

TABLE 1. DESIGN CHARACTERISTICS OF STATE FINANCIAL ASSURANCE FUNDS

State	Agency With Primary Responsibility	Types of Tanks Covered ^A	No. Of Facilities Covered	No. of Tanks Covered	Fund Coverage				UST Replacement Loan Program	Factors Affecting Limits of Coverage						Fund Sunset Dates		
					Corrective Action	Third-Party	Separate or Combined	Deductible Amount (if more than one, specify range)		No. Tanks	Tank Size	Tank Type	Tank Owner	Extent of Regulatory Compliance	Date of Release	Release Eligibility Sunset Date	Fee Sunset Date	Program Ending Date
AK	UST Financial Assistance Program	P,U	754	1,728	✓ Partial		N/A							✓	✓	6/30/94		
AL	Department of Environmental Management	P,A (A: motor fuel only)	15,883	43,124	✓ Partial	✓ Partial	Separate	\$5,000 UST \$10,000 AST			✓		✓	✓	✓	None	None	None
AR	Department of Pollution Control and Ecology	P,U,A,AB	5,800	15,400	✓ Partial	✓ Partial	Separate				✓			✓	✓	No	No	No
AZ	Department of Environmental Quality	P,C,U,M,AB	3,450	20,700	✓ Partial		N/A		✓					✓	✓	None	None	None
CA	Water Resources Control Board	P,H,U, AB	24,000	57,500	✓	✓	Combined		✓	✓				✓	✓	1/1/05	1/1/05	1/1/05
CO	Department of Labor and Employment	P,AB, A	4,969 ^B	13,904	✓	✓	Separate	\$10K - C.A. \$25K - 3 rd party			✓	✓	✓	✓	✓	None	None	None
CT	Department of Environmental Protection	P,U,AB (H: only marketers)	Unk	Unk	✓	✓	Combined	\$10,000						✓		None	None	None
DE	Department of Natural Resources and Environmental Control	P,U,H,F, AB	242	720	✓ Partial	✓ Partial	Separate		✓			✓		✓	✓	NA	12/31/01	12/31/01
FL	Department of Environmental Protection	P,A, AB	21,000	57,400	✓ Partial	None	Separate							✓	✓	12/31/98	None	None

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					Corrective Action	Third-Party	Separate or Combined	Deductible Amount (if more than one, specify range)		No. Tanks	Tank Size	Tank Type	Tank Owner	Extent of Regulatory Compliance	Date of Release	Release Eligibility Sunset Date	Fee Sunset Date	Program Ending Date
GA	Department of Natural Resources - Environmental Protection Division	P,U	11,270	39,804	✓ Partial	✓ Partial	Combined			✓				✓		None	None	None
IA	Underground Storage Tank Board	P,U,H,AB	7,974B ^c	20,322 ^c	✓ Partial	✓	Combined		✓				✓	✓	✓	10/26/90	NA	7/1/09
ID	Petroleum Storage Tank Fund	P,A,U,M	1,152	3,436	✓	✓	Combined			✓		✓	✓	✓	✓	N/A	N/A	N/A
IL	Environmental Protection Agency	P,H,U	29,000	76,190	✓	✓	Separate				✓	✓	✓		✓	Unk	Unk	Unk
IN	Department of Environmental Management	P	14,000	45,000	✓ Partial	✓ Partial	Combined			✓				✓	✓	None	None	None
KS	Department of Health and Environment	P,H,C,U, AB	9,059	25,897	✓ Partial	✓ Partial	Separate			✓			✓	✓		6/04	6/04	6/04
KY	Office of the Petroleum Storage Tank Environmental Assurance Fund	P,U,F	9,156	26,093	✓ Partial	✓ Partial	Combined							✓	✓	NA	NA	NA
LA	Department of Environmental Quality	P,U	7,423	19,700	✓	✓	Combined		✓ (several restrictions apply)			✓	✓	✓	✓	NA	NA	NA
MA	Department of Revenue	P	4,100	10,000	✓ Partial	✓ Partial	Combined							✓	✓	6 mos from release or 1 year from facility closure	N/A	N/A
MD	Waste Management Administration/Oil Control Program	P,U,M,AB	16,537	17,931	✓ Partial				✓	✓				✓		NA	NA	NA
ME	Department of Environmental Protection	P,H,U, AB, A,F	Unk	7,119	✓ Partial	✓ Partial	Combined		✓	✓			✓	✓	✓	10/1/98	12/31/05	Unk

