

North Carolina Department of Environmental Quality

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

January 7, 2016

MEMORANDUM

TO: THE ENVIRONMENTAL REVIEW COMMISSION
The Honorable Jimmy Dixon, Co-Chair
The Honorable Chuck McGrady, Co-Chair
The Honorable Trudy Wade, Co-Chair

HOUSE OF REPRESENTATIVES APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE
AND NATURAL AND ECONOMIC RESOURCES
The Honorable Jimmy Dixon, Co-Chair
The Honorable Roger West, Co-Chair
The Honorable Pat McElraft, Co-Chair

SENATE APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES
The Honorable Bill Cook, Co-Chair
The Honorable Andrew C. Brock, Co-Chair
The Honorable Trudy Wade, Co-Chair

FISCAL RESEARCH DIVISION

FROM: Matthew Dockham, Director of Legislative Affairs

SUBJECT: Leaking Petroleum Underground Storage Tank Cleanup Program Report

DATE: January 7, 2016

Pursuant to G.S. 143-215.94M, the Secretary shall present an annual report to the Environmental Review Commission, the Fiscal Research Division, the Senate Appropriations Subcommittee on Natural and Economic Resources, and the House Appropriations Subcommittee on Natural and Economic Resources [on the Status of Leaking Petroleum Underground Storage Tanks, the State Cleanup Funds]. Please consider the attached as the formal submission this report.

If you have any questions or need additional information, please contact me by phone at (919) 707-8618 or via e-mail at matthew.dockham@ncdenr.gov.

cc: Tom Reeder, Assistant Secretary for Environment, NCDEQ
Linda Culpepper, Director of Waste Management, NCDEQ

**Annual Report to the
Environmental Review Commission
North Carolina General Assembly**

**Status of Leaking Petroleum Underground Storage Tanks
The State Cleanup Funds**

Fiscal Year 2015 (July 1, 2014 to June 30, 2015)

**N.C. Division of Waste Management
Underground Storage Tank Section**

November 1, 2015

**NORTH CAROLINA DEPARTMENT OF
ENVIRONMENTAL QUALITY**

Pat McCrory

Governor

Donald R. van der Vaart

Secretary

N.C. Department of Environmental Quality

Linda Culpepper

Director

N.C. Division of Waste Management

NCDEQ

N.C. Division of Waste Management

Underground Storage Tank (UST) Section

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EXECUTIVE SUMMARY – UNDERGROUND STORAGE TANK (UST) CLEANUP FUNDS FY 2015

North Carolina’s underground storage tank program is administered by the Division of Waste Management’s Underground Storage Tank (UST) Section in the North Carolina Department of Environmental Quality (DEQ). The section enforces UST regulations and manages funds used to perform cleanups of petroleum UST discharges or releases (UST incidents). The program was initiated in 1988 in response to growing reports of USTs leaking petroleum into soil and groundwater. Funding for the program is provided by the Commercial and Noncommercial Cleanup Funds, the federal Leaking Underground Storage Tank (LUST) prevention grant, and the federal LUST cleanup grant.

The Commercial and Noncommercial Cleanup Funds are also used to provide safe alternatives to drinking water wells that have been contaminated by petroleum releases from USTs. In FY 2015, the UST program provided bottled water, point-of-entry filtration systems, and waterline extensions to replace 96 contaminated water supply wells serving 421 citizens.

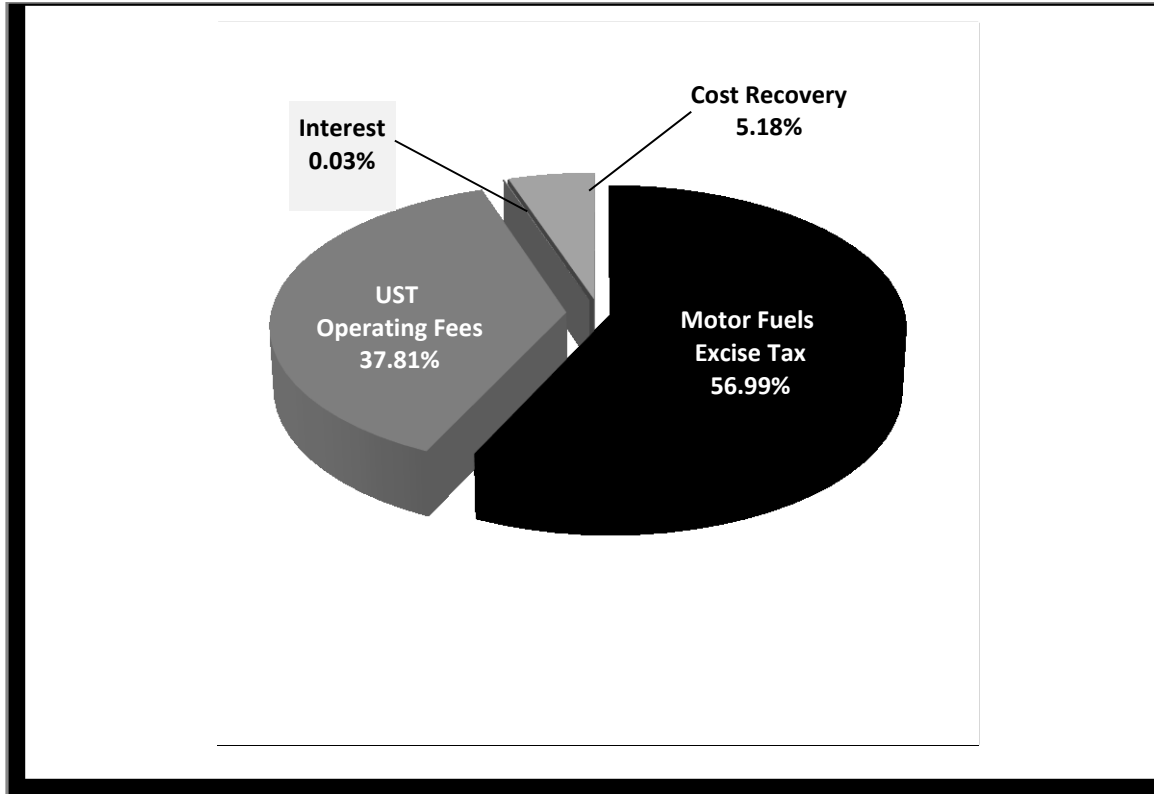
Lists of all known discharges or releases from underground storage tanks, all Responsible Party (RP) cleanups, Noncommercial Fund cleanups requiring state funding, and cleanup status updates are available at the Division of Waste Management’s website: <http://portal.ncdenr.org/web/wm/ust>

