

Underground Storage Tank Cleanup Fund

AB 291 (Wieckowski) Frequently Asked Questions

- **Which legislator carried the bill?**
Assembly Member Bob Wieckowski
- **Which section of the Health and Safety Code was amended?**
Health and Safety Code Section 25299.43
- **What was the intent of the bill?**
To extend the sunset date of the temporary storage fee of \$0.006 per gallon of petroleum from January 1, 2012 to January 1, 2014
- **When does the bill take effect?**
January 1, 2012
- **When does the bill sunset?**
January 1, 2014
- **What happens after the bill sunsets?**
The fee reverts back to \$0.014 per gallon.
- **When was the bill signed and chaptered?**
The bill was signed by Governor Brown and chaptered on October 8, 2011 (Stats. 2011, ch. 569).
- **Was the enactment of this bill contingent upon another?**
Yes, this bill would only go into effect if AB 358 (Smyth) was enacted, and it was (Stats. 2011, ch. 571.).

- **How much additional revenue does the Fund anticipate receiving?**

The Fund estimates an increase of \$24 million per quarter. For FY 2011-2012, the Fund anticipates receiving an additional \$48 million.

- **How will the Fund allocate the additional revenue?**

The Fund's intention is to pay old costs first from the revenues generated by the AB 291 fee increase. Old costs are those eligible costs incurred prior to July 1, 2011. Remaining revenue, if any, will go towards augmenting FY 2011-2012 annual claim budgets. By the end of December 2011, the Fund will have a better projection of the amount of money available to go towards the annual claim budgets.

- **When will the Fund begin to augment FY 2011-2012 annual claim budgets?**

The Fund anticipates beginning budget augmentations in January 2012 based on the Budget Change Orders that have been received to date. Estimates show that the Fund has received approximately \$20 million worth of Budget Change Order requests. Augmentations will take place on a quarterly basis, based on the amount of money available. Funds available for this first round of augmentations primarily came from cost savings on other claims, such as those claims that were closed, and therefore did not need their budget allotment. Future augmentations will probably involve a combination of funds from both cost savings and AB 291 funds, if those funds are not required to pay off old costs.

- **Will the Fund be activating new claims with the influx of revenue?**

The Fund may soon be activating some Priority D claims to meet the 14% statutory minimum payment requirement. Also, the Fund will continue to activate Priority A and School District claims. The Fund will evaluate activating Priority B claims in January 2012.