

ARIZONA UNDERGROUND STORAGE TANK POLICY COMMISSION

March 28, 2010

The Honorable Janice K. Brewer
Governor of Arizona
Office of the Governor
1700 West Washington Street
Phoenix, Arizona 85007

Re: 2009 Arizona Underground Storage Tank Policy Commission Annual Report

Dear Governor Brewer:

Pursuant to the reporting requirements of the Arizona Revised Statutes §49-1092, the Arizona Underground Storage Tank Policy Commission (Commission) is submitting the enclosed 2009 Arizona Underground Storage Tank Annual Report to you. The Annual Report contains an evaluation of the Arizona Department of Environmental Quality's Underground Storage Tank Program performance during calendar year 2009.

The Commission has worked to gather information needed to present a comprehensive and objective evaluation of the Underground Storage Tank Program. The availability of funding in FY 2010 and future years to meet the Program's current and ongoing obligations is of particular concern to the Commission as noted in the Annual Report. If you have any comments or questions regarding the Commission's 2009 Annual Report, please contact me or the Commission.

Sincerely,



Gail M. Clement, Chairperson
Underground Storage Tank Policy Commission

cc. Underground Storage Tank Policy Commission

Enclosure

Arizona Underground Storage Tank Policy Commission

2009 Annual Report

I. INTRODUCTION

This report has been prepared to satisfy the requirements of Arizona Revised Statutes (A.R.S.) § 49-1092. The report describes the purpose of the Underground Storage Tank Policy Commission (the Commission), the accomplishments of the Commission for the calendar year 2009, an evaluation of the Arizona Department of Environmental Quality (ADEQ) Underground Storage Tank (UST) Program (the Program) and a strategic plan for calendar year 2010. In addition, this report provides conclusions and recommendations based on the Commission's work.

The ADEQ UST Program is managed by the ADEQ Waste Programs Division and has three main components: 1) UST Notification, Inspections, Compliance, Leak Prevention and Outreach, 2) UST Corrective Actions, and 3) the UST State Assurance Fund (SAF). Outreach is provided to ensure stakeholders have pertinent and timely information.

1. UST Notification, Inspections and Compliance activities comprise the release prevention part of the Program. ADEQ inspectors assess facilities to ensure the USTs are in compliance with the federal and state standards to prevent releases.
2. The UST Corrective Actions portion of the Program is responsible for providing regulatory oversight of investigations and remediation once a release from an underground storage tank (LUST) is reported.
3. The SAF portion of the Program manages the distribution of money collected from a penny-per-gallon excise tax on motor fuel. The SAF was established to provide monetary assistance to eligible owners, operators and volunteers who are attempting to clean up a LUST in compliance with federal and state corrective action requirements.

II. STATEMENT OF PURPOSE

The Commission was established to review and provide recommendations to improve ADEQ's UST Program pursuant to Title 49, Chapter Six of the Arizona Revised Statutes. The Commission is tasked by A.R.S. § 49-1092 with evaluating the overall effectiveness of the UST Program and submitting a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of ADEQ, at least annually. The Commission meets monthly or less frequently, on an as needed basis. The Commission's approved meeting minutes can be found at <http://www.azdeq.gov/environ/waste/ust/commission/index.html>. The Commission consists of the following members who are appointed by the Governor for staggered three-year terms:

1. A representative from a city or town government that owns or operates underground storage tanks.
2. A representative of an environmental organization
3. A representative of the public who has environmental experience.
4. A representative of owners or operators with one hundred or more underground storage tanks in this state.

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5. A representative of owners or operators with at least ten but fewer than one hundred underground storage tanks in this state.
6. A representative of owners or operators with fewer than ten underground storage tanks in this state.
7. A representative of environmental consultants who is qualified by the underground storage tank program.
8. A representative of the public who has experience in finance or insurance matters.
9. An environmental attorney not employed by the state.
10. A representative of the attorney general's office.
11. The director or the director's designee.

