

TABLE 4. Cost Control Measures/State Fund Updated 2012

State	Cost Control Measures	New or Proposed Legislative Changes	Current Status of Fund	How is Success Measured
Alabama	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require use of fee schedule certify contractors cover cleanups based on site-specific risk-based end points	None	Funds are available to pay all incoming investigative/corrective action requests for payment and for third party claims.	Success is measured by reviewing all cost proposals within the required 120 timeframe, reimbursing within 60 days, and providing funds for cleanup to protect human health and the environment.
Alaska	require pre-approval of cleanup plans and/or budget prioritize claims to conserve funds		Fund is no longer active	
Arizona	use standard forms for site assessment and corrective action plans require competitive bidding (state as agent of owner) require use of fee schedule cover cleanups based on site-specific risk-based end points	NA	Currently, the AZ state fund is supporting cleanups through the state lead program. The state funded reimbursement program has been phased out. Only releases reported by June 30, 2006 were eligible to submit claims for coverage. No claims were accepted after June 30, 2010.	Reimbursement program is no longer active. Success is measured by accomplishments of the state lead program.
Arkansas	require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) limit overhead paid cover cleanups based on site-specific risk-based end points	None	Funds are available to pay all approved corrective action plans and third-party claims.	Number of confirmed releases with cleanups initiated. Number of sites closed (cleanups completed).

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California	<ul style="list-style-type: none"> require pre-approval of cleanup plans and/or budget use pay-for-performance prioritize claims to conserve funds certify contractors 	<p>AB 358 require the State Water Resources Control Board to notify the tank owner or operator of the 365-day claim deadline for the cases that have been closed prior to January 1, 2012 by March 31, 2012, or upon issuance of a letter of commitment.</p>	<p>The Fund continues to accept claims for unauthorized releases.</p> <p>An annual appropriation of funds each fiscal year continues to provide for the payments of claims.</p>	<p>Key measurements of the Fund's success includes the completion of technical claim reviews for closure, increase the number of UST sites closed with claim closure, balance the UST Fund income to expenditure ration and UST Fund overhead rates for FY 11/12. In addition, ensure the timely processing of claims and payments.</p>
Colorado	<ul style="list-style-type: none"> use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid certify contractors cover cleanups based on site-specific risk-based end points 	<p>Proposed - Establish a subfund, separate from the Colorado Petroleum Storage Tank Fund, using monies obtained from settlements and judgments that can be used to cleanup sites otherwise not eligible to the Fund; ie. pre-88 releases.</p>	<p>The Colorado Petroleum Storage Tank Fund is solvent with a fiscal year 2012 year end fund balance of \$2.3 million. The Environmental Response Surcharge (the source of greater than 90% of our revenue) was \$100/tanker.</p>	<p>Success is measured based on the number and amount of claims paid: for fiscal year 2012 1794 claims were paid totaling \$28.7 million. In addition payments were made within the statutory requirement of 90 days (average of 57 days).</p>
Connecticut	<ul style="list-style-type: none"> use standard forms for site assessment and corrective action plans require competitive bidding (tank owner) require competitive bidding (state as agent of owner) limit overhead paid cover long-term monitoring/maintenance of engineering controls following risk-based closure 	<p>Program sunset for different size applicants. Large 10/2012 Mid-Size 10/2013 Muni, other and small 10/2014 reverse auction payment process established for payment of claims for Large and Mid-size applicants DEEP Commissioner administers program in lieu of Review Board</p>	<p>Currently processing claims and making payments when funds are available.</p>	<p>Implementation of the 2012 legislative program changes and sunset provisions.</p>

