

Funding for UST Cleanup



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

SWUST Workshop
2016

Funding Programs

Petroleum UST Funding Programs:

- Fund Claim: A claim with the UST Cleanup Fund by an eligible owner or operator of an eligible UST.
- OSCF: A grant from the Orphan Site Cleanup Fund to a party that did not cause the release.

Groundwater Quality Funding Program:

- SCAP: A grant from the Site Cleanup Subaccount.

Clean up of Petroleum Unauthorized Release

- ◆ Upon UST removal, if a release has occurred, the UST owner or operator is required file an Unauthorized Release Form.
- ◆ The regulatory agency (Regional Water Quality Control Board or a certified Local Oversight Program (LOP) agency) may issue directives to the responsible party(ies) to undertake corrective action.

Timeframe: Petroleum UST Corrective Action

- ◆ Completing corrective action is a lengthy process. The average regulatory case is open 17 years.
- ◆ Average time to cleanup newly discovered cases is expected to be shorter.

Timeframe: Funds

- ◆ Applying for and being determined eligible for funding is lengthy process. (Ranges from 2 months to several years, depending on the information the applicant provides.)
- ◆ Receiving reimbursement for eligible corrective action costs is a lengthy process. (Reimbursement could begin 6 months to several years after corrective action costs are incurred, depending on the size of the business and availability of funds.)

Timeframe: Funds

- 💧 The UST Cleanup Fund will reimburse eligible corrective action costs incurred at eligible sites if funding is available.
- 💧 **The UST Cleanup Fund sunsets on January 1, 2026.**
- 💧 **DON'T DELAY!**

Fund Claim



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Fund Claim

- ◆ California's UST Cleanup Fund was created in 1989 to help ensure a cleanup program that protects human health, safety, and the environment and to provide petroleum UST owners and operators a means to meet the federal financial responsibility requirements.
- ◆ Eligible claimants can apply and be reimbursed for corrective action costs incurred to cleanup contaminated soil and groundwater.

Fund Claim: Eligibility

Applicant:

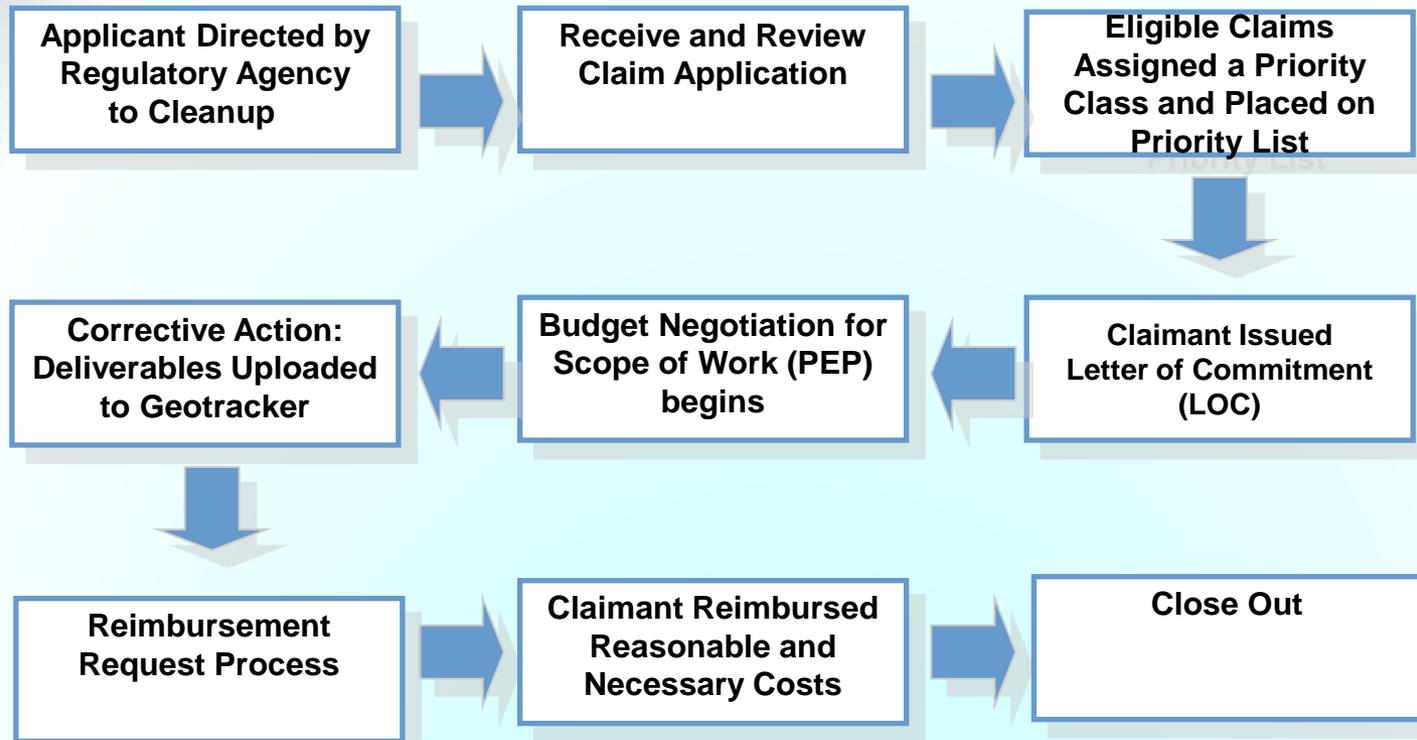
- ◆ Current or past owner/operator of the petroleum UST
- ◆ Unauthorized release of petroleum
- ◆ Directed by local regulatory agency
- ◆ Permit compliance maintained
- ◆ Board of Equalization fees paid
- ◆ Incur and pay corrective action costs