A list of the Commission members is attached as **Appendix A**. The Commission has two Subcommittees: an Evaluation Subcommittee and a Technical Subcommittee. The Commission's subcommittees meet monthly or less frequently, on an as needed basis. The Commission has a budget, which is attached as **Appendix B**.

The Arizona Revised Statutes require that the annual report evaluate the overall effectiveness of the UST Program pursuant to A.R.S. § 49-1092, including:

1. The adequacy of protection to human health and the environment.
2. The cost-effectiveness of corrective actions.
3. The appropriate use of assurance account monies.
4. The need for additional assurance account monies or other monies to meet the needs of the program.
5. Evaluation and recommendation of dates to phase out the assurance account and transfer responsibility for corrective action costs to the private insurance industry.
6. Ways to reduce future claims to the assurance account and encourage compliance with new tank standards by lowering claim ceilings and increasing co-payments.

III. SUMMARY OF UST POLICY COMMISSION ACCOMPLISHMENTS FOR 2009

The SAF was a major topic of discussion during 2009, and issues regarding SAF coverage, eligibility and phase out were discussed in detail by the Commission. Senate Bill (SB) 1306 [46th Legislature, Second Regular Session, 2004] was passed and signed in 2004. SB 1306 established June 30, 2006 as the last date that a UST release could be reported and be eligible for SAF funding, and June 30, 2010 as the last date that an application can be filed for reimbursement or direct pay from the SAF for payment of eligible costs. Corrective action costs for UST releases reported after June 30, 2006, are not eligible for SAF funds, and owners and operators are responsible for obtaining an alternative mechanism for compliance with financial responsibility (FR) requirements. The most common alternative FR mechanism is commercial insurance. The availability of commercial insurance to meet UST owner and operator FR requirements did not appear to be a widespread problem during 2009. The availability of

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affordable commercial insurance will continue to be monitored as phase out of the SAF proceeds.

Additionally, due to actual and possible SAF fund transfers to assist with FY 2010 and FY 2011 state budget shortfalls, another significant SAF issue that was discussed was the impacts to the state's UST program by the SAF fund transfers. ADEQ prepared the September 1, 2009 ADEQ report (Underground Storage Tank Assurance Account Liabilities Report) that highlighted potential funding shortfalls, which provided a basis for the Commission's discussion. Discussions focused on the availability of funds to meet the LUST corrective action costs, the department needs and future state commitments.

The Commission and the Technical Subcommittee discussed soil and groundwater investigation and remediation issues, plus closure criteria and risk-based corrective action (RBCA) Tier 2 issues. The topics included: remediation system shutdown conditions, confirmation borings and sampling, remediation system operational performance measures, and remediation system decommissioning, and closure.

On August 8, 2005, the federal Energy Policy Act (Act) was signed into law by the President. This Act contains a number of UST compliance provisions, including requirements for inspections of each UST facility at least once every three years, fuel delivery prohibition for significant non-compliance, secondary containment for new and repaired USTs, and operator training that will ultimately affect UST owners and operators and state programs. House Bill (HB) 2425 was the legislation proposed to provide ADEQ with the statutory authority to implement the federal requirements for delivery prohibition, secondary containment, and operator training. During 2009, the Commission and the Evaluation Subcommittee discussed requirements for implementation of delivery prohibition, including ADEQ enforcement procedures and outreach to the regulated public. The Commission also addressed the status of rulemaking for implementation of operator training requirements.

IV. UST PROGRAM EVALUATION

As described in Section II, the Commission is tasked with writing an annual report that evaluates the overall effectiveness of the UST Program. Arizona Revised Statutes § 49-1092(D)(2) mandate six criteria by which the UST Program could be evaluated. Each of those criteria is addressed separately below. Additionally, a list of ADEQ UST Program accomplishments is included in Subsection B.

A. MANDATE ANALYSIS

MANDATE 1:

THE ADEQUACY OF PROTECTION TO HUMAN HEALTH AND THE ENVIRONMENT

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The Commission is tasked with evaluating the overall effectiveness of the UST Program in meeting this mandate. Some of the activities associated with the mandate include release prevention and corrective action activities such as: 1) inspecting operating and closed facilities for compliance with state and federal requirements, 2) meeting with the parties who are conducting corrective actions, 3) reviewing corrective action reports, 4) conducting state lead corrective actions, 5) conducting site visits and, if necessary, 6) pursuing enforcement. The Program also tracks inspections and corrective action milestones such as site inspections, site characterization, site remediation and site closures.