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Delaware	require pre-approval of cleanup plans and/or budget limit overhead paid certify contractors cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	As the program sunsetted 12/31/2011 we are proposing removing the program from the UST Statute.	Sunsets 12/31/2011. Tank owners and operators must comply with FR requirements through private mechanisms.	Sites closed.
Florida	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require use of fee schedule limit overhead paid use pay-for-performance prioritize claims to conserve funds certify contractors cover cleanups based on site-specific risk-based end points	Broadened the subset of sites eligible for the pre-existing Low-Scored Site Initiative (LSSI) provides for voluntary participation in and limited state funding out of priority order for a risk based closure option for the lowest scored sites if certain criteria are met.	The Inland Protection Trust Fund is sound and well funded, with a legislative appropriation this FY of \$125 M for cleanup at eligible sites. Recently implemented new effort to screen every eligible facility in the next 6-8 years with a limited assessment to better identify imminent health threats, potential clean closures and estimate future trust fund liabilities.	Overall by the number of drinking water supplies and sensitive receptors protected, next by the number of cleanups completed or brought to natural attenuation monitoring status, and lastly by the number of preapproval work orders and task assignments processed and paid which accomplish these goals.
Georgia	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require use of fee schedule limit overhead paid use pay-for-performance prioritize claims to conserve funds cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	As of June 2012, there is a proposed fee increase from \$0.005/gal to \$0.0075/gal for volunteer participation.	solvent	Fund Success versus Program Success is specifically measured by: 1) How quickly a claim is paid after approval; and 2) The ability to pay without delays due to the lack of immediate funding.
Idaho	require pre-approval of cleanup plans and/or budget require competitive bidding (state as agent of owner) limit overhead paid certify contractors cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	None	Actuarially sound for at least the next five years.	We provide Idaho tank owners insurance to meet financial responsibility at the lowest possible cost.

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Illinois	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule cover cleanups based on site-specific risk-based end points	None	Fund has a positive balance.	Claims paid within 90 days of receipt.
Indiana	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid cover cleanups based on site-specific risk-based end points	None during this reporting period	Solid	Number of closures achieved; number of claims processed; timeliness of claims processing; and financial stability and strength.
Iowa	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require competitive bidding (state as agent of owner) limit overhead paid use pay-for-performance certify contractors employ a third-party administrator cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	Board was expanded. Now includes three petroleum marketer representatives (formerly 2) and three other public members (formerly 2) along with three state agency representatives.	Solvent and in run off with 733 open claims.	Site closure and cost efficiency.
Kansas	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require competitive bidding (state as agent of owner) use pay-for-performance certify contractors	require secondary containment of UST systems	solvent	protection of human health and the environment while remaining solvent

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Kentucky	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require use of fee schedule use pay-for-performance cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	Proposal in legislative process now to expend the deadlines for the PSTA (non-compliance account) and SOTRA (Small Owner Tank Removal Account).	Solvent	By evaluating the number of NFA's issued, site investigations completed, and the timeliness of payments compared to past trends.
Louisiana	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule use pay-for-performance certify contractors		Solvent	Known releases meet the required standards for soils and groundwater, utilizing the most time efficient and cost effective methods for assessment and remediation.
Maine	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (state as agent of owner) limit overhead paid prioritize claims to conserve funds cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	Modified membership of review board, eliminated a public member and gave oversight board broader authority.	Currently sound but requires active monitoring and management.	Ability to provide quick response, protect public health and pay for corrective actions and third party damages.
Maryland				a) After 12/31/2007, only residential AST and UST heating oil systems are eligible for reimbursement from the Site Cleanup fund.(b) There have been 523 residential applications since the residential reimbursement program was