**FY 2015 Commercial Fund Activity
(July 1, 2014 through June 30, 2015)**

	Amount	Totals
Fund Balance on 7/1/2014	\$38,630,492	\$38,630,492
Revenues (7/1/13 – 6/30/14)		\$27,049,782
Motor Fuel & Gasoline Excise Tax	\$15,414,591	
UST Operating Fees	\$10,227,068	
State Lead Cost Recovery	\$1,401,125	
Interest	\$6,997	
Loan Fund Collection and Interest	\$ 0	
Expenditures		\$29,497,977
Reimbursements	\$21,509,643	
State-Lead Contracting & Laboratory	\$4,098,245	
Program Administration	\$3,890,089	
Transfers from Fund		\$90,000
Transfer to Noncommercial Fund	\$ 0	
Transfer to Department of Agriculture	\$90,000	
Transfer to Federal LUST Program (cost recovery)	\$0	
Fund Balance on 6/30/2015		\$36,092,298
Estimated Obligations¹		\$41,007,914
RP-lead cleanup	(\$31,617,397)	
State-lead cleanup	(\$6,929,718)	
Pre-approved non-directed actions	(\$2,460,805)	
Estimated Obligated Balance 06/30/2015		(\$4,915,616)

1. Estimated obligations include estimates of un-reimbursed costs for tasks not requiring pre-approval that were incurred prior to implementation of Session Law 2004-124; outstanding un-reimbursed costs for pre-approved directed tasks; requested reimbursement costs for claims under review; approved costs for claims awaiting reimbursement; unreimbursed costs for approved non-directed tasks; and remaining program expenses.

Commercial Fund Revenue Sources – FY 2015

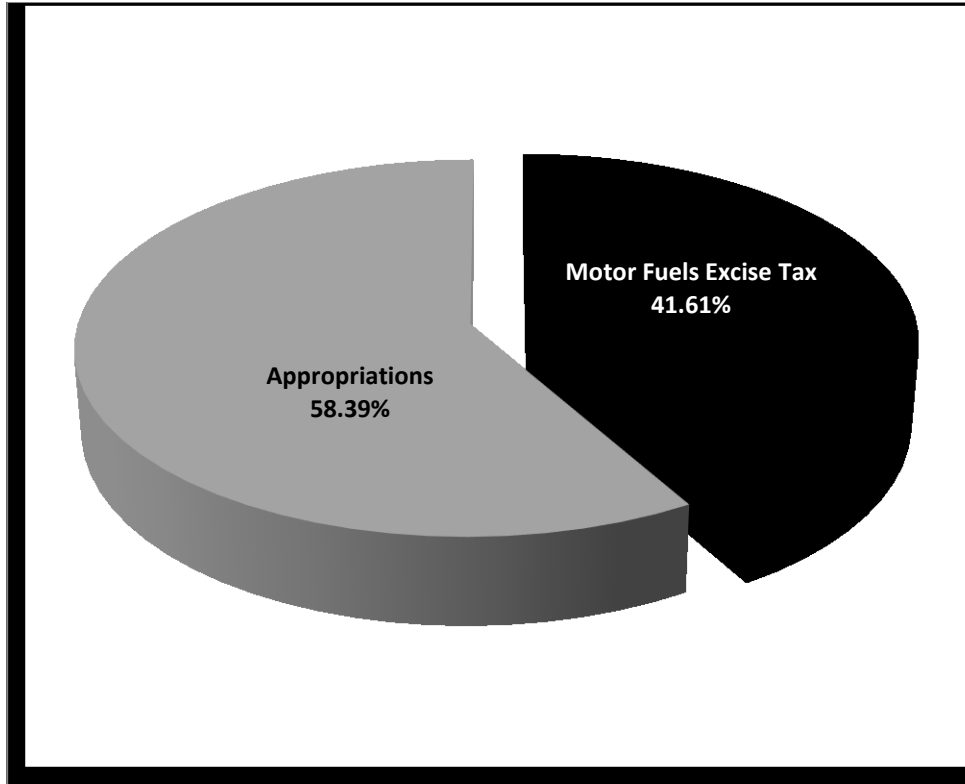


FY 2015 Noncommercial Fund Activity
(July 1, 2014 through June 30, 2015)

	Amount	Totals
Fund Balance on 7/1/2014		\$88,691
Revenues		\$5,852,436
Motor Fuel & Gasoline Excise Tax	\$2,435,386	
Interest	(\$55)	
Appropriations	\$3,417,105	
Cost Recovery	\$0	
Expenditures		\$5,593,109
Total Claims and Contracted Cleanups	\$4,068,264	
Administrative Costs	\$1,524,845	
Fund Balance on 6/30/2015		\$348,018
Estimated Obligations¹		\$4,098,602
Estimated Obligated Balance 6/30/15		(\$3,750,584)

1. Estimated obligations include estimates of un-reimbursed costs for tasks not requiring pre-approval that were incurred prior to implementation of Session Law 2004-124, outstanding un-reimbursed costs for pre-approved directed tasks, requested reimbursement costs for claims under review, approved costs for claims awaiting reimbursement, unreimbursed costs for approved non-directed tasks, and remaining program administration costs.

