

# OUST 2006 Cleanup Backlog Analysis Update

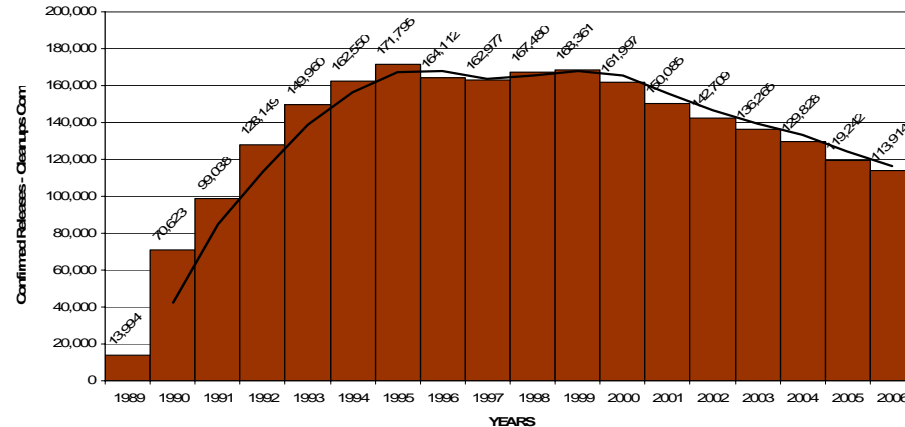
William Foskett  
Project Leader

State Fund Administrators Association Meeting  
June, 2007

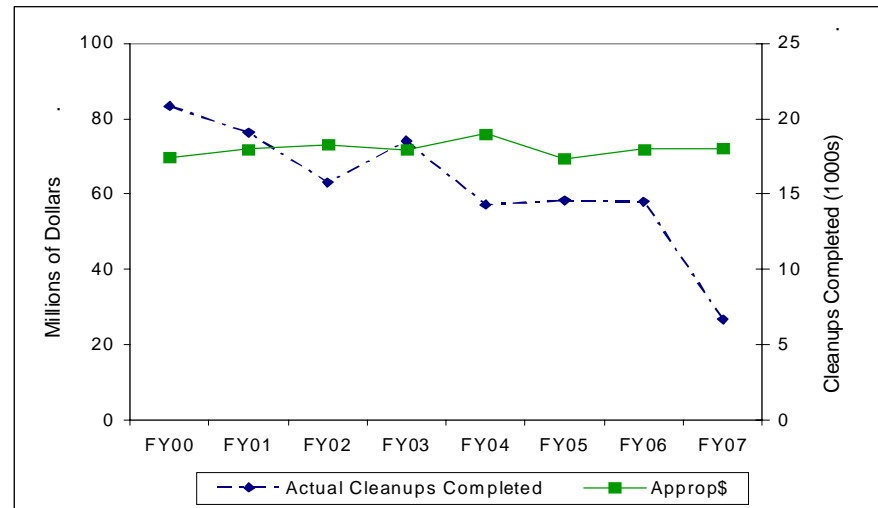
# Background:

