	0	0	0	0	0	0	0	0	0	0
AK7 ARPA-ADEQ 2	130,624	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	82,091,223	306	142,104,790	321	163,968,212	321	166,797,454	351	164,797,454	351	167,021,777	351	165,021,777	351

Funding Sources			%		%		%		%		%		%
Fund Balance	4000005	56,402,781	29.7	107,799,203	50.3	72,024,085	38.6	72,024,085	39.0	47,943,137	29.4	47,943,137	29.8
General Revenue	4000010	4,045,277	2.1	4,047,126	1.9	4,201,485	2.2	4,201,485	2.3	4,202,841	2.6	4,202,841	2.6
Federal Revenue	4000020	50,674,834	26.7	65,874,415	30.8	65,848,520	35.3	65,848,520	35.6	65,848,520	40.4	65,848,520	40.9
Special Revenue	4000030	29,938,864	15.8	32,502,750	15.2	32,273,350	17.3	32,273,350	17.5	32,495,350	19.9	32,495,350	20.2
Cash Fund	4000045	747,088	0.4	565,000	0.3	642,000	0.3	642,000	0.3	662,000	0.4	662,000	0.4
Performance Fund	4000055	0	0.0	228,803	0.1	0	0.0	0	0.0	0	0.0	0	0.0
Fees	4000245	9,262,843	4.9	7,575,000	3.5	9,084,280	4.9	9,084,280	4.9	9,084,280	5.6	9,084,280	5.6
Interest	4000300	171,879	0.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Investments	4000315	44,393,187	23.4	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Inter-agency Fund Transfer	4000316	(394,330)	(0.2)	350,000	0.2	350,000	0.2	350,000	0.2	350,000	0.2	350,000	0.2
Intra-agency Fund Transfer	4000317	274,999	0.1	1,500,000	0.7	1,500,000	0.8	1,500,000	0.8	1,499,900	0.9	1,499,900	0.9
M & R Sales	4000340	256,699	0.1	102,450	0.0	262,500	0.1	262,500	0.1	262,500	0.2	262,500	0.2
Miscellaneous Adjustments	4000345	10,744	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Other	4000370	491,980	0.3	1,147,000	0.5	1,056,842	0.6	1,056,842	0.6	1,056,842	0.6	1,056,842	0.7
Unfunded Appropriation	4000715	0	0.0	0	0.0	7,221,676	3.9	5,221,676	2.8	7,221,676	4.4	5,221,676	3.2
Shared Services Transfer	4000760	(6,386,419)	(3.4)	(7,562,872)	(3.5)	(7,669,855)	(4.1)	(7,669,855)	(4.2)	(7,738,855)	(4.8)	(7,738,855)	(4.8)
Total Funds		189,890,426	100.0	214,128,875	100.0	186,794,883	100.0	184,794,883	100.0	162,888,191	100.0	160,888,191	100.0
Excess Appropriation/(Funding)		(107,799,203)		(72,024,085)		(19,997,429)		(19,997,429)		4,133,586		4,133,586	
Grand Total		82,091,223		142,104,790		166,797,454		164,797,454		167,021,777		165,021,777	

FY23 Budget amount in FC 2TQ, 2TX, 2UC, 2UD and V92 exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium.
Budget exceeds Authorized Appropriation in FC V91 and V92 due to a transfer from the Miscellaneous Federal Grant Holding Account.
Variance in fund balance is due to unfunded appropriation.
Budget number of positions exceed authorized in FCs V37, V92, 2UC, 2TX and 2TQ due to a single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2TP - ADEQ - State Operations

Funding Sources: HMA - ADEQ Fund

The Agency utilizes this appropriation for the maintenance, operation, and improvement required by the Division of Environmental Quality in carrying out the powers, functions, and duties as set out in Title 8, Chapters 1-10, or other duties imposed by law.

The funding consist of: general revenues, funds received from the Arkansas State Game and Fish Commission and from the Oil and Gas Commission, non-revenue income derived from services provided by the Division of Environmental Quality any other funds provided by law.

The continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$3,656,024 in FY24 and \$3,662,992 in FY25 and general revenue funding of \$4,201,485 in FY24 and \$4,202,841 in FY25.

The Agency Request includes the following changes:

- Transfer of ten (10) positions from the Department of Energy and Environment - Shared Services Division (Z41), including an increase in Regular Salaries of \$579,006 in FY24 and \$579,306 in FY25 and Personal Services Matching of \$202,298 for FY24 and \$208,966 for FY25.
- Various personnel changes, including reclassifications, with no change in appropriation.
- Reallocation of \$50,000 in Operating Expenses and \$60,000 in Professional Fees from the Electronic Waste Recycling Infrastructure appropriation from Solid Waste Management/Recycling Program (FC 2UC).
- Reallocation of \$15,000 in Professional Fees from Solid Waste Performance Bonds (FC 2TY).

The Executive Recommendation provides for the Agency Request with the exception of the position reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: 2TP - ADEQ - State Operations

Funding Sources: HMA - ADEQ Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	1,428,200	1,320,779	1,747,299	2,326,305	2,326,305	2,326,605	2,326,605
#Positions		24	19	33	29	29	29	29
Extra Help	5010001	0	0	25,674	25,674	25,674	25,674	25,674
#Extra Help		0	0	1	0	0	0	0
Personal Services Matching	5010003	472,307	428,054	587,349	789,647	789,647	796,315	796,315
Operating Expenses	5020002	316,402	353,183	353,183	403,183	403,183	403,183	403,183
Conference & Travel Expenses	5050009	14,471	32,115	32,115	32,115	32,115	32,115	32,115
Professional Fees	5060010	3,980	4,100	4,100	79,100	79,100	79,100	79,100
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		2,235,360	2,138,231	2,749,720	3,656,024	3,656,024	3,662,992	3,662,992

Funding Sources								
Fund Balance	4000005	1,186,096	1,372,473		3,644,200	3,644,200	4,899,214	4,899,214
General Revenue	4000010	4,045,277	4,047,126		4,201,485	4,201,485	4,202,841	4,202,841
Performance Fund	4000055	0	228,803		0	0	0	0
Fees	4000245	44,249	0		0	0	0	0
Inter-agency Fund Transfer	4000316	14,088	350,000		350,000	350,000	350,000	350,000
Intra-agency Fund Transfer	4000317	275,000	1,500,000		1,500,000	1,500,000	1,500,000	1,500,000
M & R Sales	4000340	1,276	0		0	0	0	0
Shared Services Transfer	4000760	(1,958,153)	(1,715,971)		(1,140,447)	(1,140,447)	(1,155,447)	(1,155,447)
Total Funding		3,607,833	5,782,431		8,555,238	8,555,238	9,796,608	9,796,608
Excess Appropriation/(Funding)		(1,372,473)	(3,644,200)		(4,899,214)	(4,899,214)	(6,133,616)	(6,133,616)
Grand Total		2,235,360	2,138,231		3,656,024	3,656,024	3,662,992	3,662,992

Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2TQ - ADEQ - Federal Operations

Funding Sources: FYP - Federal Funds

ADEQ utilizes this appropriation for the federal portion of program activities. Federal funding is received from the Environmental Protection Agency (EPA) and the US Department of Interior. The Agency receives grants with varying amounts of state matching requirements.

The funding for appropriation is 100% federal funding.

With the exception of Regular Salaries, Personal Services Matching and Capital Outlay, continuing level of appropriation is the FY2023 Authorized. Capital Outlay appropriation continuing level is \$115,263 due to Principal Expenses Capital Leases appropriation.

The Agency is requesting appropriation in the amount of \$9,913,509 in FY24 and \$9,974,109 in FY25.

The Agency Request includes the following changes:

- Transfer of ten (10) positions from the Department of Energy and Environment - Shared Services Division (Z41), including an increase in Regular Salaries of \$603,689 in FY24 and \$604,489 in FY25 and Personal Matching Personal Matching of \$207,966 in FY24 and \$214,750 in FY25.
- Various personnel changes which include reclassifications, with no change in appropriation.
- Reallocation of \$100,000 Operating and \$100,000 in Professional Fees from the Solid Waste Performance Bonds (FC 2TY).
- Restoration of \$664,737 in Capital Outlay for equipment and vehicle purchases.

The Executive Recommendation provides for the Agency Request, with the exception of the position reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: 2TQ - ADEQ - Federal Operations

Funding Sources: FYP - Federal Funds

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	3,409,225	4,370,947	3,528,120	4,843,694	4,843,694	4,845,044	4,845,044
#Positions		73	80	72	89	89	89	89
Extra Help	5010001	74,030	148,497	148,585	148,585	148,585	148,585	148,585
#Extra Help		15	61	62	61	61	61	61
Personal Services Matching	5010003	1,216,626	1,533,592	1,223,445	1,754,748	1,754,748	1,813,998	1,813,998
Operating Expenses	5020002	810,746	1,083,180	1,083,180	1,183,180	1,183,180	1,183,180	1,183,180
Conference & Travel Expenses	5050009	26,330	168,901	168,901	168,901	168,901	168,901	168,901
Professional Fees	5060010	69,415	484,401	484,401	584,401	584,401	584,401	584,401
Data Processing	5090012	0	0	0	0	0	0	0
Grants and Aid	5100004	224,270	450,000	450,000	450,000	450,000	450,000	450,000
Capital Outlay	5120011	162,851	780,000	780,000	780,000	780,000	780,000	780,000
Total		5,993,493	9,019,518	7,866,632	9,913,509	9,913,509	9,974,109	9,974,109

Funding Sources								
Fund Balance	4000005	622,906	230,325		50,175	50,175	0	0
Federal Revenue	4000020	7,010,314	10,500,000		10,500,000	10,500,000	10,500,000	10,500,000
Inter-agency Fund Transfer	4000316	9,600	0		0	0	0	0
Other	4000370	41,079	0		0	0	0	0
Shared Services Transfer	4000760	(1,460,081)	(1,660,632)		(1,435,748)	(1,435,748)	(1,435,748)	(1,435,748)
Total Funding		6,223,818	9,069,693		9,114,427	9,114,427	9,064,252	9,064,252
Excess Appropriation/(Funding)		(230,325)	(50,175)		799,082	799,082	909,857	909,857
Grand Total		5,993,493	9,019,518		9,913,509	9,913,509	9,974,109	9,974,109

FY23 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium.

Authorized position count varies from Agency Request count due to use of the OPM Surrender Pool and single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2TR - Waste Water Licensing

Funding Sources: MWW - Wastewater Licensing Fund

This appropriation is utilized to operate the Waste Water Licensing Program.

This appropriation is funded by Special Revenue. Funding is derived from examination, licensing and license renewal fees collected from wastewater treatment plant operations, pursuant to Ark. Code Ann. §8-5-209.

With the exception of Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$316,911 in each year of the biennium.

The Agency Requests includes the following changes:

- Reallocation of \$28,000 in Regular Salaries, \$9,000 in Personal Services Matching, \$50,000 in Operating Expenses, and \$50,000 in Professional Fees from Solid Waste Performance Bonds (FC 2TY).

