

TABLE 1. Design Characteristics of State Financial Assurance Funds 2020

State	Agency/Department with Primary Responsibility	State uses outside contracts to administer Fund	Types of Tanks Covered	# of Active Facilities Covered	Fund Coverage	Fund Deductible	Factors affecting limits of coverage	Time limit for submitting costs to receive payment	Fund serving as FR mechanism for active tanks		Use of state fund as FR voluntary		Fund Sunset Date
									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Alabama	Alabama Dept of Environmental Management Dorothy Malaier P.O. Box 301463 Montgomery, AL 36130 dsm@adem.alabama.gov 334-270-5613	No	Federally Regulated USTs; Some ASTs	8,483 (Active AST and UST sites)	Corrective action; Third Party Coverage; New Releases; Old Releases newly discovered at active tank sites	\$5,000 for UST releases \$10,000 for AST releases	Tank owner; Extent of regulatory compliance; Date of Release	18 months from approval of the cost proposal	Yes		Yes (All but one facility is using the Fund for FR)		No
Alaska	Response Fund Administration Program	NA		NA		NA		NA					6/30/2004
Arizona	AZ DEQ Ian Lies 1110 W Washington St Phoenix, AZ 85007 lies.ian@azdeq.gov 602.771.4445	N/A		Fund No longer provides FR coverage		NA - AZ fund coverage for reimbursement program sunset in 2010. New cleanup program does not have deductibles. Financial need settlement option for state lead cleanups.		12/31/2030					12/31/22 ¹
Arkansas	Division of Environmental Quality Jacqueline Trotta 5301 Northshore Drive, North Little Rock, AR 72118 trotta@adeq.state.ar.us 501 682-0632	No	Federally Regulated USTs. Other USTs, ASTs	6,048	Corrective Action, 3rd Party damages, new /old releases, orphan	\$7,500 for corrective action \$7,500 for third-party	Tank size, date of release	1 year after the issuance of a "No further action" letter by the Division.	Yes		Yes (99%)		No

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
California*	State Water Resources Control Board Kristin Baer 1001 I Street, 17th Floor kbaer@waterboards.ca.gov (916) 341-5792	No	Underground Petroleum Used Oil Heating Oil Abandoned Airport tanks Marina tanks	13,761 - Based on permitted UST facilities only, includes eligible Fund claims and non Fund claims	Corrective Action Third-party coverage combined Third-party coverage separate New releases UST replacement loan program	\$0-\$40,000 Depending on Priority Class and waiver issues	Tank type Tank owner Extent of regulatory compliance Date of release	1 year after case closure or after letter of commitment issued, whichever occurs later (deadline created in statute 10/2011)	Yes		Yes - The Water Board does not know percentage as the local permitting agencies track this information not the Water Board		1/1/2026
Colorado	Dept. of Labor and Employment, Division of Oil and Public Safety Jenna Petropulos 633 17th St., Ste. 500 Denver, CO 80202-3610 jennifer.petropulos@state.co.us 303-318-8554	No	Federally Regulated USTs, other USTs (abandoned), ASTs, Waste Oil	4821	Correct Action, Third-party damages, New releases, Tank System upgrades (spill buckets or UDC), Abandoned tanks	\$10K Cleanup \$25K 3rd Party	Tank size, Tank type (product contained), Extent of regulatory compliance, Date of release	2 years as of 1/1/2020	Yes		No	9/1/2023	

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Connecticut*	DEEP / UST Cleanup Account Jacques Gilbert / Paula McDowell 79 Elm Street, Hartford, CT jacques.gilbert@ct.gov / Paula.McDowell@ct.gov 860 424-3336 / 860 424-3252	No		2,089		\$10,000		Large Station owner's deadline was 10/2012, Mid-size station owners is 10/2013 and Small station owners, other applicants and municipalities is 10/2014					10/1/2014
Delaware	Dept of Natural Resources & Environmental Control 391 Lukens Drive New Castle, DE 19720	No		242		\$2,500		Yes. Program susnset 12/31/2011					12/31/2011
District of Columbia ²	Department of Energy & Environment Underground Storage Tank Branch 1200 First St. NE, 5th Fl. Washington, D.C. 20002. Fianna.Phill@dc.gov 202-535-2326	No		0 eligible except for emergency response at sites with insolvent RPs, but over		NA		NA					NA