Noncommercial Fund Revenue Sources – FY 2015



Summary of Key Statistics since UST Program Inception
(July 1, 1988 to June 30, 2015)

Commercial Fund Revenues		\$ 701,056,030
Commercial Fund Expenditures		\$ 664,844,653
Noncommercial Fund Revenues		\$ 156,712,582
Noncommercial Fund Expenditures		\$ 156,365,497
Petroleum UST Releases – Reported		
Commercial	19,360	
Noncommercial	9,925	
Total		29,285
Petroleum UST Releases - Closed Out		
Commercial	13,645	
Noncommercial	7,775	
Total		21,420
<u>FY 2015 Activity</u>		
Petroleum UST Releases - Reported		
Commercial		378
Noncommercial		504
Petroleum UST Releases – Closed Out		
Commercial		393
Noncommercial		393

Cleanup Fund Management

The Division of Waste Management's UST Section manages two funds for cleanup of environmental contamination from petroleum underground storage tank (UST) releases. The Commercial Cleanup Fund pays the costs of cleanups of releases of petroleum from commercial USTs, which are typically regulated gasoline station tanks or heating oil tanks of greater than 1,100 gallons capacity. The owners of commercial USTs pay annual operating fees into the Commercial Cleanup Fund and also pay deductible amounts toward the costs of assessments and cleanups of petroleum releases. The Noncommercial Cleanup Fund pays the costs of cleanups of releases of petroleum from unregulated USTs such as home heating oil tanks and smaller farm tanks. The owners of noncommercial USTs do not pay fees. New legislation for FY 2014 added a \$1,000 deductible and 10 percent co-pay up to a combined maximum owner share of \$2,000 for cleanup expenses.

In FY 2015, the UST section managed the cleanup funds in accordance with the requirements of N.C.G.S 143-215.94E, which directs the department to give priority to cleanup of releases in emergency situations and to those that pose the greatest risks to human health and the environment. The statute also directs the division to order non-emergency work only if the costs could be reimbursed by the appropriate cleanup fund within 90 days of claim approval. To meet these legislative requirements, the division uses a Risk, Rank and Abatement (RRA) scoring system that quantifies the relative risks of all releases, allowing the division to direct work at the highest risk incidents and reimburse the costs of that work within 90 days. Every week the division reviews balances, expenditures and obligations of both the Commercial and Noncommercial Funds, and periodically adjusts the RRA score threshold in order to direct as much cleanup work as resources will allow. By the end of FY 2014 and continuing through FY 2015, the program was able to direct cleanup activities at all high-risk commercial UST releases and at many intermediate-risk releases. Currently, the program directs cleanup activities at only about two percent of all high-risk noncommercial UST releases.

Commercial Fund Status

For the 12-month period from July 1, 2014 through June 30, 2015, Commercial Fund cash balance declined and obligations exceeded the Fund balance. This is in contrast to the previous seven fiscal years. On June 30, 2015, the Commercial Fund balance was \$36,092,298 (which included a one-time cost recovery of \$1,250,000 from insurance proceeds settlements with one major oil company). Pending estimated obligations were \$41,007,914. In the face of this declining balance and continuing negative obligated fund balance for FY 2015, the Fund has undertaken an evaluation of its risk-based closure criteria application and has instituted more rigorous review of pre-approvals for site work. Although these measures appear to have slowed the Fund balance decline, it is too early to judge their eventual effect. These measures remain on-going. It may still eventually become necessary at some point to increase the risk threshold for funding. This, in turn, might restrict the program's ability to continue directing mandatory cleanups of some high-risk and intermediate-risk releases. The inability to reimburse work on lower-risk releases, caused by insufficient funding, has both short-term and long-term impacts. In the near term, the lack of funding means that the owners of those properties may find it difficult to move forward with property transactions. In the long- term, conditions (i.e. residential/commercial development, new wells) around a lower-risk release may change with time and result in an increase in the threat to public health.

Estimated Costs of Cleanup

The division can estimate the costs of cleaning up all known commercial UST releases by multiplying the average cost to the Fund per release (\$146,151 for FY 2011 – FY 2015) by the number of known commercial releases needing cleanup (5,625). The result is a total future obligation of approximately \$822.1 million, an amount that includes about \$41 million obligated for cleanups already underway. With a present balance of approximately \$36.1 million, the Fund will need an additional \$786 million to clean up all currently known commercial UST releases. At current revenue levels (\$26 million per year on average), it will take the Fund approximately 30.2 years to generate the receipts necessary to pay existing obligations. This estimate does not account for the costs of cleaning up releases not yet reported (future releases). The number of reported new releases has decreased in recent years, due to increased inspection and prevention measures implemented in 2008. In FY2011 through FY2015, an average of 270 new, fund-eligible commercial UST releases per year were discovered and reported. This trend

suggests an additional \$39.5 million per year will potentially be added to overall obligations. Given these projected obligations, in the absence of additional funding or changes in funding mechanisms, the long-term viability of the Commercial Fund as a financial responsibility mechanism continues to be in question.

