

TABLE 4. Cost Control Measures/State Fund Updates 2014

State	<a href="#">Cost Control Measures</a>	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; utilize unit rates	Trust Fund coverage per occurrence increased to \$1.3 million on January 1, 2014	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Alaska*	require pre-approval of cleanup plans and/or budget prioritize claims to conserve funds		Fund is no longer active	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) cover cleanups based on site-specific risk-based end points	NA	The AZ state fund is supporting cleanups through the state lead program. Eligibility for the state funded reimbursement program was phased out. Only releases reported by June 30, 2006 were eligible to submit claims for coverage and payment eligibility for those claims ended June 30, 2010. Recent legislation created an UST Advisory Committee to evaluate future program options.	Number of confirmed releases with remediation initiated. Percentage of releases closed (cleanups completed).
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	Act 406 of 2013 to clarify the law regarding transfer of eligibility for payment of third-party claims and to clarify reimbursement eligibility to a lender or secured creditor.	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"> <li>*Requires pre-approval of cleanup plans and/or budget</li> <li>*Requires competitive bidding</li> <li>overhead paid</li> <li>*Prioritize claims to conserve funds</li> <li>*Limited</li> </ul>	<p>NEW 09/2014:</p> <ul style="list-style-type: none"> <li>*Fee increase to \$0.02 per gallon</li> <li>*Additional fraud prevention measures and prosecution</li> <li>*Extend the Fund sunset date to 1-1-26</li> <li>*Create pilot program for regulator, claimant/consultant, Fund staff to better coordinate remediation and reimbursement to expedite regulatory case closure</li> <li>*Maximum reimbursement amount reduced from \$1.5M to \$1M for claims submitted after 1/1/2016</li> <li>*Regulatory Technical Assistance maximum reimbursement amount per claim increased from \$3K to \$5K</li> </ul>	<p>The Fund continues to accept claims for unauthorized releases. An annual appropriation of funds each fiscal year continues to provide for the payments of claims. Significant cash balance as regulatory cases close, and unnecessary remediation not implemented.</p>	<p>Key measurements of the Fund's success includes:</p> <ol style="list-style-type: none"> <li>1) The completion of technical reviews of budgets based on next steps to meet CA 2012 uniform case closure criteria</li> <li>2) Increase the number of UST cases closed and subsequent claim closure</li> <li>3) Balance the UST Fund income to expenditure ratio and UST Fund overhead rates for FY 13/14</li> <li>4) Ensure the timely processing of claims and payments</li> </ol>

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Colorado	<p>use standard forms for site assessment and corrective action plans</p> <p>require pre-approval of cleanup plans and/or budget</p> <p>require competitive bidding for remediation costs greater than \$100,000</p> <p>require use of fee schedule</p> <p>limit overhead paid</p> <p>certify contractors</p> <p>cover cleanups based on site-specific risk-based end points</p>	<p>The Petroleum Cleanup and Redevelopment Fund, separate from the Colorado Petroleum Storage Tank Fund, funded by monies obtained from settlements and judgments has now accepted 5 sites for assessment and cleanup. New - Additional risk based closure criteria referred to as Tier III and Tier IV were established. Tier III closure criteria establishes conditions where dissolved-phase chemicals of concern (COCs) can remain above Tier I Risk Based Screening Levels (RBSLs) at the release property boundary, but not beyond an adjoining public roadway. Tier IV closure criteria establishes conditions where dissolved-phase COCs can remain above Tier I RBSLs at offsite properties, irrespective of land use. Bill in Legislature - Using the Petroleum Storage Tank Fund to offer incentives to Owners/Operators to stay in compliance. This would involve providing reimbursement for periodic testing and monitoring such as annual tank, line and leak detector tests and/or cathodic protection tests. The intent is to enhance operational compliance and detect releases sooner.</p>	<p>The Colorado Petroleum Storage Tank Fund is solvent with a fiscal year 2014 year end fund balance of \$227,871. The Environmental Response Surcharge (the source of greater than 90% of our revenue) was \$100/tanker throughout the fiscal year.</p>	<p>Success is measured based on the number and amount of claims paid: for fiscal year 2014 1237 claims were paid totaling \$20 million. In addition payments were made within the statutory requirement of 90 days (average of 37 days).</p>
Connecticut	<p>Use standard forms for site assessment and corrective action plans</p> <p>require competitive bidding (tank owner)</p> <p>require competitive bidding (state as agent of owner)</p> <p>limit overhead paid</p> <p>cover long-term monitoring/maintenance of engineering controls following risk-based closure</p> <p>Completion of remediation Milestones</p>	<p>None</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	Program closed on 12/31/2011 via statue change.	closed 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, use competitively procured contractors and costs, use pay-for-performance, prioritize cleanups to conserve funds, qualify contractors, cleanups based on site-specific risk-based end points	The existing Advanced Cleanup Program, whereby Site Owners/RPs can be funded out priority order if they share 25% or more of the cost, was modified to allow groups of 20 or more sites to be bundled under performance based cleanup agreements to satisfy the net cost share with co-payment, cost savings compared to standard contract rates, cost savings for risk based cleanup compared to unconditional closure, or any combination of the three.	The Inland Protection Trust Fund is sound and well funded, with a legislative appropriation this FY of \$125 M for cleanup at eligible sites. Continuing effort to screen all eligible facilities 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 competitively procured purchase orders 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 July 2013, the GUST fee increased 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.