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Florida	Department of Environmental Protection Charles Williams Petroleum Restoration Program Bob Martinez Center 2600 Blair Stone Road, MS 4540 Tallahassee, FL 32399-2400 Kenneth.Busen@FloridaDEP.gov 850/245-8745	Yes	Stationary ASTs and USTs	8,063 only facilities with open eligible discharges	Corrective Action	Multiple eligibility types deductible range from \$0 to \$30,000 and some have cost share of 25% plus cost of limited site assessment.	Discharge date, eligibility program and date	reimbursement ended 12/31/1996, current procurement program uses contracts and purchase orders, invoices must be submitted within 30 days of deliverable approval		12/31/1998		No	n/a
Georgia	Department of Natural Resources Environmental Protection Division Jay Kemberling 4244 International Parkway, Ste 104 Currently Vacant Program Manager 404 362-2687	No	Federally Regulated USTs	7189	\$1,000,000 per release	\$10,000	Extent of regulatory compliance	30 days from submission of corrective action completion report	Yes		Yes (77%)		None

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Idaho	Petroleum Storage Tank Fund David Wattles P.O. Box 83720 Boise ID 83720-0044 david.wattles@idahopstf.org 208.332.8115	No	UST, AST, Farm, Htg Oil, Residential	1,353	Corrective action for releases discovered within the policy period subject to the terms of the PSTF policy contract (including third-party damages).	\$10,000 - UST & AST \$2,000 - Farm & Residential \$100 - Heating Oil	Marketer/Non-Marketer, Number of Tanks, and Tank Type	N/A	Yes		Yes - Approximately 93% of regulated UST's		N/A

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Illinois	Illinois EPA Leaking Underground Storage Tank Program Mohammed Rahman 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276 Mohammed.Rahman@illinois.gov 217/782-9848	No	Federally regulated USTs including heating oil USTs used exclusively for consumptive purposes on the premises except heating oil tanks serving a residential and/or farm	5,540	\$1.5 million cap per occurrence.	\$5,000 for new releases reported on and after June 8, 2010. For releases reported prior to June 8, 2010, \$10,000; \$15,000; \$50,000; or \$100,000.	Must be eligible for the Program and costs incurred must also be eligible costs as identified in the regulations	One year from the date of issuance of No Further Remediation Letter.	Yes			No	1/1/2025
Indiana	Indiana Department of Environmental Management Doug Louks 100 North Senate Avenue- IGCN 1101 dlouks@idem.in.gov 317-234-5344	No	Federally Regulated USTs	4,091	Corrective Action, Third-Party damages, New Releases, Old releases newly-discovered at active tank sites, Abandoned Tanks, Orphan LUST sites	\$15,000.00	Date of Release	12 months after "No Further Action"	Yes		Yes (95%)	No	
Iowa	Iowa UST Fund James Gastineau 502 E. 9th Street Des Moines, IA 50319 james.gastineau@dnr.iowa.gov (515) 725-8450	Yes	NA	No ongoing FR provided	Old Releases, Abandoned Tanks (pre-regulation)	Up to \$14,400		None					12/31/2016 (State allocations ceased)

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Kansas	Health and Environment Sharon Morgan 1000 SW Jackson, Suite 410, Topeka, KS 66612 sharon.morgan@ks.gov 785-296-1684	No	Federally regulated USTs, stationary ASTs	11,309	Corrective Action, New & Old releases, RP and Orphan sites, UST removal/replacement	\$3000 + \$500/tank	Date of Release - Not eligible if release occurred prior to December 22, 1988.	No	Yes				7/1/2024
Kentucky	Dept. for Env. Protection Jill Stoltz 300 Sower Blvd, Frankfort, KY 40601 jill.stoltz@ky.gov (502)782-6456	No	Petroleum, Used Oil, Farm > 1,100 gal, Abandoned, Airport tanks, Marina tanks	17,545	Corrective Action, Third Party Damages, New Releases, Old releases newly-discovered at active tank sites, Abandoned tanks, Orphan LUST sites	1-5 tanks \$500 6-10 tanks \$2,500 11 or more tanks \$12,500	Tank Owner-- Federal owned facilities are not eligible	2 years after "No further action" date	Yes	N/A	Yes (99 %)	N/A	No