Noncommercial Fund Status

The Noncommercial Cleanup Fund also shows a large, negative FY 2015 balance because claims greatly exceeded revenue, in part because of 2011 legislation that changed the funding mechanism. The Noncommercial Cleanup Fund had previously received a very small percentage of the motor fuels inspection tax. The 2011 budget re-directed the inspection tax to the Department of Transportation, thereby reducing the Fund income by more than 60 percent. The General Assembly made appropriations of \$4.88 million in FY 2013, \$3.5 million in FY 2014, and \$3.42 in FY 2015 to the Noncommercial Cleanup Fund. In all three fiscal years these funds were quickly expended, primarily to reimburse approved pending claims. Claim reimbursements began to be backlogged again by the second quarter of each year. On June 30, 2015, the Noncommercial Fund cash balance was \$348,018, with pending estimated obligations of \$5,563,532; therefore, the estimated obligated Noncommercial Cleanup Fund balance at the end of FY 2014 is (- \$5,215,514).

Estimated Costs of Cleanup

The department can estimate the costs of cleaning up all known Noncommercial UST releases by multiplying the average cost to the Fund per release (\$14,689 for FY 2011 - FY 2015) by the number of known noncommercial releases needing cleanup (2,459). The result is a total future obligation of approximately \$36.1 million, an amount that includes about \$4.1 million obligated for approved claims, claims under review, and cleanups already underway. The Noncommercial Cleanup Fund would need an additional \$32 million to clean up all currently known noncommercial UST releases. Based on recurring and appropriated FY 2015 revenue (approximately \$5.85 million) it will take approximately five-to-six years to generate the cash to pay existing obligations. This estimate does not account for the costs of cleaning up future releases that have not yet been reported to DEQ. The number of reported new releases has decreased in recent years, possibly due to lingering effects of a downturn in residential real estate transactions resulting from 2008 economic disruptions, but in FY 2014 and FY 2015 this number did begin to increase. In FY2011 through FY2015, an average of 474 new noncommercial UST releases per year were discovered and reported. This trend suggests an additional \$6.7 million per year will potentially be added to overall obligations. Given these projected obligations, in the absence of additional funding or changes in funding mechanisms, the viability of the Noncommercial Fund as a financial mechanism remains in question.

Up until FY 2013, the owners of noncommercial USTs paid only the costs of removing tanks and did not pay any deductible amount toward the costs of cleanups. New legislation, Session Law 2013-360, Senate Bill 402, modified N.C.G.S. 143-215.94D(b1) to add a \$1,000 deductible and 10 percent co-pay up to a combined maximum owner share of \$2,000 for cleanup expenses for releases discovered or reported to the department after August 1, 2013.

For FY 2015, the General Assembly appropriated \$3.42 million in recurring appropriations for ongoing operation of the Noncommercial Fund. Approximately \$2.7 million of the appropriated funding was immediately expended to reimburse existing, approved claims. The remaining appropriation was rapidly expended with backlogging of claims beginning to occur again in October 2015. As of June 30, 2015 a backlog of 241 approved, unreimbursed claims totaling \$2,153,991 exists. This will be a recurring, yearly cycle unless additional funding is made available to eliminate the backlog.

FY 2015
Petroleum Underground Storage Tank Cleanup Funds
Recommendations

- 1) Continue on-going cost control measures:
 - i. Evaluation and implementation of better, more systematic ways to apply risk-based closure criteria to incidents.
 - ii. Institution of more rigorous review of pre-approvals for requested site work.
- 2) Investigate possible revenue enhancement mechanisms to enable the Commercial Fund to better meet projected future obligations.
- 3) Continue to implement and possibly increase the deductible and evaluate additional cost savings measures for the Noncommercial Fund with regard to Initial Abatement Actions.
- 4) Continue support of the Noncommercial Fund and seek an additional one-time appropriation to the Noncommercial Fund to restore fund solvency and avoid cyclic, yearly development of backlogged reimbursements.
- 5) Consider long-term transition from the Commercial Cleanup Fund as the primary mechanism for owners of regulated USTs to meet federal financial responsibility requirements. In place of a state-subsidized fund, owners and operators of newly installed or replaced or upgraded, regulated commercial UST systems should be required to use other financial responsibility mechanisms, such as private insurance, bonding, letters of credit, or self-insurance. This is in keeping with DEQ's 2005 white paper that evaluated the option of transitioning from reliance on the Commercial Cleanup Fund to reliance on private insurance as a means of financing the costs of cleaning up environmental contamination from petroleum releases. The report recognized that it would not be possible to shift financial responsibility for existing UST releases to private insurance, but recommended that the state consider phasing in an insurance requirement to pay the costs of cleaning up future petroleum releases.
- 6) Continue the successful programs previously implemented to prevent releases by maintaining a compliance inspection frequency of at least every three years for USTs in North Carolina.
- 7) Continue the successful programs previously implemented to prevent and minimize releases by providing release prevention and detection training to UST owners and operators.

Tables and Figures

Table 1 - UST Releases Since Program Inception (FY 1989 - FY 2015)

Commercial UST Releases		Noncommercial UST Releases	
Releases Reported	19,360	Releases Reported	9,925
RP-Lead	17,754	RP-Lead	9,671
State-Lead	1,606	State-Lead	254
Cleaned Up to No Further Action	13,645	Cleaned Up to No Further Action	7,775
RP-Lead	12,926	RP-Lead	7,633
State-Lead	719	State-Lead	142
Ongoing Cleanups	3,302	Ongoing Cleanups	316
RP-Lead	2,526	RP-Lead	292
State-Lead	776	State-Lead	24
No Action Currently Being Taken	2,323	No Action Currently Being Taken	1,778
RP-Lead	2,244	RP-Lead	1,705
State-Lead	79	State-Lead	73

