

Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	63.01	63.01	64.01	64.01	63.01	64.01	1.00	1.59%
Personal Services	3,779,059	4,280,194	4,367,429	4,370,489	8,059,253	8,737,918	678,665	8.42%
Operating Expenses	6,240,712	7,613,450	7,223,415	6,825,662	13,854,162	14,049,077	194,915	1.41%
Benefits & Claims	0	0	425,000	425,000	0	850,000	850,000	n/a
Transfers	9,364	7,500	9,364	9,364	16,864	18,728	1,864	11.05%
Total Costs	\$10,029,135	\$11,901,144	\$12,025,208	\$11,630,515	\$21,930,279	\$23,655,723	\$1,725,444	7.87%
General Fund	0	0	0	0	0	0	0	n/a
State Special	5,223,156	5,762,678	6,544,668	6,146,579	10,985,834	12,691,247	1,705,413	15.52%
Federal Special	4,805,979	6,138,466	5,480,540	5,483,936	10,944,445	10,964,476	20,031	0.18%
Total Funds	\$10,029,135	\$11,901,144	\$12,025,208	\$11,630,515	\$21,930,279	\$23,655,723	\$1,725,444	7.87%

Program Description

The Remediation Division protects human health and the environment by restoring contaminated sites to a level that prevents unacceptable exposure to hazardous substances that have been released to soil, sediment, surface water, or groundwater. The division also ensures compliance with state and federal regulations. It oversees and conducts or supports remedial investigation and efficient, cost-effective cleanup activities at state and federal Superfund sites; supervises voluntary cleanup activities; reclaims abandoned mine lands; implements corrective actions at sites with leaking petroleum storage tanks; and oversees groundwater remediation at sites where improper placement of wastes has caused groundwater contamination. This division is divided into three bureaus. The Hazardous Waste Site Cleanup Bureau oversees or conducts the investigation and cleanup of sites contaminated by chemical spills, hazardous substances, and petroleum released by industrial and commercial operations. The bureau works with the Petroleum Tank Release Compensation Board for eligibility and reimbursement determinations. The Mine Waste Cleanup Bureau is responsible for administering and overseeing remedial actions at historical (pre-1977) abandoned mines, ore-transport, and processing facilities. The bureau also oversees the state provisions of the federal Comprehensive Environmental Response and Liability Act (CERCLA or federal Superfund program) for cleanup activities at National Priority List (NPL) sites.

Program Highlights

Remediation Division Major Budget Highlights
<ul style="list-style-type: none"> ◆ The legislatively approved budget increased by 7.87% from the 2013 biennium primarily due to: <ul style="list-style-type: none"> ● Statewide present law adjustments ● \$352,348 base operating increase ● \$850,000 for the orphan share claims feasibility study ● \$798,910 for LUST trust cost recovery expenditures ● \$402,832 for the Beal and Basin reclamation bond expenditures ◆ The legislature approved transferring 1.0 FTE attorney position from the Central Services Division