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TR - Waste Water Licensing

Funding Sources: MWW - Wastewater Licensing Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	61,247	2,700	62,742	90,742	90,742	90,742	90,742
#Positions		1	0	1	0	0	0	0
Personal Services Matching	5010003	19,146	207	21,489	44,448	44,448	44,448	44,448
Operating Expenses	5020002	21,222	26,721	26,721	76,721	76,721	76,721	76,721
Conference & Travel Expenses	5050009	0	5,000	5,000	5,000	5,000	5,000	5,000
Professional Fees	5060010	6,677	50,000	50,000	100,000	100,000	100,000	100,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		108,292	84,628	165,952	316,911	316,911	316,911	316,911
Funding Sources								
Fund Balance	4000005	483,704	519,972		497,844	497,844	289,225	289,225
Other	4000370	144,560	62,500		108,292	108,292	108,292	108,292
Total Funding		628,264	582,472		606,136	606,136	397,517	397,517
Excess Appropriation/(Funding)		(519,972)	(497,844)		(289,225)	(289,225)	(80,606)	(80,606)
Grand Total		108,292	84,628		316,911	316,911	316,911	316,911

Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2TS - Land Reclamation

Funding Sources: TLR - Land Reclamation Fund

The Agency utilizes this appropriation for reclamation of affected lands as administered by the Division of Environmental Quality as set out in the Arkansas Open-Cut Land Reclamation Act, Ark. Code Ann § 15-57-301 et. seq., and for contract awards for affected lands as required by the Arkansas Quarry Operations, Reclamation and Safe Closure Act, Ark. Code Ann. § 15-57-401.

The funding consists of open-cut mining civil penalties and bond forfeiture amounts, quarry operation reclamation, operation, and safe closure fees, fines, and bond forfeitures, gifts, grants, donations, and other funds as may be made available by the General Assembly, including all interest earned on moneys in the fund.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$950,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TS - Land Reclamation

Funding Sources: TLR - Land Reclamation Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Reclamation Contracts	5900043	3,850	501,570	950,000	950,000	950,000	950,000	950,000
Total		3,850	501,570	950,000	950,000	950,000	950,000	950,000
Funding Sources								
Fund Balance	4000005	413,978	459,070		0	0	0	0
Fees	4000245	48,942	42,500		47,890	47,890	47,890	47,890
Total Funding		462,920	501,570		47,890	47,890	47,890	47,890
Excess Appropriation/(Funding)		(459,070)	0		902,110	902,110	902,110	902,110
Grand Total		3,850	501,570		950,000	950,000	950,000	950,000

Analysis of Budget Request

Appropriation: 2TT - Hazardous Waste Permit Program

Funding Sources: SHW - Hazardous Waste Permit Program

This appropriation is used to operate the Hazardous Waste Permit Program.

This appropriation is funded by special revenue. Fees were established to recover the costs of processing permit applications and permit renewal proceedings; on-site inspections and monitoring; the certification of personnel to operate hazardous waste treatment, storage, or disposal facilities; and other departmental activities to assure that generators of hazardous waste and facilities are complying with current law Ark. Code Ann. § 19-6-434.

With the exception of Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$1,737,078 in FY24 and \$1,745,658 in FY25.

The Agency Request includes the following changes:

- Transfer of one (1) position from the Department of Energy and Environment - Shared Services Division (FC Z41), including an increase in Regular Salaries of \$56,323 in both years of the biennium and Personal Services Matching of \$19,868 in FY24 and \$20,528 in FY25.
- Various personnel changes which include reclassifications, with no change in appropriation.
- Reallocation of \$120,000 in Regular Salaries, \$45,000 in Personal Services Matching, \$50,000 in Operating Expenses, and \$50,000 in Professional Fees from Solid Waste Performance Bonds (FC 2TY).
- Increase of \$175,000 in Capital Outlay for equipment and vehicle purchases.

The Executive Recommendation provides for the Agency Request with the exception of the reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: 2TT - Hazardous Waste Permit Program
Funding Sources: SHW - Hazardous Waste Permit Program

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Regular Salaries	5010000	567,493	676,720	706,120	882,443	882,443	882,443	882,443	
#Positions		12	12	13	13	13	13	13	
Extra Help	5010001	0	1,957	15,795	15,795	15,795	15,795	15,795	
#Extra Help		0	1	1	1	1	1	1	
Personal Services Matching	5010003	229,630	233,384	236,422	326,196	326,196	334,776	334,776	
Overtime	5010006	0	1,250	1,250	1,250	1,250	1,250	1,250	
Operating Expenses	5020002	121,300	141,544	141,544	191,544	191,544	191,544	191,544	
Conference & Travel Expenses	5050009	13,909	47,700	47,700	47,700	47,700	47,700	47,700	
Professional Fees	5060010	10,950	47,150	47,150	97,150	97,150	97,150	97,150	
Data Processing	5090012	0	0	0	0	0	0	0	
Capital Outlay	5120011	174,992	175,000	175,000	175,000	175,000	175,000	175,000	
Total		1,118,274	1,324,705	1,370,981	1,737,078	1,737,078	1,745,658	1,745,658	
Funding Sources									
Fund Balance	4000005	3,661,144	3,558,144		2,803,029	2,803,029	1,878,621	1,878,621	
Special Revenue	4000030	1,266,915	925,000		1,285,850	1,285,850	1,285,850	1,285,850	
Inter-agency Fund Transfer	4000316	600	0		0	0	0	0	
Intra-agency Fund Transfer	4000317	60,711	0		0	0	0	0	
Shared Services Transfer	4000760	(312,952)	(355,410)		(473,180)	(473,180)	(473,180)	(473,180)	
Total Funding		4,676,418	4,127,734		3,615,699	3,615,699	2,691,291	2,691,291	
Excess Appropriation/(Funding)		(3,558,144)	(2,803,029)		(1,878,621)	(1,878,621)	(945,633)	(945,633)	
Grand Total		1,118,274	1,324,705		1,737,078	1,737,078	1,745,658	1,745,658	

Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2TU - Reclamation of Abandoned Mines - State

Funding Sources: MAE - Abandoned Mine Reclamation Fund

The Agency utilizes this appropriation to regulate surface coal mining and reclamation operations on land within the state.

This appropriation is funded from Federal Revenue. Funding consists of moneys received through a grant from the United States Secretary of the Interior pursuant to the state abandoned mine reclamation program, there to be used by the Division of Environmental Quality for that program.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$5,700,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TU - Reclamation of Abandoned Mines - State

Funding Sources: MAE - Abandoned Mine Reclamation Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Abandoned Mine Reclamation Cc 5900043	2,314,714	2,501,435	5,700,000	5,700,000	5,700,000	5,700,000	5,700,000
Total	2,314,714	2,501,435	5,700,000	5,700,000	5,700,000	5,700,000	5,700,000
Funding Sources							
Fund Balance 4000005	14,210	1,435		0	0	0	0
Federal Revenue 4000020	2,301,939	2,500,000		2,500,000	2,500,000	2,500,000	2,500,000
Total Funding	2,316,149	2,501,435		2,500,000	2,500,000	2,500,000	2,500,000
Excess Appropriation/(Funding)	(1,435)	0		3,200,000	3,200,000	3,200,000	3,200,000
Grand Total	2,314,714	2,501,435		5,700,000	5,700,000	5,700,000	5,700,000

Analysis of Budget Request

Appropriation: 2TV - Surface Coal Mining

Funding Sources: MAF - Surface Coal Mining Operation Fund

The Agency utilizes this appropriation to administer and enforce the Arkansas Surface Coal Mining Reclamation Code.

This appropriation is funded by special revenue. Funding derived from application and permit fees for surface coal mining, there to be used by the Division of Environmental Quality only for the administration and enforcement of the Arkansas Surface Coal Mining and Reclamation Act of 1979, Ark Code Ann. § 15-58-101 et seq., and as the state's matching percentage share for any grants available to the state for the administration and enforcement of the state program as defined in Ark. Code Ann. § 15-58-104.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$15,000 for both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TV - Surface Coal Mining
Funding Sources: MAF - Surface Coal Mining Operation Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation		2024-2025	
	2021-2022 Actual	2022-2023 Budget	2022-2023 Authorized	2023-2024 Agency	2023-2024 Executive	Agency	Executive
Operating Expenses 5020002	51	15,000	15,000	15,000	15,000	15,000	15,000
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0
Professional Fees 5060010	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0
Total	51	15,000	15,000	15,000	15,000	15,000	15,000
Funding Sources							
Fund Balance 4000005	146,022	146,171		131,171	131,171	116,171	116,171
Fees 4000245	200	0		0	0	0	0
Total Funding	146,222	146,171		131,171	131,171	116,171	116,171
Excess Appropriation/(Funding)	(146,171)	(131,171)		(116,171)	(116,171)	(101,171)	(101,171)
Grand Total	51	15,000		15,000	15,000	15,000	15,000

Analysis of Budget Request

Appropriation: 2TW - Mining Reclamation

Funding Sources: TMA - Mine Reclamation Trust Fund

The Agency utilizes this appropriation for bond forfeitures on coal or lignite mined lands. When mine land in Arkansas is cut for coal or lignite, a bond must be put up in the amount agreed upon by the Agency for reclamation of the area. In the event reclamation efforts fail, the bond is forfeited and the Agency is responsible for contracting for the reclamation work. The Mining Reclamation Fund may only be used to accomplish reclamation of land covered by forfeitures of performance bonds for surface coal mining.

This appropriation is funded by Bond Forfeitures collected under the Arkansas Surface Coal Mining and Reclamation Act of 1979, Ark. Code Ann. § 15-58-101 et seq., and interest earned on the fund.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$1,520,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TW - Mining Reclamation

Funding Sources: TMA - Mine Reclamation Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Mining Reclamation Contractual : 5900043	39,442	744,141	1,520,000	1,520,000	1,520,000	1,520,000	1,520,000
Total	39,442	744,141	1,520,000	1,520,000	1,520,000	1,520,000	1,520,000
Funding Sources							
Fund Balance 4000005	783,049	744,141		0	0	0	0
Special Revenue 4000030	534	0		0	0	0	0
Total Funding	783,583	744,141		0	0	0	0
Excess Appropriation/(Funding)	(744,141)	0		1,520,000	1,520,000	1,520,000	1,520,000
Grand Total	39,442	744,141		1,520,000	1,520,000	1,520,000	1,520,000

Analysis of Budget Request

Appropriation: 2TX - Fee Administration

Funding Sources: TPE - ADEQ Trust Fund

Act 817 of 1983 (Ark. Code Ann. § 8 -1-103), as amended, authorized the Agency to establish and collect permit fees for Air, Water, and Solid Waste permitting, monitoring and inspecting activities. During the 79th General Assembly, various limits on permits were included, with the Agency revising the rate structures. The fees, as established by the Agency in accordance with stipulations set out in the Act, were increased effective in October of 1993. Further, the Federal Clean Air Act has required a permit fee system to cover the costs of compliance with this law.