Fund Claim: Priority Classes

- 💧 A – Residential
- 💧 B – Small Business (<or= 100 employees & three-year average Gross Annual Receipts <or=\$14 million)
- 💧 C – Larger Small Business (less than 500 employees)
- 💧 D – Large Business and all others

Stay on Priority List until funds are available

Fund Claim: Process



Fund Claim: Status

- ◆ 20,200 claims filed
- ◆ 15,900 claims accepted as eligible
- ◆ 9,600 claims reimbursed & closed
- ◆ 2,200 claims currently being reimbursed
- ◆ 4,000 claims on Priority List waiting for reimbursement
- ◆ Now activating >200 Priority D claims annually
(an increase from ~75)

Orphan Site Cleanup Fund

OSCF



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

OSCF

Orphan Site Cleanup Fund (began 2008)

- ◆ Assessment Grants
- ◆ Cleanup Grants
 - ◆ Site Development
- ◆ Maximum: \$1 million (Project)
- ◆ \$8.5 million uncommitted from earlier appropriations of \$30 million

OSCF: Eligibility

Program: Available for any entity type, except for State and Federal

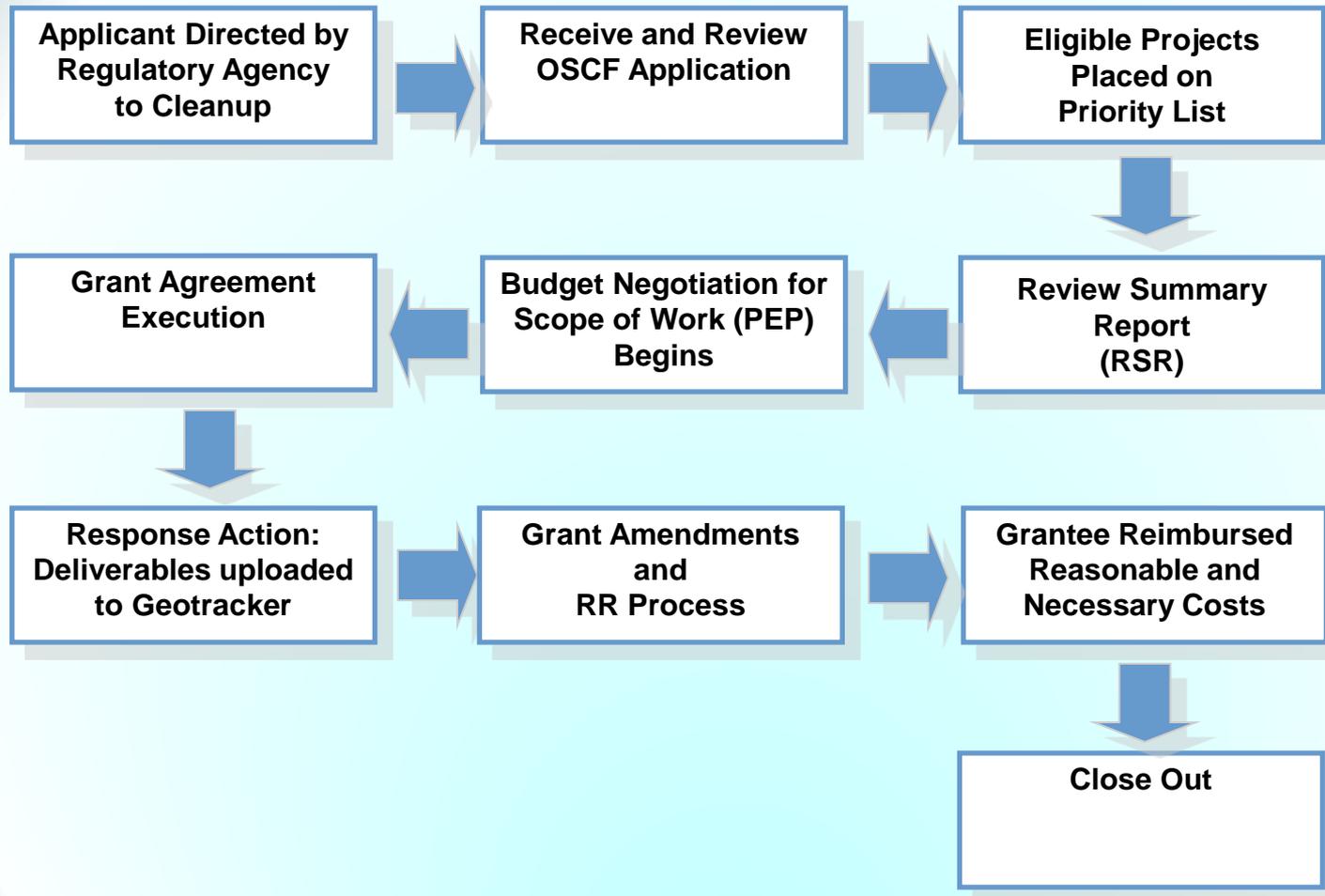
Applicant:

- ◆ Not eligible for UST Cleanup Fund.
- ◆ Did not cause or contribute to release.
- ◆ Not affiliated with any person who caused or contributed to release.
- ◆ Owns or has access to the property.

Project:

- ◆ Principal source of contamination is from an on-site petroleum UST.
- ◆ No financially viable responsible party has been identified to pay for the cleanup costs.

OSCF: Process



OSCF: Status

- 💧 ~200 grant applications
- 💧 ~185 executed grants
- 💧 67 current grants

Site Cleanup Subaccount

SCAP



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

SCAP

Site Cleanup Subaccount Program (began 2015)

- ◆ Remediate the harm or threat of harm to human health, safety, or the environment caused by existing or threatened surface or groundwater contamination.
- ◆ Applicant has access to the property.
- ◆ Surface or groundwater contamination is from human-made contaminants.
- ◆ Grants
- ◆ \$18 million currently available for project funding.

SCAP: Eligibility

Project:

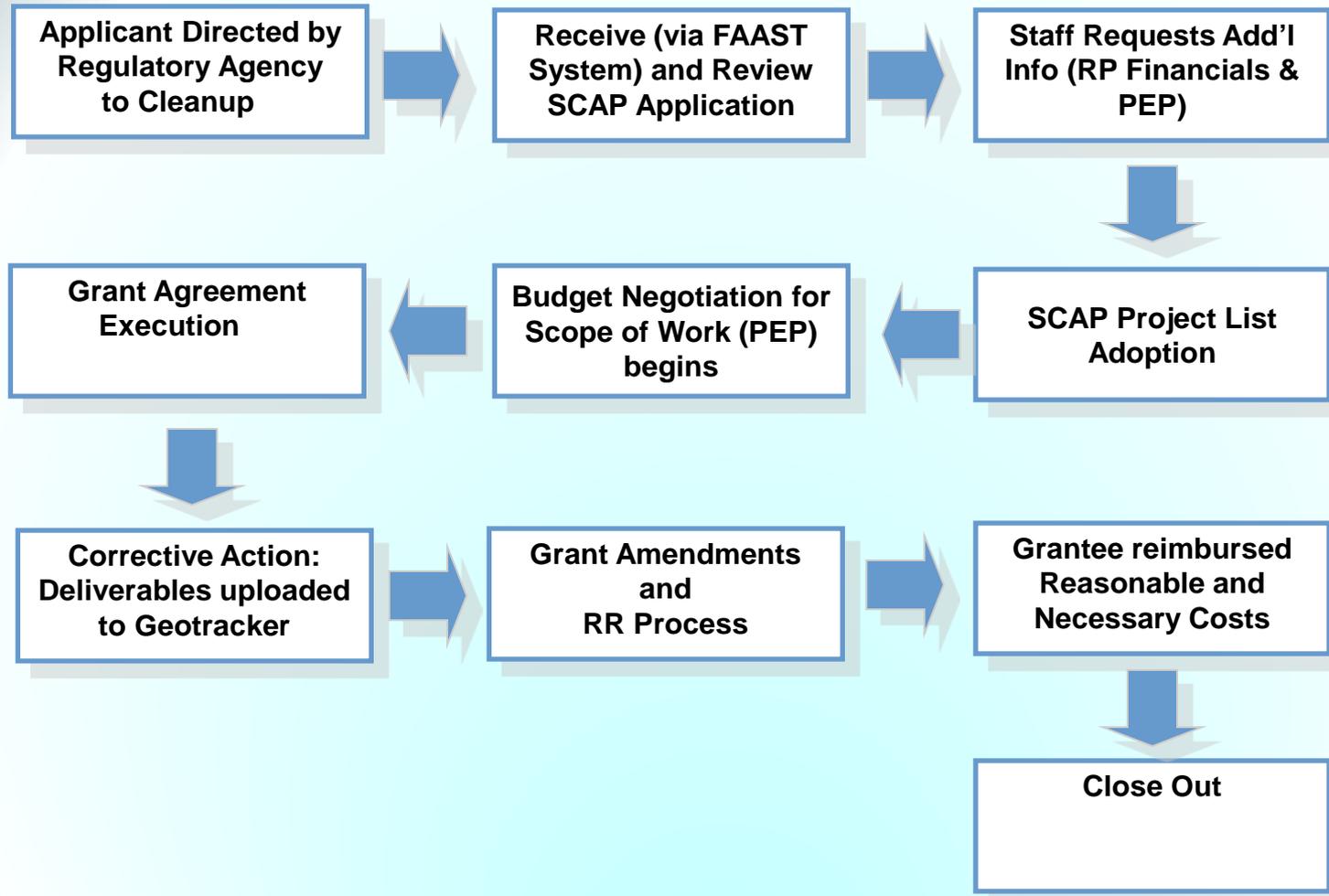
- ◆ Responsible Party lacks financial resources to implement the project.
- ◆ Regulatory agency has issued a directive, unless infeasible.

SCAP:

Priorities Based on 5 Considerations

- ◆ Significant threat to human health, safety, or the environment.
- ◆ Disadvantaged or small community impact.
- ◆ Cost and environmental benefit of cleanup.
- ◆ No other funding source(s) available other than SCAP.
- ◆ Other State Water Board considerations.

SCAP: Process



Important Reminder

- 💧 **The UST Cleanup Fund sunsets on January 1, 2026.**
- 💧 There is no guarantee that site cleanup will be completed by the Fund sunset date.
- 💧 There is no guarantee that costs will be reimbursed by the Fund sunset date.
- 💧 **DON'T DELAY! Ten years may seem like a long time, BUT it is a very short time in the world of cleaning up releases and receiving reimbursement.**

Web Information

Website: www.waterboards.ca.gov

Email: ustcleanupfund@waterboards.ca.gov

Phone: 1-800-813-Fund (3863)

Stay Informed! Sign up on our electronic mailing list.