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Environmental Quality Funding by Source of Authority 2015 Biennium Budget - Remediation Division							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
State Special Total	\$12,691,247	\$0	\$0	\$12,691,247	53.6%		
02058 Petroleum Storage Tank Cleanup	\$2,566,043	\$0	\$0	\$2,566,043	10.8%		
02070 Hazardous Waste-cercla	\$161,666	\$0	\$0	\$161,666	0.7%		
02162 Environmental Quality Protecti	\$7,597,018	\$0	\$0	\$7,597,018	32.1%		
02206 Agriculture Monitoring	\$21,615	\$0	\$0	\$21,615	0.1%		
02314 Dnrc Grants - Remediation	\$200,000	\$0	\$0	\$200,000	0.8%		
02438 Pegasus - Beal Mountain	\$303,896	\$0	\$0	\$303,896	1.3%		
02472 Orphan Share Fund	\$1,272,529	\$0	\$0	\$1,272,529	5.4%		
02520 Fy06 Cercla Bond Proceeds	\$69,618	\$0	\$0	\$69,618	0.3%		
02565 Lust Cost Recovery	\$399,926	\$0	\$0	\$399,926	1.7%		
02940 Pegasus - Basin	\$98,936	\$0	\$0	\$98,936	0.4%		
Federal Special Total	\$10,964,476	\$0	\$0	\$10,964,476	46.4%		
03036 Deq Federal Aml Grant	\$569,571	\$0	\$0	\$569,571	2.4%		
03158 Blm Interagency Agreement	\$624,120	\$0	\$0	\$624,120	2.6%		
03221 Epa Lust Trust Fy2010	\$1,061,893	\$0	\$0	\$1,061,893	4.5%		
03256 Epa Superfund Core Fy2010	\$431,626	\$0	\$0	\$431,626	1.8%		
03257 Superfund Multi-site	\$1,925,275	\$0	\$0	\$1,925,275	8.1%		
03259 Superfund Multi Site	\$464	\$0	\$0	\$464	0.0%		
03260 Carpenter Snow Creek Superfund	\$165,100	\$0	\$0	\$165,100	0.7%		
03261 Lust Supplemental Grant	\$141,607	\$0	\$0	\$141,607	0.6%		
03262 Epa Ppg	\$406,683	\$0	\$0	\$406,683	1.7%		
03295 Tank Closure Grant	\$100,000	\$0	\$0	\$100,000	0.4%		
03351 Mgmt Assist - Butte Mine Flood	\$100,000	\$0	\$0	\$100,000	0.4%		
03353 Management Assist - Spec Acct	\$570,180	\$0	\$0	\$570,180	2.4%		
03360 Management Assistance - Bulk	\$1,013,155	\$0	\$0	\$1,013,155	4.3%		
03438 Brownsfield State Response	\$161,982	\$0	\$0	\$161,982	0.7%		
03463 Mine Lease/reclamation	\$125,517	\$0	\$0	\$125,517	0.5%		
03721 Libby Asbestos/troy	\$2,355,545	\$0	\$0	\$2,355,545	10.0%		
03973 Brownfields Grants	\$1,211,758	\$0	\$0	\$1,211,758	5.1%		
Total All Funds	\$23,655,723	\$0	\$0	\$23,655,723	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The Remediation Division is funded with a mix of state special and federal revenue sources. State special revenue comes from the \$.0075 gas tax for petroleum tank cleanup, registration fees for underground storage tanks, and interest proceeds from the Resource Indemnity Trust (RIT), resource indemnity groundwater assessment taxes, and oil and gas taxes deposited to the environmental quality protection, orphan share, and hazardous waste funds. Federal special revenue is derived from the federal Environmental Protection Agency (EPA) for Superfund oversight and various other activities, and the federal Office of Surface Mining for the Abandoned Mine Lands (AML) program.

For a further discussion of the RIT funds, see the Summary section of this agency's narrative.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	0	0	0	0.00%	10,029,135	10,029,135	20,058,270	84.79%
Statewide PL Adjustments	0	0	0	0.00%	500,513	504,743	1,005,256	4.25%
Other PL Adjustments	0	0	0	0.00%	1,095,560	1,096,637	2,192,197	9.27%
New Proposals	0	0	0	0.00%	400,000	0	400,000	1.69%
Total Budget	\$0	\$0	\$0		\$12,025,208	\$11,630,515	\$23,655,723	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					680,857					684,183
Vacancy Savings					(178,399)					(178,532)
Inflation/Deflation					(1,945)					(908)
Total Statewide Present Law Adjustments		\$0	(\$46,731)	\$547,244	\$500,513		\$0	(\$44,831)	\$549,574	\$504,743
DP 50 - Initial Motion to FY 2012 Base	0.00	0	46,731	(547,244)	(500,513)	0.00	0	44,831	(549,574)	(504,743)
DP 51 - Adjustment for Statewide Personal Services	0.00	0	(45,601)	548,059	502,458	0.00	0	(44,366)	550,017	505,651
DP 52 - Adjustment for Statewide Operations	0.00	0	(1,130)	(815)	(1,945)	0.00	0	(467)	(441)	(908)
DP 4001 - Remediation Division Operating Adjustment	0.00	0	85,621	90,153	175,774	0.00	0	85,630	90,944	176,574
DP 4003 - Orphan Share Claims Feas Studies (BIEN/RST/OTO)	0.00	0	425,000	0	425,000	0.00	0	425,000	0	425,000
DP 4004 - LUST Trust Cost Recovery Expenditures	0.00	0	199,455	0	199,455	0.00	0	199,455	0	199,455
DP 4005 - Beal & Basin Reclamation Bond Expend. (BIEN/RST)	0.00	0	201,416	0	201,416	0.00	0	201,416	0	201,416
DP 4006 - Remediation Division Additional Leased Vehicle	0.00	0	0	8,003	8,003	0.00	0	0	8,413	8,413
DP 4007 - Move Attorney from PGM 10 to PGM 40	1.00	0	56,751	29,161	85,912	1.00	0	56,755	29,024	85,779
Total Other Present Law Adjustments	1.00	\$0	\$968,243	\$127,317	\$1,095,560	1.00	\$0	\$968,254	\$128,383	\$1,096,637
Grand Total All Present Law Adjustments	1.00	\$0	\$921,512	\$674,561	\$1,596,073	1.00	\$0	\$923,423	\$677,957	\$1,601,380