This appropriation is funded by fees, tolls and other charges, as well as interest earnings.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$15,713,529 in FY24 and \$15,822,356 in FY25.

The Agency Request includes the following changes:

- Transfer of eight (8) positions from the Department of Energy & Environment - Shared Services Division (Z41), including an increase in Regular Salaries of \$509,187 in both years of the biennium and Personal Services Matching of \$172,401 in FY24 and \$177,681 in FY25.
- Various personnel changes which include reclassifications, with no change in appropriation.
- Reallocation of \$100,000 in Regular Salaries, \$33,000 in Personal Services Matching, \$100,000 in Operating Expenses, and \$100,000 in Professional Fees from the Solid Waste Performance Bonds Contract appropriation from the Solid Waste Performance Bonds (FC 2TY).

The Executive Recommendation provides for the Agency Request with the exception of the reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: 2TX - Fee Administration

Funding Sources: TPE - ADEQ Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	6,099,173	7,680,775	6,954,724	8,092,617	8,092,617	8,099,522	8,099,522
#Positions		131	145	138	152	152	152	152
Extra Help	5010001	11,376	34,879	45,000	45,000	45,000	45,000	45,000
#Extra Help		4	8	5	8	8	8	8
Personal Services Matching	5010003	2,183,248	2,367,873	2,370,040	2,944,455	2,944,455	3,046,377	3,046,377
Operating Expenses	5020002	1,093,208	2,290,941	2,290,941	2,390,941	2,390,941	2,390,941	2,390,941
Conference & Travel Expenses	5050009	8,437	175,516	175,516	175,516	175,516	175,516	175,516
Professional Fees	5060010	40,397	500,000	500,000	600,000	600,000	600,000	600,000
Data Processing	5090012	0	0	0	0	0	0	0
Grants and Aid	5100004	0	415,000	415,000	415,000	415,000	415,000	415,000
Capital Outlay	5120011	530,843	1,050,000	1,050,000	1,050,000	1,050,000	1,050,000	1,050,000
Total		9,966,682	14,514,984	13,801,221	15,713,529	15,713,529	15,822,356	15,822,356

Funding Sources								
Fund Balance	4000005	7,257,389	13,166,793		9,110,463	9,110,463	1,805,849	1,805,849
Special Revenue	4000030	11,046,730	13,739,750		11,812,000	11,812,000	12,014,000	12,014,000
Investments	4000315	6,499,002	0		0	0	0	0
Inter-agency Fund Transfer	4000316	23,182	0		0	0	0	0
Intra-agency Fund Transfer	4000317	62,206	(433,713)		(429,850)	(429,850)	(431,170)	(431,170)
Other	4000370	174,012	0		0	0	0	0
Shared Services Transfer	4000760	(1,929,046)	(2,847,383)		(2,973,235)	(2,973,235)	(3,020,235)	(3,020,235)
Total Funding		23,133,475	23,625,447		17,519,378	17,519,378	10,368,444	10,368,444
Excess Appropriation/(Funding)		(13,166,793)	(9,110,463)		(1,805,849)	(1,805,849)	5,453,912	5,453,912
Grand Total		9,966,682	14,514,984		15,713,529	15,713,529	15,822,356	15,822,356

FY23 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium. Authorized position count varies from Agency Request count due to use of the OPM Surrender Pool and single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2TY - Solid Waste Performance Bonds

Funding Sources: MWP - Solid Waste Performance Bond Fund

The Agency utilizes this appropriation for closure of abandoned or non-compliant solid waste disposal facilities, under the Arkansas Solid Waste Management Act, Ark. Code Ann. § 8 - 6 - 2011 et seq. When such projects arise, the site can pose a significant threat to human health and environment.

This appropriation is funded by fund balance and forfeitures collected under the Arkansas Solid Waste Management Act, Ark Code Ann. § 8 - 6 -201 et seq.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$2,000,000 in each year of the biennium.

The Agency Request includes reallocation of (\$1,000,000) to various programs from the Solid Waste Performance Bonds Contract appropriation within the Division for better utilization:

- (\$15,000) in Professional Fees to State Operations (FC 2TP).
- (\$100,000) in Operating Expenses and (\$100,000) in Professional Fees to Federal Operations (FC 2TQ).
- (\$28,000) in Regular Salaries, (\$9,000) in Personal Services Matching, (\$50,000) in Operating Expenses, and (\$50,000) in Professional Fees to Waste Water Licensing (FC 2TR).
- (\$120,000) in Regular Salaries, (\$45,000) in Personal Services Matching, (\$50,000) in Operating Expenses, and (\$50,000) in Professional Fees to Hazardous Waste Permit Program (FC 2TT).
- (\$100,000) in Regular Salaries, (\$33,000) in Personal Services Matching, (\$100,000) in Operating Expenses, and (\$100,000) in Professional Fees to Fee Administration (FC 2TX).
- (\$25,000) in Operating Expenses and (\$25,000) in Professional Fees to Asbestos Control Program (FC 2UB).

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TY - Solid Waste Performance Bonds

Funding Sources: MWP - Solid Waste Performance Bond Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Solid Waste Performance Bonds 5900043	0	9,915	3,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Total	0	9,915	3,000,000	2,000,000	2,000,000	2,000,000	2,000,000

Funding Sources							
Fund Balance 4000005	9,916	9,916		1	1	0	0
Total Funding	9,916	9,916		1	1	0	0
Excess Appropriation/(Funding)	(9,916)	(1)		1,999,999	1,999,999	2,000,000	2,000,000
Grand Total	0	9,915		2,000,000	2,000,000	2,000,000	2,000,000

Analysis of Budget Request

Appropriation: 2TZ - Hazardous Waste Cleanup

Funding Sources: THS - Hazardous Substance Remedial Action Trust Fund

The Hazardous Substance Remedial Action Trust Fund was established by Act 479 of 1985 (Ark. Code Ann. § 8-7-509). The Agency utilizes this appropriation for administrative costs and expenses of providing for inspection, identification, containment, abatement, treatment, and control of hazardous substance sites.

Ten percent (10%) of the monies collected for the Hazardous Substance Remedial Action Trust Fund are deposited into the Environmental Education Fund up to \$275,000 per fiscal year. Ten Percent (10%) of money collected for the Hazardous Substance Remedial Action Trust Fund after July 1,2017 may be used for conducting site assessments of potentially contaminated sites when available federal funds are exhausted.

Funding is derived from fees, donations, damages, and any other monies legally designated for the fund. This appropriation contains unfunded contingency appropriation that is utilized when necessary and funded for corrective actions.

With the exception of Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$7,355,689 in FY24 and \$7,356,349 in FY25.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2TZ - Hazardous Waste Cleanup

Funding Sources: THS - Hazardous Substance Remedial Action Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Regular Salaries	5010000	1,078	9,114	116,608	116,608	116,608	116,608	116,608	
#Positions		1	0	2	1	1	1	1	
Personal Services Matching	5010003	248	2,119	37,993	37,993	37,993	38,653	38,653	
Operating Expenses	5020002	20,494	302,191	302,191	302,191	302,191	302,191	302,191	
Conference & Travel Expenses	5050009	3,114	35,960	35,960	35,960	35,960	35,960	35,960	
Professional Fees	5060010	0	215,000	215,000	215,000	215,000	215,000	215,000	
Data Processing	5090012	0	0	0	0	0	0	0	
Capital Outlay	5120011	0	0	0	0	0	0	0	
Contractual Services	5900043	236,165	3,320,128	6,194,000	6,194,000	6,194,000	6,194,000	6,194,000	
Data Processing Purchases	5900044	70,000	453,937	453,937	453,937	453,937	453,937	453,937	
Total		331,099	4,338,449	7,355,689	7,355,689	7,355,689	7,356,349	7,356,349	
Funding Sources									
Fund Balance	4000005	3,398,413	7,986,379		4,290,275	4,290,275	0	0	
Fees	4000245	919,679	910,000		910,000	910,000	910,000	910,000	
Investments	4000315	3,999,386	0		0	0	0	0	
Intra-agency Fund Transfer	4000317	0	(267,655)		(267,655)	(267,655)	(267,655)	(267,655)	
Total Funding		8,317,478	8,628,724		4,932,620	4,932,620	642,345	642,345	
Excess Appropriation/(Funding)		(7,986,379)	(4,290,275)		2,423,069	2,423,069	6,714,004	6,714,004	
Grand Total		331,099	4,338,449		7,355,689	7,355,689	7,356,349	7,356,349	

Authorized position count varies from Agency Request count due to use of the OPM Surrender Pool and single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2UA - Emergency Response Program

Funding Sources: THS - Hazardous Substance Remedial Action Trust Fund

This appropriation was created by Act 452 of 1985 (Ark. Code Ann. § 8 -7 - 401) in order to give spending authorization to the Emergency Response Program. Act 1824 of 2005 repealed Ark. Code Ann. §8-7-401 and provided for funds collected as civil penalties to be deposited in the Hazardous Substance Remedial Action Trust Fund Ark. Code Ann. § 8 - 4 - 103, and provided for the Emergency Response Program to be funded from the Hazardous Substance Remedial Action Trust. Funds are used for the purchase/reimbursement of any commodities and/or services necessary in taking emergency response actions in connection with a release or a threatened release of hazardous substances.

This appropriation is funded by fees, interest earned, punitive damages collected pursuant to Ark. Code Ann. § 8-7-517, any other money legally collected for the fund.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$372,655 in each year of the biennium.

Appropriation Summary

Appropriation: 2UA - Emergency Response Program

Funding Sources: THS - Hazardous Substance Remedial Action Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Contractual Services	5900043	0	372,655	372,655	372,655	372,655	372,655	372,655	
Total		0	372,655	372,655	372,655	372,655	372,655	372,655	
Funding Sources									
Fees	4000245	0	105,000		105,000	105,000	105,000	105,000	
Intra-agency Fund Transfer	4000317	0	267,655		267,655	267,655	267,555	267,555	
Total Funding		0	372,655		372,655	372,655	372,555	372,555	
Excess Appropriation/(Funding)		0	0		0	0	100	100	
Grand Total		0	372,655		372,655	372,655	372,655	372,655	

Analysis of Budget Request

Appropriation: 2UB - Asbestos Control Program

Funding Sources: SAC - Asbestos Control Fund

The Asbestos Control Program utilizes this appropriation to provide spending authority for responsibilities placed on the Agency through Act 394 of 1985. This Act called for the Agency to adopt, administer, and enforce a program for licensing contractors engaged in the removal of asbestos materials from facilities.

This appropriation is funded by special revenue, pursuant to Ark. Code Ann. § 19-6-452. Funding is derived from an annual contractor's license fee of \$500 and a fee of \$35 for asbestos removal workers to cover program costs.

With the exception of Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$509,473 in FY24 and \$512,113 in FY25.

The Agency Request includes reallocation of \$25,000 in Operating Expenses and \$25,000 in Professional Fees from from the Solid Waste Performance Bonds Contract appropriation from the Solid Waste Performance Bonds (FC 2TY).