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Louisiana	LA Dept of Environmental Quality Jeffrey Baker P.O. Box 4303 Baton Rouge, LA 70821-4303 jeffrey.baker@la.gov (225) 219-3917	No	Federally Regulated USTs	3,639	Corrective action Third-party damages New releases Old releases newly-discovered at or active or previous eligible tank sites Abandoned tanks ³ Orphan tanks ³	Current releases are covered at \$0.00/per release if site is in 100% compliance at the time of the release, otherwise \$10,000.00 per release.	Pre-release UST registration, All registration fees and lates paid, Assessment initiated within two years of Dept. request Date of Release	2 Years	Yes		Estimate in excess of 95%		None

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Maine	Environmental Protection Butch Bowie 17 State House Station, Augusta, ME 04333-0017 butch.c.bowie@maine.gov 207-215-4583	No	federally regulated,heating oil,waste oil,AST's	1,934 UST & ??? AST	corrective action, 3rd party claims,new releases,old releases,abandoned tanks	\$500 to \$97,500	# of facilities,extent of compliance,date of release	No	Yes		Yes 98%		None
Maryland	Department of Environment / Land and Materials Administration / Oil Control Program	No	Residential Heating Oil	Unknown	Up to \$19,500	\$500	Not a Financial Assurance Fund. Only for reimbursement of certain eligible cleanup costs as defined in regulation.	6 months after completion of corrective action					
Massachusetts	Department Of Revenue Gordon Bullard 100 Cambridge Street Boston, MA 02114-9563 bullardgh@dor.state.ma.us 617-626-2601	No	Tanks used to store and dispense petroleum motor fuel to vehicle and boats	2,282	Up to \$1.5M for environmental response actions plus \$1M for third party damages	\$5,000, \$7,500, or \$10,000 depending on number of facilities owned	Facilities open to public and non-retail facilities that dispense >10,000 gallons per month have environmental coverage up to \$1.5M. Non-retail facilities that dispense <10,000 gallons per month eligible for up to \$500K of coverage.	Claims must be submitted within 365 days of payment for reimbursement and within 365 days of the services being performed for Direct Pay.	Yes		Yes (71% of FRFE tanks)		None

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Michigan	Department of Environment, Great Lakes, and Energy Robert Reisner reisnerr@michigan.gov 517-599-1625	No	Refined Petroleum USTs	6,268	Corrective actions for releases discovered and reported on or after December 30, 2014. Third party damages.	\$2,000 for owners or operators of 7 USTs or less. \$10,000 for owners or operators with 8 or more USTs	Date of release. Extent of regulatory compliance	No	Yes		55%. Even if owners do not use the state fund for FR, they may still file claims for reimbursement.		None
Minnesota	Department of Commerce Joel Fischer 85 7th Place East St. Paul, MN 55101 joel.fischer@state.mn.us 651-539-1507	No	Federally regulated USTs. Other USTs. Heating Oil. ASTs.	9,800 active regulated UST and AST sites (unregulated and former tank sites also covered)	Corrective action. Third-party damages. New releases. Old releases newly discovered at active tank sites. Abandoned tanks.	Reimbursement of 90% of eligible costs. Applicants responsible for 10% of eligible costs.	Extent of regulatory compliance. Tank and facility size.	Within seven years of work being performed.	Yes		Yes.100%		6/30/2022
Mississippi	Department of Environmental Quality Brad Ware 515 Amit Street Jackson, MS bware@mdeq.ms.gov 601-961-5274	No	Federally Regulated UST's	2,971	Corrective Action, Third-Party Damages, New Releases	\$0	No factors if eligible	The tank owner has a one year time limit from the written MDEQ due date for the final work product to submit the reimbursement request, including re-submittals.	Yes		Yes, Approx. 100%		No