During Calendar Year 2009, ADEQ conducted 863 facility compliance inspections. As part of the inspection process, ADEQ routinely reviews FR compliance documentation. ADEQ determined that, of the 863 facility inspections conducted from January 1, 2009, through December 31, 2009, 75 percent of the facilities demonstrated compliance with FR requirements at the time of inspections; and, with subsequent ADEQ compliance efforts, 96 percent of those 863 facilities documented compliance with FR requirements.

In Calendar Year 2009, 35 new releases were reported, and 152 releases were closed by ADEQ. Departmental oversight of open release sites is prioritized according to risk. Between the Program's inception and the end of Calendar Year 2009, 8,526 UST releases had been reported to ADEQ, and 7,578 UST release files had been closed, which is 89 percent of the total reported UST releases. Cumulative LUST statistics are provided in **Appendix C**.

MANDATE 2:

THE COST EFFECTIVENESS OF CORRECTIVE ACTIONS

The Commission and the Commission's Technical Subcommittee continued to make recommendations to ADEQ regarding corrective action concerns including, source control, monitored natural attenuation, corrective action plans, remediation system performance, groundwater sampling, corrective action guidance, vapor migration, and closure. Addressing and clarifying these issues will ensure a more consistent approach to corrective actions by identifying, communicating and uniformly applying ADEQ's expectations. A consistent approach to corrective actions and clear ADEQ expectations, in turn, translates to more cost effective corrective actions.

MANDATE 3:

THE APPROPRIATE USE OF STATE ASSURANCE FUND MONIES

SAF monies are used to:

1. Provide coverage for eligible costs;
2. Reimburse the department for the reasonable and necessary costs incurred by the department in administering the corrective action requirements;

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3. Reimburse the department for the reasonable and necessary costs of administering the assurance account up to 5.7 million dollars or 21 percent of the money received by the assurance account in the previous fiscal year, whichever is greater, and
4. Pay for the reasonable and necessary costs incurred by the department in taking State Lead corrective actions.

ADEQ updated the Commission on the status of the SAF at each Commission meeting. In 2009, despite low staffing levels, the SAF program received and reviewed 694 claim applications and processed 692 (99.7 percent) within 90 days of receipt. In addition, a new 2009 Cost Schedule was reviewed by the Commission and implemented by ADEQ. The Commission will continue to review and evaluate the status of SAF claims and will make recommendations based on the ongoing review.

MANDATE 4:

THE NEED FOR ADDITIONAL ASSURANCE ACCOUNT MONIES OR OTHER MONIES TO MEET THE NEEDS OF THE PROGRAM

The need for additional SAF monies was discussed by the Commission in 2009. The Commission was concerned about the impacts of ongoing and potential future legislative transfers from the SAF to address statewide budget shortfalls in FY 2010 and beyond. Additionally, in light of the phase out of SAF eligibility and the establishment of a Regulated Substance Fund by SB 1306 (46th Legislature, 2nd Regular Session, 2004), the Commission will continue to evaluate the need for additional or alternative funding to meet the Program's future obligations. Currently, the statutes establishing the underground storage tank tax and the SAF will be repealed upon the transfer of \$60 million of carry-over funds from the SAF (or from a combination of the SAF and tax revenue) to the Regulated Substance Fund, or December 31, 2013, whichever occurs earlier. The Regulated Substance Fund was established to fund state-lead cleanup of orphan sites and implementation of the Monitored Natural Attenuation (MNA) program. The Commission is concerned that there may be insufficient funds available to the Regulated Substance Fund to cover these remaining state obligations. In the short term, this may begin to affect ADEQ's willingness to close sites with residual groundwater contamination above the state aquifer water quality standards as there may be insufficient funds to later address these sites if conditions under which these sites were closed change. In the long term, lack of funding to deal with contaminated groundwater at orphan sites and MNA sites may limit the availability of groundwater for local water supply. The Commission expressed its concern regarding SAF fund transfers in two letters to the legislature, governor and director, in November 2009 and most recently in January 2010. Specifically, the Commission extending the current penny per gallon excise tax on regulated substances placed into underground storage tanks (A.R.S. § 49-1041(A)), or seek alternative funding mechanisms, in order to ensure that the SAF contains enough money to meet ADEQ's future obligations once the tax stops being collected