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					Corrective Action	Third-Party	Separate or Combined	Deductible Amount (if more than one, specify range)		No. Tanks	Tank Size	Tank Type	Tank Owner	Extent of Regulatory Compliance	Date of Release	Release Eligibility Sunset Date	Fee Sunset Date	Program Ending Date
MI	Department of Environmental Quality	P,U,AB	11,814	28,158	✓ Partial	✓Partial	Combined		Interest subsidy program on tank upgrades					✓	✓	6/18/89	when debt is paid 2012-2015	6/29/95
MN	Department of Commerce	P,H,A,U,AB	12,260	32,000	✓ Partial	✓Partial	Combined		✓	✓	✓		✓	✓	6/30/05	6/30/05	6/30/05	
MO	Department of Natural Resources	P,AB	12,171	36,471	✓	✓	Combined	\$10,000					✓	✓	None	triggered by fund balance	12/31/98	
MS	Department of Environmental Quality	P,U, A,AB	3,475	10,362	✓	✓	Separate						✓	✓	NA	6/30/99	NA	
MT	Petroleum Tank Release Compensation Board	P,H,A,U,F,AB	925	925	✓ Partial	✓Partial	Combined			NA	✓	✓	✓	✓	✓	NA	NA	NA
NC	Division of Water Quality - Groundwater Section	P,H,U,F,AB	30,427	95,600	✓	✓	Combined					✓		✓	✓	None	None	None
ND	Commissioner of Insurance	P,A, AB,U,F	1,941	6,477	✓	✓	Combined	\$5,000						✓		N/A	6/30/99	6/30/99
NE	Department of Environmental Quality	P,H,A,U,AB	unk	25,500	✓ Partial	✓Partial	Combined						✓	✓	✓	6/30/99	None	None
NH	Department of Environmental Services	P,H,U,A,	1,177	NA	✓	✓	Combined		✓					✓		NA	1/1/05	NA
NM	Environment Department	P,C,AB	1,700	5100	✓	N/A	N/A			✓				✓	✓	NA	NA	NA
NV	Division of Environmental Protection	P,H,A,U,AB,F	1,505	4,231	✓ Partial	✓Partial	Separate			✓	✓	✓	✓	✓	✓	None	None	None
NY	Office of State Comptroller (non-reimbursement program)	P (spills from all sources)		81,000	✓	✓Partial							✓					
OH	Petroleum UST Release Compensation Board	P,U	10,224	28,802	✓	✓	Combined		✓ ^D	✓				✓	✓	N/A	N/A	N/A
OK	Oklahoma Corporation Commission	P,A,U	12,788	34,711	✓	✓	Combined						✓	✓		N/A	12/31/09	12/31/09

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					Corrective Action	Third-Party	Separate or Combined	Deductible Amount (if more than one, specify range)		No. Tanks	Tank Size	Tank Type	Tank Owner	Extent of Regulatory Compliance	Date of Release	Release Eligibility Sunset Date	Fee Sunset Date	Program Ending Date
PA	Department of Insurance	P,H,C,U,M,F	18,887	38,623	✓	✓	Combined	\$5,000	✓	✓					✓	None	None	None
RI	Department of Environmental Management	P, C, H	1,214	2,549	✓	✓	Combined								✓	None	None	None
SC	Department of Health and Environmental Control	P,AB	5,219	15,397	✓	✓	Separate	\$25,000 per occurrence						✓	✓	2026	2026	When funding is depleted
SD	Department of Commerce and Regulation	P,H,A, AB		11,000	✓ Full	✓ Partial	Combined		✓					✓	✓	None	None	None
TN	Department of Environment and Conservation	P,U	9,500	24,500	✓ Partial	✓ Partial	Separate			✓				✓	✓	NA	NA	NA
TX	Texas Natural Resource Conservation Commission	P,A,U, AB	31,800	82,100	✓ Partial		N/A			✓				✓	✓	12/23/98	9/1/01	9/1/01
UT	Department of Environmental Quality	P,U	1,740	3,860	✓ Partial	✓ Partial	Combined		✓	✓			✓	✓	✓	2008	2008	2008
VA	Department of Environmental Quality	P,H,U,A,F, AB	25,292	74,227	✓ Partial	✓ Partial	Combined	\$20,000-\$200,000				✓			✓	None	None	None
VT	Department of Environmental Conservation	P,H,U,F, AB, A	2,668 ^E	4,711 ^E	✓ Partial	✓ Full	Separate	\$250-\$10,000	✓					✓	✓	7/1/04	4/1/06	when \$ runs out
WA	Pollution Liability Insurance Agency	P,U,H	1,917	5,680	✓	✓	Combined			✓	✓	✓		✓		NA	N/A	6/30/01
WI	Department of Commerce - Environmental/Regulatory Services Division	P,H,A,U,F, AB		180,000	✓ Partial	✓ Partial	Combined							✓	✓		12/22/01	
WV	Division of Environmental Protection	P,U	not available	3,030	✓	✓	Combined	\$5,000 or \$50,000						✓	✓	None	None	None
WY	Department of Environmental Quality	P,C,U,A, AB	3,717	9,803	✓ Full	✓ Partial	Separate	\$30,000 (3 rd party)						✓		None	None	None

- A P = Petroleum; U = Used oil; H = Heating oil; A = Aboveground; C = Chemical; F = Farm; M=Mixed; AB = abandoned.
- B Does not include sites where Fund eligibility may be established as a property owner, a lender, or as a person with abandoned /orphan tanks. Does not include federal facilities.
- C # of facilities covered :5,789 remedial; 2,185 insurance. # of tanks covered: 14,750 remedial; 5,572 insurance.
- D Ohio's fund assists UST owners with the replacement and upgrade of their USTs by underwriting a Linked Deposit Loan which reduces the owner's borrowing rate by approximately 3 %.
- E Does not include heating oil USTs, abandoned tanks or ASTs.

