



# IOWA UNDERGROUND STORAGE TANK FUND

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May 3, 2023

## **MEMORANDUM**

TO: Legislative Council and Legislative Services Agency

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

RE: Fiscal Year 2023, 3rd Quarter Report on the Iowa Comprehensive Petroleum Underground Storage Tank Fund Program

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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 3<sup>rd</sup> 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) 829-2770 or contact the Administrator at [USTFUND@dnr.iowa.gov](mailto:USTFUND@dnr.iowa.gov)

## UST Fund Program Status Areas 3Q - FY2023 (March 31, 2023)

### 1. Financial Balances

	03/31/2023	06/30/2022	06/30/2021	06/30/2020	06/30/2019
Revenue Fund	\$2,241,909	\$2,209,487	\$3,951,754	\$5,432,811	\$5,328,873
Unassigned Revenue Fund	\$1,301,528	\$1,717,002	\$1,585,786	\$2,539,840	\$3,382,142
Remedial Fund	\$1,675,606	\$2,617,039	\$2,707,740	\$2,546,803	\$4,043,862
Marketability Fund	\$322,410	\$283,257	\$278,250	\$268,937	\$210,079
Innocent Landowner Fund	\$1,972,901	\$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-
<b>Total Fund Balances</b>	<b>\$7,514,354</b>	<b>↓\$9,300,128</b>	<b>↓\$11,094,764</b>	<b>↓\$13,286,618</b>	<b>↓\$15,878,605</b>

### 2. Operational

#### Changes

- Since 2020, program administration managed under 28E agreement by the Iowa Department of Natural Resources
- Program funding ceased 12/31/2016 (2016 legislation, HF2464).
- 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 (03/31/2023)	DNR LUST Sites	Remedial CRP/NFA claims	Retroactive claims	Innocent Landowner Fund Claims	Open UST Fund Claims
Total Active LUST Sites / Fund Claims	322	40	1	14	55
Sites "Not Classified"	61	4	0	0	4
Low Risk sites	76	8	0	1	9
High Risk sites	165	23	1	11	35
No Action with free product sites	21	2	0	2	4
No Action Required or other sites	6,532	2	0	1	3

### 4. Results - UST Fund Open Claims / Liabilities

	Liabilities 03/31/2023	March 2023	June 2022	June 2021	June 2020	June 2019
Retroactive Claims	\$ 0.16 million	1	1	1	2	3
Remedial/CRP/ NFA Claims	\$ 2.18 million	40	43	48	50	68
Innocent Landowner Fund Claims	\$ 1.39 million	14	15	21	23	32
Total*	\$ 4.18 million	55	62	70	75	104
Claim Liabilities *		\$4.18M	\$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  
MARCH 31, 2023

Claims	Open Claims February Ending	Open Claims Monthly	Open Claims March Ending	Open & Closed Totals since
<b>RETROACTIVE</b>				
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
<b>REMEDIAL (RM)</b>				
number	22	0	22	4,464
reserve	\$ 1,591,922.95	(\$40,000.00)	\$ 1,551,922.95	\$ 1,551,922.95
paid	\$ 7,099,281.35	\$0.00	\$ 7,099,281.35	\$ 224,289,657.54
total	\$8,691,204.30	(\$40,000.00)	\$8,651,204.30	\$225,841,580.49
<b>INNOCENT LANDOWNER (ILO)</b>				
number	14	0	14	1,161
reserve	\$ 1,388,935.52	\$0.00	\$ 1,388,935.52	\$ 1,396,385.52
paid	\$ 2,471,664.48	\$0.00	\$ 2,471,664.48	\$ 37,395,316.21
total	\$3,860,600.00	\$0.00	\$3,860,600.00	\$38,791,701.73
<b>GLOBAL OPT-IN</b>				
number	4	0	4	1,313
reserve	\$ 19,035.19	\$0.00	\$ 19,035.19	\$ 19,035.19
paid	\$ 36,964.81	\$0.00	\$ 36,964.81	\$ 9,993,089.54
total	\$56,000.00	\$0.00	\$56,000.00	\$10,012,124.73
<b>UNASSIGNED REVENUE FUND PROJECTS</b>				
number	24	0	24	411
reserve	\$ 550,986.68	(\$3,862.50)	\$ 547,124.18	\$ 547,124.18
paid	\$ 599,013.32	\$3,862.50	\$ 602,875.82	\$ 4,993,038.72
total	\$1,150,000.00	\$0.00	\$1,150,000.00	\$5,540,162.90
<b>NFA RE-EVALUATIONS</b>				
number	18	0	18	109
reserve	\$ 666,153.30	(\$36,926.87)	\$ 629,226.43	\$ 629,226.43
paid	\$ 393,846.70	\$36,926.87	\$ 430,773.57	\$ 2,849,271.64
total	\$1,060,000.00	\$0.00	\$1,060,000.00	\$3,478,498.07
<b>TANK CLOSURE (TX)</b>				
number	26	(1)	25	907
reserve	\$279,058.00	\$27,449.00	\$306,507.00	\$306,507.00
paid	\$12,450.00	(\$12,450.00)	\$0.00	\$ 10,923,684.38
total	\$291,508.00	\$14,999.00	\$306,507.00	\$11,230,191.38

Total Claims	(RT, RM, ILO, NFA)	55	(USTCA, TX)	49
Reserves		\$ 3,754,106.02		\$ 853,631.18
Total Reserves	(all claim types)	\$ 4,607,737.20		

Operator Training			
A/B (all)	3,943	A/B (FY2011-22)	\$391,120

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

TX	#
New	5
Reopene	0
Closed	4

DNR 03-31-2023	
Total	6852
High Risk	167
Low Risk	78
NAR-FP	19
Not	60
Open	324

Invoice Type	March '23	FYTD	Program to Date
Appropriations	\$ 17,752.30	\$ 154,153.14	
Government	\$ 3,768.18	\$ 82,352.53	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 31,050.00	\$ 696,233.32	\$ 11,203,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ -	\$ 24,953.54	\$ 53,051,709.82
Expenses / OT	\$ 3,400.00	\$ 13,000.00	\$ 394,819.65
Free Prod Recover	\$ -	\$ 35,151.66	\$ 12,979,069.05
Monitoring	\$ 7,727.62	\$ 135,710.49	\$ 35,700,241.94
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ 625,327.35	\$ 38,036,140.86
Water Lines	\$ -	\$ 53,505.78	\$ 3,688,823.58
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 33,061.75	\$ 96,971.23	\$ 27,984,272.10
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	\$ -	\$ 13,093.50	\$ 1,479,585.57
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ -	\$ 3,144.00	\$ 4,603,799.21
Total Invoice Types	\$ 75,239.37	\$ 1,697,090.87	\$ 320,123,083.69

Remediation Budgets Approved to Date			
Last month (March)	0	\$0	
Trailing 12 mos	4	\$797,285	
Prev Trail 12 mos	1	\$80,547	
Total Since Jan 2003	1,281	\$58,282,984	

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

	CY 2023	CY 2022	CY 2021
New LUST Sites	4	36	26
Closed (NAR) Sites	14	42	67