

**Table 4. Cost Control Measures/State Fund Updates 2020**

State	Cost Control Mechanisms Used	New or Proposed Legislative or Regulatory Changes	Current Status of Fund	COVID-19 Impact on Fund	Emerging Issues of Concern
Alabama	Pre-Approval of Costs; Unit Rates established for most commonly used work efforts; Fee Schedule; Owners required to hire an Approved Response Action Contractor	The Trust Fund Management Board voted to increase the per gallon withdrawal from bulk fee to \$0.012 per gallon. Rulemaking is underway.	Funds are available to pay all incoming investigative/corrective action requests for payment and for third party claims.	A significant reduction in income occurred in May and June, but collections were restored to about 90 - 95% of normal by July. All cost proposals and payment requests are now submitted in pdf format via email. Very little paper correspondence is issued	
Arizona	mandatory preapproval; use of cost model to estimate reasonable cost	For current program, no new legislation planned	Current fund does not function as an FR mechanism; program has provisions for prioritization if needed	Not tracked	The transition from gasoline to alternative energy fuels.; The future of gas stations – number, types, ownership.; Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
Arkansas	Pre-approval of Costs; Require competitive bidding;	None in SFY22	Funds are available to pay all approved corrective action plans and third-party claims.	The Fund had a slight decrease in revenue for the month of May 2019, but returned to normal revenue afterwards. Reimbursements continued without delay.	The future of gas stations – number, types, ownership.
Colorado	Use standard forms for site assessment and corrective action plans, Require pre-approval of cleanup plans and/or budget, Require competitive bidding for remediation costs > \$100,000, Require use of a fee schedule, Limit overhead paid, Certify contractors,		The Colorado Petroleum Storage Tank Fund is solvent with a fiscal year 2022 year end fund balance of \$36million The Environmental Response Surcharge (the source of greater than 90% of our revenue) remained at \$100/tanker through the calendar year of 2022		

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<b>District of Columbia</b>	All UST Fees received by the UST Fund are scheduled in the DC UST Regulations, which is updated whenever there is a change or increase in fees - last updated 02.21.2020	February 21, 2020 pdate to our regulations include new fees for UST removal \$250 per tank and voluntary remediation application \$5,000 and \$500 per year and increases all other fees by 10% plus annually based on infiltration rate. All revenue collected wi	Reestablished in 2020 - Tank owners and operators must comply with FR requirements through private mechanisms. The DC UST Fund has been revived as of October 2020. Currently \$450,000 fund balance. All fund balance was spent prior to 2020 and new revenue g	None, made about the same as it did last year. With increases in fees and new fees, ex expect a slight increase in FY21, even though the bulk is from registration and more tanks are being removed that installed. Online payment now possible to improve coll	The future of gas stations – number, types, ownership.
<b>Florida</b>	All cost preapproved by procurement per contract fee schedule, quotes for items not covered by fee schedule or negotiated pay for performance agreements.	Changes have been made to the Florida Statutes in 2021 related to the Petroleum Cleanup Participation Program. The owner cost-sharing portion of the rule has been changed to include a combination of cost sharing and cost savings to the cleanup effort.	Fund has returned to pre-COVID levels. The Florida Petroleum Restoration Program is prioritizing continued operation of remediation systems, well abandonment for site closure, securing sites and safety issues, Remedial Action Planning, Pilot Tests and Pos	Most impact experienced in 2021. No current impact.	The future of gas stations – number, types, ownership.; Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
<b>Georgia</b>	Pre Approval of Scope of Work Detailed cost review form State contractor pay for performance and fee schedule Robust Remediation Review Committee RBCA Detailed Evaluations of Multiple Releases at Single Facility	None	Growing balance with fewer open releases. Solvent.	No impact to the fund besides a 10% dip for one quarter during the 2020 lockdown.	The transition from gasoline to alternative energy fuels.; The future of gas stations – number, types, ownership.; Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
<b>Idaho</b>	Most corrective action work on PSTF projects is performed by environmental contractors working under direct PSTF supervision. All work is authorized by PSTF prior to commencing. Contractor labor and equipment rates are renegotiated annually.	None	No changes	Minimal residual impact.	The transition from gasoline to alternative energy fuels.; The future of gas stations – number, types, ownership.
<b>Illinois</b>	Pre-approval of Corrective Action costs. All costs incurred must be eligible costs as identified in the regulations	None	Solvent	The COVID-19 impact has not hurt the overall solvency of the Fund during.	
<b>Indiana</b>	Fee schedule, require competitive bidding for corrective action, preapproval of corrective action costs, and routine review all claims for reasonableness and cost effectiveness for work performed	None	Solvent.		