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Missouri*	Petroleum Storage Tank Insurance Fund Board of Trustees Carol R. Eighmey P.O. Box 836 Jefferson City, MO 65102 ceighmey@pstif.org 573-522-2352	Yes	ASTs that sell fuel and federally regulated USTs	3,605	Corrective Action, Third party damages, New releases, Old releases newly-discovered at active tank sites (if insured by us), & some Abandoned and Orphan Tank sites, if the site meets certain criteria.	\$10,000	Date of Release (Regulatory compliance is verified annually before FR is provided, but is not used to limit coverage after release is reported.)	2 years after work is done	Yes		Yes (81% of USTs using fund for FR)		12/31/2025
Montana	Petroleum Tank Release Compensation Board Terry Wadsworth 1225 Cedar Street, Helena MT twadsworth@mt.gov 406-444-9712	No	Federally Regulated USTs Other USTs Certain ASTs Heating Oil	974 (834 USTs and Approximat ely 140 ASTs with UGL; several ASTs and Heating Oil Tanks are not permitted or tracked)	Corrective Action, Third-Party Damages New Releases Some Old Releases Newly Discovered at active tank sites Abandoned Tanks	CoPay \$5,000 or \$17,500 (50% of \$10,000 for some heating oil and motor fuel for Noncommercial purposes; 50% of \$35,000. for all other eligible releases)	Tank Size Tank Type Extent of Regulatory Compliance Date of Release (> April 13, 1989)	within 5 years of work being performed	Yes (for Most tanks)		94% (of Federally Regulated tanks) (Excluding Indian Country)		None

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Nebraska	Dept of Environment & Energy Mona Wunder PO Box 98922, Lincoln, NE 68509-8922 mona.wunder@nebraska.gov 402-471-0289	No	Federally Regulated USTs, other USTs, Heating Oil, & ASTs	3,303 USTs, Unknown ASTs	Corrective action, Third-party damages, New releases, Old releases (newly-discovered), & Orphan LUST sites	\$10,000 with 25% co-payment up to an additional \$15,000 or low volume \$5,000 deductible with 25% copayment up to \$10,000	Extent of regulatory compliance, Date of Release	1 year	yes			X	6/30/2024
Nevada	Nevada Division of Environmental Protection Michael Cabble 901 S Stewart Street Carson City, Nevada 89701 mcabble@ndep.nv.gov 775.687.9488	No	Federally Regulated USTs, Farm/residential/abandoned USTs, ASTs, and Heating Oil tank systems	1,198	Corrective action, Third-party damages, New releases, Tank system upgrades (Grant Program), Abandoned tanks	10% for Regulated Tanks; \$250 Heating Oil Tanks	Heating oil tanks vs. non-heating oil tanks and tank size	1 Year After Release and 1 Year Following Site Closure	Yes		Yes (~92%)		N/A
New Hampshire	Waste Management Division/DES Jennifer Marts, P.G. 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095 Jennifer.Marts@des.nh.gov (603) 271-2570	No	Federally regulated USTs, other USTs, ASTs, Residential & Commercial Heating Oil Tank	1,361 UST, 1,134 AST, Unknown # of non-registered heating oil tanks	Corrective action, third-party claims, new releases, old releases, abandoned tanks	\$5,000 - \$30,000; \$100-\$500 On-Site Use Heating Oil Tanks	Regulatory compliance	1-year for costs incurred after 9/1/11	Yes			No	7/1/2025