Based on responses to a survey conducted by the Vermont Department of Environmental Conservation . Updated June 1998.

TABLE 2. FUNDING FOR STATE FINANCIAL ASSURANCE FUNDS

State	Sources of Funds			Approximate Annual Revenues (millions)	Fund Floor (millions)	Fund Ceiling (millions)	Approximate Current Balance (millions)	Outstanding Claims (millions)	Fund Transition to Private Insurance?		
	Tank Fee (annual)	Petroleum Fee (per gallon)	Insurance Premiums						In 3 yrs	In 5 yrs	In 7 yrs
AK	\$50 - 500	(annual appropriation)		\$2	NA	NA	\$9	\$.6	NA ^B	NA	NA
AL	\$150 ^A	\$1.50/500 gal withdrawal		\$10	\$7.5	\$10	\$16	\$.8	No	Unk	Unk
AR		\$0.002 gal		\$3.4	\$12	\$15	\$18.1	\$9.3	No	No	No
AZ	\$100 + \$100 one-time fee	\$0.01		\$25	NA	NA	\$2	\$70			No
CA	None	\$0.012		\$185	NA	NA	\$200	\$732	No	No	Unk
CO	\$35	\$0.0031 - \$0.0125		\$17	None	None	\$7.8	\$12.7	No	No	Unk
CT		1/3 petroleum gross earnings tax		\$15	\$5	\$15	\$6.9	\$28.3	Unk	Unk	Unk
DE		\$0.009 (wholesale level)		\$1.3	NA	NA	\$1.3	\$2.9	N/A	N/A	N/A
FL	\$50 (initial) \$25 (renewal)	\$0.019		\$160	\$100	\$150	\$15	\$150	as of 1/1/99		
GA	none	\$0.005		\$24	\$30	\$50	\$13.5	\$84	No	No	Unk
IA	\$65	\$0.01	\$65	\$17	NA	NA	\$142	0	Yes		
ID	\$25 petroleum \$5 heating oil	\$0.01 paid by first licensed distributor	0	\$4.6	\$20 unencumbered reserves	\$30 unencumbered reserves	\$36.9	0	No	No	No
IL		\$0.011		\$62	None	None	\$22	\$31.7	Unk	Unk	Unk
IN	\$245	\$0.008		\$24			\$44	0	Unk	Unk	Unk
KS		\$0.01	Third party	\$21	\$2	\$5	\$2	0	No	No	No

State	Sources of Funds			Approximate Annual Revenues (millions)	Fund Floor (millions)	Fund Ceiling (millions)	Approximate Current Balance (millions)	Outstanding Claims (millions)	Fund Transition to Private Insurance?		
	Tank Fee (annual)	Petroleum Fee (per gallon)	Insurance Premiums						In 3 yrs	In 5 yrs	In 7 yrs
KY	\$30 per tank	\$0.014 (imports)	0	\$45	\$1.5	NA	\$132 cash \$37.6 unobligated	\$46.7	No	No	Unk
LA	\$275 (waste and new oil)	\$0.008		\$18	\$10	\$20	\$6	\$0	No	No	No
MA	\$200	\$0.005		\$18	\$10	\$30	\$8	\$2	Unk	Unk	Unk
MD				\$3 ^c			\$7.9	\$0.49	NA ^B	NA	NA
ME	\$35	\$0.006-\$0.0105		\$18	\$12.5	\$15	\$5.5	\$6.8	No	No	Yes
MI	\$100	\$0.00875 (imports, refined)		\$54	0	0	revenues obligated	\$18 in appeals	Already trans- itioned to private ins.		
MN		\$0.02		\$72	\$4	NA	\$8.4	\$11.3	No	Unk	Yes
MO	\$100	\$25 (load fee per 8,000 gallons)	\$100-200/tank	\$18	\$12	\$100	\$53.7	\$21.2	No	Unk	Unk
MS	\$80	\$0.004		\$8.4	\$6	\$10	\$5.9	\$0.1	No	No	No
MT	None	\$0.0075 ^D	None	\$5.4	\$4	\$8	\$1.8	\$1	No	No	No
NC	\$200-\$300	1/4 of \$.01/gallon inspection tax 22/32 of 1/2 ¢ excise tax		\$27.1	NA	NA	\$3.1 commercial \$8.7 non-commercial	\$7.2 commercial \$1.7 non-commercial	Unk	Unk	Unk
ND	\$125/UST \$75/AST			\$.63	NA	NA	\$5.7	\$.80	Unk	Unk	Unk
NE	\$75	\$0.001-\$0.002 diesel \$0.003-\$0.006 gasoline		\$7	\$3	\$10	\$5	\$5	Unk	Unk	Unk
NH	none	\$.014		\$12.2		\$10	\$6.5	\$1.6	Unk	Unk	Unk
NM		\$0.0165		\$18	NA	\$18	\$6.0	\$0.5	No	No	No
NV	\$100	\$0.0075		\$12	\$5	\$7.5	\$1	\$1.3	No	Unk	Unk
NY	1100-2000 gal: \$50 every 5yrs 2000-5000 gal: \$150 " " 5000-400,000 gal: \$250 " "	\$0.04 Per barrel transferred by a MOSF		\$16	\$0	\$25	\$1	None	No ^B	No	No
OH	\$250/\$55K deductible \$400/\$11K deductible			\$9.5	\$15	\$45	\$16.4 unobligated	\$8.8	No	No	Unk
OK	N/A	\$0.01	N/A	\$26	\$20.5		\$9.5	\$1	Unk	Unk	Unk