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Iowa	Preapproval of costs and routine review all claims for reasonableness	NONE	Solvent and in run off with 58 claims.	NONE	
Kansas	Pre-approve all Corrective Action costs, use of standardized forms and competitive bidding.	Regulations amended to meet new EPA regulatory requirements in 2020.	Solvent.	There was a temporary decrease in revenue in 2020, but the fund and corrective action activities have been fairly consistent.	Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
Kentucky	Preapproval worksheets, Use of Fee Schedule, Prioritizing claims, Use of Standard forms for Cost Estimates, Competitive Bidding	N/A	Solvent.		
Louisiana	Require pre-approval of site investigation and corrective action plans which include a defined budget, Require competitive bidding for non unit rate cost over \$10,000, Require use of a cost control guidance document which includes fee schedules and unit p	Recent legislation required the Department to develop processes for issuing grants from the Motor Fuel Trust Funds Interest and cost recovery dollars for the purpose of replacing older single walled UST's. The Department is currently writing regulations	Fund is currently capable of meeting it's annual obligations to process reimbursement request for active eligible remediation sites. The current actuarial report does show that the Trust Fund is not actuarially sound based upon the current Fund cash bala	To facilitate staff working remotely, management made modifications to its application processing procedures, which utilize the Department's electronic document management system and electronic submittals of the reimbursement applications. The impact on	The transition from gasoline to alternative energy fuels.; The future of gas stations – number, types, ownership.; Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
Maine	Require pre-approval of clean-up plans and/or budgets.Require competitive bidding (state as agent of owner). Use clean-up standards based on site specific risk based end points. Amended rule to require standardized format for submittal of site assessments	Revised state rules incorporating the 2015 changes to federal rule became effective on September 26, 2018.	Currently sound but requires active monitoring and management.	No significant impact to Fund balance. Staff reported slightly longer claim processing times early on until staff adjusted to working remotely.	
Massachusetts	Schedule of Acceptable Costs Competitive bidding List of ineligible costs, computer assisted claim processing	Statutory change to replace a governing board member seat has been proposed. No regulatory changes. Schedule of Acceptable Costs is currently under review. Existing policies affecting reimbursement have been reviewed and revised	Financially sound.	All staff worked remotely. Initial productivity rates were down, but have resumed to higher than normal as new technology was rolled out.	

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Michigan	Schedule of Costs Competitive bidding Pre-approval of excavation costs List of ineligible costs	None	Financially sound.	None	The future of gas stations – number, types, ownership.
Minnesota	Fee schedule. Competitive bidding. Pre-approval of active remediation costs. Use of standard forms for proposing/invoicing costs.	None.	Fiscally sound.	Staff mainly working from home. Because of funding mechanism, no apparent fiscal impact to Program.	The transition from gasoline to alternative energy fuels.; The future of gas stations – number, types, ownership.
Mississippi	Pre-approval of costs, use of standardization of hours for assessment and remediation, use of a fee schedule, use of standard forms for cost estimates, require competitive bidding	Law change passed and signed into law by the Governor in April 2022 giving MDEQ the authority to use up to \$1,000,000 of the trust fund to cover any UST budget shortfall.	Solvent.	Only minor negative impacts have been made to our fund during COVID-19. We only saw a slight decline in revenue. On September 30, 2020, the fund reached the ceiling of unencumbered funds per state law. Therefore, the fund mechanism was turned off and then	
Montana	Preapproved costs, approved rates, competitive Bids, appropriate Technology, established standards, statistical analysis, cost estimating tools.	None	Solvent: Continue to obligate available funds to releases which pose greatest threat to human health and the environment.		
Nebraska	Cost estimates are a required part of work plans. Statute requires the use of a reasonable rate schedule. Bidding for larger projects is also an option. PFP was tried and no longer used.	no proposed changes during this legislative session	RBCA Tier 1 & Tier 2 investigation program working well.	revenue has returned to pre-covid levels, all staff back in office.	
Nevada	Reference CEM Cost Guidelines and Policy Resolutions on our website at: <a href="https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-policy-resolutions">https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-policy-resolutions</a>	None for state FY 2020	Fund is solvent.	No measurable impact with regard to revenue or paying cleanup claims yet.	
New Hampshire	Pre-Approval of All Reimbursable Work Except Emergency Response, Competitive Bidding on Large Remediation Projects	None	Fund is active. We continue to prioritize work based on site risk.	None	

