



IOWA UNDERGROUND STORAGE TANK FUND

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October 11, 2022

MEMORANDUM

TO: Legislative Council and Legislative Services Agency

FROM: James R. Gastineau, Administrator
Iowa Comprehensive Petroleum Underground Storage Tank Fund

RE: Fiscal Year 2023, 1st Quarter Report on the Iowa Comprehensive Petroleum Underground Storage Tank Fund Program

We are pleased to provide the attached report regarding the Iowa Comprehensive Petroleum Underground Storage Tank Fund (UST Fund) progress for activities through the end of the 1st quarter of Fiscal Year 2023.

The report is submitted pursuant to Iowa Code Section 455G.4(6) titled "Reporting". The code section calls for the report to include the following items:

- Total open claims, including identification of the number of new claims
- IDNR risk classification associated with open claims
- Total reserve figures
- Summary of budgets approved during the reporting period
- Breakdown of categories of claim payment expenditures during the reporting period

Some information in the attached table is obtained from the Iowa Department of Natural Resources (DNR), but the report numbers deal with UST Fund claims and therefore do not include all DNR reported releases since not all meet the eligibility criteria of Iowa Code Section 455G.

If you have any questions regarding the enclosed report or other issues associated the UST Fund, please call the UST Fund Administrator's office at (515) 725-8450 or contact the Administrator at USTFUND@dnr.iowa.gov

UST Fund Program Status Areas 1Q - FY2023 (September 30, 2022)

1. Financial Balances

	09/30/2022	06/30/2022	06/30/2021	06/30/2020	06/30/2019
Revenue Fund	\$2,212,090	\$2,209,487	\$3,951,754	\$5,432,811	\$5,328,873
Unassigned Revenue Fund	\$1,629,933	\$1,717,002	\$1,585,786	\$2,539,840	\$3,382,142
Remedial Fund	\$2,312,233	\$2,617,039	\$2,707,740	\$2,546,803	\$4,043,862
Marketability Fund	\$288,233	\$283,257	\$278,250	\$268,937	\$210,079
Innocent Landowner Fund	\$2,442,256	\$2,473,343	\$2,571,254	\$2,498,227	\$2,913,651
Loan Guarantee Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Reserve Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Fund Balances	↓\$8,885,884	↓\$9,300,128	↓\$11,094,764	↓\$13,286,618	↓\$15,878,605

Previous Transfers
 FY2009--\$4.9 million
 FY2011--\$26.4 million
 FY2012--\$3 million

Claims Paid
 \$2.2 million FY 2020
 \$1.7 million FY 2021
 \$1.3 million FY 2022

2. Operational

Changes

- Program administration managed under 28E agreement by the Iowa Department of Natural Resources
- Program funding ceased 12/31/2016 (2016 legislation, HF2464).
- Transfer of 199 liability claims completed 10/2017 with payment of \$13.1M
- Focus on mission to complete action on remaining liability claims prior to ceasing operations.
- Coordinate with Department of Natural Resources to address liabilities on all remaining claims

Expected Results

- Retirement of program liabilities and reduction of future liabilities.
- Reduction of fund balance and number of Program claims.

3. Results - Iowa DNR LUST Sites / Risk Classifications in relation to Open UST Fund claims

Iowa DNR / Iowa UST Site Data (09/30/2022)	DNR LUST Sites	Remedial CRP/NFA claims	Retroactive claims	Innocent Landowner Fund Claims	Total UST Fund Claims
Total Active LUST Sites / Fund Claims	329	42	1	16	59
Sites "Not Classified"	55	5	0	0	5
Low Risk sites	71	5	0	2	7
High Risk sites	181	26	1	11	38
No Action with free product sites	22	2	0	2	4
No Action Required or other sites	6,506	5	0	0	5

4. Results - UST Fund Open Claims / Liabilities

	Liabilities (09/30/2022)	September 2022	June 2022	June 2021	June 2020	June 2019
Retroactive Claims	\$ 0.16 million	1	1	1	2	3
Remedial/CRP/ NFA Claims	\$ 2.10 million	42	43	48	50	68
Innocent Landowner Fund Claims	\$ 2.27 million	16	15	21	23	32
Total*	\$ 4.57 million	59	62	70	75	104
Claim Liabilities *		\$4.57M	\$3.60M	\$4.09M	\$5.05M	\$5.83M