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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.
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	Solvent	Number of closures achieved; number of claims processed; timeliness of claims processing; and financial stability and strength.

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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	None during this reporting period	Solvent and in run off with 585 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		solvent	protection of human health and the environment while remaining solvent
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	PSTA and SOTRA deadlines extended to July 15, 2016	Solvent	By evaluating the number of NFA's issued, site investigations completed and the timeliness of payments compared to past trends.

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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, utilizing unit pricing, Use pay-for-performance, Certify contractors, Cover cleanups based on site specific risk-based end points	Proposed bill to increase Trust Fund Maximum from \$1,000,000 to \$3,000,000 per release.	Solvent	Known releases meet the required limiting standards(screening and risk based) for soils and groundwater, by 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	2012-Modified membership of review board, eliminated a public member and gave oversight board broader authority. 2013-Review Board lowered surcharge fees for gas from .20 to .18 cents/barrel. Lowered fee on refined products from .10 to .06 cents/barrel, reducing revenue when fund balance dips below \$5 M. After July 4, 2015, AST owners are only eligible for up to \$750,000 in eligible clean up costs and third party damages.	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	Reimbursement limits are set in State law Applicants must follow standard application process Eligibility criteria are detailed in State regulations			An annual report on the fund is sent to the Maryland State Legislature and is available here: <a href="http://mde.maryland.gov/programs/Land/OilControl/FactSheetsPublications/Pages/Programs/LandPrograms/Oil_Control/FactsheetsPublications/index.aspx">http://mde.maryland.gov/programs/Land/OilControl/FactSheetsPublications/Pages/Programs/LandPrograms/Oil_Control/FactsheetsPublications/index.aspx</a> .

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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 developed web-based claim submittal software cover cleanups based on site-specific risk-based end points cover long-term monitoring/maintenance of engineering controls following risk-based closure	Beginning 1/1/2015, the Delivery Fee (\$0.025/gal) will be subject to annual increases based on the CPI. Rate increased to \$0.025395/gallon)	The dedicated UST fund was repealed in 2003. Current funding of the UST program is provided by annual legislative appropriations as part of the overall state budget. The program budget is currently adequate to meet the current demand for approved claim payments.	There is no formal method for measuring "success". Due to recent program changes, the claim backlog was reduced by 90%.
Michigan <sup>1</sup>	require competitive bidding (tank owner) require use of fee schedule limit overhead paid cover cleanups based on site-specific risk-based end points	Legislation passed on December 30, 2015 to create a \$20 million per year reimbursement program with revenues coming from the current 7/8 cent per gallon fee which will bring in approximately \$50 million per year (the first \$20 million each year will fund the program).	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	Beginning July 1, 2015, reimbursement must be requested within seven years of work being performed.	Financially sound.	Claim review within statutorily-mandated timeframes of 60 days for initial claims and 120 days for supplemental claims.
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 costs for all work. Require competitive bidding (tank owner). Control overhead costs. Use pay-for-performance Employ a third-party administrator Cover cleanups based on site-specific risk-based end points	None	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 from active tanks, with minimal environmental impact. Cleanups completed promptly and 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 Statistics by task cover cleanups based on site-specific risk-based end points	Grant Assistance with co-pay	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 may 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	January 2015 bill (LB143) introduced that would have the Fund pay for UST operator training.	RBCA Tier 1 & Tier 2 investigation program working well. PFP Program has 36 contracts at orphan tank sites with 11 completed successfully, 19 contracts terminated, and 6 in progress. We are considering whether any additional PFP contracts will be let.	The number of sites closed. Expenditures keeping pace with revenues. Application payment is less than 60 days.
Nevada	require pre-approval of corrective action plans and budget require standard forms with cost limitations for activities require competitive bidding (tank owner) limit overhead paid certify contractors cover cleanups based on site-specific risk-based end points	SB89. Use of Fund to facilitate cleanup of high priority abandoned dry cleaner sites	Solvent	Dollar amount of PetroleumFund claims approved for reimbursement and the 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 consolidation bill passed the Legislature and was signed by the Governor this June. Bill combined the four cleanup funds (Oil Discharge and Disposal Cleanup Fund, Fuel Oil Discharge Cleanup Fund, Motor Oil Discharge Cleanup Fund, and Gasoline Remediation and Elimination of Ethers) into one.	Fund is active. We continue to prioritize work based on site risk and available funds	# of claims processed and sites closed
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	NA since 2004	Constant oversight and reconciliation is required and prioritization of sites activity as necessary to ensure that we do not over extend available funds.	1) Number of sites addressed per year; 2) Number of sites issued "No Further Action Required" letters; and 3) Timely payment of eligible claims in accordance with the regulations.
New York	prioritize claims to conserve funds	None related to USTs	Fund is solvent	Number of closures achieved; number of claims processed; timeliness of claims processing; and financial stability and strength.

