

TABLE 1. DESIGN CHARACTERISTICS OF STATE FINANCIAL ASSURANCE FUNDS

| State | Agency/ Department With Primary Responsibility | Date Legislation Enacted | State Fund Staff | | | | | | Types of Tanks Covered ^A | #Of Facilities Covered | # Of Tanks Covered | Fund Coverage | | | | | UST Replacement Loan Program | Factors Affecting Limits of Coverage | | | | | | Fund Sunset Dates | | | | |
|-------|---|--------------------------------|--------------------|--------------------|--------------------------------------|--|---|--|---|------------------------------|--------------------------|-------------------------------------|---|------------------------------------|--|-------------------|------------------------------------|--------------------------------------|--------------|--------------|---------------|---------------------------------------|--------------------|---------------------------------------|-------------------------------|---------------------------|----------------------------|--------------------------|
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| AK | Response Fund Administration Program | 9/5/90 | 0 | 0 | 0 | x | | NA | 0 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 12/22/93 | NA | 6/30/04 | NA | NA |
| AL | Dept. of Environmental Management | 10/1/88 | 15 | 3 | 18 | x | NO | NO | P,A (A:motor fuel only) | 5,941 | 16,810 | partial (requires deductible) | partial (requires deductible) | combined up to \$1.1 million | \$5,000 UST/ \$10,000 AST for corr action; additional deductible for 3rd party claim | x | | | x | x | x | x | none | none | none | no | no | |
| AR | Department of Environmental Quality | 2/22/89 | 6 | 3 | 9 | | NO | x | P,U,A,AB | 4,831 | 12,914 | partial | partial | Separate | \$7,500/ Corrective Action & \$7,500/ Third- Party | x | | | | x | x | none | none | none | | | | |
| AZ | Dept. of Environmental Quality | 6/1/90 | 3 | 7 | 10 | | | | P,U,AB | 2,600 | 7,600 | 90% of eligible activities | | 10% | No | | | x | | x | x | 6/30/06 | 2013 | 2013 | no | no | | |
| CA | Water Resources Control Board | 9/26/90 | 25 | 47 | 72 | No | Yes, can't fill vacancies | x | P,H,U,AB | 14,896 | 38,524 | x | x | combined | \$0- \$40,000 | x | x | | | x | x | none | 1/1/16 | none | 3x for total of 15 yrs. | no | | |
| CO | Department of Labor and Employment | 7/1/89 | 6.5 | 6.5 | 13 | x | No ^B | x | P,AB,A, U | 4,499 | 11,622 | x | x | Separate | \$10K Cleanup \$25K 3rd party | x | | x | x | x | x | x | NA | 2018 | NA | Yes | NA | |
| CT | Dept. of Environmental Protection | 7/5/89 | 8 | 4 | 13 | | | | P,U,AB (H:only marketer s) | 8,912 | 33,426 | x | x | combined | \$10,000 | x | | | | x | | | NA | NA | NA | NA | NA | |

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| DE | Department of Natural Resources and Environmental Control | 7/16/87 | 0.5 | 0.25 | 0.25 | x | Yes | No | P,U,H,F,A B | 240 | 720 | partial | partial | separate | \$2,500 | No | x | | | x | | x | NA | 2013 | 1/1/12 | NA | NA | |
| FL | Dept. of Environmental Protection | 7/1/86 | | | 158 (incl. contract staff) 72 DEP staff only | x | Yes | x | P,A,AB | 17,466 (all historical releases only) | | x | | | \$500 - \$30,000 or 25% of all costs | | | | | x | x | 12/31/98 | | | | | | |
| GA | Dept. of Natural Resources - Environmental Protection Division | 7/1/88 | 54 | 5 | 59 | yes | yes | x | P,U,AB ^C | 7,669 | 23,493 | partial | partial | combined | \$10,000 | yes | no | no | no | no | no | Yes | Yes | none | none | none | NA | NA |
| IA | Iowa Comprehensive Petroleum Storage Tank Fund Board | 5/5/89 | 2 | 6 | 8 | | no | x | P,U,H,AB | NA | NA | partial | | combined | co-pay up to \$14,400 | | | | x | x | x | x | 10/26/90 | 6/30/16 | 2015- 2018 | no | no | |
| ID | Petroleum Storage Tank Fund | 3/23/90 | 0 | 0 | 10 | No | no | | P,A,U,M,F ,H | 1,403 | 4,097 | x | x | combined | \$10K - ASTs/UST s \$100 heating oil | x | | x | x | x | x | NA | NA | NA | NA | NA | | |