*does not include special project claims or tank closure claims

IOWA UST FUND
ACTIVITIES REPORT
MONTH ENDING
SEPTEMBER 30, 2022

Claims	Open Claims		Open Claims	Open & Closed
	August Ending	Monthly Changes	September Ending	Totals since
RETROACTIVE				
number	1	0	1	447
reserve	\$ 164,985.93	\$0.00	\$ 164,985.93	\$ 164,985.93
paid	\$ 735,014.07	\$0.00	\$ 735,014.07	\$ 18,454,640.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
REMEDIAL				
number	23	0	23	4,464
reserve	\$ 1,489,102.85	\$0.00	\$ 1,489,102.85	\$ 1,489,102.85
paid	\$ 7,122,918.30	\$0.00	\$ 7,122,918.30	\$ 224,267,477.64
total	\$8,612,021.15	\$0.00	\$8,612,021.15	\$225,756,580.49
INNOCENT LANDOWNER				
number	16	0	16	1,161
reserve	\$ 2,277,747.26	(\$3,704.00)	\$ 2,274,043.26	\$ 2,274,043.26
paid	\$ 2,257,852.74	\$3,704.00	\$ 2,261,556.74	\$ 36,877,438.93
total	\$4,535,600.00	\$0.00	\$4,535,600.00	\$39,151,482.19
GLOBAL OPT-IN				
number	5	0	5	1,313
reserve	\$ 27,961.17	\$0.00	\$ 27,961.17	\$ 27,961.17
paid	\$ 42,038.83	\$0.00	\$ 42,038.83	\$ 9,992,496.44
total	\$70,000.00	\$0.00	\$70,000.00	\$10,020,457.61
UNASSIGNED REVENUE FUND PROJECTS				
number	24	0	24	410
reserve	\$ 571,918.47	(\$19,063.50)	\$ 552,854.97	\$ 552,854.97
paid	\$ 419,581.53	\$19,063.50	\$ 438,645.03	\$ 4,817,782.93
total	\$991,500.00	\$0.00	\$991,500.00	\$5,370,637.90
NFA RE-EVALUATIONS				
number	19	0	19	106
reserve	\$ 635,704.22	(\$20,696.25)	\$ 615,007.97	\$ 615,007.97
paid	\$ 409,295.78	\$20,696.25	\$ 429,992.03	\$ 2,697,837.66
total	\$1,045,000.00	\$0.00	\$1,045,000.00	\$3,312,845.63
TANK CLOSURE				
number	27	0	27	879
reserve	\$369,590.37	(\$39,498.00)	\$330,092.37	\$330,092.37
paid	\$12,773.63	\$0.00	\$12,773.63	\$ 10,555,951.06
total	\$382,364.00	(\$39,498.00)	\$342,866.00	\$10,886,043.43

Total Claims	(RT, RM, ILO, NFA)	59	(USTCA, TX)	51
Reserves	(RT, RM, ILO, GS, NFA)	\$ 4,571,101.18		\$ 882,947.34
Total Reserves	(all claim types)	\$ 5,454,048.52		

Operator			
A/B (all)	3,928	A/B (FY2011-22)	\$386,820

RT	#
New	0
Reopene	0
Closed	0

RM	#
New	0
Reopene	0
Closed	0

ILO	#
New	0
Reopene	0
Closed	0

GS	#
New	0
Reopene	0
Closed	0

USTCA	#
New	0
Reopene	0
Closed	0

NFA Re-	#
New	0
Reopene	0
Closed	0

Tank Pull	#
New	7
Reopene	0
Closed	7

DNR 09-30-2022	
Total	6835
High Risk	181
Low Risk	71
NAR-FP	22
Not	55
Open	329

Invoice Type	September '22	FYTD	Program to Date
Appropriations	\$ 7,617.25	\$ 29,514.33	
Government.	\$ -	\$ 24,580.35	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 105,000.00	\$ 328,500.00	\$ 10,835,921.21
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ 11,875.00	\$ 24,203.54	\$ 53,050,959.82
Expenses / OT	\$ 2,200.00	\$ 5,300.00	\$ 387,119.65
Free Prod Recover	\$ 3,054.00	\$ 15,147.66	\$ 12,959,065.05
Monitoring	\$ 7,838.50	\$ 44,140.57	\$ 35,608,672.02
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 37,410,813.51
Water Lines	\$ -	\$ -	\$ 3,635,317.80
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 20,696.25	\$ 31,803.23	\$ 27,919,104.10
Remed Imp/Const.	\$ -	\$ -	\$ 32,655,420.50
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ 2,078.50	\$ 1,468,570.57
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ -	\$ 3,144.00	\$ 4,603,799.21
Total Invoice Types	\$ 150,663.75	\$ 454,317.50	\$ 318,880,310.32

Remediation Budgets Approved to Date			
Last month (Sept'22)	1	\$105,655	
Trailing 12 mos	1	\$105,655	
Prev Trail 12 mos	1	\$80,547	
Total Since Jan 2003	1,280	\$57,591,343	

Project Contracts	Open	Closed	Pending
CRP's	0	45	0
Tank Closure	1	8	0
Plastic Water Line	0	2	0

	CY 2022	CY 2021	CY 2020
New LUST Sites	22	26	34
Closed (NAR) Sites	31	67	74