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
New Jersey*	Department of Environmental Protection Site Remediation and Waste Management Program Fund Management Section Mail Code: 401-06J PO Box 420 Trenton, NJ 08625 Phone: 609-777-0101 srp_USTFUND_gq@dep.nj.gov	No	Federally Regulated, Heating oil (UST only)	Unknown	Remediation, Upgrade & Closure	Fee Based Residential - \$250 Non-Profit/Commercial 6 or less USTs- \$500 Commercial 7-9 USTs - \$1,000	Commercial entities must own and/or operate less than 10 tanks, Must own and/or operate UST(s) at the time of closure, Net Income/Net worth Cap	None		No (n/a Fund cannot be used for FR)	n/a	n/a	6/30/2010 - Existing Regulated USTs only.
New Mexico	New Mexico Environment Department-Petroleum Storage Tank Bureau Dana Bahar 2905 Rodeo Park Drive East, Bldg. 1, Santa Fe, NM 87505 dana.bahar@state.nm.us 505-476-4377	No	Federally Regulated USTs Petroleum Used Oil Aboveground <1,320 and <55,000 gallons Commercial Abandoned Airport tanks Marina tanks	~ 1753	Corrective action New releases Old releases newly-discovered at active tank sites Releases associated with abandoned tanks and orphan LUST sites	\$10,000 of the minimal site assessment costs. In some cases deduction may be reduce to either \$0 or \$5000.	Compliance	90 days after deliverable has been approved and accepted.	Yes				None

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
New York	NYSDEC/NYSOSC Kevin Hale 625 Broadway Albany, NY 12233 kevin.hale@dec.ny.gov 518-402-9543	No	All tank systems used in the storage and/or dispensing of petroleum or petroleum products	36,046	Corrective Action, Third party damages, New releases, Old releases newly-discovered at active tank sites, & Abandoned Tanks	N/A	Fund Used Only if Responsible Party is Unable or Unwilling	N/A	Yes	N/A	Yes	N/A	None
North Carolina*	North Carolina Department of Environmental Quality Division of Waste Management - UST Section Vance Jackson vance.jackson@ncdenr.gov	No		~7,664		Comm \$20K-\$75K/ occurrence; \$100K 3rd party;		One year from completion of service	Yes		98+		None
North Dakota	North Dakota Department of Environmental Quality Petroleum Tank Release Compensation Fund Duane Sandwick 918 E. Divide Ave. - 4th Floor Bismarck ND 58501 - 1947 deqptrcf@nd.gov 701-328-5191	No	Federally Regulated USTs and aboveground storage tanks (ASTs)	1,710	Corrective Action; Third-party coverage combined; Third-party coverage; separate new releases	\$5,000	Noncompliance with state and federal rules including: financial responsibility, infrastructure compatibility, and all rules relating to health and safety which were in effect at the time of release	One year from performance of service	Yes		100%		None

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Ohio	Petroleum UST Release Compensation Board Starr J. Richmond 4151 Executive Parkway, Suite 350 Westerville, OH 43081 srichmond@petroboard.org 614-752-8963	No	Federally Regulated USTs	6,992	Corrective action; Third party damages; New releases; Old releases newly-discovered at active tank sites	\$55,000 standard; \$11,000 reduced	number of tanks	one year	Yes			No	No

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Oklahoma	Oklahoma Corporation Commission, PSTD Terin Morris Fund Administrator 2101 N Lincoln Blvd, Room 420, OKC, OK 73105 Denetta.Brannon@occ.ok.gov 405-522-4461	No	Federally regulated USTs Other USTs ASTs	4,355 UST & AST Facilities CIU & TOU Status	Corrective action Third-party damages New releases Tank system replacements /upgrades Old releases newly-discovered at active tank sites Abandoned tanks	1% (max 5K)	Covered release must be from an eligible person, eligible tank and must be a regulated substance.	2 years from date of case closure	Yes		Yes (100%)		12/31/2032
Pennsylvania	PA Insurance Department/Bureau of Special Funds Amy Steiner 901 N. 7th Street Harrisburg, PA 17102 asteiner@pa.gov 717-886-2075	Yes	Federally Regulated USTs and Optional Program - Commercial Heating Oil USTs	7,396	Corrective action, Third Party damages, and New Releases	\$5000 1st party \$5000 3rd party	Prefund release(s) before 2/1/1994	No	Yes			No	No
Rhode Island	Dept. of Environmental Management 235 Promenade Street Providence, RI 02908 Michaela Brockmann michaela.brockmann@ dem.ri.gov (401)222-2797 (7104)	No	UST's	489		up to \$20000	Date of invoice	2 yrs from date of invoice	Yes				No