In addition, SB 1306 (2004) required ADEQ to submit a report to the Governor, President of the Senate and Speaker of the House by September 1, 2009 regarding the anticipated financial liabilities of the UST assurance account based on applications submitted by June 30, 2009.

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ADEQ prepared and submitted this document to the Governor, President of the Senate, and Speaker of the House of Representatives by the deadline. The Commission reviewed the draft prior to submittal and discussed issues and potential recommendations.

MANDATE 5:

EVALUATION AND RECOMMENDATION OF DATES FOR PHASING OUT THE SAF AND TRANSFER RESPONSIBILITY FOR CORRECTIVE ACTIONS COSTS TO THE PRIVATE INSURANCE INDUSTRY

The phase out of the SAF was established by SB 1306 (46th Legislature, 2nd Regular Session, 2004). June 30, 2006, was the last date that a release could be reported and be eligible for SAF funding, and June 30, 2010 is the last date that an application can be filed for reimbursement or direct pay from the SAF for payment of eligible costs. Due to the economic conditions during 2009, the Commission was particularly concerned about the ability of small business to continue to fund corrective actions if the June 30, 2010 SAF application date was not extended. The Commission will continue to monitor and evaluate the effects on small business of ending SAF applications on June 30, 2010 and the availability of funds to meet the obligations of the SAF and the Regulated Substance Fund as state budgetary shortfalls are anticipated to continue during FY 2011.

MANDATE 6:

METHODS OF REDUCING FUTURE CLAIMS TO THE ASSURANCE ACCOUNT AND ENCOURAGING COMPLIANCE WITH NEW TANK STANDARDS BY LOWERING CLAIM CEILINGS AND INCREASING CO-PAYMENTS

SB 1306 (46th Legislature, 2nd Regular Session, 2004) phased out eligibility of new releases and thereby future claims to the SAF after June 30, 2006. Preventing new UST releases, however, is the most effective way of reducing the cost of corrective actions in the future. The UST Program conducts inspections to verify whether the facilities are in compliance with federal and state laws governing spill and overfill protection and corrosion protection, as well as release detection and reporting requirements. The purpose for conducting operational inspections is to ensure that UST owner and operators are complying with requirements designed to mitigate or prevent underground storage tank releases. The Program inspects facilities with open UST systems at least once every three years.

B. LIST OF ADEQ UST PROGRAM ACCOMPLISHMENTS

One of the ways that the Commission evaluates the UST Program's successes is to track ADEQ's progress throughout the year. **Appendix C** contains several charts summarizing the productivity of the Program. In addition to the progress described in other sections of this report, the following is a list of ADEQ UST Program accomplishments 2009:

1) Outreach: ADEQ continued to provide information both internally and externally on Program updates, legislation, UST-related information and financial assurance. The ADEQ website,

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emails, guidance documents, newsletters, postcard announcements, conferences, brochures, local newspapers and the inspectors are used to disseminate Program information. Other activities included:

- ADEQ's website (<http://www.azdeq.gov/>) contains comprehensive program information, including UST and LUST data, SAF and other outreach information. Although the UST Program was merged within the Waste Programs Division in October 2009, the UST Program's information on ADEQ's website was continuously updated during 2009 to provide timely information to UST owners and operators and other interested parties. Additionally, information on UST Policy Commission and Subcommittees scheduled meetings, agendas, approved meeting minutes, and associated documents were posted online at: <http://www.azdeq.gov/environ/waste/ust/commission/index.html>.
- On November 12, 2009, the UST Program conducted a workshop to provide assistance and guidance to stakeholders on Risk-Based Tiers for LUST sites.
- ADEQ developed and implemented a "Meet and Greet" outreach program for UST regulated customers. This program provides personalized UST and LUST information and assistance to owners, operators and property owners, particularly those who are new to the ADEQ regulatory requirements for leak prevention or corrective actions.

