

**ARE YOU POTENTIALLY ELIGIBLE FOR REIMBURSEMENT OF
UST CORRECTIVE ACTION COSTS UNDER THE
TIME-BARRED CLAIM PROGRAM?**

Please check all that apply:

YES

- Are you the owner and/or operator responsible for a regulated leaking underground storage tank (LUST) release(s)?
- Were you in compliance with financial responsibility (FR) requirements at the time of the release(s)?
- If you currently operate USTs at this facility, are you in compliance with FR requirements? *(If you no longer own or operate USTs at this facility, select "yes".)*
- Did you conduct corrective actions for the release(s) after June 30, 2010?
- Do you have corrective action costs that were not covered by insurance or another financial assurance mechanism?
- Is there remaining funding eligibility on the site? Previous state fund payments per facility can be found on the state funding spreadsheet available on ADEQ's website.

If you answered "YES" to all of the questions, you may be eligible for reimbursement of a time-barred claim.

For more information please see ADEQ's website at: www.azdeq.gov

Time-barred Claims: Eligibility Considerations

- Costs must be submitted, one application per facility, no later than December 31, 2016. Application forms will be provided by the Department and are available online at www.azdeq.gov.
- The limit of reimbursement from ADEQ is 90% of the approved costs that are within the allowable amount per facility. *Time-barred claims will be evaluated on a per facility basis.*
- The maximum amount available for time-barred claims is \$500,000 per facility for owners and operators who relied upon a financial assurance mechanism **other than UST insurance** to demonstrate compliance with FR requirements at the time of the associated release(s).
- The maximum amount available for time-barred claims is \$1,000,000 per facility for owners and operators who relied upon **UST insurance** to demonstrate compliance with FR requirements at the time of the associated release(s). **Note - Some facilities are not eligible for up to \$1,000,000 because the applicable release based state fund coverage limit was previously exhausted.*
- Regardless of the number of releases and applicant, if state funding was previously accessed for cleanup costs, the total amount of payment for those prior submittals will reduce the amount eligible for reimbursement of a time-barred claim.
- Costs must be approved by the ADEQ and must be reasonable, necessary, and incurred for corrective actions that were actually performed.
- Payments will be divided into two groups based on the reported release date. Facilities that met the June 30, 2006, release reporting deadline but were unable to complete corrective actions by the June 30, 2010, application submittal deadline for the state assurance fund (SAF) program will be prioritized for payment. All qualifying applications will be paid proportionally until payments are complete. Only then will the facilities with a release reported after June 30, 2006 be eligible to receive funding.
- Applications are required to include a declaration signed by the owner or operator that affirms submitted costs are true and accurate, have not been previously submitted to the department, and have not been reimbursed to the owner or operator by insurance or an alternative financial assurance mechanism.
- Appeals of reimbursement determinations are subject to Title 41, Chapter 6, Article 10 of the Arizona Revised Statutes.
- Note: the applicant must be registered in ProcureAZ - <https://procure.az.gov/bs/> to receive reimbursement.