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UB - Asbestos Control Program

Funding Sources: SAC - Asbestos Control Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	105,661	172,506	199,684	199,684	199,684	199,684	199,684
#Positions		4	4	5	4	4	4	4
Personal Services Matching	5010003	63,328	65,308	73,566	74,147	74,147	76,787	76,787
Operating Expenses	5020002	3,864	29,452	29,452	54,452	54,452	54,452	54,452
Conference & Travel Expenses	5050009	0	4,090	4,090	4,090	4,090	4,090	4,090
Professional Fees	5060010	1,515	2,100	2,100	27,100	27,100	27,100	27,100
Data Processing	5090012	0	0	0	0	0	0	0
Grants and Aid	5100004	895	150,000	150,000	150,000	150,000	150,000	150,000
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		175,263	423,456	458,892	509,473	509,473	512,113	512,113
Funding Sources								
Fund Balance	4000005	1,385,996	1,547,142		1,395,686	1,395,686	1,231,713	1,231,713
Special Revenue	4000030	336,009	272,000		345,500	345,500	345,500	345,500
Inter-agency Fund Transfer	4000316	400	0		0	0	0	0
Total Funding		1,722,405	1,819,142		1,741,186	1,741,186	1,577,213	1,577,213
Excess Appropriation/(Funding)		(1,547,142)	(1,395,686)		(1,231,713)	(1,231,713)	(1,065,100)	(1,065,100)
Grand Total		175,263	423,456		509,473	509,473	512,113	512,113

Analysis of Budget Request

Appropriation: 2UC - Solid Waste Mgmt/Recycling Prog

Funding Sources: TWS - Solid Waste Management and Recycling Fund

Act 849 of 1989 established a Solid Waste Management and Recycling Fund to assist counties, cities, and solid waste authorities in the development of solid waste management plans, programs, and facilities that integrate recycling as a functional part of the solid waste management system.

No more than (20%) of money received annually into the fund shall be used by the division for: administration of solid waste management and recycling program and administration of computer and electronic equipment recycling program and compliance activities.

Funding is derived from landfill disposal fees collected pursuant to Ark. Code Ann. § 8-6-606 and § 8-6-607.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$5,903,915 in FY24 and \$5,912,824 in FY25.

The Agency Request includes the following changes :

- Reallocation of \$40,000 in Regular Salaries, \$12,000 in Personal Services Matching, \$75,000 in Operating Expenses and \$50,000 in Professional Fees from the Electronic Waste Recycling Infrastructure line item.
- Reallocation of (\$288,000) from the Electronic Waste Recycling Infrastructure line item to various programs within the Division for better utilization:
 - (\$50,000) in Operating Expenses and (\$60,000) in Professional Fees to State Operations (FC 2TP).
 - (\$60,000) in Regular Salaries, (\$18,000) in Personal Services Matching, (\$50,000) in Operating Expenses, and (\$50,000) in Professional Fees to Regulated Substance Storage Tank (FC 2UD).
- Reallocation of a total of (\$2,035,000) from the Electronic Waste Recycling Infrastructure line item to the Department of Energy and Environment - Shared Services Division (Z41) to better align shared services operations:
 - (\$1,250,000) in Operating Expenses, (\$85,000) in Conference & Travel, (\$450,000) in Professional Fees, and (\$250,000) in Capital Outlay

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UC - Solid Waste Mgmt/Recycling Prog
Funding Sources: TWS - Solid Waste Management and Recycling Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Regular Salaries	5010000	520,355	645,377	593,488	669,379	669,379	669,779	669,779	
#Positions		12	13	12	13	13	13	13	
Personal Services Matching	5010003	201,430	230,377	201,855	246,689	246,689	255,198	255,198	
Operating Expenses	5020002	86,771	97,179	97,179	172,179	172,179	172,179	172,179	
Conference & Travel Expenses	5050009	2,951	15,668	15,668	15,668	15,668	15,668	15,668	
Professional Fees	5060010	0	0	0	50,000	50,000	50,000	50,000	
Data Processing	5090012	0	0	0	0	0	0	0	
Refunds/Reimbursements	5110014	3,719,962	4,650,000	4,650,000	4,650,000	4,650,000	4,650,000	4,650,000	
Capital Outlay	5120011	77,457	100,000	100,000	100,000	100,000	100,000	100,000	
Electronic Waste Recycling Infra	5900046	0	2,500,000	2,500,000	0	0	0	0	
Total		4,608,926	8,238,601	8,158,190	5,903,915	5,903,915	5,912,824	5,912,824	
Funding Sources									
Fund Balance	4000005	5,301,437	5,311,686		1,906,476	1,906,476	1,918,324	1,918,324	
Special Revenue	4000030	5,432,859	5,249,000		6,503,500	6,503,500	6,503,500	6,503,500	
Inter-agency Fund Transfer	4000316	(448,000)	0		0	0	0	0	
Shared Services Transfer	4000760	(365,684)	(415,609)		(587,737)	(587,737)	(587,737)	(587,737)	
Total Funding		9,920,612	10,145,077		7,822,239	7,822,239	7,834,087	7,834,087	
Excess Appropriation/(Funding)		(5,311,686)	(1,906,476)		(1,918,324)	(1,918,324)	(1,921,263)	(1,921,263)	
Grand Total		4,608,926	8,238,601		5,903,915	5,903,915	5,912,824	5,912,824	

FY23 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium. Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2UD - Reg. Substance Storage Tank

Funding Sources: SRS - Regulated Substance Storage Tank program Fund

Acts 172 and 173 of 1989, as amended, designated the Department of Environmental Quality as the implementing agency for the Regulated Storage Tank Program. This appropriation is utilized to administer and enforce all laws, rules, and regulations relating to an underground storage tank release detection, prevention, and corrective action program, and financial responsibility, including the use of any and all appropriate legal remedies, to recover costs and collect penalties.

Pursuant to Ark. Code Ann. § 8-7-808, this appropriation is funded by fees collected from the annual registration of underground and above ground storage tanks and from the license of installers of storage tanks.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$1,363,187 in FY24 and \$1,374,900 in FY25.

The Agency Request includes:

- Reallocation of \$60,000 in Regular Salaries, \$18,000 in Personal Services Matching, \$50,000 in Operating Expenses, and \$50,000 in Professional Fees from the Electronic Waste Recycling Infrastructure line item from Solid Waste Management/Recycling Program (FC 2UC).
- Various personnel changes which include reclassifications, with no change in appropriation.

The Executive Recommendation provides for the Agency Request with the exception of the position reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: 2UD - Reg. Substance Storage Tank

Funding Sources: SRS - Regulated Substance Storage Tank program Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Regular Salaries	5010000	654,183	819,707	732,409	864,255	864,255	864,655	864,655	
#Positions		16	17	17	17	17	17	17	
Personal Services Matching	5010003	239,456	297,682	262,597	322,799	322,799	334,112	334,112	
Operating Expenses	5020002	65,780	71,128	71,128	121,128	121,128	121,128	121,128	
Conference & Travel Expenses	5050009	1,775	5,005	5,005	5,005	5,005	5,005	5,005	
Professional Fees	5060010	0	0	0	50,000	50,000	50,000	50,000	
Data Processing	5090012	0	0	0	0	0	0	0	
Capital Outlay	5120011	0	0	0	0	0	0	0	
Total		961,194	1,193,522	1,071,139	1,363,187	1,363,187	1,374,900	1,374,900	
Funding Sources									
Fund Balance	4000005	2,141,402	2,025,089		1,110,499	1,110,499	480,658	480,658	
Special Revenue	4000030	963,142	442,500		1,020,000	1,020,000	1,040,000	1,040,000	
Inter-agency Fund Transfer	4000316	2,200	0		0	0	0	0	
Shared Services Transfer	4000760	(120,461)	(163,568)		(286,654)	(286,654)	(290,654)	(290,654)	
Total Funding		2,986,283	2,304,021		1,843,845	1,843,845	1,230,004	1,230,004	
Excess Appropriation/(Funding)		(2,025,089)	(1,110,499)		(480,658)	(480,658)	144,896	144,896	
Grand Total		961,194	1,193,522		1,363,187	1,363,187	1,374,900	1,374,900	

FY23 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium.

Analysis of Budget Request

Appropriation: 2UE - Petroleum Storage Tank Trust

Funding Sources: TPT - Petroleum Storage Tank Trust Fund

The Petroleum Storage Tank Trust Fund was established by Act 173 of 1989, as amended Ark. Code Ann. § 8-7-901. This fund provides a procedure for reimbursement of remediation costs or damages as a result of leaking tanks.

The Agency utilizes this appropriation to pay reimbursements to owner operators for taking corrective action or to pay third parties for compensatory damages caused by accidental releases from qualified storage tanks, and to pay reasonable and necessary costs and expenses of the department for taking corrective action caused by accidental releases from a storage tank of unknown ownership or when corrective action is not taken by the owner or operator in a timely manner.

Funding for the program is derived from an environmental assurance fee which is assessed at a rate not to exceed three-tenths of one cent for each gallon of motor fuel or distillate special fuel purchased or imported into Arkansas, Ark Code Ann. § 8-7-906. The environmental assurance fee is paid by the first distributor or supplier receiving fuel from a terminal in Arkansas, or if the fuel will never be stored in a terminal in this State, then by the distributor or supplier who first imports the fuel into the State by truck.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$21,861,658 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UE - Petroleum Storage Tank Trust

Funding Sources: TPT - Petroleum Storage Tank Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Regular Salaries	5010000	75,939	138,123	264,342	264,342	264,342	264,342	264,342	
#Positions		2	2	4	2	2	2	2	
Personal Services Matching	5010003	29,545	44,370	94,355	94,355	94,355	94,355	94,355	
Operating Expenses	5020002	5,031,285	18,775,875	18,999,800	18,999,800	18,999,800	18,999,800	18,999,800	
Conference & Travel Expenses	5050009	0	3,005	3,005	3,005	3,005	3,005	3,005	
Professional Fees	5060010	260,461	2,500,156	2,500,156	2,500,156	2,500,156	2,500,156	2,500,156	
Data Processing	5090012	0	0	0	0	0	0	0	
Capital Outlay	5120011	0	0	0	0	0	0	0	
Total		5,397,230	21,461,529	21,861,658	21,861,658	21,861,658	21,861,658	21,861,658	
Funding Sources									
Fund Balance	4000005	10,746,665	40,992,214		25,975,685	25,975,685	12,034,027	12,034,027	
Fees	4000245	8,146,599	6,445,000		7,920,000	7,920,000	7,920,000	7,920,000	
Investments	4000315	27,495,780	0		0	0	0	0	
Inter-agency Fund Transfer	4000316	400	0		0	0	0	0	
Total Funding		46,389,444	47,437,214		33,895,685	33,895,685	19,954,027	19,954,027	
Excess Appropriation/(Funding)		(40,992,214)	(25,975,685)		(12,034,027)	(12,034,027)	1,907,631	1,907,631	
Grand Total		5,397,230	21,461,529		21,861,658	21,861,658	21,861,658	21,861,658	

Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: 2UF - Regulated Storage Tank Program

Funding Sources: FYP - Federal Funds

Acts 172 and 173 of 1989 created the Regulated Storage Tank Program and placed the responsibilities of the program under the direction of the Division of Environmental Quality. The Agency utilizes this appropriation for contractual services on corrective actions with federal funding derived from the Environmental Protection Agency. This funding requires a 90/10 federal/state match ratio.