State	Sources of Funds			Approximate Annual Revenues (millions)	Fund Floor (millions)	Fund Ceiling (millions)	Approximate Current Balance (millions)	Outstanding Claims (millions)	Fund Transition to Private Insurance?		
	Tank Fee (annual)	Petroleum Fee (per gallon)	Insurance Premiums						In 3 yrs	In 5 yrs	In 7 yrs
PA	None	\$0.005 \$0.10/gal of tank capacity (heating oil, diesel)	none	\$82	Actuarially sound	Actuarially sound	\$285.5	\$59	No	No	No
RI	\$500	\$0.01		\$4	\$4	\$8	\$3.3	Unk	Unk	Unk	Unk
SC	\$100	\$0.005	N/A	\$13.2	NA	NA	\$1.8	\$1.6	No	Unk	Unk
SD		\$0.012		\$8	NA	NA	\$5.9	\$0.6	No	No	Unk
TN	\$125	\$0.004 (imports)		\$18	\$2	\$50	\$16	\$9	Unk	Unk	Unk
TX	\$25 (ASTs), \$50 (USTs)	\$0.012	NA	\$130	\$25	\$125	\$171	\$100.7	Yes	Yes	Yes
UT	\$125-\$250	\$0.005	\$75	\$7.0	0	0	\$28.6	\$0.324	Unk		
VA	N/A	\$.002-.006(motor fuel, diesel, heating oil)	N/A	\$20	\$3	NA	\$7.8	Unk	No	No	No
VT	Up to \$200	\$0.01		\$5			\$3.9	\$0.2	No	no	Unk
WA		excise tax: 0.005% wholesale value	Private insurance companies	N/A	\$7.5	\$15	\$29.9	\$2.8	Note		
WI		\$0.024		\$94.5	Funds collected monthly	\$94	\$0	\$270	Yes ^G		
WV	None	None	Not a reimb. Fund - set up like an insurance company	\$2.2	None	None	\$9.5	\$2.9	Yes	yes	yes
WY	\$200	\$0.01	\$200 ^F	\$9.0	\$4 ^E	\$10 ^E	\$30.7	\$11.04	No	Unk	Unk
TOTAL				\$1.35B	\$3.21 B	\$8.75	\$1,460.1M	\$1711.45M	6 yes'	2 yes'	4 yes'

^A Currently set at \$0.

^B NY, AK and MD's fund is not an assurance or a financial responsibility fund, tank owners need private insurance or be self-insured.

^C transferred in SFY 98 from UST Loan Fund. To date, \$13.1 million has been transferred from Loan Fund.

^D Effective July 1, 1997 the Board has the ability to borrow money from Board of Investments to cover temporary cash shortfalls.

^E Applies to each of two separate accounts.

^F Contaminated site fee per site per year.

^G Private Insurance required as systems installed or upgraded. Fund will not be a financial responsibility provider after 12/22/98.

Based on responses to a survey conducted by the Vermont Department of Environmental Conservation. Updated June 1998.