Figure 1 - UST Incidents & UST Incidents Closed (Cumulative)

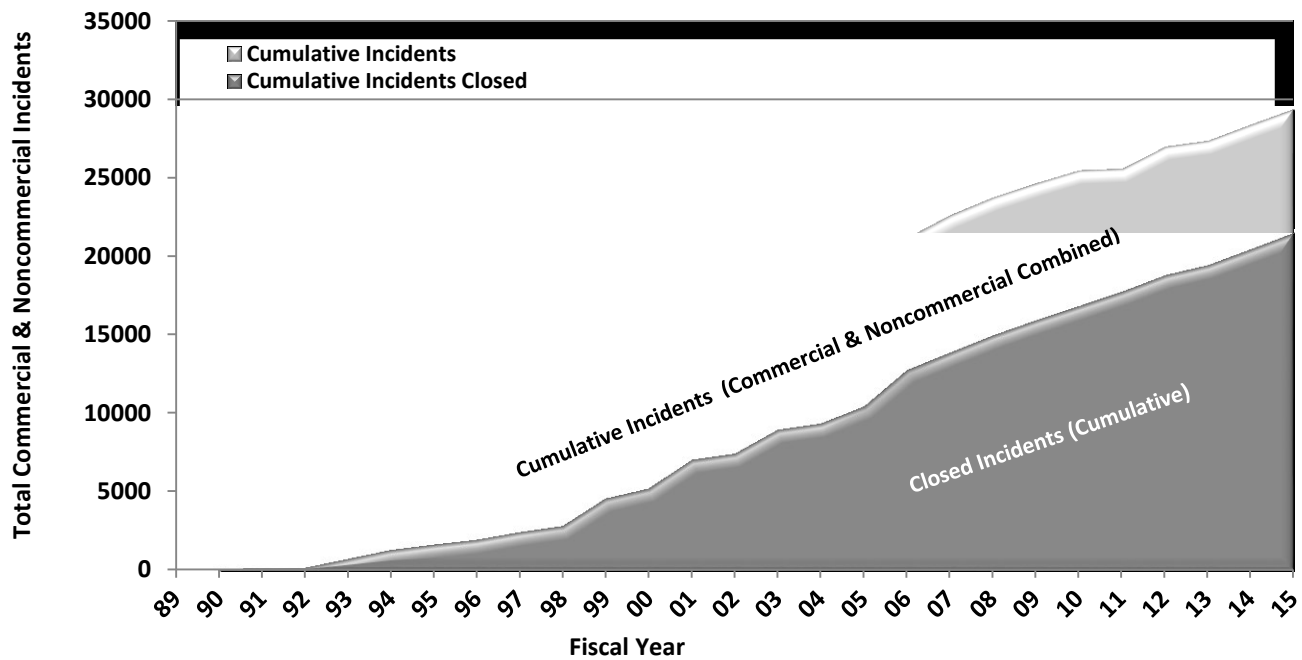


Figure 1A - Open UST Incidents

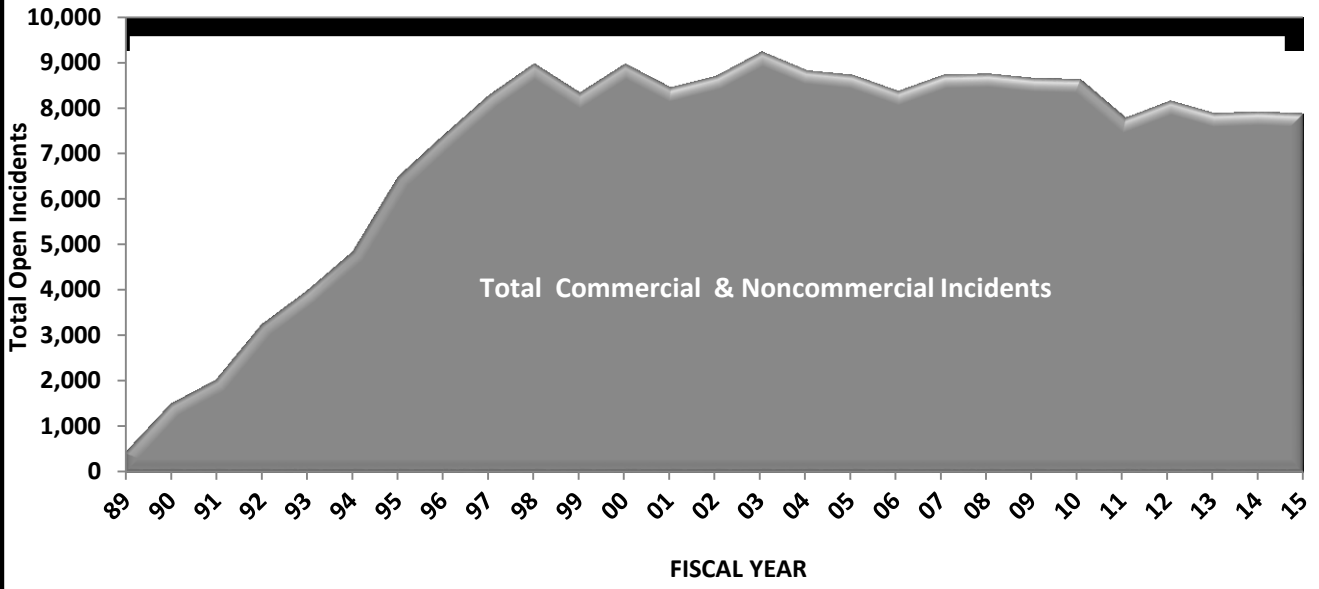


Table 2
Receipts, Disbursements and Program Expenses for the Commercial Fund
7/1/88 – 6/30/15