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									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
South Carolina	Dept. of Health & Environmental Control Ryan D. Ariail 2600 Bull Street Columbia, SC 29201 ariailrd@dhec.sc.gov (803) 898-9418	No	Federally regulated USTs	2,198 releases (Not sites)	Site rehabilitation activities after deductible has been met and 3rd party damages	\$25,000	•Extent of regulatory compliance •Date of release	No, but funds may become uncommitted after 120 days	Yes		Yes, 84%		12/31/2026
South Dakota	South Dakota Department of Environment & Natural Resources Michael A. Perkovich, PE 523 E Capitol Pierre, SD 57501 mike.perkovich@state.sd.us 605-773-3769	No	Federally Regulated USTs Other USTs Heating Oil ASTs	2,133 Registered facilities + an unknown number of unregistered locations i.e. farm tanks, home heating, etc.	Corrective Action Third-party coverage combined New releases	\$0 to \$10,000	Extent of regulatory compliance Tank type Site Type (i.e. Abandoned) Date of Release	No	100% presumed for regulated petroleum tanks. Unknown for tanks not covered by the Fund				No

TABLE 1. Design Characteristics of State Financial Assurance Funds 2020

State	Agency/Department with Primary Responsibility	<u>State uses outside contracts to administer Fund</u>	<u>Types of Tanks Covered</u>	<u># of Active Facilities Covered</u>	<u>Fund Coverage</u>	<u>Fund Deductible</u>	<u>Factors affecting limits of coverage</u>	<u>Time limit for submitting costs to receive payment</u>	<u>Fund serving as FR mechanism for active tanks</u>		<u>Use of state fund as FR voluntary</u>		<u>Fund Sunset Date</u>
									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Tennessee	Division of Underground Storage Tanks Stan Boyd 312 Rosa L. Parks Ave. 12th Floor Nashville, TN stan.boyd@tn.gov (615)532-0970	No	Petroleum Used Oil Farm Abandoned Airport tanks Marina tanks	5,135	corrective action third-party coverage separate new release	\$10,000-\$20,000	Extent of regulatory compliance date of release	12 months	yes	All of the mechanisms/ combinations of mechanisms listed in .08* accepted. Automatically have FR by notifying of their existence before a release occurs. There are still ways to not have coverage or apply so late that we'd be unable to approve an application		None	

TABLE 1. Design Characteristics of State Financial Assurance Funds 2020

State	Agency/Department with Primary Responsibility	<u>State uses outside contracts to administer Fund</u>	<u>Types of Tanks Covered</u>	<u># of Active Facilities Covered</u>	<u>Fund Coverage</u>	<u>Fund Deductible</u>	<u>Factors affecting limits of coverage</u>	<u>Time limit for submitting costs to receive payment</u>	<u>Fund serving as FR mechanism for active tanks</u>		<u>Use of state fund as FR voluntary</u>		<u>Fund Sunset Date</u>
									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Texas	Texas Commission on Environmental Quality Denise Crawford PO Box 13087 Austin, Texas, 78711 denise.crawford@tceq.texas.gov 512-239-6532	No	Federally Regulated USTs, ASTs	NA ⁴	Corrective Action, New releases, Old releases newly-discovered at active tank sites, Certain abandoned tanks, Orphan LUST sites	NA ⁴	None	State Contractors have 30 days to submit an invoice once the report documenting the activity has been approved	No	9/1/2012	0%	No	None
Utah	Department of Environmental Quality Mike Pecorelli 195 N 1950 W, 1st Floor mpecorelli@utah.gov 801-536-4291	No	Federally regulated USTs and ASTs	912	Investigation, corrective action, third party damages (for facilities using State Fund as FR)	\$10,000	Date of release	1 year	Yes		64%		2028