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Massachusetts	require competitive bidding (tank owner) require competitive bidding (state as agent of owner) require use of fee schedule limit overhead paid employ a third-party administrator cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	None	The dedicated UST fund was repealed in 2003. Current funding of the UST program is provided by annual legislative appropriations as part of the over all state budget. The UST program budget has generally been sufficient (with the exception of 2010) to meet claim obligations	There is no formal method for measuring "success"
Michigan	require competitive bidding (tank owner) require use of fee schedule limit overhead paid cover cleanups based on site-specific risk-based end points	Recent statute has required an Underground Storage Tank Cleanup Advisory Board to make a recommendation to the legislature as to the use of the state's Refined Petroleum fund which may or may not include a limited reimbursement and/or other financial assurance component. The recommendation is due in March 2013.	We do not currently have a reimbursement fund.	
Minnesota	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule cover cleanups based on site-specific risk-based end points	N/A	Financially sound.	Claim review within statutory requirements.
Mississippi	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule certify contractors	Proposed coverage of releases from above ground storage tanks.	Solvent	Fund balance and processing reimbursement requests in 30 days or less.

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Missouri	require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) limit overhead paid use pay-for-performance employ a third-party administrator cover cleanups based on site-specific risk-based end points	Currently implementing and paying for Operator Training	Excellent. Collaborative work with regulator and industry minimizes number of new leaks; workload is decreasing as old sites are cleaned up; funding is available for all claims.	Very few leaks, with minimal environmental impact Prompt cleanups done in a cost-effective manner Efficient reimbursement of claims Good relationship with industry and other state agencies
Montana	require competitive bidding (tank owner) require use of fee schedule prioritize claims to conserve funds cover cleanups based on site-specific risk-based end points	None	Continue to obligate available fund to releases which pose greatest threat to human health and the environment.	Fund balance and claim processing time
Nebraska	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid use pay-for-performance prioritize claims to conserve funds cover cleanups based on site-specific risk-based end points	The release reporting date was extended from June 30, 2012 to June 30, 2016	RBCA Tier 1 & Tier 2 investigation program working well. PFP Program has 37 contracts at orphan tank sites with 10 completed successfully, 11 contracts terminated, and 16 in progress.	The number of sites closed. Expenditures keeping pace with revenues. Application payment is less than 60 days.
Nevada	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) limit overhead paid certify contractors cover cleanups based on site-specific risk-based end points		Solvent	Number of claims submitted vs. Number of claims processed

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New Hampshire	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid prioritize claims to conserve funds certify contractors		Fund is active. We continue to prioritize work based on site risk and available funds	# of claims processed and cleanups completed
New Jersey	require pre-approval of cleanup plans and/or budget certify contractors cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure			
New Mexico	require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require competitive bidding (state as agent of owner) require use of fee schedule use pay-for-performance prioritize claims to conserve funds certify contractors cover cleanups based on site-specific risk-based end points	In the Laws of 2004, Chapter 88, the legislature may appropriate up to 30% of the annual distribution to the Fund for federal funds match, for underground contamination cleanup, and to address water needs. July 1, 2001 was the effective date for Fund coverage for ASTs.	Constant oversight and reconciliation is required and prioritization of sites activity as necessary to ensure that we do not over extend available funds.	Site cleanups and available funds. We continually strive to protect the drinking water and ensure public health and safety. We look at ways to use technological and cost effective methods to clean up sites and continue progress in closure of sites.
New York				
North Carolina				
North Dakota	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) limit overhead paid cover cleanups based on site-specific risk-based end points	None	Health - Solvent	Reduction in open claim, surplus above statutory requirement.