2) Municipal Tank Closure and Corrective Action Program: As of the end of 2009, 41 cities and towns participated in the program, and 190 abandoned USTs were removed by ADEQ.

3) Oversight of Leaking Underground Storage Tank (LUST) Corrective Actions: The number of LUST cases fell below 1,000 and reached 948 by the end of 2009. Cumulatively, 8,526 UST releases had been reported, and 7,578 LUST case files had been closed, (i.e. 89 percent of reported LUSTs) by the end of 2009. In 2009, 35 new LUST cases were reported, and 152 LUST cases were closed. Cumulative LUST statistics are provided in **Appendix C**.

4) State-Lead LUST Sites: During 2009, the State Lead Program investigated six facilities with LUSTs, remediated 18 LUSTs, conducted monitored natural attenuation on nine, and closed eight LUSTs.

5) American Recovery and Reinvestment Act of 2009 (ARRA): On July 15, 2009, U.S. EPA awarded ADEQ \$3.219 million ARRA/LUST Trust Grant funds (i.e. "Stimulus" monies). Subsequently, ADEQ prepared and sent out task assignments for corrective actions at 23 LUST sites. The majority of these sites have "orphan" USTs and are located in rural areas.

During 2009, ADEQ has entered contracts with 11 private contract firms to clean up petroleum contamination at the 23 LUST sites. The sites are located primarily in rural parts of Arizona, including old gasoline service stations or other businesses in Prescott, Holbrook, Parker, Willcox, Dewey-Humboldt, Coolidge, Safford, Winslow, Globe, Williams, Wellton, and Somerton, the communities of Clay Springs, Greer, Sonoita and Truxton, and a school in Yuma.

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At the end of 2009, ADEQ had obligated over \$2.4 million and expended \$434,794 of the federal ARRA/LUST Trust Grant award funds. The monies have resulted in eight direct site assessments initiated, six direct site assessments completed, 16 direct cleanups initiated, and three direct cleanups completed.

6) School Assistance Initiative (SAI): The School Assistance Initiative was developed to provide compliance assistance to schools with USTs and/or LUSTs. During 2007, ADEQ set up on-site meetings and training sessions with appropriate school personnel at the 47 schools with open USTs and the 18 schools with open LUSTs. The focus of the training was to help the responsible individuals understand how to operate and maintain their UST systems for compliance with regulatory requirements and best management practices to maximize release prevention and to help schools initiate corrective action investigations, implement cleanup activities, and coordinate closure of their LUSTs. Since its inception, the SAI has been instrumental in addressing and closing the LUSTs at 14 of the original 18 schools with open LUSTs. The remaining four sites now have active remediation in process or have been assigned a remediation task for cleanup.

7) Route 66 Initiative: ADEQ continued to communicate with UST stakeholders (UST owners, operators, volunteers, consultants and local officials) in the cities along the former Route 66, which includes the cities of Holbrook, Winslow and Kingman to assist them in expediting corrective actions. Since its inception in late 2004, the Route 66 Initiative has been instrumental in closing 42 (44 percent) of the original 96 LUST sites that were open. In the Holbrook-Winslow area, 21 LUST sites have been closed out of the original 47 sites.

8) SAF: The SAF program received and reviewed 694 claim applications and processed 692 (99.7 percent) within 90 days of receipt. A new 2009 Cost Schedule was reviewed by the Commission and implemented by ADEQ.

Additionally, as required by SB 1306 (46th Legislature, 2nd Regular Session, 2004), ADEQ prepared and submitted a September 1, 2009 report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the anticipated financial liability of the SAF based on applications for payment submitted to ADEQ by June 30, 2009. The report is located on ADEQ's website: <http://www.azdeq.gov/enviro/waste/download/liabilities.pdf>.