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| IL | Environmental Protection Agency | 7/28/89 | 38 | 3 | 41 | X | Yes | | P,H,U,AB | 10,100 | 30,370 | yes | x | separate | \$10,000, \$15,000, \$50,000, or \$100,000 | x | No | x | | | | No | x | none | 1/1/25 | | | Yes | No |
| IN | Dept. of Environmental Management | 3/31/88 | 5 | 13 | 18 | No | No | None | P,U | 3,955 | 13,031 | partial | partial | combined | \$20000, \$25,000, \$30,000 or \$35,000 | Yes | No | x | | | x | x | x | NA | NA | NA | NA | NA | NA |
| KS | Dept. of Health and Environment | 4/1/90 | 24 | 5 | 33 | x | yes | | P,H,C,U,A B,A | 13,473 | 37,990 | partial | partial | separate | \$3,000 + \$500/tank at facility | x | | | | x | x | | 7/1/14 | 7/1/14 | 7/1/14 | 2x each for 10 yrs. | no | | |
| KY | Environmental and Public Protection Cabinet/Divisio n of Waste Management Underground Storage Tank | 4/9/90 | 0 | 7 | 7 | x | | | P,U,F | 22,119 | 40,406 | partial | partial | combined | 1-5 tanks: \$500 6-10 tanks: \$2,500 +11 tanks: \$12,500 | x | | | | x | x | | NA | NA | NA | every 2 yrs since 1990 | no | | |
| LA | Dept. of Environmental Quality | 7/15/88 | 42 | 1 | 9 | 52 | yes | | P, U, AB | 4,521 | 12,320 | x | x | Separate | \$5,000 per release, \$5,000 3rd Party, & \$5,000 Additional Non- Compliance Deductible | x | N/A | x | NA | x | x | x | x | NA | NA | NA | NA | NA | |

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| MA | Dept. of Revenue | 1/2/91 | 4 | 3 | 10 | NA | NO | YES | P | 2,613 | 6,800 | partial | partial | combined | \$5K, \$7.5K, \$10K depending on the number of facilities owned | YES | NO | NA | NA | NA | NA | x | x | NO | NONE | NA | NA | NA |
| MD | Dept. of Environment Land Management Administration /Oil Control Program | 7/1/93, 7/1/00, 7/1/05 | 0.25 | 0.5 | 0.75 | x | | | residential heating oil USTs and ASTs | unknown- residential tanks not required to be registered unless UST & >1100 gals. | unknown | partial | | | \$500- \$1000 depending on application received date | | | x | | x | x | x | RCRA I=12/1998; commercial heating oil USTs= 12/31/07 | 7/1/10 | RCRA I = 6/30/05; Commercial UST Heating Oil = 12/31/07; Residential Heating Oil= 6/30/10 | 2x for 5 yrs.each | no | |
| ME | Dept. of Environmental Protection | 4/19/90 | 28 | 1 | 29 | yes | no | no | P,H,U,AB, A,F | 2893 ust; 1000's of ast | 4843 ust; 1000's of ast | partial | partial | combined | \$500 - \$97,500 | x | x | x | | x | x | x | non- conforming: 10/1/98 conforming: 12/31/15 | 12/31/15 | 12/31/15 | 3x for 5 yrs. Each. | no | |
| MI | Dept. of Environmental Quality | 6/27/05 | 1 | 1 | 2 | 2 | Yes | 0 | P,U,AB ^D | 7,135 ^D | | partial ^D | partial | combined ^D | | x ^D | x ^D | | | | | x ^D | x ^D | 6/29/95 ^D | 12/31/10 | 12/31/09 | | |