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Ohio	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget limit overhead paid use pay-for-performance cover cleanups based on site-specific risk-based end points	None	The Fund continues to accept claims for releases occurring before and after 12/22/98. It is supported solely by annual tank fees, revenue bond proceeds and interest income. As of June 30, 2012, all previously issued revenue bonds were retired or refunded. No change in the Fund as the State's financial responsibility mechanism is anticipated.	The Fund's success is measured by the 1) maintenance of an affordable fee structure that generates sufficient revenues to maintain Fund solvency; 2) maintenance of claims submissions standards that encourage cost-effective remediations; and 3) timely reimbursement of eligible claimed costs.
Oklahoma	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid use pay-for-performance prioritize claims to conserve funds certify contractors cover cleanups based on site-specific risk-based end points	As of 07/01/09, 8% of the \$0.01 assessment is apportioned to the Okla Dept of Environmental Quality (ODEQ). As of 05/21/12, \$57M of the assessment will go to Okla Dept of Transportation (ODOT) over a span of 9-10 years, per O.S. 17 SS 354 C.3. Sunset date was extended from December 31, 2012 to December 31, 2022 per O.S. 17 SS 354 D.1.	Active & Solvent	We consider our fund successful as remediation of sites is being accomplished, claims are being processed in a timely manner and the fund remains solvent.
Pennsylvania	require pre-approval of cleanup plans and/or budget limit overhead paid use pay-for-performance employ a third-party administrator cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	There are no current proposed changes to the Fund.	Fund is financially viable and processes claims as they are submitted and confirmed for eligibility.	84% of all claims submitted are deemed eligible for reimbursement. We do not have to prioritize payments. Sufficient funds available to process claims.

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Rhode Island		None	The RI UST fund was able to catch up from its six month backlog by the end of calendar year 2012	Ability to continue to pay its claims
South Carolina	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require competitive bidding (state as agent of owner) require use of fee schedule use pay-for-performance prioritize claims to conserve funds certify contractors cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure		2012 increase in tank fees generated \$1.1 million in cleanup funds received between July 1, 2012 and December 31, 2012	EPA Annual Soundness Snapshot and Assessment of the SC State Fund
South Dakota	require pre-approval of cleanup plans and/or budget require competitive bidding (state as agent of owner) require use of fee schedule cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure		The PRCF is able to pay all claims in a timely manner and has sufficient revenue to handle future claims.	Success is measured by the efficiency, timeliness and cost-effectiveness of the corrective action. Success is also measured by the speed of claims approval and maintenance of the fund's solvency.
Tennessee	Use standard forms for site assessment and corrective action plans require use of fee schedule certify contractors cover cleanups based on site-specific risk-based end points require pre-approval of cleanup plans and/or budget	none	solvent	maintaining a positive balance

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Texas	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require competitive bidding (state as agent of owner) require use of fee schedule limite overhead paid certify contractors cover cleanups based on site-specific risk-based end points	none	The fund is able to pay all claims in a timely manner and has sufficient revenue to handle future claims.	Success is measured by the number of cleanups completed and timely review and payment of claims.
Utah	require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require competitive bidding (state as agent of owner) require use of fee schedule limit overhead paid use pay-for-performance certify contractors	None	Positive cash balance.	Positive cash balance and NFAs.
Vermont	require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid prioritize claims to conserve funds cover cleanups based on site-specific risk-based end points	Vermont is proposing to increase both the annual tank fees and deductibles for higher risk tank systems. VT UST regulations allow single-walled tank systems that were in place prior to regulations to remain in service if not leaking. Proposal will raise fees on these tanks.	The Fund continues to provide resources to address petroleum releases from USTs and ASTs. Future releases remain covered under the program.	Solvent fund. Able to pay claims in a timely manner. Good working relationship with our stakeholders.
Virginia	require pre-approval of cleanup plans and/or budget require competitive bidding (tank owner) require use of fee schedule limit overhead paid employ a third-party administrator cover cleanups based on site-specific risk-based end points	None	Claims are released for payment once a month due to continued cash flow limitations.	Overall success is measured through: Number of cleanups completed; Average cleanup cost; Claims processing times; Overall reasonableness of cost approved.

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Washington	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require use of fee schedule limit overhead paid certify contractors employ a third-party administrator	Program extended until 2020.	Tax extended until 2020.	
Washington-heating oil only	use standard forms for site assessment and corrective action plans require pre-approval of cleanup plans and/or budget require use of fee schedule limit overhead paid certify contractors	Program extended until 2020.	Fee extended until 2020.	
West Virginia			Fund is no longer active	
Wisconsin	unknown			
Wyoming	require competitive bidding (state as agent of owner) certify contractors			