## *Is national UST program effectiveness declining?*

UST National Backlog: FY 1989 Thru End-of-Year FY 2006



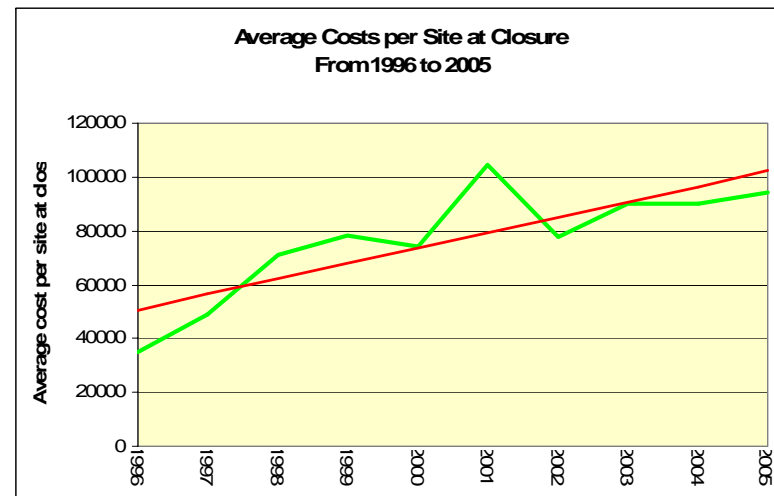
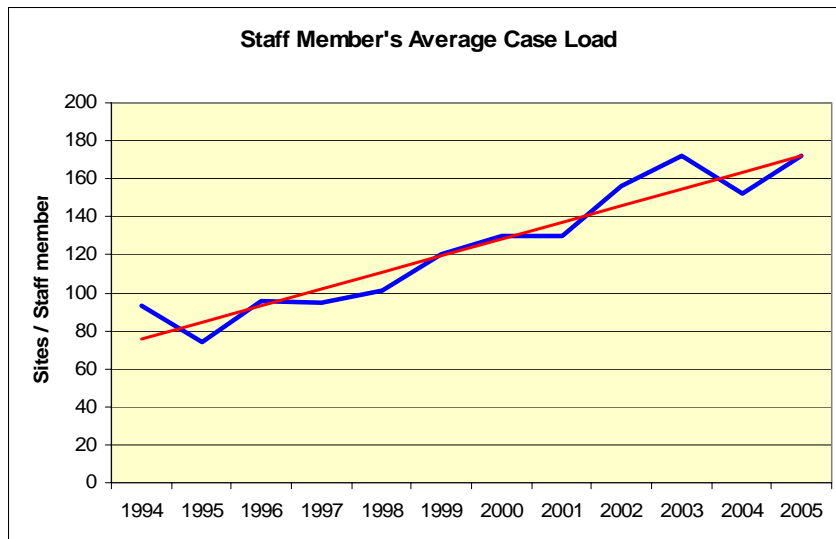
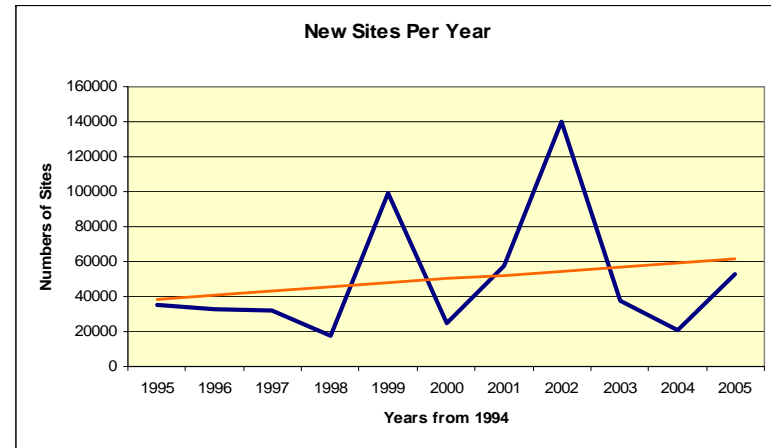
- Backlog size is decreasing, **but**
- Fewer cleanups are being completed **while**
- LUST \$\$ spending has stayed the same **and so,**
- “The national program is spending the same but producing less.”



# 1994 – 2005 SFAA Survey Trends:

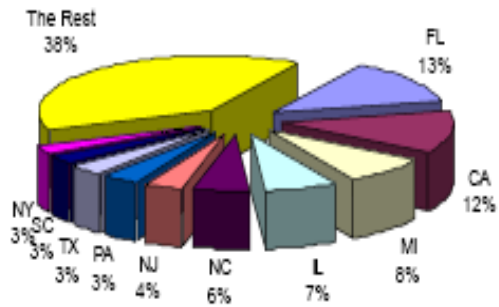
New sites, staff caseloads and cleanup cost trended up

- New state funded sites increased
- Fund staff caseloads increased
- Average cost to closure increased