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| MN | Dept. of Commerce | 6/9/05 | 1 ^E | 5,5 ^E | 6,5 ^E | no | no | yes | P,A,H,U,A B,F | 24,911 | 82,985 | partial - 90% up to \$1 million per release, \$2 million per site | partial - 90% of court- approved settlement amount | combined | 90% up to \$1 million, \$2 million per site | x | | sites w/ storage capacity > 1 million are not eligible | sites w/ storage capacity > 1 million are not eligible | | | non-compliance = reduction in reimburse- ment rate | | 6/30/12 | 6/30/12 | 6/30/12 | 3x from 6/30/00 to 6/30/05 to 6/30/07 to 6/30/12 | no |
| MO | Pet. Stor. Tk Ins. Fund Board of Trustees | 8/28/89 | | | 3.5 | | no | x | P,U,A,AB | 15,000 | 40,000 | x | x | combined | \$10,000 | x | | | | | | x | x | 12/31/2020 for active tanks that are insured by the Fund; 12/31/1997 for historic releases from tanks taken out of use by that date | 12/31/20 | After 2020 when claims run- off is paid out | 3x from 12/31/98 to 12/31/03 to 12/31/10 to 12/31/20 | no |
| MS | Dept. of Environmental Quality | 5/18/88 | 7 (Includes 2 vacancies) | 4 (Includes 1 vacancy) | 11 (Include s 3 vacancie s) | no | no | no | P,F,AB | 2,317 | 7,532 | x | x | separate | 0 | x | | | | | x | x | NA | NA | NA | NA | Indefinitely | |
| MT | Petroleum Tank Release Compensation Board | 4/13/89 | 6 | 1 | 6 | 10 | No | | P,H,A,U,F, AB | 11,325 | 23,595 | partial | partial | combined | \$5,000 - \$17,500 per release | x | | x | x | x | x | x | NA | NA | NA | NA | NA | |

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| NC | Division of Waste Management - UST Section | 6/30/88 | 49 | 5 | 57 | x | No | No | P,H,U,F,A B | 31,308 comm. (mostly regulated) , unknown # of noncomm. (mostly nonregula ted) | 99,815 comm., est 250,000 + noncomm. | x | x | combined | \$100K 3rd party \$20K to \$75K per occurrence commercial , \$0 to \$5K noncomm ercial | x | | | | x | x | NA | NA | NA | no | 1x | | |
| ND | Commissioner of Insurance | 7/1/89 | 1 | 1 | 2 | | no | | P,A,U,F | 1,609 | 5,495 | x | x | combined | \$5,000 | x | | | | x | | | | | | Yes | | |
| NE | Dept. of Environmental Quality | 5/27/89 | 7 | 4 | 14 | x | no | no | P,H,A,U,F, AB | unk | unk | partial | partial | separate | \$10K w/\$15K co- pay low volume \$5K with \$10K | x | | | | x | x | x | 6/30/2012 | none | none | 4x for 6 mos, then 2 yrs, then 4 yrs twice, 3 yrs | no | |
| NH | Dept. of Environmental Services | 7/1/88 for motor fuel, 8/93 for fuel oil, 7/95 for motor oil, 7/01 for M+BE | 13 | 6 | 20 | x | | | P,H,U,A, AB | NA | 2,800+ Active USTs, 3,500+ Active ASTs. All residential heating oil tanks in the state | x | x | combined | \$500 for residential fuel oil. \$5,000- \$30,000 for regulated facilities | x | | | | x | x | x | NA | 2010 for motor fuel None for fuel oil and motor oil | NA | 2x for 5 yrs each | no | |