TABLE 1. Design Characteristics of State Financial Assurance Funds 2020

State	Agency/Department with Primary Responsibility	State uses outside contracts to administer Fund	Types of Tanks Covered	# of Active Facilities Covered	Fund Coverage	Fund Deductible	Factors affecting limits of coverage	Time limit for submitting costs to receive payment	Fund serving as FR mechanism for active tanks		Use of state fund as FR voluntary		Fund Sunset Date
									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Vermont	VTANR/Department of Environmental Conservation Waste Management & Prevention Division Matt Moran 1 National Life Drive - Davis 1 Montpelier, VT 05620-3704 matt.moran@state.vt.us 802.522.5729	No	Federally Regulated USTs, All other motor fuel and heating oil USTs, used oil USTs, aboveground commercial & residential motor and heating fuel, and abandoned petroleum USTs.	1711 FRFE tanks (~850 facilities); >125,000 other tank "facilities"	CA, 3rd party damages, New release, UST replacement/ upgrades (loan) and UST/AST removal/replacement grants, Old releases, Abandoned tanks meeting statutory requirements	\$10,000 most USTs and Bulk storage ⁵ ; \$1,000 Commercial ASTs; \$250 - Residential / Farm - all ASTs & USTs (<1100gal), commercial HO UST (<1100) gal	Tank Size & Type	1 year	X	>95%		7/1/2029	
Virginia	Dept. of Environmental Quality Marybeth Glaser P. O. Box 1105 Richmond, VA 23218 marybeth.glasner@deq.virginia.gov 804-698-4233	Yes	Federally Regulated USTs, Heating Oil, Petroleum Used Oil, Aboveground Commercial, Aboveground Residential, Farm, Abandoned, Airport tanks, Marina tanks	5,806	Corrective Action, Third-party Damages, New Releases	\$500 to \$1 Million	Tank Type	2 years after the case closure date	Yes	N/A	100%	0%	No
Washington	Pollution Liability Insurance Agency Xyzlinda Marshall PO Box 40930 Olympia, WA 98504 xyzlinda_marshall@plia.wa.gov v 800-822-3905	No	Federally Regulated ASTs	1415	Corrective Action Third Party Damages New Releases	\$1000-\$60,000	Extent of Regulatory Compliance Date of Release	No	Yes		85%		7/1/2030

TABLE 1. Design Characteristics of State Financial Assurance Funds 2020

State	Agency/Department with Primary Responsibility	State uses outside contracts to administer Fund	Types of Tanks Covered	# of Active Facilities Covered	Fund Coverage	Fund Deductible	Factors affecting limits of coverage	Time limit for submitting costs to receive payment	Fund serving as FR mechanism for active tanks		Use of state fund as FR voluntary		Fund Sunset Date
									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Washington-heating oil only	Pollution Liability Insurance Agency Xyzlinda Marshall PO Box 40930 Olympia, WA 98504 xyzlinda_marshall@plia.wa.gov v 800-822-3905	No	Heating Oil	58,323	Releases from registered heating oil tanks Releases occurring after registration date Third Party damages Tank replacement (limited)	NA	Release Date Ownership	30 days	n/a	n/a	n/a	n/a	7/1/2030
West Virginia	Department of Environmental Protection DWWM/OEE - Tanks Corrective Action Unit Melissa McCune, Program Manager 601 57th Street, SE Charleston, WV 25304 Melissa.D.McCune@wv.gov	No	Federally regulated UST's	0	release from policies issued from years 1990 - 2000 who were named in the litigation	varied	NA	NA	NA	2000	NA	NA	9/30/2000
Wisconsin	Department of Natural Resources Jenna Soyer P.O. Box 7921 Madison, WI 53707-7838 jenna.soyer@wisconsin.gov	No	Federally regulated USTs, Other USTs, some heating oil, some ASTs	0	Corrective action, third-party damages, old releases newly discvoered at active tank sites, abandoned tank releases	varies = \$2,500 - \$5% of coverage; \$10,000	Date of release, tank age	6 months after cost are incurred (This change in the law took effect 1 Feb 2016)	No		No		6/30/2020