# Where is the backlog in 2006?

Open LUST Releases Nationally as of EOY FY06  
183,026 Open Cases

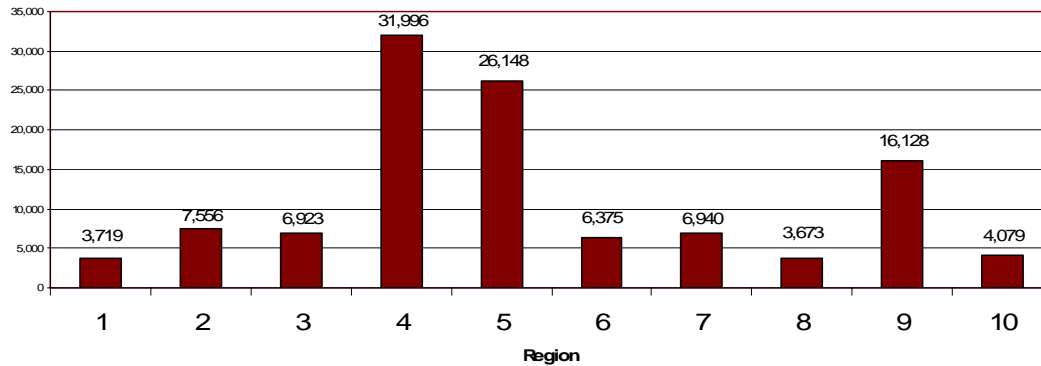


- o Ten states have about half all the incomplete cleanup sites

- o EPA Regions 4, 5 and 9 have the biggest backlogs

- o Based on STARS data analysis by EPA Regions 5 and 9

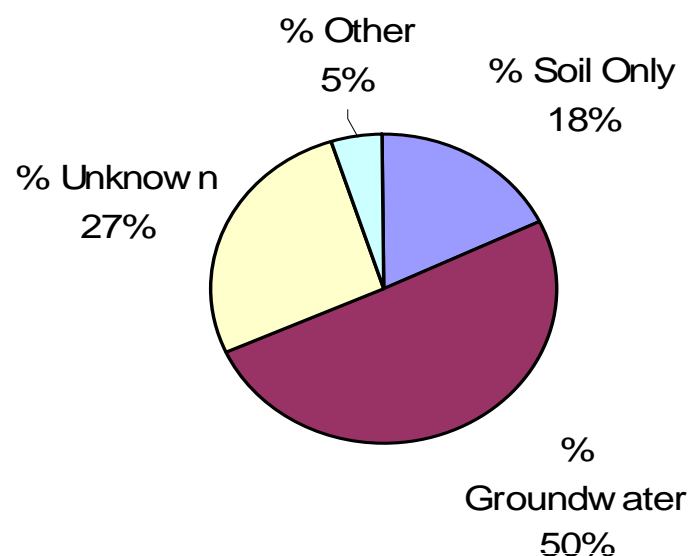
Backlog Distribution by EPA Region 2006



# What's the mix of open sites in 2006?

Opportunities: Many soil-only, "unknown" type sites

- 50% involve groundwater
- 27% are "unknown" type
  - How many are not yet assessed?
  - Soil-only or groundwater?
  - Low-risk become higher-risk?
  - Low-risk become lower-risk?
- 18% are soil-only
- 5% are *other* types – e.g. vapor



# Are there more harder sites in the backlog mix now than before?

## 1985 – 2004 Historical backlog study of “classes” of sites

- o Percent GW sites *declined* 1985 – 2004\*
  - o From 70% GW in 1985 to 31.6% GW in 2004
    - o Peaked in 1989 at 72.74%, again in 1998 at 55%
  
- o Cleanup time *declined* 1985 – 2004\*
  - o From 3,439 days to 79 days avg closure time
    - o “Pre-remedial” time declined
      - o From avg 1,868 days to 9 days
  
- o *What program forces will shape the backlog mix going forward?*
  - o *Better prevention leads to higher % soil-only sites? (fewer leaks, reported faster)*
  - o *Hard-core of flatlined GW sites persist, leading to higher % GW sites?*
  - o *Is there an environmentally-acceptable steady state number of incomplete cleanup sites?*

# Are all the “low hanging fruit” really gone?

Are the “high-hanging fruit just hopeless?