This appropriation is funded by Federal Revenue.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$3,925,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UF - Regulated Storage Tank Program

Funding Sources: FYP - Federal Funds

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regulated Storage Tank & Contr. 5900043	622,071	1,500,000	3,925,000	3,925,000	3,925,000	3,925,000	3,925,000
Total	622,071	1,500,000	3,925,000	3,925,000	3,925,000	3,925,000	3,925,000
Funding Sources							
Federal Revenue 4000020	622,071	1,500,000		1,500,000	1,500,000	1,500,000	1,500,000
Total Funding	622,071	1,500,000		1,500,000	1,500,000	1,500,000	1,500,000
Excess Appropriation/(Funding)	0	0		2,425,000	2,425,000	2,425,000	2,425,000
Grand Total	622,071	1,500,000		3,925,000	3,925,000	3,925,000	3,925,000

Analysis of Budget Request

Appropriation: 2UG - Landfill Post Closure Program

Funding Sources: TLP - Landfill Post-Closure

The Landfill Post-Closure Program was created by Act 747 of 1991 (Ark. Code Ark. § 8-6-1001) to address corrective actions, which may be necessary to properly clean up a previously closed landfill, so that no harm is caused to the public health or the environment.

This appropriation is funded by special revenue. Funding is derived from landfill disposal fees and transportation fees, as well as fees imposed on solid waste generated in the State but not disposed of in a solid waste facility within the State. Agency may utilize these funds for administrative purposes, at a level not exceeding \$300,000 annually, with an annual increase not exceeding 3%.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$14,456,110 in FY24 and \$14,458,750 in FY25.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UG - Landfill Post Closure Program

Funding Sources: TLP - Landfill Post-Closure

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Regular Salaries	5010000	189,737	234,077	213,630	228,880	228,880	228,880	228,880	
#Positions		4	4	4	4	4	4	4	
Personal Services Matching	5010003	66,921	79,623	71,419	80,934	80,934	83,574	83,574	
Operating Expenses	5020002	12,101	30,923	30,923	30,923	30,923	30,923	30,923	
Conference & Travel Expenses	5050009	1,340	6,000	6,000	6,000	6,000	6,000	6,000	
Professional Fees	5060010	0	0	0	0	0	0	0	
Data Processing	5090012	0	0	0	0	0	0	0	
Capital Outlay	5120011	0	0	0	0	0	0	0	
Contractual Services	5900043	177,205	10,579,320	14,109,373	14,109,373	14,109,373	14,109,373	14,109,373	
Total		447,304	10,929,943	14,431,345	14,456,110	14,456,110	14,458,750	14,458,750	
Funding Sources									
Fund Balance	4000005	4,840,631	12,661,668		4,981,725	4,981,725	0	0	
Special Revenue	4000030	3,259,816	3,250,000		3,320,000	3,320,000	3,320,000	3,320,000	
Investments	4000315	4,999,233	0		0	0	0	0	
Inter-agency Fund Transfer	4000316	400	0		0	0	0	0	
Other	4000370	8,892	0		0	0	0	0	
Total Funding		13,108,972	15,911,668		8,301,725	8,301,725	3,320,000	3,320,000	
Excess Appropriation/(Funding)		(12,661,668)	(4,981,725)		6,154,385	6,154,385	11,138,750	11,138,750	
Grand Total		447,304	10,929,943		14,456,110	14,456,110	14,458,750	14,458,750	

FY23 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium.

Analysis of Budget Request

Appropriation: 2UJ - Mktg Recyclables Prog of the Compliance Advisory Panel

Funding Sources: SMB - State Marketing Board Fund

The State Marketing Board for Recyclables Program was created by the 78th General Assembly through Act 749 of 1991 (Ark. Code Ann. § 8-9-201 and § 8-6-607). The Board's responsibilities includes development of a program coordinating all existing marketing programs for recyclables as well as an overall marketing plan for Arkansas recyclables; establishment of an inventory of markets for recyclables in Arkansas and surrounding states with maintenance of current market prices and trends; working with new and existing industries to encourage the use of recyclables in the manufacturing processes; and advising and assisting of state and local officials in all areas of recyclables marketing.

This appropriation is funded by special revenue. Act 755 of 1991 (Ark. Code Ann. § 8-6-607), as amended, provides the Board's funding from 25% of the disposal fees collected from landfills where a private industry bears the expense of operating and maintaining the landfill solely for the disposal of wastes generated by the industry. The remaining 75% of the disposal fees, which fund the Solid Waste Management and Recycling Program, are found in appropriation (2UC) Solid Waste Management Recycling Program.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$28,326 in both years of the biennium.

Appropriation Summary

Appropriation: 2UJ - Mktg Recyclables Prog of the Compliance Advisory Panel

Funding Sources: SMB - State Marketing Board Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	240	1,500	1,500	1,500	1,500	1,500	1,500
#Positions		0	0	0	0	0	0	0
Personal Services Matching	5010003	18	115	115	115	115	115	115
Operating Expenses	5020002	11,206	13,296	13,296	13,296	13,296	13,296	13,296
Conference & Travel Expenses	5050009	815	6,415	6,415	6,415	6,415	6,415	6,415
Professional Fees	5060010	0	7,000	7,000	7,000	7,000	7,000	7,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		12,279	28,326	28,326	28,326	28,326	28,326	28,326
Funding Sources								
Fund Balance	4000005	172,996	197,763		196,937	196,937	207,111	207,111
Special Revenue	4000030	37,046	27,500		38,500	38,500	38,500	38,500
Total Funding		210,042	225,263		235,437	235,437	245,611	245,611
Excess Appropriation/(Funding)		(197,763)	(196,937)		(207,111)	(207,111)	(217,285)	(217,285)
Grand Total		12,279	28,326		28,326	28,326	28,326	28,326

Regular salaries appropriation includes board member stipend payments.

Analysis of Budget Request

Appropriation: 2UK - Environmental Education Program

Funding Sources: MEE - Environmental Education Fund

The appropriation for the Environmental Education Program was created by the 78th General Assembly to provide environmental education materials and training.

This appropriation is funded from 10% of the revenue collected for the Hazardous Substance Remedial Action Trust Fund up to \$275,000 per fiscal year Ark. Code Ann. § 8-7-509 (4(d)).

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$146,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UK - Environmental Education Program

Funding Sources: MEE - Environmental Education Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Operating Expenses	5020002	47,116	111,300	111,300	111,300	111,300	111,300	111,300
Conference & Travel Expenses	5050009	1,000	8,000	8,000	8,000	8,000	8,000	8,000
Professional Fees	5060010	0	26,700	26,700	26,700	26,700	26,700	26,700
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		48,116	146,000	146,000	146,000	146,000	146,000	146,000
Funding Sources								
Fund Balance	4000005	123,583	176,863		103,363	103,363	58,753	58,753
Fees	4000245	101,396	72,500		101,390	101,390	101,390	101,390
Total Funding		224,979	249,363		204,753	204,753	160,143	160,143
Excess Appropriation/(Funding)		(176,863)	(103,363)		(58,753)	(58,753)	(14,143)	(14,143)
Grand Total		48,116	146,000		146,000	146,000	146,000	146,000

Analysis of Budget Request

Appropriation: 2UN - Small Business Loans

Funding Sources: TBL - Small Business Revolving Loan Fund

The Small Business Revolving Loan Program was created by the 81st General Assembly through Act 691 of 1997 (Ark Code Ann. § 8-5-801 et seq.). This Act authorized the Agency to establish and administer the Small Business Revolving Loan Fund to encourage the investment in pollution control and prevention technologies. The Agency utilizes this appropriation to issue small business loans.

Funding for this program consist of moneys transferred from the General Improvement Fund or its successor fund or fund accounts, including the Development and Enhancement Fund, interest earnings, repayment of loans, and moneys recovered for loan losses under the loan program created in the Small Business Revolving Loan Fund for Pollution Control and Prevention Technologies Act, Ark. Code Ann. § 8-5-801 et seq., and any other moneys made available by law or from any other source.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$550,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UN - Small Business Loans

Funding Sources: TBL - Small Business Revolving Loan Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Loans 5120029	0	550,000	550,000	550,000	550,000	550,000	550,000
Total	0	550,000	550,000	550,000	550,000	550,000	550,000
Funding Sources							
Fund Balance 4000005	663,994	1,665,619		1,095,959	1,095,959	526,299	526,299
Fees 4000245	1,778	0		0	0	0	0
Investments 4000315	999,847	0		0	0	0	0
Intra-agency Fund Transfer 4000317	0	(19,660)		(19,660)	(19,660)	(19,660)	(19,660)
Total Funding	1,665,619	1,645,959		1,076,299	1,076,299	506,639	506,639
Excess Appropriation/(Funding)	(1,665,619)	(1,095,959)		(526,299)	(526,299)	43,361	43,361
Grand Total	0	550,000		550,000	550,000	550,000	550,000

Analysis of Budget Request

Appropriation: 2UP - Sm Bus Revolving Loan Prog Exp

Funding Sources: TBL - Small Business Revolving Loan Fund

The Small Business Revolving Loan Program was created by the 81st General Assembly through Act 691 of 1997 (Ark. Code Ann. § 8-5-801 et seq.). This Act authorized the Agency to establish and administer the Small Business Revolving Loan Fund to encourage the investment in pollution control and prevention technologies.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$19,660 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UP - Sm Bus Revolving Loan Prog Exp

Funding Sources: TBL - Small Business Revolving Loan Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2023-2024		2024-2025	
		2021-2022 Actual	2022-2023 Budget	2022-2023 Authorized	Agency	Executive	Agency	Executive
Operating Expenses	5020002	0	11,010	11,010	11,010	11,010	11,010	11,010
Conference & Travel Expenses	5050009	0	3,650	3,650	3,650	3,650	3,650	3,650
Professional Fees	5060010	0	5,000	5,000	5,000	5,000	5,000	5,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		0	19,660	19,660	19,660	19,660	19,660	19,660
Funding Sources								
Intra-agency Fund Transfer	4000317	0	19,660		19,660	19,660	19,660	19,660
Total Funding		0	19,660		19,660	19,660	19,660	19,660
Excess Appropriation/(Funding)		0	0		0	0	0	0
Grand Total		0	19,660		19,660	19,660	19,660	19,660

Analysis of Budget Request

Appropriation: 2UQ - Performance Partnership Syst Exp

Funding Sources: TPP - Performance Partnership Trust Fund

This appropriation was created by Act 1210 of 1999 (Ark. Code Ann. § 19-5-1102) to provide for expenses of designing and establishing a management organization, utilizing the principles of the National Environmental Performance Partnership System advocated by the U.S. Environmental Protection Agency which integrates environmental indicators, management information, along with performance-based budgeting and accounting to measure Agency performance. The fund enables the Agency to examine infrastructure, develop integrated approaches to environmental management, and implement a multi-year redesign of the Agency's regulatory databases.