Fiscal Year	Receipts	Disbursements¹	Legislatively Allowed Program Expenses
FY 1989	\$ 2,337,685	\$ 14,768	
FY 1990	5,773,632	79,080	\$ 201,255
FY 1991	7,330,573	1,616,760	547,595
FY 1992	13,484,008	4,409,229	517,221
FY 1993	18,032,784	9,651,948	601,687
FY 1994	24,438,966	22,904,802	694,424
FY 1995	56,037,135 ²	37,405,510	666,270
FY 1996	28,178,768	44,060,639	2,322,632
FY 1997	28,564,034	44,163,273	2,623,339
FY 1998	27,291,220	30,267,392	2,530,036
FY 1999	26,783,344	16,104,152	2,567,668
FY 2000	27,178,623	22,820,069 ³	2,579,540
FY 2001	27,240,303	24,566,132 ⁴	2,730,236
FY 2002	27,124,210	36,872,426	2,397,264
FY 2003	27,055,759	26,498,565	2,221,851
FY 2004	26,934,685	23,514,179 ⁵	2,527,451
FY 2005	50,255,908 ⁷	46,966,083 ⁶	2,654,447
FY 2006	28,143,119	15,474,991 ⁸	2,636,228
FY 2007	27,564,837	7,372,403 ⁹	2,725,418
FY 2008	27,458,790	11,511,344 ¹⁰	2,859,460
FY 2009	31,026,131	15,007,590 ¹¹	3,380,143
FY 2010	27,969,400	17,760,225 ¹²	3,703,143
FY 2011	26,951,504	31,697,736 ¹³	3,859,161
FY 2012	26,311,956	29,132,749 ¹⁴	3,881,825
FY 2013	26,316,112	29,187,009 ¹⁴	3,960,943
FY 2014	28,222,762	27,091,769 ¹⁴	3,806,616
FY 2015	27,049,782	25,697,888 ¹⁴	3,890,089
TOTAL	\$701,056,030	\$601,758,711	\$ 63,085,942

1. Does not include program expenses.
2. Commercial receipts for FY 1995 included \$31,288,889 that was transferred from the Groundwater Protection Loan Fund.
3. Adjustment due to a transfer from the Commercial Fund to the Federal Trust Fund of \$288,117 as a clean-up expenditure rather than as a program expense.
4. Includes \$33,866 transferred to the Federal Trust Fund for clean-up expenditure.
5. Includes transfer of \$2,036,932 from Commercial to Noncommercial Trust Funds per GS 119.18(b); transfer of \$90,000 to Department of Agriculture and Consumer Services; and transfer of \$452,722 to the Federal Trust Fund for clean-up expenditure.
6. Includes transfer of \$43,150,730 from Commercial to Noncommercial Trust Fund per GS 119.18(b). Transfer from Department of Agriculture and Consumer Services of \$38,702 to Federal Trust Fund.
7. Includes additional revenue from the 1-year 1.1 cent per gallon excise tax or \$19 million to the Trust Fund.
8. Includes \$1,922,601 transfer to Noncommercial Fund, \$90,000 transfer to Department of Agriculture and Consumer Services, and \$30,016 transfer to repay Federal Trust Fund for State Lead program expenses.
9. Includes transfer to Noncommercial Fund of \$598,935 and disbursement from the Commercial Fund to the Department of Agriculture and Consumer Services (\$90,000) and Federal LUST Grant (\$108,904).
10. Includes transfer to Noncommercial Fund of \$1,381,848, and disbursement from the Commercial Fund to the Department of Agriculture and Consumer Services (\$90,000), and Federal LUST Grant (\$53,752).
11. Includes transfer to Noncommercial Fund of \$1,004,895, and disbursement from the Commercial Fund to the Department of Agriculture and Consumer Services (\$90,000).
12. Includes disbursement to Department of Agriculture and Consumer Services of \$90,000.
13. Includes disbursements to Department of Agriculture and Consumer Services (\$90,000) and legislatively mandated transfer of interest (\$614,239.29).
14. Includes disbursements to Department of Agriculture and Consumer Services (\$90,000).

**Table 3 – Claims Processed for the Commercial Cleanup Fund
7/1/88 – 6/30/15**

Claim Action	Number
Claims Paid	40,200
Incidents Denied Totally ¹	33
Claims Denied Partially ²	17,088
Claims Pending	187
Contracted Cleanups ³	1606

