



## **UST and SAF Bulletin**

Arizona Department of Environmental Quality

**Subject: Senate Bill 1306 Provisions Impacting Volunteers**

**Effective: 8/25/04**

**Item: 04-13**

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### **TYPE**

Provisions of SB 1306 Impacting State Assurance Fund Volunteers

### **BACKGROUND**

- Senate Bill 1306

The document summarizes the major changes in SB 1306 that impact State Assurance Fund Volunteers.

### **CONTENT**

See attached summary

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## State Assurance Fund Volunteers

The provisions of the Arizona Revised Statutes (A.R.S.) related to your volunteer status for coverage from the State Assurance Fund is changing, effective August 25, 2004. On that date, Senate Bill 1306 will be effective. The major changes impacting you are summarized below; however, the Bill which contains the actual amendments to the statutes can be reviewed, in its entirety, at <http://www.azleg.state.az.us>. Under "Bill Number Search," insert "SB1306" and click to bring up a list of documents related to that Bill. Alternatively, you may go directly to the page by entering "[http://www.azleg.state.az.us/DocumentsForBill.asp?Bill\\_Number=sb1306](http://www.azleg.state.az.us/DocumentsForBill.asp?Bill_Number=sb1306)" in your browser. The "House Engrossed Version" will provide you a full copy of the legislation effective August 25, 2004.

The major provisions of SB1306 impacting SAF volunteers are:

1. Effective August 25, 2004, payments to volunteers from the SAF will be for 90 percent (90%) of approved eligible costs. There are two exceptions to this 90 percent coverage related in Item 2 and 3 below. Costs of professional services incurred for preparation of the SAF application that resulted in the 90 percent coverage may be credited to the 10 percent copayment amount.
2. Effective August 25, 2004, a SAF volunteer may receive 100 percent coverage of approved claimed eligible activities and costs approved on an application, but only if the amount of the copayment, calculated at 10 percent of the costs approved for payment on the application, is equal to or exceeds the value of the real property (facility) that is the subject of the application. ADEQ will use the records of the applicable county assessor's office to determine the value of the property.
3. Effective August 25, 2004, if the SAF volunteer does not pay the applicable copayment amount, ADEQ may perform the corrective actions on the release.
4. Effective August 25, 2004, all applications from SAF volunteers received by ADEQ must have a certification that the volunteer has paid the copayment amount (calculated at 10 percent of claimed costs) or a certification that an existing agreement requires the volunteer to pay any claimed costs not paid from the SAF.
5. Effective July 1, 2005, all claimed costs of eligible activities and associated costs incurred for all releases at and from a single facility that exceed \$100,000 must be preapproved by ADEQ. The preapproval must be in accordance with the SAF preapproval rules.
6. Effective June 30, 2009 at 5:00 p.m., ADEQ is prohibited from accepting any SAF preapproval applications.
7. Effective June 30, 2010 at 5:00 p.m., ADEQ is prohibited from accepting any SAF reimbursement or direct payment applications.

There are other provisions of SB1306 that may, in the future, affect you. Among them is a provision that only releases reported before July 1, 2006 will be eligible for SAF coverage.