Initial funding was derived from fund transfers beginning in FY2000 of \$500,000 each fiscal year from the Landfill Post Closure Trust Fund. The transfers were authorized for five (5) years, with the cessation of the fund transfers occurring in FY2004. Current funding is derived from interest earned on the monies in the Performance Partnership Trust Fund. This program will cease when the fund balance is depleted.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$563,000 in both years of the biennium.

The Executive Recommendation provides for the Agency.

Appropriation Summary

Appropriation: 2UQ - Performance Partnership Syst Exp

Funding Sources: TPP - Performance Partnership Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Performance Integrated Syst 5900046	0	93,710	563,000	563,000	563,000	563,000	563,000
Total	0	93,710	563,000	563,000	563,000	563,000	563,000
Funding Sources							
Fund Balance 4000005	93,533	193,695		99,985	99,985	0	0
Interest 4000300	177	0		0	0	0	0
Investments 4000315	99,985	0		0	0	0	0
Total Funding	193,695	193,695		99,985	99,985	0	0
Excess Appropriation/(Funding)	(193,695)	(99,985)		463,015	463,015	563,000	563,000
Grand Total	0	93,710		563,000	563,000	563,000	563,000

Analysis of Budget Request

Appropriation: 2UR - Environmental Settlement Trust

Funding Sources: TET - ADEQ Environmental Settlement Trust Fund

The ADEQ Environmental Settlement Trust Fund was created by Act 1416 of 2001 (Ark. Code Ann. § 19-5-1111) for expenses authorized through various settlement agreements benefiting the State of Arkansas as administered through the ADEQ.

The fund consists of income received by the State of Arkansas pursuant to settlement agreements for environmental or natural resource damages, interest earnings, and other designated revenue.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$5,650,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2UR - Environmental Settlement Trust

Funding Sources: TET - ADEQ Environmental Settlement Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Environmental Settlement Trust - 5900046	0	436,277	5,650,000	5,650,000	5,650,000	5,650,000	5,650,000
Total	0	436,277	5,650,000	5,650,000	5,650,000	5,650,000	5,650,000
Funding Sources							
Fund Balance 4000005	567,027	436,277		979,500	979,500	0	0
Intra-agency Fund Transfer 4000317	(130,750)	0		0	0	0	0
Other 4000370	0	979,500		825,000	825,000	825,000	825,000
Total Funding	436,277	1,415,777		1,804,500	1,804,500	825,000	825,000
Excess Appropriation/(Funding)	(436,277)	(979,500)		3,845,500	3,845,500	4,825,000	4,825,000
Grand Total	0	436,277		5,650,000	5,650,000	5,650,000	5,650,000

Analysis of Budget Request

Appropriation: 2US - Computer/Electronic Recycling

Funding Sources: MER - Computer and Electronic Recycling Fund

The Computer and Electronic Recycling Fund was created by Act 1410 of 2001 (Ark. Code Ann. § 19-5-1217). This appropriation is used to promote market research and development grants to determine the most efficient process for collecting, transporting and processing various scrap electronic equipment, work with the Department of Finance and Administration and the Marketing and Redistribution Section to establish statewide contracts for computer and electronics recycling and demanufacturing businesses; and support and fund other measures necessary to implement and promote the recycling, donation, demanufacturing, or disposal options for computers and electronic equipment.

This appropriation is funded through Marketing and Redistribution proceeds from computer or electronic equipment sales throughout the state.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$250,000 in years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2US - Computer/Electronic Recycling

Funding Sources: MER - Computer and Electronic Recycling Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Computer & Electronics Recycling 5900046	53,668	250,000	250,000	250,000	250,000	250,000	250,000
Total	53,668	250,000	250,000	250,000	250,000	250,000	250,000
Funding Sources							
Fund Balance 4000005	115,567	317,322		169,772	169,772	182,272	182,272
M & R Sales 4000340	255,423	102,450		262,500	262,500	262,500	262,500
Total Funding	370,990	419,772		432,272	432,272	444,772	444,772
Excess Appropriation/(Funding)	(317,322)	(169,772)		(182,272)	(182,272)	(194,772)	(194,772)
Grand Total	53,668	250,000		250,000	250,000	250,000	250,000

Analysis of Budget Request

Appropriation: 344 - PCE Comm Admn Hearing Officer

Funding Sources: TPE - ADEQ Fee Trust Fund

The Hearing Officer Division was created by Act 921 of 1993 (Ark. Code Ann. § 8-1-203), which authorized the Pollution Control and Ecology Commission to hire a full-time, independent administrative hearing officer for the purposes of adjudicatory review of Agency decisions concerning permit issuance or revocation, and assessment of civil penalties. Act 1077 of 1993 provided appropriations for this Division payable from the Agency's Environmental Quality Fee Trust Fund. The Arkansas Pollution Control and Ecology Commission is given the authority to set standards specifying the maximum amount of concentration and physical, thermal, chemical, biological and radioactive nature of contamination that may be discharged into the water of the state; review petitions and institute rulemaking proceeding or give petitioner a written notice of denial.

Funding for this appropriation is derived from special revenues transferred from the Agency's Environmental Quality Fee Trust Fund. (Ark Code Ann. § 8-1-204).

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$329,850 in FY24 and \$331,170 in FY25.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 344 - PCE Comm Admn Hearing Officer

Funding Sources: TPE - ADEQ Fee Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation			
	2021-2022 Actual	2022-2023 Budget	2022-2023 Authorized	2023-2024		2024-2025	
				Agency	Executive	Agency	Executive
Regular Salaries 5010000	43,970	185,340	164,847	181,184	181,184	181,184	181,184
#Positions	1	2	2	2	2	2	2
Personal Services Matching 5010003	14,368	54,234	47,777	54,527	54,527	55,847	55,847
Operating Expenses 5020002	10,205	49,217	49,217	49,217	49,217	49,217	49,217
Conference & Travel Expenses 5050009	0	6,922	6,922	6,922	6,922	6,922	6,922
Professional Fees 5060010	0	38,000	38,000	38,000	38,000	38,000	38,000
Data Processing 5090012	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0
Total	68,543	333,713	306,763	329,850	329,850	331,170	331,170
Funding Sources							
Intra-agency Fund Transfer 4000317	68,543	333,713		329,850	329,850	331,170	331,170
Total Funding	68,543	333,713		329,850	329,850	331,170	331,170
Excess Appropriation/(Funding)	0	0		0	0	0	0
Grand Total	68,543	333,713		329,850	329,850	331,170	331,170

Analysis of Budget Request

Appropriation: 36A - Fee Administration Non-Haz Clean Up

Funding Sources: TPE - ADEQ Fee Trust Fund

This appropriation was created by the 86th General Assembly in Act 1281 of 2007. This appropriation gives ADEQ the ability to cleanup non-hazardous sites which pose a threat to the environment of the State of Arkansas.

The ADEQ Fee Trust Fund provides the funding for the appropriation; however, funding is restricted to interest earnings only from the ADEQ Fee Trust Fund.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$100,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 36A - Fee Administration Non-Haz Clean Up

Funding Sources: TPE - ADEQ Fee Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Contractual Services 5900043	0	100,000	100,000	100,000	100,000	100,000	100,000
Total	0	100,000	100,000	100,000	100,000	100,000	100,000
Funding Sources							
Intra-agency Fund Transfer 4000317	0	100,000		100,000	100,000	100,000	100,000
Total Funding	0	100,000		100,000	100,000	100,000	100,000
Excess Appropriation/(Funding)	0	0		0	0	0	0
Grand Total	0	100,000		100,000	100,000	100,000	100,000

Analysis of Budget Request

Appropriation: AU3 - EV Infrastructure 781 of 2021

Funding Sources: MEV - Federal Funds Infrastructure

Act 781 of 2021 (Ark. Code Ann. § 15-10-101) established the Electric Vehicle Infrastructure Grant Program, which is explicitly stated to be administered by the Secretary of the Department of Energy and Environment. Through the Act, the Secretary has exclusive authority to award grants to be used for the construction and installation of electric vehicle charging infrastructure.

This appropriation may be funded by general revenues, moneys obtained from private grants or other sources that are designated to be credited to the fund. It is anticipated that federal funds may be available to fund this appropriation.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$5,000,000 in each year of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: AU3 - EV Infrastructure 781 of 2021

Funding Sources: MEV - Federal Funds Infrastructure

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025		
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive	
Grants and Aid	5100004	0	0	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	
Total		0	0	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	
Funding Sources									
Unfunded Appropriation	4000715	0	0		5,000,000	5,000,000	5,000,000	5,000,000	
Total Funding		0	0		5,000,000	5,000,000	5,000,000	5,000,000	
Excess Appropriation/(Funding)		0	0		0	0	0	0	
Grand Total		0	0		5,000,000	5,000,000	5,000,000	5,000,000	

Analysis of Budget Request

Appropriation: E92 - Environmental Site Remediation Trust

Funding Sources: TZZ - ADEQ Environmental Site Remediation Trust

This appropriation was established during the 2021-2023 Biennium as a companion amendment to Senate Bill 575 of 2021. The bill would have created the Environmental Site Remediation Trust Fund and required the Division to accept and provide funding for environmental cleanup and remediation activities at designated sites requiring remediation and removal and subsequent disposal of solid waste or tires to a permitted disposal site, permitted transfer station or permitted processing facility. Senate Bill 575 died in Committee upon Sine Die adjournment.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$2,000,000 in each year of the biennium.

The Executive Recommendation provides for the discontinuation of the Environmental Site Remediation Trust with a decrease in the Remediation Program Expense of (\$2,000,000) in both years of the biennium.

Appropriation Summary

Appropriation: E92 - Environmental Site Remediation Trust

Funding Sources: TZZ - ADEQ Environmental Site Remediation Trust

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Remediation Program Expense 5900046	0	0	2,000,000	2,000,000	0	2,000,000	0
Total	0	0	2,000,000	2,000,000	0	2,000,000	0
Funding Sources							
Unfunded Appropriation 4000715	0	0		2,000,000	0	2,000,000	0
Total Funding	0	0		2,000,000	0	2,000,000	0
Excess Appropriation/(Funding)	0	0		0	0	0	0
Grand Total	0	0		2,000,000	0	2,000,000	0

Analysis of Budget Request

Appropriation: F72 - Performance Bond Fund

Funding Sources: TWB - Water Performance Bond Fund

The Water Performance Bond Fund was created pursuant to Act 402 of 2014 as a depository trust fund.

The fund shall be used by the Division of Environmental Quality to ensure adequate operation, maintenance, and completed closure of a nonmunicipal domestic sewage treatment works if the Director of the Division of Environmental Quality determines that an owner or operator has not adequately operated, maintained, or completed closure of the nonmunicipal domestic sewage treatment works.

