

**NOTICE OF MEETING OF THE
UNDERGROUND STORAGE TANK POLICY COMMISSION**

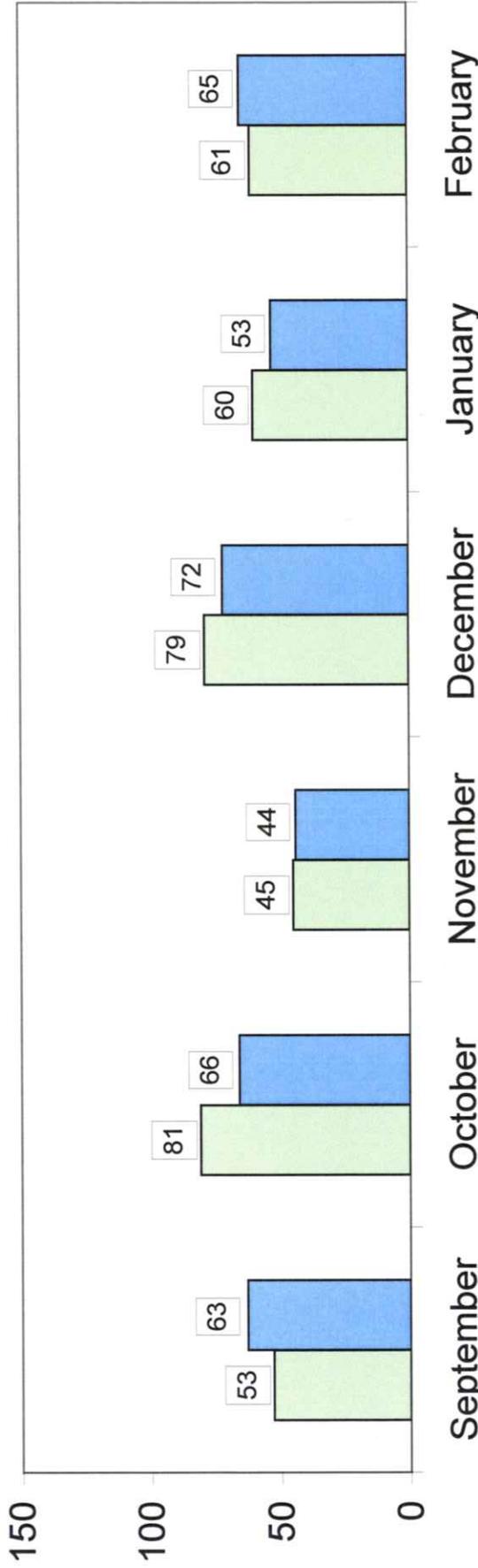
Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Underground Storage Tank (UST) Policy Commission and to the general public that the **UST Policy Commission** will hold a meeting open to the public on **March 24, 2010** from 9:00 a.m. until noon, at ADEQ in **room 250** located at 1110 West Washington, Phoenix, Arizona. The Commission may discuss, deliberate or vote on any item listed on the agenda. The Commission may vote to hold an executive session for consultation with its attorney for legal advice pursuant to A.R.S. § 38-431.03 (A) (3) concerning any item on the agenda.

1. Call to Order and Roll Call (Gail Clement, Chairperson)
2. Approval of Minutes from December 16, 2009 and January 11, 2010 Meetings (Gail Clement, Chairperson)
3. Discussion and Approval of 2009 Annual Report (Gail Clement, Chairperson)
4. Status and Discussion of UST Policy Commission Member Appointments (Gail Clement, Chairperson)
 - a. Identification of Commission Members Interested in Reappointment
 - b. Discussion and Approval of Letter to Director, Governor and Legislature
5. ADEQ Updates (Amanda Stone, Waste Programs Division)
6. SAF Status (Amanda Stone, Waste Programs Division)
7. Technical Subcommittee Update (Theresa Kalaghan and Catherine Chaberski, Chairpersons)
8. Evaluation Subcommittee Update (Bill Bunch, Chairperson)
9. Thank You to Mike Fulton (Gail Clement, Chairperson)
10. General Call to the Public (Gail Clement, Chairperson)
11. Summary of Meeting Action Items (Gail Clement, Chairperson)
12. Discussion of Agenda Items and Schedule for Next Commission Meeting (Gail Clement, Chairperson)
13. Announcements:
 - a. Next Policy Commission meeting is scheduled to be held on June 23, 2010 at 9:00 a.m., in Room 250 at ADEQ located at 1110 W. Washington, Phoenix, AZ.
14. Adjourn

Call to the Public is for consideration and discussion of comments and complaints from the public. Those wishing to address the Commission need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or rescheduling the matter for further consideration, discussion and decision at a later date.