TABLE 3. LEVEL OF ACTIVITY IN STATE FINANCIAL ASSURANCE FUNDS

State	Date Legislation Enacted	State Fund Staff			Total No. Of Sites	Claims Processing Experience to Date							Claims Paid to Date				# of Claims Appealed
		Technical Staff	Financial Staff	Total No. of State Fund Staff		No. Sites with Claims	No. Sites with Covered Third Party Claims	No. Of Claims		Approximate Total Amount Paid (millions)			Average Claims Paid to Date	Average Cost Per Site	Average Cost per site at closure	Estimated Processing Time/Claim (months)	
								Received	Processed	USTs	ASTs	Total					
AK	9/5/90	16	4	7	754	734	NA	946	290			\$19	\$7,921 closure \$44,305 upgrade	\$194,200	\$276,525	12-18	4
AL	10/1/88	11	3	14	8,900	1,100	5	5,573	5,462	\$44	\$.06	\$44	\$8,184	\$40,638	\$28,459	1	Unk
AR	2/22/89	4	3	7	115	127	5	431	425			\$16.1	\$40,000	\$127,036	\$150,000	2	26
AZ	6/90	71	8 plus contract or of ~15	78	3,450	2712	NA	328	100	\$93.9		\$93.9	\$20,000	\$34,658	unavailable	3 1/2	1,380
CA	9/26/90	25	50	76	24,000	13,000	5	13,000	11,000			\$475	\$35,000	\$60,000	\$80,000	2	
CO	7/1/89	12	6	19	5,617	927	1	2,653	2,348			\$78	\$33,300	\$84,400	Unk	1-4	105
CT	7/5/89	10	3	16	Unk	632	92	2164	1727	\$59.5	0	\$59.5	\$87,311	\$151,132	Unk	6-12	56
DE	7/16/87	2	2	2	242	103	0	231	192	\$7.5		\$7.5	\$48,000	\$70,445	\$42,822	12	0
FL	7/1/86	73	12	65	18,000	10,000	NA	22,000	13,000			\$900	\$48,000	\$73,000	\$150,000	12	5,000
GA	7/1/88	13	4	38	19,251	1,749	24	1,749	619			\$58.5	\$33,500	\$97,200	Unk	2	
IA	5/5/89	3rd pty admstr.	3rd pty admstr.	3rd pty admstr.	7,969	5,789	0	NA	NA	\$104		\$104	\$18,550	\$26,000	\$18,955	1	Unk
ID	3/23/90	0	1	14	1,153	198	25	90	90	\$6.56	\$0.9	\$7.46	\$120,000	\$37,677	\$103,452	½	4
IL	7/28/89	40	9	49	14,807	3,141		6,701	6,701			\$276	\$41,250 per site	\$53,000	\$88,000	6	
IN	3/31/88	2	2	4	5,000	467	2	43	17	\$33.5		\$33.5	\$179,152	\$174,619		4	
KS	4/1/90	15	7	22	1,730	1,465	2	8,688	8,688	\$43	\$2	\$45	\$4,454	\$30,717	Unk	1	1
KY	4/9/90	6	4	25	7,800	2,410	1	1,131	872			\$91	\$53,117	\$38,112	\$50,965	4.5	40
LA	7/15/88	23	3	8	7,423	614	15	4,929	4,826			\$66	\$14,522	\$81,433	\$180,870	1	
MA	1/2/91	2	3	7	3,500	1,400	3	3,800	2,200	\$84		\$84	\$13,000	\$13,000	\$100,000	3	520
MD	7/1/93	3	1	4	123	70	NA	294	260	\$4.45		\$4.45	\$17,109	\$63,550	NA	4	1

State	Date Legislation Enacted	State Fund Staff			Total No. Of Sites	Claims Processing Experience to Date							Claims Paid to Date				# of Claims Appealed
		Technical Staff	Financial Staff	Total No. of State Fund Staff		No. Sites with Claims	No. Sites with Covered Third Party Claims	No. Of Claims		Approximate Total Amount Paid (millions)			Average Claims Paid to Date	Average Cost Per Site	Average Cost per site at closure	Estimated Processing Time/Claim (months)	
								Received	Processed	USTs	ASTs	Total					
ME	4/19/90	20	3	23	19,920	1,217	85	NA	NA	\$20.4	\$5.1	\$25.5	UNK	UST: \$41,517 AST: \$15,350	\$44,950	1	94
MI	7/18/99	24	20	33	11,814	7,134	20	7135	7135			\$647	\$75,000	N/A	\$135,000	N/A	
MN	1987	30	10	15	11,000	6,800	5	6,800	6,300			\$255.6	\$41,000	\$41,000	\$30,000	2	5
MO	8/28/89	Third party administrator (TPA)	2 + TPA	2 + TPA	2,405	1,967	11			\$7.1	0	\$7.1	\$28,560	\$30,687	\$24,956	1.5	12
MS	5/18/88	8	3	11	549	536	3	4,735	4,707	\$36.6	0	\$36.6	\$5,355	\$66,666	\$42,302	1	26
MT	4/13/89	4	1.5	9.5	3,250	925	30	8,136	7,877	unk	unk	\$31.0	\$3,625	\$39,558	Unk	1-3	5
NC	6/30/88	54	7	72	12,014	2002 commercial 929 noncommercial	17	7876 comm. 1896 noncomm.	7742 comm. 1604 noncomm.	203.3 comm. 28.7 noncomm.	0	\$203.3 comm \$28.7 noncomm	\$19,766 comm. \$13,433 noncomm	\$101,547 commercial \$30,871 noncomm	Unk	2	550 comm 110 noncomm.
ND	7/1/89			2 pt	1,941	587	0	439	274			\$2.67	\$4,500	\$14,500		1.5-3	1
NE	5/27/89	12	2	18	5,000	591	0	3161	3135	\$37.8	\$3.5	\$41.3	\$12,630	\$69,800	Unk	1-2	2
NH	7/1/88	9	2	11	886	999	9	NA	NA	\$35.6	\$4.8	\$46.9		\$73,385	\$56,555		
NM	3/7/90	1	11	12	2160	Unk	NA	3096	2265	\$69		\$69	\$9,200	\$10,000	\$5,000	1-2	0
NV	1989	4	0	6	865	779	3	2,680	2,066			\$65	\$67,000	\$89,446	\$43,359	3-4	
NY	4/1/78	120	6	130	1,300												
OH	7/11/89	5	2	16	Unk	1,344	9	2,598	2,294	\$71.7		\$71.7	\$26,411	\$53,337	\$55,316	3-4	8
OK	7/1/89	10	5	32	1,450	1,333	145	2,962	2,423	\$112.1	\$1.3	\$113.4		\$85,000	\$50,000	1	numerous
PA	7/89 Ammended 12/92	6	6	12	14,000	1,524	37	1,524	1,524	\$32.1		\$32.1	\$82,516	\$82,516	\$82,516	1	4