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New York	All contract expenditures are competitively bid in accordance with State Finance Law and procurement guidelines. All contract expenditures are pre-audited by the State Comptroller's office. Cleanups are prioritized based on impact to human health and envi	None related to USTs	Fund is solvent.		
North Dakota	North Dakota Department of Environmental Quality (NDDEQ) administrative rules require bidding of excavation, environmental consultant, and remediation work at reasonable and necessary rates determined by the overseeing division of the NDDEQ.	Moved the administration of Fund to new NDDEQ on July 1, 2019.	Fund is active and solvent.	No impact	The future of gas stations – number, types, ownership.
Ohio	Use standard forms for site assessment and corrective action plans Require pre-approval corrective action costs Limit overhead paid Cover costs based on site-specific risk-based end points Use of fee and overall cost schedules	None	The Board annually reviews the financial soundness of the Fund by reviewing a five-year proforma which is based on several assumptions, including projected tank counts, fees, interest rates, claim payments and operating expenses. After several modest inc	In March 2020, the Board's staff moved to a teleworking schedule and as a result, experienced delays in response times. In February 2022, the teleworking schedule was suspended and all staff returned to the office. Response times are now consistent with	The transition from gasoline to alternative energy fuels.
Oklahoma	Pre-approval of costs and unit cost rates applied to all scopes of work. Use standard forms for site assessment and corrective action plans. Require use of fee schedule. Prioritize claims.	None.	Active and 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.	None in FY22.	The future of gas stations – number, types, ownership.
Oregon					

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Pennsylvania	Initial Site Characterization Workplan; Competitive Bidding;		Financially sound. Claim payments continue on a weekly basis.	\$30 million Fund transfer to assist with COVID-19 health related payments. Fund is solvent and processes payments on a weekly basis.	The transition from gasoline to alternative energy fuels.; The future of gas stations – number, types, ownership.
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 control	None	The PRCF is able to pay all claims in a timely manner and has sufficient revenue to handle future claims.	Not appreciable	
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. Cost have also been contro	2 changes adopted: First change: The deductible ranges from \$5,000 to \$30,000 depending on compliance history at the time of the release. Second change: Tank fees have been suspended from 7/1/2021 to 6/30/2026.	Solvent	None	
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, limit overhead paid, certify contractors, cover cl	None	The fund is able to pay all invoices in a timely manner and has sufficient revenue to handle future invoices.	Unknown	