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - The adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 4001 - Remediation Division Operating Adjustment - The legislature approved state and federal special revenue, from multiple accounts, to bring spending authority up to the FY 2012 appropriated level for the Hazardous Waste Site Cleanup Bureau (HWSCB) and the Mine Waste Cleanup Bureau (MWCB). Operating adjustments for the HWSCB reflect increased activity for preliminary assessment and site investigation (PA/SI), litigation on state superfund sites, and contractual activity at other state superfund sites. Base activity included emergency response to the Yellowstone pipeline spill. The MWCB was provided authority for completion of hard rock abandoned mine cleanup projects for which cash has already been received, and the MWCB has anticipated increased contractual activity for certain federal superfund sites.

DP 4003 - Orphan Share Claims Feas Studies BIEN/RST/OTO - The legislature approved state special revenue orphan share funding. The department would reimburse the orphan share expenses for the remedial investigation and feasibility studies being conducted during the 2015 biennium. Claims are anticipated under the Controlled Allocation of Liability Act (CALA) for two sites: the S&W Sawmill in Darby and the Joslyn Street Tailings in Helena.

DP 4004 - LUST Trust Cost Recovery Expenditures - The legislature approved state special revenue Leaking Underground Storage Tank (LUST) cost recovery shares to compensate for reductions in federal grants funds. The purpose of these expenditures is to continue the department's efforts to investigate and clean up petroleum releases from certain underground storage tanks to prevent human health and environmental impacts where the cleanup is not eligible for reimbursement from the petroleum tank release compensation fund. LUST trust cost recovery funds are monies from recalcitrant responsible parties that have reimbursed the department for expenditures to clean up certain petroleum release sites.

DP 4005 - Beal & Basin Reclamation Bond Expend BIEN/RST - The legislature approved funding from the Pegasus Beal Mountain and Basin forfeited reclamation bond moneys over the 2015 biennium. The funds are the remaining forfeited reclamation bond monies for the Beal and Basin mine sites and will be used to continue utilizing contracted services for ongoing reclamation activity. At Beal, these funds will supplement Forest Service expenditures for site maintenance and water monitoring needs. At the Basin site, these funds will be used to reclaim abandoned mine infrastructure and conduct site maintenance to supplement EPA expenditures at the regional mine waste repository located at the former mine site.

DP 4006 - Remediation Division Additional Leased Vehicle - The legislature approved federal funding for an additional vehicle to better access remote sites. In order to investigate and develop plans for reclamation, it is necessary to access off-road abandoned mines sites.

DP 4007 - Move Attorney from PGM 10 to PGM 40 - The legislature approved state special and federal special revenue for the transfer of an attorney from the Central Management Program to the Remediation Division. This transfer aligns the position with workload requirements. This is budget neutral and nets to \$0 across the two divisions.

New Proposals

New Proposals	-----Fiscal 2014-----					-----Fiscal 2015-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 4010 - LUST Recovery Cost Expenditures (OTO)	40	0.00	0	400,000	0	400,000	0.00	0	0	0	0
Total	0.00	\$0	\$400,000	\$0	\$400,000	0.00	\$0	\$0	\$0	\$0	\$0

DP 4010 - LUST Recovery Cost Expenditures OTO - The legislature approved \$400,000 from the orphan share account for FY 2014, for LUST recovery expenditures.