



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

January 24, 2024

MEMORANDUM

TO: Legislative Council and Legislative Services Agency

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

RE: Fiscal Year 2024, 2nd 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 2nd quarter of Fiscal Year 2024.

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 as not all meet the eligibility criteria of Iowa Code 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

UST Fund Program Status Areas 2Q - FY2024 (December 31, 2023)

1. Financial Balances

	12/31/2023	06/30/2023	06/30/2022	06/30/2021	06/30/2020
Revenue Fund	\$1,90,633	\$1,262,265	\$2,209,487	\$3,951,754	\$5,432,873
Unassigned Revenue Fund	\$876,761	\$1,015,943	\$1,717,002	\$1,585,786	2,539,840
Remedial Fund	\$1,901,666	\$2,376,689	\$2,617,039	\$2,707,740	2,546,803
Marketability Fund	\$394,003	\$343,276	\$283,257	\$278,520	\$268,937
Innocent Landowner Fund	\$1,858,874	\$1,949,535	\$2,473,343	\$2,571,254	\$2,498,227
Total Fund Balances	\$6,321,938	\$6,947,708	\$9,300,128	\$11,094,764	\$13,286.618

2. Operational

Changes

- 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, number of program claims, and number of open leaking underground storage tank sites.

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

Iowa DNR / Iowa UST Site Data	DNR LUST Sites	Remedial CRP/NFA claims	Retroactive claims	Innocent Landowner Fund Claims	Open UST Fund Claims
Total Active LUST Sites / Fund Claims	294	36	1	10	47
Sites "Not Classified"	58	3	0	0	3
Low Risk sites	57	5	0	0	5
High Risk sites	157	22	1	8	31
No Action with free product sites	22	3	0	2	5
No Action Required or other sites	6,580	3	0	0	3

4. Results - UST Fund Open Claims / Liabilities

	Liabilities December 2023	December 2023	June 2023	June 2022	June 2021	June 2020
Retroactive Claims	\$ 0.16 million	1	1	1	1	2
Remedial/CRP/ NFA Claims	\$ 1.65 million	36	40	43	48	50
Innocent Landowner Fund Claims	\$ 0.91 million	10	14	15	21	23
Total*	\$ 2.72 million	47	55	62	70	75
Claim Liabilities *		\$2.72M	\$3.69M	\$3.60M	\$4.09M	\$5.05M

*does not include special project claims or tank closure claims

IOWA UST FUND
ACTIVITIES REPORT
MONTH ENDING
DECEMBER 31, 2023

Claims	Open Claims Nov '23 Ending	Monthly Changes	Open Claims Dec '23 Ending	Open & Closed Totals since
RETROACTIVE				
number	1	0	1	447
reserve	\$ 161,030.93	\$0.00	\$ 161,030.93	\$ 161,030.93
paid	\$ 738,969.07	\$0.00	\$ 738,969.07	\$ 18,458,595.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
REMEDIAL (RM)				
number	19	(1)	18	4,464
reserve	\$ 1,222,507.80	(\$52,663.83)	\$ 1,169,843.97	\$ 1,169,843.97
paid	\$ 6,877,725.87	(\$127,336.17)	\$ 6,750,389.70	\$ 224,383,430.60
total	\$8,100,233.67	(\$180,000.00)	\$7,920,233.67	\$225,553,274.57
INNOCENT LANDOWNER (ILO)				
number	11	(1)	10	1,161
reserve	\$ 890,459.04	(\$10,635.55)	\$ 879,823.49	\$ 879,823.49
paid	\$ 2,430,140.96	(\$299,364.45)	\$ 2,130,776.51	\$ 37,517,618.38
total	\$3,320,600.00	(\$310,000.00)	\$3,010,600.00	\$38,397,441.87
GLOBAL OPT-IN				
number	5	0	5	1,314
reserve	\$ 27,680.14	\$0.00	\$ 27,680.14	\$ 27,680.14
paid	\$ 42,319.86	\$0.00	\$ 42,319.86	\$ 9,998,444.59
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,124.73
UNASSIGNED REVENUE FUND PROJECTS				
number	17	(1)	16	413
reserve	\$ 286,982.89	(\$4,263.20)	\$ 282,719.69	\$ 282,719.69
paid	\$ 532,212.11	(\$9,736.80)	\$ 522,475.31	\$ 5,069,710.87
total	\$819,195.00	(\$14,000.00)	\$805,195.00	\$5,352,430.56
NFA RE-EVALUATIONS				
number	18	0	18	111
reserve	\$ 477,378.05	(\$412.50)	\$ 476,965.55	\$ 476,965.55
paid	\$ 450,121.95	\$412.50	\$ 450,534.45	\$ 2,932,113.37
total	\$927,500.00	\$0.00	\$927,500.00	\$3,409,078.92
TANK CLOSURE (TX)				
number	21	(5)	16	947
reserve	\$268,402.00	(\$104,998.00)	\$163,404.00	\$163,404.00
paid	\$12,800.00	\$0.00	\$12,800.00	\$ 11,636,105.73
total	\$281,202.00	(\$104,998.00)	\$176,204.00	\$11,799,509.73

Total Claims	(RT, RM, ILO, NFA)	47	(USTCA, TX)	32
Reserves	(RT, RM, ILO, GS, NFA)	\$ 2,715,344.08		\$ 446,123.69
Total Reserves	(all claim types)	\$ 3,161,467.77		

Operator Training			
A/B (all)	4,068	A/B (FY2011-24)	\$404,920

RT Claims	#
New	0
Reopened	0
Closed	0

RM Claims	#
New	0
Reopened	0
Closed	1

ILO Claims	#
New	0
Reopened	0
Closed	1

GS Claims	#
New	0
Reopened	0
Closed	0

USTCA	#
New	0
Reopened	0
Closed	1

NFA Re-	#
New	0
Reopened	0
Closed	0

TX claims	#
New	5
Reopened	0
Closed	11

DNR 12-31-2023	
Total	6871
High Risk	159
Low Risk	57
NAR-FP	21
Not Class.	60
Open LUST	297

Invoice Type	Dec '23	FYTD	Program to Date
Appropriations	\$ 45,841.61	\$ 117,772.90	
Government	\$ 3,893.29	\$ 57,323.88	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 139,204.50	\$ 427,421.35	\$ 11,901,075.88
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ 39,435.18	\$ 56,525.53	\$ 53,109,841.35
Expenses / OT	\$ 600.00	\$ 6,800.00	\$ 405,219.65
Free Prod Recover	\$ 1,490.20	\$ 23,645.40	\$ 13,022,369.72
Monitoring	\$ 9,312.75	\$ 69,209.61	\$ 35,814,328.43
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ -	\$ 2,456.69	\$ 3,691,280.27
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ -	\$ 67,894.41	\$ 28,057,166.51
Remed Imp/Const.	\$ -	\$ 54,507.55	\$ 32,709,928.05
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	\$ -	\$ 6,767.09	\$ 1,501,094.26
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ 16,740.00	\$ 26,587.50	\$ 4,636,812.34
Total Invoice Types	\$ 206,782.63	\$ 741,815.13	\$ 321,230,804.20

Remediation Budgets Approved to Date		
Last month Dec '23)	0	\$0
Trailing 12 mos	6	\$103,392
Prev Trail 12 mos	1	\$517,829
Total Since Jan 2003	1,282	\$58,386,966

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	25	36	26
Closed (NAR) Sites	61	42	67