The Agency may use these funds to hire a third-party contractor to (1) take remedial action against parties not in compliance with domestic sewage treatment laws, (2) effect the closure of domestic sewage treatment works, (3) maintain and operate a non-municipal sewage treatment works, and (4) take any other action the Secretary of the Arkansas Department of Energy and Environment determines to be necessary to enforce sewage treatment standards set forth by law.

This appropriation is funded by funds appropriated by the General Assembly, all forfeitures collected under Ark. Code Ann. § 8-4-201 et seq., grants made by a person or the federal government, gifts and donations, and interest earned on the funds deposited into the fund for the enforcement of laws pertaining to domestic sewage treatment.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$500,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: F72 - Performance Bond Fund

Funding Sources: TWB - Water Performance Bond Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Non Municipal Domestic Sewage 5900043	0	172,350	500,000	500,000	500,000	500,000	500,000
Total	0	172,350	500,000	500,000	500,000	500,000	500,000
Funding Sources							
Fund Balance 4000005	117,013	282,783		110,433	110,433	0	0
Interest 4000300	165,770	0		0	0	0	0
Total Funding	282,783	282,783		110,433	110,433	0	0
Excess Appropriation/(Funding)	(282,783)	(110,433)		389,567	389,567	500,000	500,000
Grand Total	0	172,350		500,000	500,000	500,000	500,000

Analysis of Budget Request

Appropriation: M98 - Nonmunicipal Domestic Sewage Treatment

Funding Sources: TDS - Nonmunicipal Domestic Sewage Treatment Works Trust Fund

This fund was established as a trust fund for environmental liabilities which can occur. The fund shall be used by the Division of Environmental Quality to ensure adequate operation, maintenance, and completed closure of a nonmunicipal domestic sewage treatment works if the Director of the Division of Environmental Quality determines that an owner or operator has not adequately operated, maintained, or completed closure of the nonmunicipal domestic sewage treatment works. The fund is used for professional services, operating expenses, professional fees, maintenance and completed closure of non municipal domestic sewage treatment works.

Funding for this fund consist of: funds appropriated by the General Assembly; trust fund contribution fees under Ark Code Ann. §8-4-203(b); grants made by any person, state agency, or federal government agency; gifts and donations; and interest earned on the moneys deposited into the fund.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$55,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: M98 - Nonmunicipal Domestic Sewage Treatment

Funding Sources: TDS - Nonmunicipal Domestic Sewage Treatment Works Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Nonmunicipal Domestic Sewage 1 5900046	1,592	55,000	55,000	55,000	55,000	55,000	55,000
Total	1,592	55,000	55,000	55,000	55,000	55,000	55,000
Funding Sources							
Fund Balance 4000005	247,048	668,847		718,847	718,847	787,397	787,397
Investments 4000315	299,954	0		0	0	0	0
Other 4000370	123,437	105,000		123,550	123,550	123,550	123,550
Total Funding	670,439	773,847		842,397	842,397	910,947	910,947
Excess Appropriation/(Funding)	(668,847)	(718,847)		(787,397)	(787,397)	(855,947)	(855,947)
Grand Total	1,592	55,000		55,000	55,000	55,000	55,000

Analysis of Budget Request

Appropriation: V37 - Used Tire Recycling Program

Funding Sources: TUT - Used Tire Recycling Fund

This appropriation was established in 2018 to reimburse used tire programs for recycling and disposal cost, incentivize recycling of used tires collected, provide accountability for disbursement of money and improve sustainability of used tire programs.

To be eligible for reimbursements under this subchapter, a used tire program shall: be included in the solid waste management system under Ark. Code Ann § 8-9-101 et seq. for each regional solid waste management district that the used tire program serves; have a used tire management plan and be included in each regional solid waste management district's recycling program under Ark. Code Ann. § 8-9-203 that the used tire program serves.

At least ninety percent (90%) of the moneys available in the Used Tire Recycling Fund each fiscal year shall be used by the Division of Environmental Quality to provide reimbursements to used tire programs, to administer the Used Tire Recycling and Accountability Program, and to perform other duties under the Used Tire Recycling and Accountability Act according to Ark. Code Ann. § 8-9-401 et seq.

Funding for this fund consist of special revenues, penalties assessed and collected under the Ark. Code Ann. § 8-9-401 et seq., interest, earnings, any other revenues as may be authorized by law, and any United States Government moneys designated for deposit into the Used Tire Recycling Fund.

Continuing level of appropriation is the FY2023 Authorized.

This appropriation contains seven (7) positions.

The Agency is requesting to continue appropriation in the amount of \$10,788,000 in each year of the biennium, and includes position reclassification requests, with no changes in appropriation.

The Executive Recommendation provides for the Agency Request. The Executive Recommendation provides for the Agency Request with the exception of the position reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: V37 - Used Tire Recycling Program

Funding Sources: TUT - Used Tire Recycling Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Used Tire Recycling and Account 5900046	8,230,500	9,416,908	10,788,000	10,788,000	10,788,000	10,788,000	10,788,000
Total	8,230,500	9,416,908	10,788,000	10,788,000	10,788,000	10,788,000	10,788,000
Funding Sources							
Fund Balance 4000005	2,154,067	1,520,380		558,183	558,183	0	0
Special Revenue 4000030	7,595,813	8,597,000		7,948,000	7,948,000	7,948,000	7,948,000
Inter-agency Fund Transfer 4000316	1,000	0		0	0	0	0
Shared Services Transfer 4000760	0	(142,289)		(174,403)	(174,403)	(177,403)	(177,403)
Total Funding	9,750,880	9,975,091		8,331,780	8,331,780	7,770,597	7,770,597
Excess Appropriation/(Funding)	(1,520,380)	(558,183)		2,456,220	2,456,220	3,017,403	3,017,403
Grand Total	8,230,500	9,416,908		10,788,000	10,788,000	10,788,000	10,788,000

This appropriation contains seven (7) positions in the 2022-2023 Budget and 2023-2024 and 2024-2025 Agency Requests.

Analysis of Budget Request

Appropriation: V86 - Energy Efficiency Arkansas

Funding Sources: NEQ - Energy Efficiency - Cash in Treasury

The Energy Efficiency Arkansas - Cash in Treasury appropriation was originally authorized by request from the Cash Fund Holding Account in January, 2008.

Funding for this program is received from various energy companies operating within the State for the Quick Start Statewide Energy Efficiency Program mandated by the Public Service Commission.

Continuing level of appropriation is the FY2023 Authorized.

Expenditure of appropriation is contingent upon available funding.

The Agency is requesting to continue appropriation in the amount of \$1,435,717 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: V86 - Energy Efficiency Arkansas
Funding Sources: NEQ - Energy Efficiency - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	48,661	62,500	103,871	103,871	103,871	103,871	103,871
#Positions		1	1	2	1	1	1	1
Personal Services Matching	5010003	28,735	20,831	35,946	35,946	35,946	35,946	35,946
Operating Expenses	5020002	119,929	158,900	158,900	158,900	158,900	158,900	158,900
Conference & Travel Expenses	5050009	1,335	6,000	6,000	6,000	6,000	6,000	6,000
Professional Fees	5060010	80,233	718,330	746,000	746,000	746,000	746,000	746,000
Data Processing	5090012	0	0	0	0	0	0	0
Grants and Aid	5100004	277,243	385,000	385,000	385,000	385,000	385,000	385,000
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		556,136	1,351,561	1,435,717	1,435,717	1,435,717	1,435,717	1,435,717

Funding Sources								
Fund Balance	4000005	893,377	786,561		0	0	0	0
Cash Fund	4000045	663,881	565,000		642,000	642,000	662,000	662,000
Inter-agency Fund Transfer	4000316	200	0		0	0	0	0
Intra-agency Fund Transfer	4000317	(214,761)	0		0	0	0	0
Total Funding		1,342,697	1,351,561		642,000	642,000	662,000	662,000
Excess Appropriation/(Funding)		(786,561)	0		793,717	793,717	773,717	773,717
Grand Total		556,136	1,351,561		1,435,717	1,435,717	1,435,717	1,435,717

Expenditure of appropriation is contingent upon available funding.
 Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: V87 - Clean Cities

Funding Sources: NEQ - Clean Cities Coalition - Cash in Treasury

The Arkansas Clean Cities Coalition Program - Cash In Treasury facilitates working groups to explore issues associated with the use of alternative fuels and alternative fuel vehicles, to initiate education and training programs, to encourage vehicle manufacturers to participate in the Arkansas market, and to promote research, development, and investment in alternative fuel vehicle projects.

Funding is derived from grants administered by various pass through agencies, contracted by the nationwide Clean Cities Program by the U.S. Department of Energy.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$189,005 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: V87 - Clean Cities

Funding Sources: NEQ - Clean Cities Coalition - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Operating Expenses 5020002	0	20,000	20,000	20,000	20,000	20,000	20,000
Conference & Travel Expenses 5050009	332	8,750	8,750	8,750	8,750	8,750	8,750
Professional Fees 5060010	0	105,255	105,255	105,255	105,255	105,255	105,255
Data Processing 5090012	0	0	0	0	0	0	0
Grants and Aid 5100004	0	55,000	55,000	55,000	55,000	55,000	55,000
Capital Outlay 5120011	0	0	0	0	0	0	0
Total	332	189,005	189,005	189,005	189,005	189,005	189,005
Funding Sources							
Fund Balance 4000005	164,191	220,518		114,388	114,388	0	0
Federal Revenue 4000020	55,000	82,875		57,000	57,000	57,000	57,000
Interest 4000300	1,659	0		0	0	0	0
Total Funding	220,850	303,393		171,388	171,388	57,000	57,000
Excess Appropriation/(Funding)	(220,518)	(114,388)		17,617	17,617	132,005	132,005
Grand Total	332	189,005		189,005	189,005	189,005	189,005

Expenditure of appropriation is contingent upon available funding.

Analysis of Budget Request

Appropriation: V88 - Alternative Fuels Vehicles Program

Funding Sources: NEQ - Alternative Fuels Vehicles Program

The fund for this program originated from the 89th General Assembly for funding a state-wide Gaseous Fuel Rebate Program. The intent of the program was to establish a state-wide network of alternative fuel filling stations and to offer rebate to vehicle owners who wish to convert to clean burning fuel on private and fleet vehicles. This appropriation is necessary to allow the Division of Environment Quality to operate the program.

This appropriation is funded by fund balance originated from a funding transfer from the Arkansas Economic Development Commission in FY2018 and accumulated interest. Expenditure of appropriation is contingent upon available funding.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$435,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: V88 - Alternative Fuels Vehicles Program

Funding Sources: NEQ - Alternative Fuels Vehicles Program

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2023-2024		2024-2025	
		2021-2022 Actual	2022-2023 Budget	2022-2023 Authorized	Agency	Executive	Agency	Executive
Operating Expenses	5020002	0	435,000	435,000	435,000	435,000	435,000	435,000
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0
Professional Fees	5060010	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		0	435,000	435,000	435,000	435,000	435,000	435,000
Funding Sources								
Fund Balance	4000005	461,284	465,557		30,557	30,557	0	0
Interest	4000300	4,273	0		0	0	0	0
Total Funding		465,557	465,557		30,557	30,557	0	0
Excess Appropriation/(Funding)		(465,557)	(30,557)		404,443	404,443	435,000	435,000
Grand Total		0	435,000		435,000	435,000	435,000	435,000

Expenditure of appropriation is contingent upon available funding.