9) Customer Satisfaction Surveys: ADEQ surveys all customers regarding the services that the UST Program provides, including inspections, public file reviews, and conferences. During 2009, the UST Program distributed 1,023 customer satisfaction surveys. Out of 276 respondent surveys returned to ADEQ, 275 (99.6 percent) expressed "overall satisfaction" with the UST Program's services.

10) UST Compliance Act of the Energy Policy Act of 2005: Federal UST requirements of the Energy Policy Act of 2005 were signed into law by President Bush in August 2005. ADEQ worked with the regulated public, the Commission and legislators to develop consensus language in HB 2425 for ADEQ to obtain statutory authorization (A.R.S. Title 49, Chapter 6) for implementation of delivery prohibition, operator training, and secondary containment. HB 2425

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(48th Legislature, 2nd Regular Session, 2008) was passed and signed into law in May 2008. ADEQ conducted extensive outreach to ensure the regulated public was informed about the new regulations.

During early 2009, ADEQ and the Commission continued discussing basic issues associated with development of draft rules for implementation of operator training requirements. Discussions were discontinued following the Governor's and legislative moratoriums on currently non-essential rulemaking.

An additional requirement of the Act is to publish annually a "Public Record" report. This report compiles information on the compliance status of all USTs inspected during the federal fiscal year (October 1 through September 30), plus information on all releases provided during the same time period. The current report covers the period October 1, 2008 through September 30, 2009 and is on ADEQ's website: (http://www.azdeq.gov/environ/waste/ust/icu/download/public_record.pdf).

V. OTHER MANDATED ACTIVITIES

In 2009, no other mandated activities were undertaken by the Commission.

VI. PRIORITIES FOR CALENDAR YEAR 2010

During calendar year 2009, the Commission focused its attention on those issues and activities that were of current priority, including program funding and phase out of the SAF and the one cent per gallon excise tax. During calendar year 2010, the Commission will continue its review and evaluation of the Arizona UST Program. It will focus on those topics that are currently of the highest priority, and on issues that may arise during the year. The Commission anticipates that its priorities for 2010 will be:

- Evaluating the effects of the phase out of the SAF on owners and operators [SB 1306; 46th Legislature, 2nd Regular Session, 2004], particularly the impacts on small business and the availability and affordability of commercial insurance to meet FR requirements.
- Evaluating the need for additional assurance account monies or other monies to meet the needs of the UST Program, including the UST leak prevention program and Regulated Substance Fund, particularly as state budgetary shortfalls are anticipated to continue during FY 2010 and FY 2011.
- Evaluating appropriate use of SAF monies.
- Evaluating the effectiveness of the UST and SAF Programs.
- Evaluating impacts to the Program from implementation of the federal Energy Policy Act of 2005 and HB 2425 (48th Legislature, 2nd Regular Session, 2008).

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In addition, the Commission will continue to monitor and make recommendations about technical, financial and other programmatic issues that may develop during the year.

APPENDIX A

UST POLICY COMMISSION MEMBERS

UST POLICY COMMISSION MEMBERS 2009

NAME	POSITION	AFFILIATION
William (Bill) Bunch	Owner/Operator with greater than 100 USTs	Circle K Stores, Inc. 1130 W. Warner, Bldg. B., Tempe, AZ 85281
Vacant	Owner/Operator with greater than 10 USTs	ADEQ 1110 W. Washington Street, Phoenix, AZ 85007
Mike Fulton	ADEQ representative	Attorney General's Office 1275 W. Washington Street, Phoenix, AZ 85007
Tamara Huddleston	Attorney General's representative	G.M. Clement & Associates, Inc. 301 Baron Drive, Sedona, AZ 86336
Gail Clement, Chair	Representative of the public with environmental experience	City of Glendale 5850 W. Glendale Ave., Glendale, AZ 85301
Cathy Chaberski, Co-Chair	City representative	Stantec 8211 S. 48th Street, Phoenix, AZ 85044-5355
Theresa Kalaghan	Representative of environmental consultants	Sierra Club, Palo Verde Group 1030 E. Baseline Rd., Tempe, AZ 85283
Jon Findley	Representative of environmental organization	Safeway, Inc. 2750 S. Priest Rd., Tempe, AZ 85282
Tricia Johnson	Owner/Operators with 10 - 100 USTs	
Vacant	Representative of the public with experience in finance or insurance matters	
Karen Gaylord	Environmental attorney not employed by the state	Salmon, Lewis and Weldon, PLC 2850 E. Camelback Rd., Phoenix, AZ 85016