State	Date Legislation Enacted	State Fund Staff			Total No. Of Sites	Claims Processing Experience to Date						Claims Paid to Date				# of Claims Appealed	
		Technical Staff	Financial Staff	Total No. of State Fund Staff		No. Sites with Claims	No. Sites with Covered Third Party Claims	No. Of Claims		Approximate Total Amount Paid (millions)			Average Claims Paid to Date	Average Cost Per Site	Average Cost per site at closure		Estimated Processing Time/Claim (months)
								Received	Processed	USTs	ASTs	Total					
RI	7/94*	1		3	164	38				\$2.7	\$0	\$2.7		\$73,386	Unk	6	0
SC	5/88	16	5	23	6,432	2,753	11	28,062	27,970			\$79.5	N/A	\$28,897	\$11,633	1	N/A
SD	4/1/88	9	3	12	1,533	1,135	7	5200	5135			\$55.7	\$50,000 (includes projected future costs)	\$48,765	\$54,775	1	111
TN	7/1/88	0	11	11	2,400	2085	11	8747	6028	\$121		\$121	\$15072	\$110,000	\$86,600	5	
TX	5/31/89	12	4	20	20,969	10,432	0	20,484	18,941			\$449.6	\$27,020	\$50,485	\$34,515	3	
UT	1989	6	2	12	3,352	206	3	481	424	\$10.7	\$0	\$10.7	\$14,500	\$66,300	\$60,000	1.5	0
VA	7/1/87	6	7	13		2,224	20	5,192	4,806			\$61.1	N/A	\$27,206	Unk	3	1,123
VT	7/1/88	9	1	10	1,825	446	79	NA	NA	\$34		\$34		\$63,811	\$20,984	2	20
WA	1989	2	1	7	1,917	130	Unk	130	130			\$1	\$58,700	\$238,215	\$58,704	varies	1
WI	8/1/87	12	15.5	27.5	11,951	5,467	NA	NA	NA	\$496	\$25	\$521		\$140,864	\$43,934	30	189
WV	4/22/91	1.5 (contracted administrator)	2 (contracted administrator)	.5	147	99	Unk	Unk	Unk	\$6		\$6	Unk	not available	not available	1	2
WY	3/21/90	10	0.5	0.5	1,435	673	0	NA	NA			\$36.8		\$429,989		N/A	N/A
TOTAL		720	258	999	270,513	100,993	685	196,085	171,597	\$1.78B	\$0.043B	\$5.51 B	\$37,393	\$77,693	\$71,327	4	9,400

*Rhode Island's regulations became effective May 1, 1997 - they have just begun accepting applications.

*a claim may be appealed more than once, if not reimbursed in full after 1st appeal.

Based on responses to a survey conducted by the Vermont Department of Environmental Conservation. Updated June 1998.

TABLE 4. COST CONTROL MEASURES AND MANAGEMENT PRACTICES USED BY STATE FINANCIAL ASSURANCE FUNDS

State	Use Standard Forms for Site Assessment and Corrective Action Plans	Approve Cleanup Plans and/or Budget Prior to Implementation	Specify Cleanup Plans	Require Competitive Bidding		Payment Limits for Site Assessment/ Receptor Assessment	Certify Contractors or Set Contractor Qualification Requirements	Limit Types of Activities at Sites	Limit Extent or Amounts of Allowed Activities	Limit Overhead Paid	Limit Fees and/or Profits Paid	Oversee Cleanups	Prioritize Claims to Conserve Funds	Employ a Third-Party Administrator	Employ a Board to Oversee Fund Activities
				Tank Owner	State as agent of owner										
AK		✓		✓		✓	✓	✓		✓	✓	✓	✓		✓
AL	✓	✓				✓	✓	✓	✓	✓	✓	✓			✓
AR		✓				reasonable costs			✓	✓	✓				✓
AZ		✓				✓	✓	✓	✓	✓	✓	✓	✓	✓	
CA		✓		✓			✓	✓			✓	✓	✓		
CO	✓	✓			✓	✓	✓	✓	✓		✓	✓			✓
CT		✓		✓		reasonable costs		✓							✓
DE		✓					✓	✓	✓	✓		✓			✓
FL		✓			✓	✓	✓	✓	✓	✓	✓	✓	✓		
GA	✓	✓				Reasonable costs		✓	✓	✓	✓	✓	✓		
IA	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓		✓	✓
ID	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓			
IL	✓	✓						✓	✓	✓	✓		✓		
IN		(voluntary)	✓			✓		✓	✓	✓	✓		✓		✓
KS	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	Prioritize Work	✓3 rd party only	
KY		pending				Reasonable costs	✓			✓	✓		✓		
LA	✓	✓		✓			✓	✓	✓	✓	✓	✓	✓		✓
MA	pending					✓		✓	✓	✓	✓	✓	✓	✓	✓
MD		✓	✓			✓		✓	✓			✓	✓		
ME	✓	✓										✓	✓	✓	✓
MI	✓		✓		✓	✓	✓	✓	✓	✓	✓			✓	✓
MN	✓			✓		✓	✓		✓	✓	✓	✓			✓