A copy of the agenda background material provided to commission members (with exception of material relating to possible executive session) is available for public inspection at the ADEQ reception area, 1110 W. Washington Street, Phoenix, Arizona. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting June Schellenberg at (602) 771-4837. Requests should be made as early as possible to allow time to arrange the accommodation.

State Assurance Fund February 2010



□ Claims Received

■ Interim Determinations

Claim Type	Claims Received This Month	Number of Interim Determinations	Claims Pending Less Than 90 Days	Claims Pending More Than 90 Days	Claims Pending More Than 180 Days	Claims Pending More Than 365 Days	Total Number of Active Claims
Direct Pay	20	16	44	0	0	0	44
Reimbursement	41	49	118	0	0	0	118
Totals	61	65	162	0	0	0	162

State Assurance Fund Work in Process Summary
February 2010

Administrative Review				
	Less than 90 days	Over 90 days	Over 180 days	Over 365 days
Direct Payment	25	0	0	0
Reimbursement	67	0	0	0

Technical Review				
Direct Payment	18	1	0	0
Reimbursement	49	1	0	0

Payment Processing				
Direct Payment	1	0	0	0
Reimbursement	2	0	0	0

Summary				
Direct Payment	44	0	0	0
Reimbursement	118	0	0	0
Total	162	0	0	0

State Assurance Fund

February 2010

Informal Appeal Requests Received

December	January	February
17	16	17

Informal Appeal Determinations

December	January	February
7	20	23

Formal Appeal Requests Received

December	January	February
11	6	2

Formal Appeal Determinations

December	January	February
1	5	1

No Hearings were conducted in February.

State Assurance Fund Appeals

As with any process that involves a decision by one party that affects another, there are disagreements. SAF determinations, as well as many technical decisions, have two processes for appeal. The informal appeal process, provided for in A.R.S. '49-1091, is an opportunity for the applicant to request that ADEQ re-evaluate the decisions or determinations made. It also provides the applicant with an opportunity to provide additional information for ADEQ to review. As provided for in A.R.S. '49-1091(E), this informal appeal process is the opportunity for both the applicant and SAF to explain their position and exchange information related to the matter appealed. This free exchange of information is intended to resolve issues in dispute without the necessity of pursuit of the formal administrative appeal process under A.R.S. Title 41.

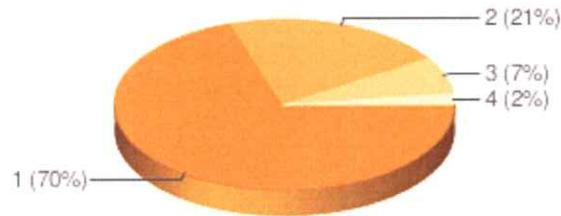
ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
Waste Programs Division
Corrective Action Section

UST POLICY COMMISSION REPORT

Leaking UST (LUST) Statistics

LUST STATISTIC	NOVEMBER 2009	DECEMBER 2009	JANUARY 2010	FEBRUARY 2010
Monthly reported	1	0	1	3
Monthly closed	8	8	9	4
Cumulative reported	8526	8526	8527	8529
Cumulative closed	7570 (89%)	7578 (89%)	7587 (89%)	7592 (89%)
Cumulative open	956 (11%)	948 (11%)	940 (11%)	937 (11%)
Total Facilities with Open LUSTs	473	468	463	462

Status of Open LUST Cases



[Status: 1 = groundwater impact, 2 = uncharacterized, 3 = soil only, 4 = potential closure]