TABLE 1. Design Characteristics of State Financial Assurance Funds 2020

State	Agency/Department with Primary Responsibility	State uses outside contracts to administer Fund	Types of Tanks Covered	# of Active Facilities Covered	Fund Coverage	Fund Deductible	Factors affecting limits of coverage	Time limit for submitting costs to receive payment	Fund serving as FR mechanism for active tanks		Use of state fund as FR voluntary		Fund Sunset Date
									Yes	No (provide termination date)	Yes (% tanks using fund for FR)	No	
Wyoming	Dept. of Environmental Quality/Solid & Hazardous Waste Division Adrian Ducharme 200 W. 17th St, Cheyenne, WY 82002 adrian.ducharme@wyo.gov 307-777-7073	No	Federally regulated USTS, ASTs used to sell fuel retail	675	Corrective action, third-party corrective action, new releases, old releases newly-discovered if the release would be covered today, abandoned tanks newly-discovered if the release would be covered today, third-party damages up to \$1 million if awarded through court	None for remediation; \$30,000 for 3rd party claims	None	n/a	yes	yes for ASTs (unknown)		None	
total:		5		273,716					37				

¹AZ: New state funded programs may not be used to demonstrate compliance with FR requirements.

²DC does not have a reimbursable state fund program, all RPs must comply with corrective action requirements through other FR mechanisms, usually private/self insurance. DOEE can administer state lead cleanup using LUST Trust Funds for emergency response and pursue cost recovery from the RPs.

³Inactive and Abandoned UST's with RP's that are unavailable or unable to cover the cost associated with tank removal or contamination remediation can be covered by interest monies collected on the Motor Fuel Trust Fund on a priority basis.

⁴TX: As of 09/01/2012, the fund is no longer available for corrective action at LPST sites unless the tank owner/operator is unknown, unwilling, or financially unable to pay for the cleanup.

⁵VT has higher deductibles for single walled tanks

*No reponse in 2020. Responses shown are from last year State provided a response.

2020 State Fund Survey Instructions/Definitions

Table 1. Design Characteristics of State Financial Assurance Funds.

NOTE: “Releases/occurrences” are what are known in some states as “sites”.

State uses outside contracts to administer fund: Answer no if your state fund is administered by state employees. Answer yes if your state fund uses a third party administrator or similar contractor.

Types of Tanks Covered: Which tanks does your state fund cover, in the event of a release? Options include:

- Federally Regulated USTs
- Other USTs
- Heating Oil
- ASTs

of Active Facilities Covered: The total universe of facilities which would be eligible for coverage if a release from a covered tank were to occur. If one facility has five tanks, one would be counted for this answer. (Include all types of tank sites covered by your fund, not just those with federally-regulated USTs.)

Fund coverage: What activities do your fund cover? Options include:

Corrective action

Third-party damages

New releases

Tank system replacements/upgrades

Old releases newly-discovered at active tank sites

Abandoned tanks : NOTE: This term is used to describe tanks that meet the following conditions:

- (a) tanks that remain in the ground and have not undergone proper closure;
- (b) the presence of contamination around the tanks is unknown; and
- (c) there is no person available to perform closure.

Orphan LUST sites: NOTE: Orphan LUST sites are defined as UST facilities where:

- (a) contamination is known to exist,
- (b) tanks were present and may or may not remain in the ground, and
- (c) there is no viable responsible party to perform the cleanup

Other (please specify)

Fund deductible(s): Specify deductible amount(s) for tank releases, or a range of deductibles, if appropriate.

Factors affecting limits of coverage: What factors might limit fund payment: Options include:

Number of tanks

Tank size

Tank type

Tank owner

Extent of regulatory compliance

Tank age

Date of Release

Time limit for submitting costs to receive payment: Is there a time limit for requesting funds? If so, what is it?

Fund serving as Financial Responsibility (FR) mechanism for active tanks: Answer yes or no. If no, when did the fund stop serving as FR mechanism?

Is the use of your state fund as FR voluntary? Yes or no. If yes, what percentage of tanks are using the fund for FR?

Fund Sunset Date: The date the state fund will no longer accept sites into the program where there has been a new release. Some states refer to this date as the claims bar date.