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Utah	Work Plans & Budgets must be pre-approved by the PST Fund. Labor categories and the basic activities that can be used on a Work Plan & Budget are incorporated by rule.	A set price for preparation of Work Plan & Budgets are being used for common scopes of work like groundwater sampling, subsurface investigation, etc. Reimbursement rules for the fund have been updated to include a Cost Guide and will set a single rate for	Positive cash balance. Last year had an increase in the fund balance from the previous year.	COVID-19 impact to the Fund was limited. The Fund balance continued to increase during this time while cleanup efforts also continued.	The transition from gasoline to alternative energy fuels.; Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
Vermont	Work Plans & Budgets must be pre-approved, and comply with our Procedures for Reimbursement, which includes a Fee Schedule for labor rates, analytical and equipment costs.	Proposed legislation to streamline coverage caps on USTs, double coverage cap for non-bulk AST releases, and add coverage for non tank petroleum releases. Also raising grant program limits for tank replacements and expanding types of replacements allowed	As of December 2022, the fund is in excellent shape, with both the motor fuel and heating fuel accounts both running a positive balance. The heating fuel account continues to show positive response to the 2017 AST Rules requiring inspections. AST claims	Revenue from motor fuel distributor licensing fees were down by 10.5% or around \$300,000 in fiscal year 2022 versus the pre-pandemic norm. This is an improvement over the 16.7% revenue drop in fiscal year 2021. The current reductions will likely continue	The transition from gasoline to alternative energy fuels.; Changes in how transportation is used.
Virginia	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.	No new or recent legislative activity.	The Fund's balance continues to grow, since revenue exceeds claim demand and other Fund obligations	Initial revenue drop was 16%	
Washington	For Heating Oil: pre-approval for costs; use of standard forms	HB 1175 ( <a href="https://app.leg.wa.gov/billsummary?BillNumber=1175&amp;Chamber=House&amp;Year=2023">https://app.leg.wa.gov/billsummary?BillNumber=1175&amp;Chamber=House&amp;Year=2023</a> )	Extended until June 2030	None	Changes in funding to state programs – insurance trends, coverage of UST vs. compartment tanks.
West Virginia	NA	NA	Fund is no longer active.	NA	
Wisconsin	Usual and customary cost standards.	These changes have been adopted: No new claimants allowed into the program as of 7/20/2015. All claims must be submitted within 180 days of incurring costs. Program sunsetted and all claims had to be submitted by 6/30/2020	Sufficient funding until 2020.		

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Wyoming	Prequalify engineers and construction contractors; cost negotiations with engineer after qualifications-based selection; bid for construction work.	Excess funds may be used for landfill remediation or orphan site cleanups at the agency director's discretion. Tank work is priority of use of fund.	Fund is used to pay for cleanups based on priority. Third-party affected sites are also cleaned up using the fund. Majority of remediation funding is from a mineral severance offset equal to one cent per gallon of gasoline or diesel sold (not a tax coll	Decreased travel resulted in decreased revenues, metered by number of gallons of fuel sold.	The transition from gasoline to alternative energy fuels.

Information reported for 2022 only represent those States that responded to the 2022 Annual Tanks Update. Previous years included all States, and used earlier year's responses for those States that didn't respond.



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Additional Information (if applicable)	Ideas for new survey data collection
	This new format is not as easy to complete as the excel version. There also needs to be more details for which kind of releases each question is asking (not just AST or UST, but there are also state lead releases, responsible party lead releases, and 3rd

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Aging tanks, most of DCs USTs are over 28 years old, the 2020 Revised Regulations incorporate a removal requirement for tanks over 30 yrs. by 2025, we are yet to see the impact of this and enforcement, etc.	Thanks, great improvement, most are not applicable to DC, however. All the best!
	Multiple people cannot work on the form at the same time unless they share email and passwords.
Alternate energy initiative did not have any impact on fund yet.	

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	Thanks for all your hard work, Lynda!
	Several of the comment sections in the survey were limited to 100 characters. Please expand the number of characters available.
Number of tanks reaching Maine's statutory removal deadline (warranty expiration) 1/3 of our tank population in next five years.	The fields for number of other tanks covered and total number of AST tanks only allows a number entry and no way to state that we do not track the number of ASTs or list it as unknown.
Stresses on Fund due to inflation impacts on cleanup costs.	<p>1) a print preview option would be helpful to review the entire survey response prior to submitting it.</p> <p>2) Top of page 5, the block is titled "Cumulative Number of Releases from UST Sites Eligible for Reimbursement". However, when you read the popup box,</p>

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	The reporting mechanism is user-friendly.
	It would be easier for us non-state-fund states if you had one question at the beginning that said "No state fund, the rest of the survey in not applicable"

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Additional Information (if applicable)	Ideas for new survey data collection
N/A	

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Additional Information (if applicable)	Ideas for new survey data collection
	Nice format, easy to use.
	It's nice to work on an online survey that just has VT information instead of a larger spreadsheet with all state information
Compatibility issues with the transition of fuels (E10 to E15).	

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E15 could jeopardize older tank systems	Save/resume function is appreciated.