Corrective Action Documents Pending Review

DOCUMENT TYPE	NOVEMBER 2009	DECEMBER 2009	JANUARY 2010	FEBRUARY 2010
Site Characterization Rpt (SCR)	0	1	3	4
Revised SCR	0	0	0	0
Corrective Action Plan (CAP)	2	2	5	5
CAP Modification	1	1	2	1
Risk Assessment	0	0	0	1
LUST Case Closure Request	5	5	9	12
TOTAL:	8	9	19	23

Document Review Timeframes

DOCUMENT	PENDING < 30 DAYS	PENDING > 30 DAYS	PENDING > 60 DAYS	PENDING > 90 DAYS	PENDING > 120 DAYS	TOTAL NUMBER OF DOCUMENTS
Site Characterization Report	1	3				4
Revised SCR						
Corrective Action Plan			2	2	1	5
CAP mod request		1				1
Risk assessment		1				1
LUST case closure request	5	3	1	2	1	12
TOTAL:	6	8	3	4	2	23

Municipal Tank Closure Program (MTCP)

STATUS	
Applications received	105
Cities/Counties	41
Applications approved	94
UST closure completed	90
USTs removed	190

American Recovery & Reinvestment Act of 2009 (ARRA)

STATUS	
Total ARRA funding	\$3,219,000
Money obligated	\$2,488,248.43 (77%)
Money spent	\$830,556.89 (26%)
Total ARRA sites	29
Site assessment initiated	8
Site assessment completed	8
Clean-up initiated	18
Clean-up completed	5

Other Activities

Route 66 Initiative

State Lead Program

MNA Program

DRAFT

ARIZONA UNDERGROUND STORAGE TANK POLICY COMMISSION

March 25, 2010

The Honorable Kirk Adams
Speaker of the Arizona House of Representatives
1700 West Washington Street, Room 221
Phoenix, Arizona 85007

The Honorable Robert Burns
Senate President
Arizona State Senate
1700 West Washington Street, Room 204
Phoenix, Arizona 85007

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

Mr. Benjamin H. Grumbles, Director
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, Arizona 85007

Re: UST Policy Commission
Commission Appointments End May 27, 2010

Dear Speaker Adams, President Burns, Governor Brewer and Director Grumbles:

This letter is written on behalf of the Arizona Underground Storage Tank Policy Commission (Commission). The Commission is specifically authorized to transmit recommendations regarding the Underground Storage Tank (UST) Program to the Legislature, the Governor and the Arizona Department of Environmental Quality (ADEQ) [A.R.S. § 49-1092(E)(2)]. This letter is written to call your attention to the fact that after May 27, 2010, all of the appointment dates of Commission members except one will have expired. As a consequence, the Commission will no longer be able to perform its legislatively mandated purposes. The Commission felt it was imperative to inform you about our inability to continue to function as legislatively mandated.

If you have any questions, please contact me at (928) 282-3630. Thank you for your consideration of this letter.

Sincerely,

Gail M. Clement, Chairperson
Underground Storage Tank Policy Commission

cc: Underground Storage Tank Policy Commission

State Assurance Fund Status
 FY 2010
 Updated: February 28, 2010

a.) Sources

Beginning Balance (July 1, 2009)	\$19,969,700
Projected Revenue	<u>\$27,732,500</u> ⁽¹⁾
Projected Total Available Funds	\$47,702,200

b.) Uses

Projected Expenditures	\$27,209,300
FY2010 Estimated Transfers	<u>\$17,492,900</u> ⁽²⁾
Total Uses	\$44,702,200

c.) Summary

Projected Total Available Funds	\$47,702,200
Total Uses	-\$44,702,200
Projected Ending Balance	\$3,000,000

NOTES:

- (1) Revenue (taxes, cost recovery, and interest) may vary depending on fuel demand and current cash balances.
- (2) Source: Laws 2009, 49th Legislature, 1st Regular Session, Chapter 12, HB 2643.
 Laws 2009, 49th Legislature, 5th Special Session, Chapter 1, SB 1001.
- (3) The ranking period begins on March 31, 2010. A balance will be maintained at \$3,000,000.