1 Ineligible (operating fees not paid; release discovery pre-dates program)

2 Claims contain excessive or undocumented costs

3 State lead actions undertaken/completed

Figure 3 - Commercial Fund Balance and Claims Pending & Obligations

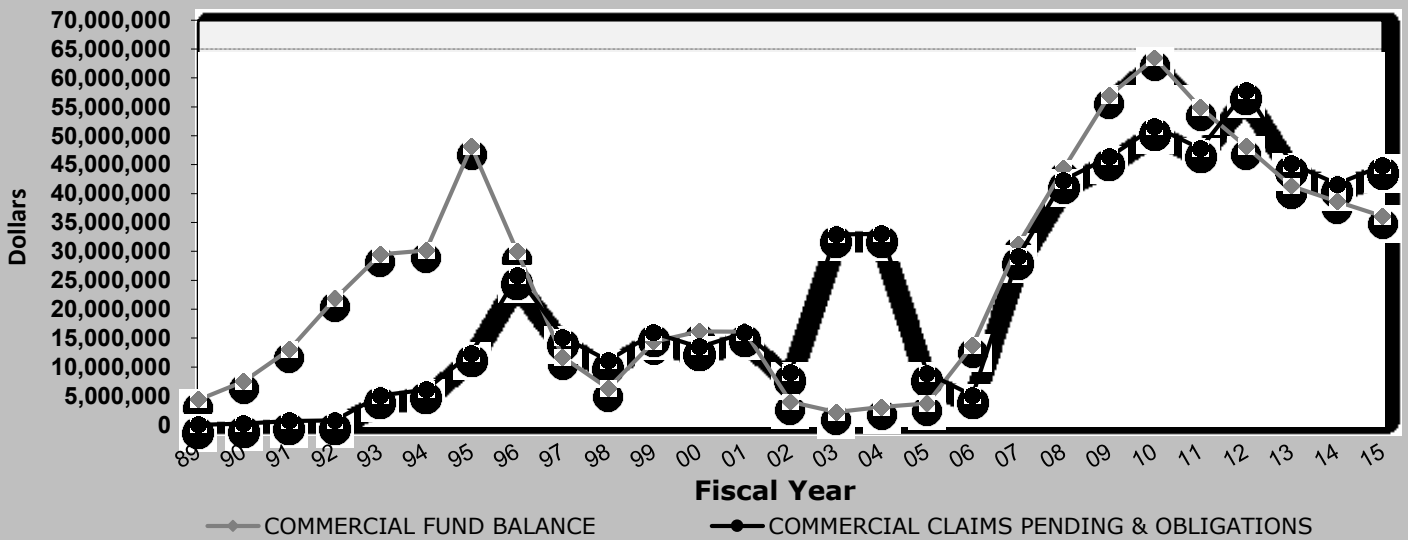
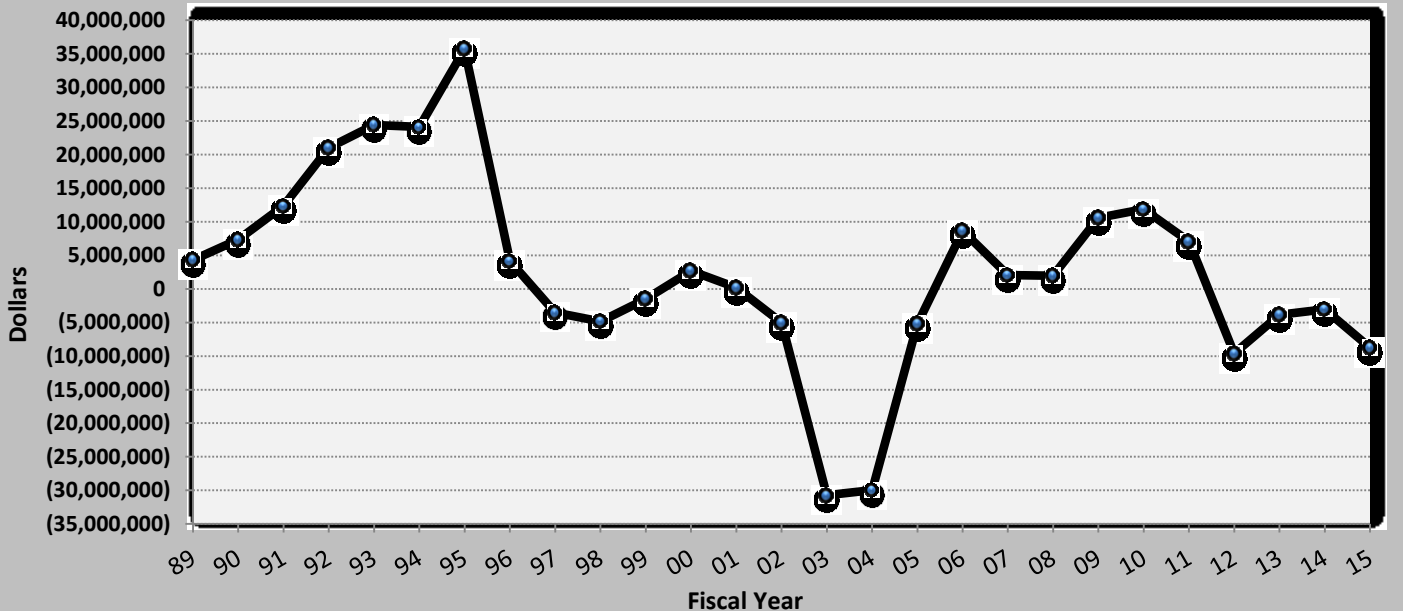


Figure 4 - Commercial Fund Balance Minus Claims Pending & Obligations



**Table 4 – Receipts & Disbursements for Noncommercial Cleanups
7/1/88 – 6/30/15**

Fiscal Year	Receipts	Disbursements¹	Program Expenses
FY 1989	\$ 0	\$ 0	\$ 0
FY 1990	2,905,035	0	201,254
FY 1991	2,934,347	564,206	547,595
FY 1992	3,018,344	2,143,155	517,221
FY 1993	7,693,288	4,069,497	601,686
FY 1994	3,404,086	2,012,312	694,423
FY 1995	5,194,725	2,900,368	666,270
FY 1996	5,215,550	5,029,109	783,684
FY 1997	5,587,781	5,924,799	801,143
FY 1998	5,717,592	3,869,091	667,724
FY 1999	5,945,461	2,776,105	620,574
FY 2000	5,636,563	5,028,505	570,738
FY 2001	5,811,666	7,890,618 ²	733,811
FY 2002	6,620,808 ³	9,182,320	913,755
FY 2003	7,664,329 ⁴	9,898,806	1,166,494
FY 2004	8,060,151	7,756,579	1,244,864
FY 2005	14,885,997 ⁵	11,326,318	1,265,079
FY 2006	7,615,613 ⁶	5,005,578	1,298,441
FY 2007	6,053,993 ⁷	5,099,349	1,349,006
FY 2008	6,030,546 ⁸	6,105,295	1,416,685
FY 2009	6,178,730 ⁹	5,878,808	1,324,956
FY 2010	6,726,977 ¹⁰	4,371,297	1,451,830
FY 2011	6,388,636	5,922,935	1,518,243 ¹¹
FY 2012	2,402,783	3,001,065	1,521,606
FY 2013	7,272,018 ¹²	5,494,840	1,552,619
FY 2014	5,895,127 ¹³	4,599,607	1,492,126
FY 2015	5,852,436 ¹⁴	4,068,263	1,524,845
TOTAL	\$156,712,582	\$129,918,825	\$ 26,446,672