- o 54% of all 2006 backlog sites are *10 years or older*
- o **Low-hanging fruit?**
  - o 41% of soil-only sites are *10 years or older* = 6,986 sites
  - o 44% of “unknown” sites are *10 years or older* = 14,767 sites
- o **High-hanging fruit:**
  - o 52% of groundwater sites *10 years or older* = 17,635 sites
    - o Are “unknowns” or old *soil-only* sites growing the groundwater backlog share?
    - o Leak detection: too little, too late growing the groundwater backlog share?
    - o How are fast and slow groundwater cleanups different?

# Why are so many sites so old?

## More opportunities to reduce backlogs...

- o Are *all* over-10 soil-only sites still low-risk, low-priority?
  - o How many over-10 soil-only sites have stayed low-risk, low-priority ?
  - o How many are lost or forgotten administratively?
  - o How many are suited for development-based financing?
  
- o Could *any* over-10 “unknown” sites could just be closed?
  - o Have *none* gotten better or worse in over 10 years?
  - o Do *all* have site-assessments or risk-assessments?
  - o Is there state-fund financing for *all, some, any* of them?
  - o Are *any* suited for development-based financing?
  
- o Does administrative attention to sites diminish as they age?
  - o Some states have thought so...
    - o Louisiana’s two-year review practice
    - o California/EPA Region 9 pursuit of old sites
    - o South Dakota’s “site SWAT” teams (TRIAD) blitz

# *Do all the backlog sites have financing?*

- o **Estimate 25,000+ sites in 25 states (with state funds) may lack current financing**
  - o Compare Backlog 06 data to Fund Soundness Data Form 06 data
  - o *(number of backlog '06 sites – “number of ongoing funded cleanups”)*
    - o Does not include “shelved” cleanups and site assessments
    - o Does not include all states with state funds (missing data)
- o **Some states have deferred state cleanup financing explicitly or implicitly**
  - o E.g. explicitly: Florida where state legislature has deferred state funding for many sites
  - o E.g., implicitly: California reimbursement prioritization system
- o **Private-insurance financed sites: a known unknown.**
  - o **5 of the 10 states with the biggest share of the backlog now rely on private insurance to finance new releases**
    - o What percentage of non- fund sites are in FR compliance?
    - o Are private insurers financing cleanups promptly and fully *where there is a valid policy?*
- o **Do “sunsetting” state funds stay adequately financed to complete their work?**
  - o *Rising cleanup costs?*
  - o *Reopened sites?*
  - o *Revenue losses?*

# Are there opportunities to increase *cleanups completed*?

## 2006 Backlog Study

### Phase 1: November, 2006 Nationwide Snapshot

- o Age: confirmed release date – query date
- o Type: soil-only, groundwater, unknown
- o Response:
  - o 42 states sent data files
  - o About 96,584 individual sites had usable data
  - o Some states did not send data, some did not include all data, some site records were “bad,” most files in different Excel formats
- o Analysis of November, 2006 data is in progress

### Phase 2: Focus and “drill down”

- o Develop understandings of incomplete sites that identify cleanup completion opportunities and resources needed
- o Voluntary State/EPA Collaborations
- o Tailored to individual state settings
- o What states: “top 10” backlog states: % incomplete sites? # incomplete sites? Riskiest incomplete sites?
- o Begin Fall, 2007

# Different opportunities in different states

- For example, **pockets of branded sites in NJ**
  - Brand-named sites account for 1,114 of 1230 sites (about 90%) in NJ's cleanup backlog.
    - In contrast PA mix includes major-oil brands, also many branded c-stores
      - Is spread across 21 brandnames
  - Seven *major oil* brands account for 1,001 of 1,114 brand-named sites in New Jersey
    - Could the *brand* owners assist closure of old sites?

<b>Brand</b>	<b>Number of Sites</b>	<b>Median Age Yrs</b>	<b>Oldest Site Yrs</b>
Exxon	233	19	22
Mobil	193	16	24
Shell	188	16	23
Sunoco	138	12	22
Getty	102	9	20
Hess	77	6	20
Texaco	70	6	22
<b>Total</b>	1001		

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