State	Use Standard Forms for Site Assessment and Corrective Action Plans	Approve Cleanup Plans and/or Budget Prior to Implementation	Specify Cleanup Plans	Require Competitive Bidding		Payment Limits for Site Assessment/ Receptor Assessment	Certify Contractors or Set Contractor Qualification Requirements	Limit Types of Activities at Sites	Limit Extent or Amounts of Allowed Activities	Limit Overhead Paid	Limit Fees and/or Profits Paid	Oversee Cleanups	Prioritize Claims to Conserve Funds	Employ a Third-Party Administrator	Employ a Board to Oversee Fund Activities
				Tank Owner	State as agent of owner										
WA	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓		Private insurance	
WI		✓	✓	✓		✓	✓		✓	✓	✓	✓			
WV		✓	✓	✓		✓				✓	✓	✓		✓	✓
WY	✓	✓	✓		✓		✓		✓	✓	✓	✓	✓		
TOTAL	24	39	21	20	12	28	25	35	38	37	39	39	17	13	28

Based on responses to a survey conducted by the Vermont Department of Environmental Conservation. Updated June 1998.

TABLE 5. STATE FUND LEGISLATIVE UPDATES

AK	
AL	
AR	<p>1) Act 641 of 1997 - Language clarification for "Accidental Release", meaning sudden or non-sudden confirmed release and "Adjusted Trust Fund Balance Limits for Tax Reduction". Requires notice of filed third-party claim within 20 days - adjusted balance not to exceed \$15,000,000.</p> <p>2) Act 642 of 1997 - Lowered the Trust Fund deductible to \$15,000 from \$25,000 per occurrence, for claims and third party claims. Effective 8/1/97.</p> <p>3) Act 1027 of 1997 - Provides Trust Fund payments for remediation of some abandoned tanks found on property where other registered tanks are located and highway right-of-ways. Requires payment of \$375 retroactive tank fee.</p>

AZ	<p>This year's legislative session brought changes to laws governing underground storage tanks and the State Assurance Fund (SAF). For ADEQ, the changes signal closer work with the regulated community on cleanup and prevention designed to protect the environment and public health.</p> <p>A new law created under SB 1376 enacts reforms to the underground storage tank (UST) program, created to protect soil and water from leaking tanks that hold petroleum products such as gasoline. The law provides for both informal and formal resolution of disputes surrounding cleanup of UST sites. These disputes often center on assistance from the SAF.</p> <p>The new informal appeals process allows ADEQ staff to work directly with owner-operators to resolve differences. ADEQ administrators estimate that 90 percent of disputes can be resolved at this point. Currently, disputes not resolved at the agency level may be referred to a state administrative law judge. Under a two-year pilot program, a five-member technical appeals panel (TAP) can be asked to assist judges in making their decisions. The TAP will be made up of technical professionals from outside ADEQ. The TAP's effectiveness will be reviewed in September 2000.</p> <p>Under other provisions of SB 1376:</p> <ul style="list-style-type: none"> • If the responsible party has no access to a nearby site that has become contaminated, work may be performed by ADEQ under certain conditions. • A UST owner-operator who is potentially liable for direct cleanup costs and is unable to pay may be eligible for a settlement that would allow a smaller payment. • A grant program that helps owner-operators meet costs not covered under the SAF is extended through the year 2000. • A policy commission is created to study the UST and SAF programs and issue recommendations. <p>Under HB 2231, ADEQ will prepare a report to the Legislature on certain programs, including UST. The report, due by December 1, 1999, will include specific information on the administration, performance, efficiency and effectiveness of the programs.</p> <p>As of May 26, 1998 the Bill has not been signed by the Governor.</p>
CA	
CO	
CT	
DE	
FL	
GA	
IA	<p>-Copayment capped at \$14,400 for all sites.</p> <p>-All sites now eligible for \$1 million benefits</p> <p>- Insurance Board created to oversee Insurance transition process - allowed to become non-profit entity authorized to take over all assets and liabilities of Insurance Program.</p> <p>-Funding reduced from \$34 million per year to \$17 million per year.</p>
ID	
IL	
IN	
KS	None.
KY	<p>-Reduction of UST owner's and operator's level of financial Responsibility by one-half.</p> <p>-Requirement to develop criteria by January 1, 1999 to certify labs performing analytical testing at facilities seeking reimbursement from the Fund.</p> <p>-Allows the Fund to conduct financial audits of UST owner's, operator's and contractor's records for projects receiving fund reimbursement.</p> <p>-Allows the Fund to promulgate administrative regulations for pre-approval of corrective action costs.</p>
LA	
MA	In July 1997 the program was moved to the Department of Revenue from the Department of Fire Services.
MD	None.

