

State Water Resources Control Board

Underground Storage Tank (UST) Cleanup Fund News: Fiscal Year 2016/2017 Annual Site Budgets (as of 3/16/2016)

Fiscal Year (FY) 2016/2017 annual site budgets for Priority A, B, C, and certain D claims have been posted and can be found on the UST Cleanup Fund's website at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/. The FY 2016/2017 annual site budget amounts are similar to those of the previous FY.

The annual site budget is a set-aside of funds for each claim based on an assigned budget category. An annual site budget and budget change request decisions are not a pre-approval of tasks. Only reasonable and necessary corrective action costs are eligible for reimbursement. Eligible costs in amounts greater than the annual site budget will be reimbursed after budgeted costs of all claims.

Annual site budgets are subject to change depending on claim status and site conditions. The UST Cleanup Fund makes changes to budgets based upon several factors, such as:

- Claim maximum. The claim cannot be reimbursed more than the maximum allowable, regardless of the annual site budget. The UST Cleanup Fund staff makes efforts to adjust the annual site budget in anticipation of the maximum, but cannot ensure that the annual site budget does not exceed the maximum because all costs may not have been submitted.
- Change in budget category. The budget categories change when there is a change in the phase of corrective action or the case status in GeoTracker. Changes in phase of corrective action have become more frequent as cases are evaluated against the criteria in the Low Threat Closure Policy and the scope of corrective action may be adjusted to focus on meeting closure criteria that have not yet been met.
- Response to a claimant's Budget Change Request (BCR). A claimant may request a BCR after the annual site budget has been posted and prior to incurring costs. In addition to requests to increase a site budget, UST Cleanup Fund staff also strongly encourages claimants to submit negative BCRs to reduce their annual site budget if funds are not needed. Negative BCRs ensure that unused funds can be assigned to other claims. BCRs for FY 2016/2017 may not be reviewed until after July 1, 2016 due to the UST Cleanup Fund workload. BCR decisions are sent by letter to the claimant with a copy to the consultant and the regulatory agency case worker, and posted on the UST Cleanup Fund's website. (**NOTE:** The UST Cleanup Fund will be

sending out information soon regarding the documents that need to be included with BCR submissions.)

Reminder: If you anticipate or plan installation of a remediation system at your site, it is strongly recommended that you submit a Remediation Information Form (RIF) for UST Cleanup Fund staff review prior to ordering, renting, purchasing or installing the system or its components. Remediation system costs that are not reasonable and necessary will not be reimbursed. Therefore, review by UST Cleanup Fund staff prior to expenditure of costs is strongly recommended. The RIF should be uploaded to GeoTracker through the CUF Documents portal for UST Cleanup Fund staff review.

The UST Cleanup Fund accepts BCRs through the CUF Documents portal in GeoTracker. Instructions on how to upload BCRs and other CUF Documents can be found at:

http://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/fund_gto/cufdocs.pdf.

The BCR and accompanying forms can be found at:

http://www.waterboards.ca.gov/water_issues/programs/ustcf/forms.shtml. (**NOTE:** The UST Cleanup Fund will be sending out information soon regarding the documents that need to be included with BCR submissions.)

IMPORTANT: The UST Cleanup Fund, in conjunction with the Office of Enforcement Fraud, Waste, and Abuse Unit, routinely audits, investigates and, as necessary, prosecutes for fraud, waste, and abuse against the program. Each claimant is responsible for actively monitoring its consultant and thoroughly examining costs in RRs submitted to the UST Cleanup Fund. Claimants should question costs that are not clear or appear inconsistent with activities being conducted at the site. Consultants should use professional judgment and raise issues to their claimants, regulatory agency, and the UST Cleanup Fund. Consultants should also ensure invoices adhere to requirements as stated in Health and Safety Code section 25299.57(b)(2)(C) and Fund Regulations section 2812(d).

All claims are subject to audit at any time. Claimants and their consultants should maintain an accurate record-keeping and financial management system that provides efficient accountability of all reimbursed funds used to clean up the above-mentioned site. Retain records continually for at least three years after final payment from the UST Cleanup Fund. The retention period shall be extended until completion of any audit in progress.

~~~**HELPFUL LINKS**~~~

UST Cleanup Fund Website:

[http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](http://www.waterboards.ca.gov/water_issues/programs/ustcf/)

CUF Documents User Guide:

[http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/docs/fund\\_gto/cufdocs.pdf](http://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/fund_gto/cufdocs.pdf)

~~~**CONTACT US**~~~

If you have any questions, please contact us by email to:

ustcleanupfund@waterboards.ca.gov

Subject Line: "FY 2016/2017 Annual Site Budget"

Email inquiries will be responded to within 48 hours.

Telephone Message Line: 1-800-813-Fund (3863)

Telephone messages will be responded to within 48 hours.