

# 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



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## 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



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## 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](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](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

**Email:** [ustcleanupfund@waterboards.ca.gov](mailto: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/#](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



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## 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](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](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

**Email:** [ustcleanupfund@waterboards.ca.gov](mailto:ustcleanupfund@waterboards.ca.gov)

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# Groundwater Quality Funding



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# Site Cleanup Subaccount

## SCAP



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## 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/](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](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

**Email:** [gwquality.funding@waterboards.ca.gov](mailto: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



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## 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

**FAAST** FINANCIAL ASSISTANCE  
APPLICATION SUBMITTAL TOOL

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