1. Does not include program expenses.
2. \$2 million was transferred from the Noncommercial Fund to the State's General Fund.
3. Includes transfer of \$784,382 from Circle K Settlement Fund.
4. Includes transfer of \$3,418,990 of motor fuel and kerosene tax from Commercial to Noncommercial trust funds due to balance below \$5 million – GS 119.18(b).
5. Includes additional revenue from the 1-year 1.1 cent per gallon excise tax or \$19 million to the Trust Fund.
6. Includes \$1,922,601 transfer to Noncommercial Fund, \$90,000 transfer to the Department of Agriculture and Consumer Services and \$30,016 transfer to repay Federal Trust Fund for State Lead program expenses.
7. Includes transfer to Noncommercial Fund of \$598,935 and disbursement from Commercial Fund to Department of Agriculture and Consumer Services (\$90,000) and Federal LUST Grant (\$108,904).
8. Includes transfer to Noncommercial Fund of \$1,381,848, and disbursement from the Commercial Fund to the Department of Agriculture and Consumer Services (\$90,000), and Federal LUST Grant (\$53,752).
9. Includes transfer to Noncommercial Fund of \$1,004,895, and disbursement from the Comm. fund to Department of Agriculture and Consumer Services (\$90,000).
10. Includes transfer from NC DOT of \$4,283,393.
11. Includes legislatively mandated transfer of interest from the Fund - \$614,239.29.
12. Includes legislative appropriation of funds and interest transfer to the receipts for the Fund - \$4,880,000.
13. Includes legislative appropriation of funds and interest transfer to the receipts for the Fund - \$3,500,000.
14. Includes legislative appropriation of funds and interest transfer to the receipts for the Fund - \$3,417,105.

**Table 5 – Claims Processed for the Noncommercial Cleanup Fund
7/1/88– 6/30/15**

Claim Action	Number
Claims Paid	15,202
Incidents Denied Totally ¹	4
Claims Denied Partially ²	5,827
Claims Pending	271
Contracted Cleanups ³	254

1 Ineligible (operating fees not paid; release discovery pre-dates program)
 2 Claims contain excessive or undocumented costs
 3 State lead actions undertaken/completed

Figure 5 - Noncommercial Fund Balance and Claims Pending & Obligations

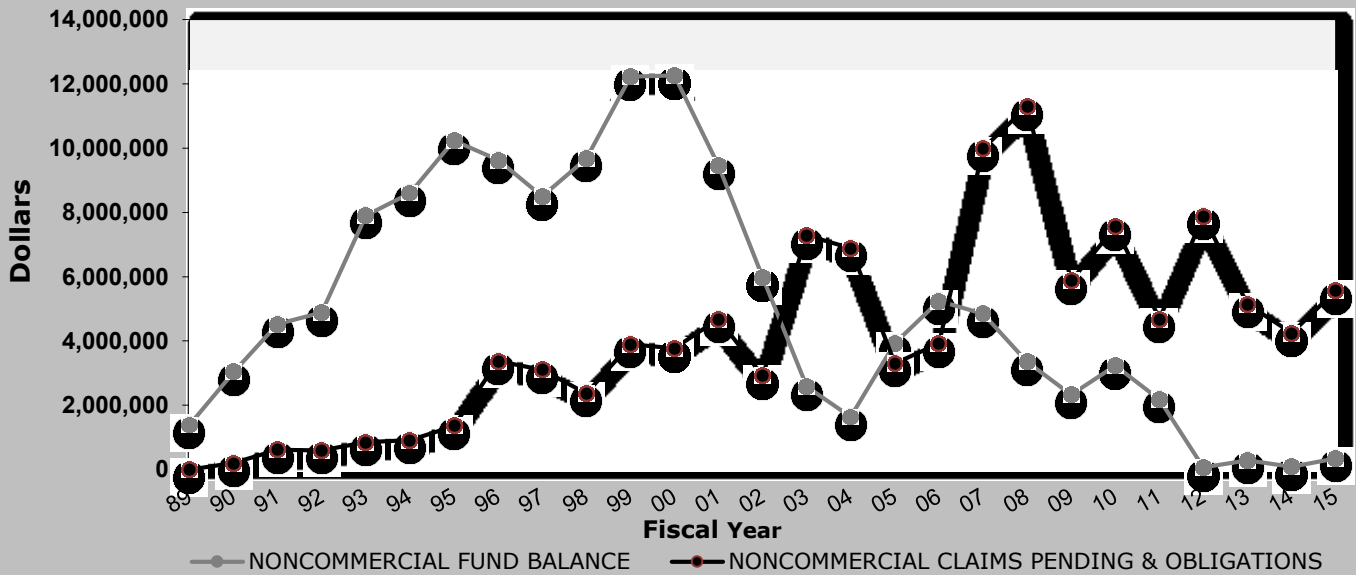


Figure 6 - Noncommercial Fund Balance Minus Claims Pending & Obligations

