

Funding for Cleanup



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Center for Creative
Land Recycling - 2016

Funding Programs

Petroleum UST Funding Programs:

- ◆ Fund Claim: A claim with the UST Cleanup Fund by an eligible owner or operator of an eligible UST.
- ◆ OSCF: A grant from the Orphan Site Cleanup Fund to a party that did not cause the release.

Groundwater Quality Funding Programs:

- ◆ SCAP: A grant from the Site Cleanup Subaccount.
- ◆ Prop 1 GWS: Proposition 1 Groundwater Sustainability Program

UST-Only Funding



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Clean up of Petroleum Unauthorized Release

- ◆ Upon UST removal, if a release has occurred, the UST owner or operator is required to file an Unauthorized Release Form.
- ◆ The regulatory agency (Regional Water Quality Control Board or a certified Local Oversight Program (LOP) agency) may issue directives to the responsible party(ies) to undertake corrective action.

Timeframe: Petroleum UST Corrective Action

- ◆ Completing corrective action is a lengthy process. The average regulatory case is open 17 years.
- ◆ Average time to cleanup newly discovered cases is expected to be shorter.

Timeframe: Funds

- ◆ Applying for and being determined eligible for funding is lengthy process. Determination of eligibility for funding ranges from 2 months to several years, depending on the information the applicant provides.
- ◆ Receiving reimbursement for eligible corrective action costs is a lengthy process. If determined eligible, based on the size of the business and availability of funds, reimbursement could begin 6 months to several years after corrective action costs are incurred.

Timeframe: Funds

- 💧 The UST Cleanup Fund will reimburse eligible corrective action costs incurred at eligible sites if funding is available.
- 💧 **The UST Cleanup Fund sunsets on January 1, 2026.**
- 💧 There is no guarantee that site cleanup will be completed by the Fund sunset date.
- 💧 There is no guarantee that costs will be reimbursed by the Fund sunset date.
- 💧 **DON'T DELAY! Ten years may seem like a long time, BUT it is a very short time in the world of cleaning up UST releases and reimbursing costs incurred for corrective action.**

Funds May Be Available

- ◆ Funds may be available to eligible persons with eligible sites for investigation and cleanup of petroleum USTs that have had an unauthorized release.
- ◆ All funds available through the UST Cleanup Fund and its subaccounts have specific eligibility requirements.

Fund Claim



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Fund Claim

- ◆ California's UST Cleanup Fund was created in 1989 to help ensure a cleanup program that protects human health, safety, and the environment and to provide petroleum UST owners and operators a means to meet the federal financial responsibility requirements.
- ◆ Eligible claimants can apply and be reimbursed for corrective action costs incurred to cleanup contaminated soil and groundwater.

Fund Claim: Eligibility

Applicant:

- ◆ Current or past owner/operator of the petroleum UST
- ◆ Unauthorized release of petroleum
- ◆ Directed by local regulatory agency
- ◆ Permit compliance maintained
- ◆ Board of Equalization fees paid
- ◆ Incur and pay corrective action costs

Fund Claim: Priority Classes

- 💧 A – Residential
- 💧 B – Small Business (<or= 100 employees & three-year average Gross Annual Receipts <or=\$14 million)
- 💧 C – Larger Small Business (less than 500 employees)
- 💧 D – Large Business and all others

Fund Claim: Process

- ◆ Applicant must have been directed to cleanup site by regulatory agency.
- ◆ Applicant submits complete claim application.
- ◆ Claim is reviewed for eligibility.
 - ◆ Significant documentation is required to determine eligibility.
 - ◆ Common delays are due to incomplete applications and additional reviews due to special claim conditions.

Fund Claim: Process – cont'd

- ◆ Eligible claims are accepted and assigned to a Priority Class and placed on the Priority List. The Priority Class is based on ability to pay criteria set in law.
- ◆ Water Board issues Claimant a Letter of Commitment (LOC).
- ◆ If corrective action work has not been completed and the regulatory case is still open, the Claim is assigned a budget. Regional Water Board, Fund staff, Claimant/their contractor coordinate on Scope of Work, Budget, Schedule document in Project Execution Plan (PEP).

Fund Claim: Process – cont'd

- Corrective action work completed.
- Work documented in GeoTracker by Claimant/their consultant.
- Claimant submits Reimbursement Requests (RR). RR can be submitted electronically via GeoTracker - **Preferred.**
- Staff review RR to determine if costs were reasonable and necessary.
- Claimant reimbursed reasonable and necessary costs.

Fund Claim: Web Information

General Information: http://www.waterboards.ca.gov/water_issues/programs/ustcf

Stay Informed: Sign up for the Fund electronic mailing list: http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

Email: ustcleanupfund@waterboards.ca.gov

Phone: 1-800-813-Fund (3863)

To Apply: See Eligibility tab at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/#

Claim applications can be submitted either electronically on GeoTracker or hard copy.

Orphan Site Cleanup Fund

OSCF



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

OSCF

- 💧 Assessment Grants
- 💧 Cleanup Grants
- 💧 Maximum: \$1 million (Project)
- 💧 \$8.5 million currently available for grant funding

OSCF: Eligibility

Program: Available for any entity type, except for State and Federal.

Applicant:

- ◆ Not eligible for UST Cleanup Fund.
- ◆ Did not cause or contribute to release.
- ◆ Not affiliated with any person who caused or contributed to release.
- ◆ Owns or has access to the property.

Project:

- ◆ Principal source of contamination is from an on-site petroleum UST.
- ◆ No financially viable responsible party has been identified to pay for the cleanup costs.