Analysis of Budget Request

Appropriation: V89 - Energy Performance Contracts

Funding Sources: NEQ - Energy Performance Contracts

The Agency is requesting to establish new appropriation for FY2022 and FY2023. The Guaranteed Energy Cost Saving Act (Ark. Code Ann. § 19-11-1201) requires to administer and promulgate rules for the Energy Performance Contracting Program. By this program state agencies pursue guaranteed cost savings via energy performance contracts. This appropriation is necessary to allow the Department of Energy and Environment to execute energy performance contracts and assure that state agencies receive contracted savings.

This appropriation is funded by fund balance originated from a funding transfer from the Arkansas Economic Development Commission in FY2018 and accumulated interest. Expenditure of appropriation is contingent upon available funding.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$325,000 in both years of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: V89 - Energy Performance Contracts

Funding Sources: NEQ - Energy Performance Contracts

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			
		2021-2022 Actual	2022-2023 Budget	2022-2023 Authorized	2023-2024		2024-2025	
					Agency	Executive	Agency	Executive
Operating Expenses	5020002	0	25,000	25,000	25,000	25,000	25,000	25,000
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0
Professional Fees	5060010	0	300,000	300,000	300,000	300,000	300,000	300,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		0	325,000	325,000	325,000	325,000	325,000	325,000
Funding Sources								
Fund Balance	4000005	200,048	498,016		173,016	173,016	0	0
Cash Fund	4000045	83,207	0		0	0	0	0
Intra-agency Fund Transfer	4000317	214,761	0		0	0	0	0
Total Funding		498,016	498,016		173,016	173,016	0	0
Excess Appropriation/(Funding)		(498,016)	(173,016)		151,984	151,984	325,000	325,000
Grand Total		0	325,000		325,000	325,000	325,000	325,000

Expenditure of appropriation is contingent upon available funding.

Analysis of Budget Request

Appropriation: V90 - State Operations

Funding Sources: HMA - State Operations - Energy Office

This is operations appropriation for the Energy Office and is funded by the general revenue.

Continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$221,676 in each year of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: V90 - State Operations
Funding Sources: HMA - State Operations - Energy Office

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2023-2024		2024-2025	
		2021-2022 Actual	2022-2023 Budget	2022-2023 Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	0	0	170,999	170,999	170,999	170,999	170,999
#Positions		0	0	2	0	0	0	0
Personal Services Matching	5010003	0	0	50,677	50,677	50,677	50,677	50,677
Total		0	0	221,676	221,676	221,676	221,676	221,676
Funding Sources								
Unfunded Appropriation	4000715	0	0		221,676	221,676	221,676	221,676
Total Funding		0	0		221,676	221,676	221,676	221,676
Excess Appropriation/(Funding)		0	0		0	0	0	0
Grand Total		0	0		221,676	221,676	221,676	221,676

Authorized position count varies from Agency Request count due to single salary section in appropriation act.

Analysis of Budget Request

Appropriation: V91 - State Energy Plan - Federal

Funding Sources: FYP - State Energy Plan-Federal

This appropriation is utilized for the federal program administered by the Division of Environmental Quality - Energy Office.

This appropriation is funded by Federal Revenue. Funding for the State Energy Plan is received from the U.S. Department of Energy and is directed at projects that address the State's needs in energy conservation. This appropriation is also used to expend indirect cost obligations for federal programs pertaining to the Energy Office.

With the exception of Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting to continue appropriation in the amount of \$1,282,471 in FY24 and \$1,285,111 in FY25.

The Agency Request includes Various personnel changes which include reclassifications, with no change in appropriation.

The Executive Recommendation provides for the Agency Request with the exception of the position reclassifications. These changes will be placed on hold for the new administration to review and recommend.

Appropriation Summary

Appropriation: V91 - State Energy Plan - Federal

Funding Sources: FYP - State Energy Plan-Federal

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	134,383	203,141	226,898	226,898	226,898	226,898	226,898
#Positions		4	4	4	4	4	4	4
Personal Services Matching	5010003	51,556	72,429	75,447	80,475	80,475	83,115	83,115
Operating Expenses	5020002	89,931	167,784	118,273	118,273	118,273	118,273	118,273
Conference & Travel Expenses	5050009	2,131	56,144	36,788	36,788	36,788	36,788	36,788
Professional Fees	5060010	5,810	268,085	268,085	268,085	268,085	268,085	268,085
Data Processing	5090012	0	0	0	0	0	0	0
Grants and Aid	5100004	550,475	1,381,055	551,952	551,952	551,952	551,952	551,952
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		834,286	2,148,638	1,277,443	1,282,471	1,282,471	1,285,111	1,285,111

Funding Sources								
Fund Balance	4000005	615,241	1,300,537		785,011	785,011	1,135,632	1,135,632
Federal Revenue	4000020	1,579,893	1,633,112		1,633,092	1,633,092	1,633,092	1,633,092
Inter-agency Fund Transfer	4000316	400	0		0	0	0	0
Intra-agency Fund Transfer	4000317	(60,711)	0		0	0	0	0
Total Funding		2,134,823	2,933,649		2,418,103	2,418,103	2,768,724	2,768,724
Excess Appropriation/(Funding)		(1,300,537)	(785,011)		(1,135,632)	(1,135,632)	(1,483,613)	(1,483,613)
Grand Total		834,286	2,148,638		1,282,471	1,282,471	1,285,111	1,285,111

Budget exceeds Authorized Appropriation in Operating Expenses, Conference & Travel, and Grants and Aid due to a transfer from the Miscellaneous Federal Grant Holding Account.

Analysis of Budget Request

Appropriation: V92 - Federal Operations

Funding Sources: FYP - Federal Operations-Energy Office

The Weatherization Assistance Program (WAP) is funded by the U.S. Department of Energy. Low Income Home Energy Assistance Program (LIHEAP) is funded by a grant from the Department of Human Services. WAP was transferred to the Division of Environmental Quality in FY2018. Both programs administer grants to assist low income Arkansas residents to improve the energy efficiency of their homes.

This appropriation is funded by federal revenue.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation in the amount of \$39,659,011 in FY24 and \$39,667,837 in FY25.

The Agency Request includes the following changes:

- Transfer of three (3) positions from the Department of Energy & Environment - Shared Services Division, including an increase in Regular Salaries of \$133,104 in each year of the biennium and Personal Services Matching appropriation in the amount of \$51,364 in FY24 and \$53,344 in FY25.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: V92 - Federal Operations
Funding Sources: FYP - Federal Operations-Energy Office

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	496,190	531,950	411,570	629,344	629,344	629,544	629,544
#Positions		12	11	10	13	13	13	13
Personal Services Matching	5010003	244,824	192,980	148,351	236,040	236,040	244,666	244,666
Operating Expenses	5020002	56,025	67,880	67,880	67,880	67,880	67,880	67,880
Conference & Travel Expenses	5050009	4,603	16,750	16,750	16,750	16,750	16,750	16,750
Professional Fees	5060010	4,877	13,500	13,500	13,500	13,500	13,500	13,500
Data Processing	5090012	0	0	0	0	0	0	0
Grants and Aid	5100004	31,938,505	39,366,171	33,108,910	33,108,910	33,108,910	33,108,910	33,108,910
Capital Outlay	5120011	36,673	0	0	0	0	0	0
Data Processing Services	5900044	0	990,588	25,046	25,046	25,046	25,046	25,046
Weatherization Assistance Progr.	5900046	2,540,455	5,561,541	5,561,541	5,561,541	5,561,541	5,561,541	5,561,541
Total		35,322,152	46,741,360	39,353,548	39,659,011	39,659,011	39,667,837	39,667,837

Funding Sources								
Fund Balance	4000005	7,420,854	8,335,847		10,990,905	10,990,905	20,391,871	20,391,871
Federal Revenue	4000020	36,465,243	49,658,428		49,658,428	49,658,428	49,658,428	49,658,428
Inter-agency Fund Transfer	4000316	1,200	0		0	0	0	0
Miscellaneous Adjustments	4000345	10,744	0		0	0	0	0
Shared Services Transfer	4000760	(240,042)	(262,010)		(598,451)	(598,451)	(598,451)	(598,451)
Total Funding		43,657,999	57,732,265		60,050,882	60,050,882	69,451,848	69,451,848
Excess Appropriation/(Funding)		(8,335,847)	(10,990,905)		(20,391,871)	(20,391,871)	(29,784,011)	(29,784,011)
Grand Total		35,322,152	46,741,360		39,659,011	39,659,011	39,667,837	39,667,837

Budget exceeds Authorized Appropriation in Regular Salaries, Personal Services Matching, Grants and Aid, and Data Processing Services due to a transfer from the Miscellaneous Federal Grant Holding Account.
 Budget Number of Positions may exceed the Authorized Number due to single salary section in appropriation act.

Appropriation Summary

Appropriation: AI4 - ARPA-ADEQ
Funding Sources: FRP - ARPA - ADEQ

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Grants and Aid 5100004	2,509,750	0	0	0	0	0	0
Total	2,509,750	0	0	0	0	0	0
Funding Sources							
Federal Revenue 4000020	2,509,750	0		0	0	0	0
Total Funding	2,509,750	0		0	0	0	0
Excess Appropriation/(Funding)	0	0		0	0	0	0
Grand Total	2,509,750	0		0	0	0	0

APPROPRIATION NOT REQUESTED FOR THE 2023-2025 BIENNIUM. This appropriation is funded by the American Rescue Plan Act of 2021. As per Section 41 of Act 199 of 2022, all state agencies, institutions, and constitutional offices receiving funding from the American Rescue Plan Act of 2021 shall request a transfer of appropriation and expend using the American Rescue Plan Act of 2021 Appropriation Sections as authorized in Act 199.

Appropriation Summary

Appropriation: AK7 - ARPA-ADEQ 2

Funding Sources: FRP - ARPA - ADEQ

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Grants and Aid 5100004	130,624	0	0	0	0	0	0
Total	130,624	0	0	0	0	0	0
Funding Sources							
Federal Revenue 4000020	130,624	0		0	0	0	0
Total Funding	130,624	0		0	0	0	0
Excess Appropriation/(Funding)	0	0		0	0	0	0
Grand Total	130,624	0		0	0	0	0

APPROPRIATION NOT REQUESTED FOR THE 2023-2025 BIENNIUM. This appropriation is funded by the American Rescue Plan Act of 2021. As per Section 41 of Act 199 of 2022, all state agencies, institutions, and constitutional offices receiving funding from the American Rescue Plan Act of 2021 shall request a transfer of appropriation and expend using the American Rescue Plan Act of 2021 Appropriation Sections as authorized in Act 199.