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| NJ | Dept. of Environmental Protection | 8/31/97 | 75+ | 9 | 84+ | | Yes | P,U,H,F | 10,000 | 30,000 | x | | | | Once tanks are upgraded in accordan ce with 1998 Fed upgrade requirem ents, no future remediati on covered. | Grants for replacing leaking residential heating oil tanks with ASTs. Loans for replacing Regulated tanks | Can not own or operate more than 9 tanks within the state. | NA | No leaking ASTs covered | x | x | NA | 6/30/10 | NA | 6/30/10 | no | no | |
| NM | Environment Department | 3/7/90 | 18 | 4 | 23 | x | yes, 2 positions cut during FY2010 | 18 (includes 6 ARRA Contracts) | P*,A,C,AB *AST: 1320- 55000 gal only | 1,846 w/ active tanks | 4,836 | x | NA | NA | \$10,000 w/sliding scale to \$0 based on through put | x | NA | N/A | x | x | NA | x | N/A | NA | NA | NA | NA | NA |
| NV | Division of Environmental Protection | 1989 | 3 | 4 | 4 | 14 | No | | P,H,A,U,A B,F | 1,381 | 4,098 | partial | partial | separate | 10% regulated tanks \$250 heating oil tanks | x | | x | x | x | x | x | NA | NA | NA | NA | NA | NA |

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| SD | Department of Revenue and Regulation | 4/1/88 | 4.5 | 0 | 5.5 | | No | P,U,H,A, AB, F | All petro tank facilities (2,070 regulated USTs & ASTs; unknown # of unregulat ed facilities) | All petro tanks (7,547 regulated USTs & ASTs, unknown # of unregulate d tanks) | | x | partial | combined | \$10,000 (or \$0 for abandoned tank site) | x | | | | | | | x | x | NA | NA | NA | NA | NA | |
| TN | Department of Environment and Conservation | 7/1/88 | 1 | 7 | 8 | | yes | P,U | | 16,307 compartm ents | | partial | partial | separate | \$20K | x | | | | | | | | x | x | NA | NA | NA | | |

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| TX | Texas Commission On Environmental Quality | 5/31/1989 | 37 | 8 | 45 | x | no | x | P,A,U,AB NA. The fund does not cover releases reported after Dec. 23, 1998. Unless the owner or operator are financial unable to pay for the cleanup. | NA. The fund does not cover releases reported after Dec. 23, 1998. Unless the owner or operator are financial unable to pay for the corrective action. | x | | | NA | \$1,000 - \$80,000 | | | | | | | x | x | 12/23/1998 | 8/31/2011 | 8/31/12 | 4x for 12 yrs | no | | | |
| UT | Department of Environmental Quality | 1989 | 5 | 2 | 7 | x | Yes | | P,U,A | 1,077 | 2,932 | x | x | combined | \$10,000 | x | x | | | | | | | | None | None | 2018 | | No | | |
| VA | Department of Environmental Quality | 7/1/87 | 2 | 5 | 7 | | NO | x | P,H,U,A,F, AB | 6,485 | 19,455 | partial | parital | combined | \$500-\$1 mil | x | | | | x | | | | x | none | none | none | no | no | | |
| VT | Department of Environmental Conservation | 7/1/88 | 11 | 3 | 14 | x | no | no | P,H,U,F,A B,A | 2,114 | 3,575 | x | x | separate | \$250 - \$10,000 | x | x | | | | | | | x | x | 7/1/14 | 4/1/16 | when \$ runs out | 4x each for 5 yrs. | no | |
| WA ^F | Pollution Liability Insurance Agency | 1989 | 1 | 0.7 | 2.6 | | | | P,H (marketer s) U,A | 2,211 | 5,936 | x | x | combined | \$1,000- \$60,000 | x | | | | | | | | | | x | x | 6/1/13 | 6/1/13 | 3x | no |