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North Carolina*	require pre-approval of cleanup plans and/or budget use of fee schedule 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 require competitive bidding (tank owner) for items exceeding \$2,000 require prioritize	None	Comm - Active & Solvent Noncomm - Active, but restricted due to funding	Reduction in number of open release incidents and backlog
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	Healthy - Solvent	Reduction in open claim, surplus above statutory requirement.
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	At its November 12, 2014 meeting, the Board voted to reduce the annual fee by \$100 per UST. This change will be effective with the fee year beginning July 1, 2015.	The Fund continues to accept claims for releases discovered before and after 12/22/98. It is supported solely by annual tank fees, revenue bond proceeds, if any, and interest income. 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.

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Oklahoma	<ul style="list-style-type: none"> <li>use standard forms for site assessment and corrective action plans</li> <li>require pre-approval of cleanup plans and/or budget</li> <li>require competitive bidding (tank owner)</li> <li>require use of fee schedule</li> <li>limit overhead paid</li> <li>use pay-for-performance</li> <li>prioritize claims to conserve funds</li> <li>certify contractors</li> <li>cover cleanups based on site-specific risk-based end points</li> </ul>	<p>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.</p>	<p>Active &amp; Solvent</p>	<p>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.</p>
Pennsylvania	<ul style="list-style-type: none"> <li>require pre-approval of cleanup plans and/or budget</li> <li>limit overhead paid</li> <li>use pay-for-performance</li> <li>employ a third-party administrator</li> <li>cover cleanups based on site-specific risk-based end points</li> <li>cover long-term monitoring/maintenance of engineering controls following risk-based closure</li> </ul>	<p>There are no current proposed changes to the Fund.</p>	<p>Fund is financially viable and processes claims as they are submitted and confirmed for eligibility.</p>	<p>84% of all claims submitted are deemed eligible for reimbursement. We do not have to prioritize payments. Sufficient funds available to process claims.</p>
Rhode Island		<p>Possible change to to make Board advisory only and allow the Department to review and disburse \$</p>	<p>The RI UST Fund disburses quarterly and is currently one disbursement behind.</p>	<p>Ability to continue to pay its claims</p>

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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	none	2014 increase in tank fees generated \$3.3 million in cleanup funds (calendar year)	EPA Annual Soundness Snapshot and Assessment of the SC State Fund/Yearly legislative review by SUPERB Advisory Committee
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 of contractor submittals.
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	Surcharge increased from 0.5 to 0.65 cents per gallon. Rebates of up to 40% for UST facilities that upgrade their USTs to reduce risk of leaking into the environment. 10-year, 0% interest loans available to UST owner/operators to upgrade their USTs. Annual tank fund fee changed to \$150 if facility throughput is greater than 70,000 gallons and \$450 if facility throughput is 70,000 gallons or less.	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	None.	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.

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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	Nothing was proposed as of 6/30/2014. Recent legislative activity will be covered in the next update.	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.
Washington	multi-party agreement between insurer, state fund, and state regulator 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	None	Tax extended until 2020.	Time to claim closure
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	None	Fee extended until 2020.	Claim processing time; Average cleanup cost; Time to claim closure

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West Virginia <sup>2</sup>			Fund is no longer active	
Wisconsin*	unknown			
Wyoming	require competitive bidding (state as agent of owner) certify contractors		Fund is used to pay for cleanups based on priority.	

<sup>1</sup>MI 2014 Update: unchanged for 2014 but a new fund was established December 30th which had not yet been implemented.

<sup>2</sup>No change to information for WV. WV does not have a state fund - the state insurance fund expended all remaining funds in 2003

\* No updated response received for 2014 survey.

**Cost Control measures:**

- 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
- limit overhead paid
- use pay-for-performance
- prioritize claims to conserve funds
- 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
- corrective actions undertaken only as a result of a capital improvement