OSCF: Process

- ◆ Staff Reviews Grant Application.
- ◆ Scope of Work, Budget, and Schedule are Negotiated among Regional Water Board, Fund staff, Grantee/their contractor. Documented in Project Execution Plan.
- ◆ Grant is executed.
- ◆ Response work completed and documented in GeoTracker by Grantee/their contractor.
- ◆ Grantee is reimbursed reasonable and necessary costs under grant terms.

OSCF: Web Information

OSCF Information and Application:

http://www.waterboards.ca.gov/water_issues/programs/ustcf/oscf.shtml

Stay Informed: Sign up for the OSCF electronic mailing list:
SB1161 (Orphan Site Cleanup Fund):

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

Email: ustcleanupfund@waterboards.ca.gov

Phone: 1-800-813-Fund (3863)

Groundwater Quality Funding



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Site Cleanup Subaccount

SCAP



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

SCAP

- ◆ Remediate the harm or threat of harm to human health, safety, or the environment caused by existing or threatened surface or groundwater contamination.
- ◆ Any man-made contaminant
- ◆ Grants
- ◆ \$18 million currently available for project funding.

SCAP: Eligibility

Project:

- ◆ Source of surface or groundwater contamination is from human-made contaminants.
- ◆ Regulatory agency has issued a directive, unless infeasible.
- ◆ Responsible Party lacks financial resources to implement the project.
- ◆ Applicant has access to the property.

SCAP:

Priorities Based on 5 Considerations

- 💧 Significant threat to human health, safety, or the environment.
- 💧 Disadvantaged or small community impact.
- 💧 Cost and environmental benefit of cleanup.
- 💧 No other funding source(s) available other than SCAP.
- 💧 Other State Water Board considerations.

SCAP: Process

- ◆ Staff Reviews Pre-Application. Requests additional information for completed Final Application.
- ◆ State Water Board adopts SCAP Project List.
- ◆ Scope of Work, Budget, and Schedule are negotiated among Regional Water Board, Fund staff, Grant applicant/their contractor and documented in PEP.
- ◆ Grant is executed.
- ◆ Corrective action work completed and documented in GeoTracker by Grantee/their contractor.
- ◆ Grantee is reimbursed reasonable and necessary costs.

SCAP: Web Information

SCAP Information: http://www.waterboards.ca.gov/water_issues/programs/grants_loans/gw_funding/

Stay Informed: Sign up for *Groundwater Quality Funding* electronic mailing list: http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

Email: gwquality.funding@waterboards.ca.gov *Subject: SCAP*

Phone: (800) 813-FUND (3863)

To Apply: Continuous. Use online Financial Assistance Application Submittal Tool (FAAST) - *Groundwater Quality Funding* tab: <https://faast.waterboards.ca.gov/>

Proposition 1

Groundwater Sustainability

Prop 1 GWS



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Prop 1 GWS:

Proposition 1 Groundwater Sustainability Program (Assembly Bill 1471, Chapter 10)

Eligible Applicants

- ◆ Public Agencies, Tribes, Public Utilities, Non-Profits, Mutual Water Companies

Eligible Projects

- ◆ Prevent or clean up contamination of groundwater that serves or has served as a source of drinking water
- ◆ Any contaminant – natural or man-made

Priorities based on:

- ◆ Threat posed by groundwater contamination to drinking water supply
- ◆ Potential for groundwater contamination to spread/impair
- ◆ Potential of project to enhance local water supply reliability
- ◆ Potential of project to recharge vulnerable, high-use basins
- ◆ Projects with no viable responsible party(ies)

Prop 1 GWS:

Eligibility Requirements in Draft Guidelines

Achieve one or more of the following objectives:

- ◆ Prevent the spread of contamination in an aquifer that serves or has served as a source of drinking water;
- ◆ Accelerate the cleanup of contamination in an aquifer that serves or has served as a source of drinking water;
- ◆ Protect an aquifer that serve as a source of drinking water; or
- ◆ Provide clean drinking water to disadvantaged communities or economically distressed areas.

Prop 1 GWS:

Available Funding in Draft Guidelines - \$800 Million

- ◆ \$160 million set aside for projects benefiting disadvantaged communities and economically distressed areas
 - ◆ At least \$80 million for projects benefiting severely disadvantaged communities
 - ◆ \$10 million set aside for technical assistance
- ◆ Up to \$80 million for planning and monitoring projects that lead to implementation

Match Requirements in Draft Guidelines

- ◆ Match reduction for disadvantaged communities and economically distressed areas based on ability to pay

Prop 1 GWS: Guideline Timeline

- 💧 Draft Guidelines – February 2016
- 💧 Public Workshops – March 2016
- 💧 Board Consideration – May 2016

Groundwater Quality Funding: SCAP & Prop 1 GWS



- Online single point application tool
- Go to <https://faast.waterboards.ca.gov/> to create a user account
- Taking applications now – continuously accepting applications
 - Pre-Application
 - Supplemental Documents request if invited to submit
- FAAST tutorials available: <http://www.waterboards.ca.gov/videos/faast.shtml>
- If your community has a hardship, technical assistance providers may be available to assist with electronic submittal

Groundwater Quality Funding: SCAP & Prop 1 GWS

Further information:

- Website:
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/gw_funding/
- Email: gwquality.funding@waterboards.ca.gov
- Subject Line: SCAP **OR** Prop 1 GWS
- Phone: (800) 813-FUND (3863)