

---

## State Water Resources Control Board

# NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AT STAFF WORKSHOP

## PILOT PROJECT METRICS FOR EFFICIENCY AND EFFECTIVENESS, AND TO FORECAST LONG-TERM DEMAND ON THE UNDERGROUND STORAGE TANK CLEANUP FUND EXPEDITED CLAIM ACCOUNT

### WORKSHOP INFORMATION

Health and Safety Code section 25299.50.7, from Senate Bill 445 (Hill, 2014), established the Expedited Claim Account and directed the State Water Board to establish an Expedited Claim Pilot Project to investigate methods to reduce the overall cost for underground storage tank (UST) site cleanup and the time to complete cleanup (reach closure) by increasing coordination with the regulators, claimants and their consultants, and the UST Cleanup Fund (Fund). Stakeholders participated in the planning and development of the Pilot Project. The Pilot Project began on October 1, 2015 and is currently in progress.

State Water Board staff, in consultation with stakeholders, are required to evaluate the effectiveness and efficiency of the Pilot Project and to develop metrics to forecast long-term demand on the Fund. The results of the evaluation will be included in the Pilot Project Report, due on January 1, 2018.

The following metrics for efficiency and effectiveness of the Pilot Project, and forecast for long-term demand on the Fund are proposed by Fund staff. Fund staff seeks public comment on additions, modifications or elimination of these metrics. **These proposed metrics will be presented and discussed at the workshop on September 28, 2017 at 10:00 am.**

1. **Cost and Schedule Savings:** ECAP staff will compare the scope of work (cost and schedule) that were proposed to achieve closure prior to entering the Pilot Project to the scope of work (cost and schedule) agreed upon by the Joint Execution Team (JET) to achieve closure under the Low-Threat Closure Policy (Policy). Cost and time savings for work not performed will be estimated for each site.

ECAP staff will also compare the status of the site (Policy criteria not met, as indicated on GeoTracker) prior to participation in ECAP, with the status of the site after agreement by the JET on a Project Execution Plan (PEP). The purpose is

to achieve cost and schedule savings by identifying what Policy criteria are in fact met, and what investigation or remediation work remains to satisfy the Policy's closure criteria. Cost and time savings for work not performed will be estimated for each site.

2. **Projections to Closure:** Each PEP lists the annual budget and budget category for the current fiscal year, and the proposed budget and budget category for all subsequent years to closure. ECAP staff will use the data to:
  - i. Calculate minimum, average and maximum costs to closure
  - ii. Calculate minimum, average and maximum time to closure (months)
  - iii. Identify the range of costs associated with each budget category
  - iv. Estimate current and projected annual expenditures
  
3. **Reimbursement Efficiencies:** The JET agrees on the scope of work, estimated costs and schedule presented in the PEP. After the work is completed, a reimbursement request (RR) is submitted that must detail the scope of work performed and identify an agency directive to perform the work. ECAP staff will evaluate the following assumptions:
  - i. Fund staff will spend less time determining whether the work is reasonable or necessary because the ECAP staff assigned to the claim, in agreement with and familiar with the PEP, will review the reimbursement requests (RR) for that claim.
  - ii. Fund staff will process RRs for ECAP sites more quickly relative to non-ECAP RRs.
  - iii. Fund staff will find few RRs for ECAP sites with ineligible, unnecessary, or unreasonable costs.

#### Proposed Metrics to Forecast Long-Term Demand on the Fund

The following metrics are proposed to forecast a long-term demand on the Fund:

- A. **Annual budget and budget category:** Each PEP lists the annual budget and budget category for the current fiscal year and the proposed budget and budget category for subsequent years to closure. These data can be used to forecast anticipated annual expenditure from the Expedited Claim Account. The PEP data will be used to determine when sites are anticipated to reach closure, at which point reimbursement will stop and funds will be made available for other sites.
  
- B. **Average cost savings:** Based on the average cost saving for each ECAP site, ECAP staff will project those savings for all active Fund claims to determine a potential Fund savings if all sites entered the ECAP process.
  
- C. **Number of Closed ECAP Cases:** Based on the number of closed cases, ECAP staff will project an average annual cost savings based on all active Fund claims to determine a potential Fund savings.