

# IUST Fund

## Getting Sites to Closure

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- **We've come a long way**

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- ❖ **Original claim programs - - closed**

- ❖ Retro claims (39 of 444)

- ❖ Remedial claims (556 of 4,442)

- ❖ **Innocent Landowner - - open for new claims**

- ❖ Innocent Landowner claims (169 of 1096)

- ❖ Late –filed retro (closed)

- ❖ Late – filed remedial

- ❖ Pre-regulation tanks

- ❖ Acquired properties



# Basics for all claims

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## Claimant must prove either that

- ❖ the release was reported by October 26, 1990,
  - ❖ release occurred prior to October 26, 1990, or
  - ❖ release could not have occurred after October 26, 1990.
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- ❖ Releases that were not reported by or cannot be proven to have occurred prior to October 26, 1990, must be addressed using the owners' or operators' chosen financial responsibility mechanism.



# Financial Responsibility

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- ❖ If site has operating tank system, claimant must demonstrate continuous financial responsibility coverage
- ❖ If unable to demonstrate continuous FR or there is a lapse in the FR coverage, no longer eligible
  - ❖ FR not required on temporarily closed USTs
  - ❖ One-time FR re-instatement is allowed
    - ❖ Subsequent FR lapse result is being deemed ineligible

# UST Fund Balances

FY 1998	\$181,104,495	Claim Payments	\$ 6,959,006
FY 2000	\$183,378,787	Claim Payments	\$12,308,100
FY 2003	\$112,751,844	Claim Payments	\$12,001,243
FY 2006 (1,417 claims)	\$61,115,432	Claim Payments	\$15,207,353
FY 2009 (1,045 claims)	\$24,977,187	Claim Payments	\$6,605,469
FY2012 (as of 1-31) (764 claims)	\$21,249,322	Claim Payments (7 months)	\$4,565,714



# Finishing the work

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- ❖ Number of sites & claims are decreasing
- ❖ Old Issues / New ideas to address risk
  - ❖ Water lines
  - ❖ Version 3 software
  - ❖ Environmental Covenants
  - ❖ Tier 3, remedial technologies
- ❖ Goal to resolve risks in a technologically safe, efficient, and cost-effective manner.



# Conclusions

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- ❖ Be informed - - know what is required
- ❖ Be the squeaky wheel - - ask questions
- ❖ Open to new approaches
- ❖ Low Risk - - ‘remediation’ may be possible
  - ❖ All options will be considered
  - ❖ Option must be cost-effective relative to monitoring plan or relative to the repeal date specified in section 424.19 (refers to EPC collection expiring 6/30/2016).



# Questions

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