APPENDIX B

**UST POLICY COMMISSION BUDGET
FY 2009**

UST POLICY COMMISSION BUDGET - FY 2009

(Total Budget Allotment = \$10,000)

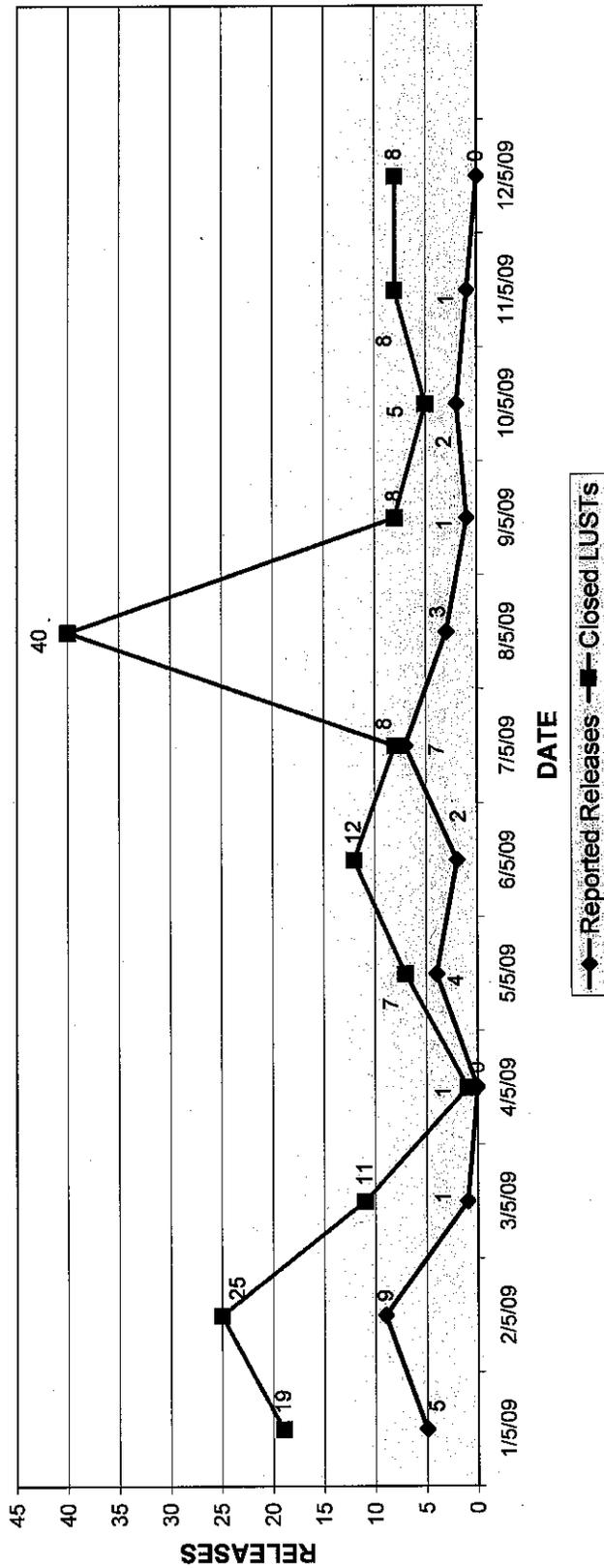
EXPENDITURES

ACTIVITY	ACTIVITY ALLOTMENT	AMOUNT EXPENDED	REMAINING BALANCE
Professional & Outside Services	\$6,000.00	\$2,489.00	\$3,511.00
In-State Travel	\$3,000.00	\$0.00	\$3,000.00
Other Operating Expenditures	\$1,000.00	\$70.00	\$930.00
TOTAL	\$10,000.00	\$2,559.00	\$7,441.00