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| WA ^E | Pollution Liability Insurance Agency | 1995 | 1 | 0.3 | 3.4 | | | H | 55,578 | 56,747 | x | x | combined | \$0 | x | | | x-Must Be Active | | | x | | | 6/1/13 | 6/1/13 | 2x | no | | |
| WI | Department of Commerce - Environmental/ Regulatory Services Division | 8/1/87 | 19 | 1 | 8 | x | yes | no | P,H,A,U,F, AB | unknown | 216,064 | partial | partial | combined | \$10,000 | no | | | | | x | x | NA | NA | NA | NA | NA | | |
| WV | Department of Environmental Protection | 4/22/91 | 0 | 0 | 0 | x | | | | 0 | 0 | x | x | combined | \$0 | x | terminated | | | | | x | x | 9/30/00 | 9/30/00 | 9/30/00 | | | |
| WY | Department of Environmental Quality | 3/21/90 | 11.5 | 1 | 12.5 | yes | no | no | P,C,U,A, AB | 3,849 includes 86 AST facilities | 10,611 includes 571 ASTs | x | corrective action is fully covered; financial responsibil ity is partially covered | separate | \$30,000 (3rd party financial responsibili ty) | yes | no | | | | | site registered with WDEQ and all fees paid | | | none | none | none | NA | NA |
| TOTAL | | | 675.25 | 198.75 | 951.00 | | 13 | 14 | | 357,126 | 1,291,145 | | | | | | | | | | | | | | | | | | |

^A P = Petroleum; U = Used oil; H = Heating oil; A = Aboveground; C = Chemical; F = Farm; M = Mixed; AB = abandoned.

^B B No staff reductions due to ARRA money and increased Federal UST grant funding

^C GA's fund can be accessed to clean up abandoned tanks that are a threat to human health and the environment at the discretion of the director.

^D Information presented for MI refers to the old fund which has been insolvent since June, 1995.

^E MN is reporting only staff from the Petrofund at the Dept. of Commerce. In past years, MN has reported staff from the Petrofund and the MN Pollution Control Agency.

^F Commercial USTs

^G Heating Oil Tanks

TABLE 1. DESIGN CHARACTERISTICS OF STATE FINANCIAL ASSURANCE FUNDS

| State | Agency/ Department With Primary Responsibility | Date Legislation Enacted | State Fund Staff | | | | | | Types of Tanks Covered ^A | #Of Facilities Covered | # Of Tanks Covered | Fund Coverage | | | | | UST Replacement Loan Program | Factors Affecting Limits of Coverage | | | | | | Fund Sunset Dates | | | | |
|-------|---|--------------------------------|--------------------|--------------------|--------------------------------------|--|---|--|---|------------------------------|--------------------------|----------------------|-----------------|----------------------------|--|-------------------|------------------------------------|--------------------------------------|--------------|--------------|---------------|---------------------------------------|--------------------|---------------------------------------|--------------------|---------------------------|----------------------------|--------------------------|
| | | | Technical Staff | Financial Staff | Total # of State Fund Staff | Total includes regulatory staff | Reduced staff due to recession yes/no | State contracts with outside staff | | | | Corrective Action | Third- Party | Separate or Combined | Deductible Amount (if more than one, specify range) | Cover Releases | | # Tanks | Tank Size | Tank Type | Tank Owner | Extent of Regulatory Compliance | Date of Release | Release Eligibility Sunset Date | Fee Sunset Date | Program Ending Date | Sunset Date Extended | Sunset Date Abolished |

Table 1 Definitions:

Total # of State Fund Staff: The total number of staff that have responsibility for managing your state fund including technical staff, plus financial staff and administrative staff.

Of Facilities Covered: The total universe of properties or facilities which would be covered by your fund if a release from a covered tank were to occur.

of Tanks Covered: Of the total number of facilities covered, the number of USTs within those facilities which would be covered if a release were to occur.

Release eligibility sunset date: The date the fund will no longer accept sites in the program where there has been a new release. Some states refer to this date as the claims bar date.

Fee sunset date: The date where the collection of any fees, taxes, program income, etc. is stopped.

Program ending date: The date the fund will no longer be in existence (e.g.- legislative termination date, the date the fund runs out of money).