ME	<ul style="list-style-type: none"> Eliminate eligibility for fund coverage for non-conforming tanks after 10-1-98, Extend fees for program through 12-31-2005, Broadened use of the fund for repair/replacement of ASTs, up to \$1 million annually.
MI	
MN	
MO	
MS	
MT	
NC	
ND	None.
NE	<p>Legislative Bill 517 (June 1997) gave the NDEQ the authority to require timely filing of reimbursement applications. This allowed us to establish specific deadlines for application submittal including: 1)eligible costs incurred between May 27, 1989 and June 11, 1997 must be submitted by June 11, 1998, and 2) eligible costs incurred after June 11, 1997 must be submitted within 120 days of the NDEQ established compliance date.</p> <p>Legislative Bill 1161 (April 1998) made numerous significant changes to the reimbursement program including:</p> <ul style="list-style-type: none"> Product fees will increase 9/10¢ per gallon on gasoline and 3/10¢ per gallon diesel, and the annual tank fee will increase to \$90 per tank. (It is anticipated that this will increase annual revenue from \$7 to \$10 million). The release reporting "sunset" date was extended to June 30, 1999. A technical advisory board will be appointed work with the NDEQ in an advisory capacity only. The bill specifies the organizations to be represented on the board and the tasks to be completed. The state will now own 100% of any remediation equipment reimbursed by the program at site closure to be reused, sold, scrapped, etc. (Previously there had been proportional ownership between the responsible person and the state.) Persons, other than responsible persons, may file a claim with the State Claims Board for 1)property damage caused by a release, and 2) reasonable costs directly incurred due to uninhabitability of a dwelling or unfitness of a water supply caused by a release. The claim can be up to \$200,000 per person/\$800,000 per release. The legislation also states that these claims are to be paid by the fund before any other claims. The effective date of the voluntary remedial action (VRA) program was changed from April 1996 back to April 1995. (The VRA program allows responsible persons to voluntarily perform remedial actions at backlogged or suspended sites, and then receive reimbursement after the site is activated and the work is approved.)
NH	
NM	
NV	
NY	
OH	In December, 1998, statutory amendments were passed which requires tank owners and operators to certify that their tanks are in compliance with State Fire Marshal UST Regulations before a certificate of coverage will be issued for the tanks. The amendments also provide that, if it is determined that the tank owner or operator was out of compliance with State Fire Marshal regulations at the time that a release was discovered. Fund eligibility must be denied. This provision will preclude reimbursement for persons who possessed a certificate of coverage and may have been in compliance at the time that the certificate was issued but later fell out of compliance and discovered a release.
OK	Legislation pending to combine indemnity fund (financial aspect)with Oklahoma Corporation Commission UST Regulatory Division.
PA	

RI	<p>In this legislative year, there are two pending pieces of legislation that will change the existing State Fund legislation. Both pieces were introduced in the Senate and are now in the House Corporations Committee. Currently, the Board will only reimburse for monies spent on or after July 8th, 1994, the first bill, 98 S-2833, changes that date to December 15, 1993.</p> <p>The second piece of legislation would have more of a dramatic effect on the Fund. The following bullets highlight the salient points of the bill:</p> <ul style="list-style-type: none"> • Provides cities, towns, and state owned/occupied property to participate in the fund • Waives deductible for cities, towns, and state owned/occupied land • A petroleum leak not necessarily originating from a UST on a city, town, or state owned/occupied property is eligible • A site that was previously owned/occupied by a city, town, or the state can participate in the fund if remediation needs to take place as a result of a release that occurred when the city, town, or state owned/occupied the property. <p>These pieces of legislation will be acted upon by the end of this legislative year.</p>
SC	None.
SD	<p>The revenue source for the PRCF is a \$.02/gallon tank inspection fee on petroleum products entering the state. In the past, the PRCF received 58% (\$.0116/gallon or about \$8.5 million/year) of this revenue generated from the fee. The remainder went to the Capitol Construction Fund. The 1998 SD Legislature enacted House Bill 1229 that changed the way the revenues from the fee are allocated and eventually reduces the fee to \$.01/gallon. Beginning July 1, 1998, the PRCF's share of the fee will be reduced from 58% to 50% (\$.01/gallon or about \$7.5 million/year). The remainder of the fee will continue to go to the Capitol Construction Fund. Beginning on January 1, 2003, the tank inspection fee will be reduced from \$.02/gallon to \$.01/gallon and the PRC will receive 21.3% (approx. \$1.6 million).</p>
TN	
TX	
UT	<p>Environmental Assurance Fee reduced from 1/2¢/gal to 1/4¢/gal. \$5 million appropriated from the fund to the State Transportation Fund for road construction. This is being challenged by individual marketers. Utah State Supreme Court reversed itself on the constitutionality of the fund. They now find it a constitutional fee for service.</p>
VA	Applied for final state program delegation approval from EPA.
VT	Fund extended for additional five years. AST added to fund. Grant program (up to \$500) created to assist in removal of residential heating oil USTs for households with less than \$50,000 income.
WA	
WI	
WV	
WY	

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