APPENDIX C

2009 CUMULATIVE LUST STATISTICS

2009 CALENDAR YEAR UST RELEASES

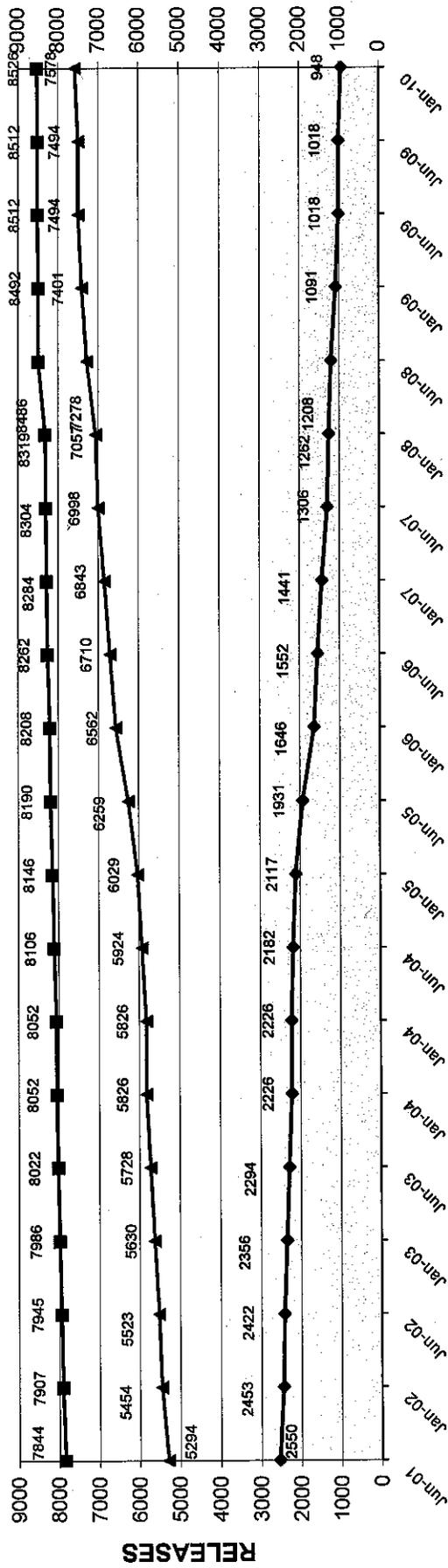


	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	2009 TOTAL
Reported Releases	5	9	1	0	4	2	7	3	1	2	1	0	35
Closed LUSTs	19	25	11	1	7	12	8	40	8	5	8	8	152
Total Closed	7428	7454	7466	7467	7473	7484	7505	7547	7555	7562	7570	7578	7578
Total Open	1070	1053	1042	1041	1037	1018	1014	975	967	963	956	948	948
Total LUST	8498	8507	8508	8508	8510	8512	8519	8522	8523	8525	8526	8526	8526

All data are generated from ADEQ's AZURITE database. There will be occasional mathematical inconsistencies from month to month.

CUMULATIVE LUST STATISTICS

June 2001 - January 2010



LUSTs Open
 LUSTs Closed
 LUSTs Reported

	Jan-01	Jan-02	Jun-02	Jan-03	Jun-03	Jan-04	Jun-04	Jan-05	Jun-05	Jan-06	Jun-06	Jan-07	Jun-07	Jan-08	Jun-08	Jan-09	Jun-09	Jan-10
LUSTs Reported	7844	7907	7945	7986	8022	8052	8106	8146	8190	8208	8262	8284	8304	8319	8486	8492	8512	8526
LUSTs Closed	5294	5454	5523	5630	5728	5826	5924	6029	6259	6562	6710	6843	6998	7057	7278	7401	7494	7578
LUSTs Open	2550	2453	2422	2356	2294	2226	2182	2117	1931	1646	1552	1441	1306	1262	1208	1091	1018	948