



WYOMING DEPARTMENT OF
ENVIRONMENTAL
QUALITY

Department of Environmental Quality Solid and Hazardous Waste Division

Program Financing Overview

Joint Minerals, Business and Economic Development Committee

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Storage Tank Program

- ◆ Remediating contaminated sites since 1991.
- ◆ Funding for the STP comes from the storage tank corrective action account (CAA) and the financial responsibility account (FRA).
 - The CAA provides funds necessary to clean up releases.
 - The FRA provides financial assurance for harm to third parties resulting from a release, as required by federal law.
- ◆ There have been a total of 1,641 contaminated STP source sites in Wyoming.
 - 1,351 have been remediated by the STP.
 - 290 unresolved contaminated sites.

Storage Tank Program

- ◆ Of the 290 unresolved contaminated sites, 282 are in corrective action projects.
 - Six (6) of the eight (8) remaining contaminated sites have been scheduled for upcoming projects.
- ◆ New sites are added to the list when they are discovered.
 - Two (2) contaminated sites were added in 2021.

Corrective Action Account

Mineral Severance Tax

Approx. \$10M a year
Equivalent to 1 cent per gallon
of fuel sold



Financial Responsibility Account

Balance - \$1,000,000

Federal Requirement for Third Party
Damages

Corrective Action Account

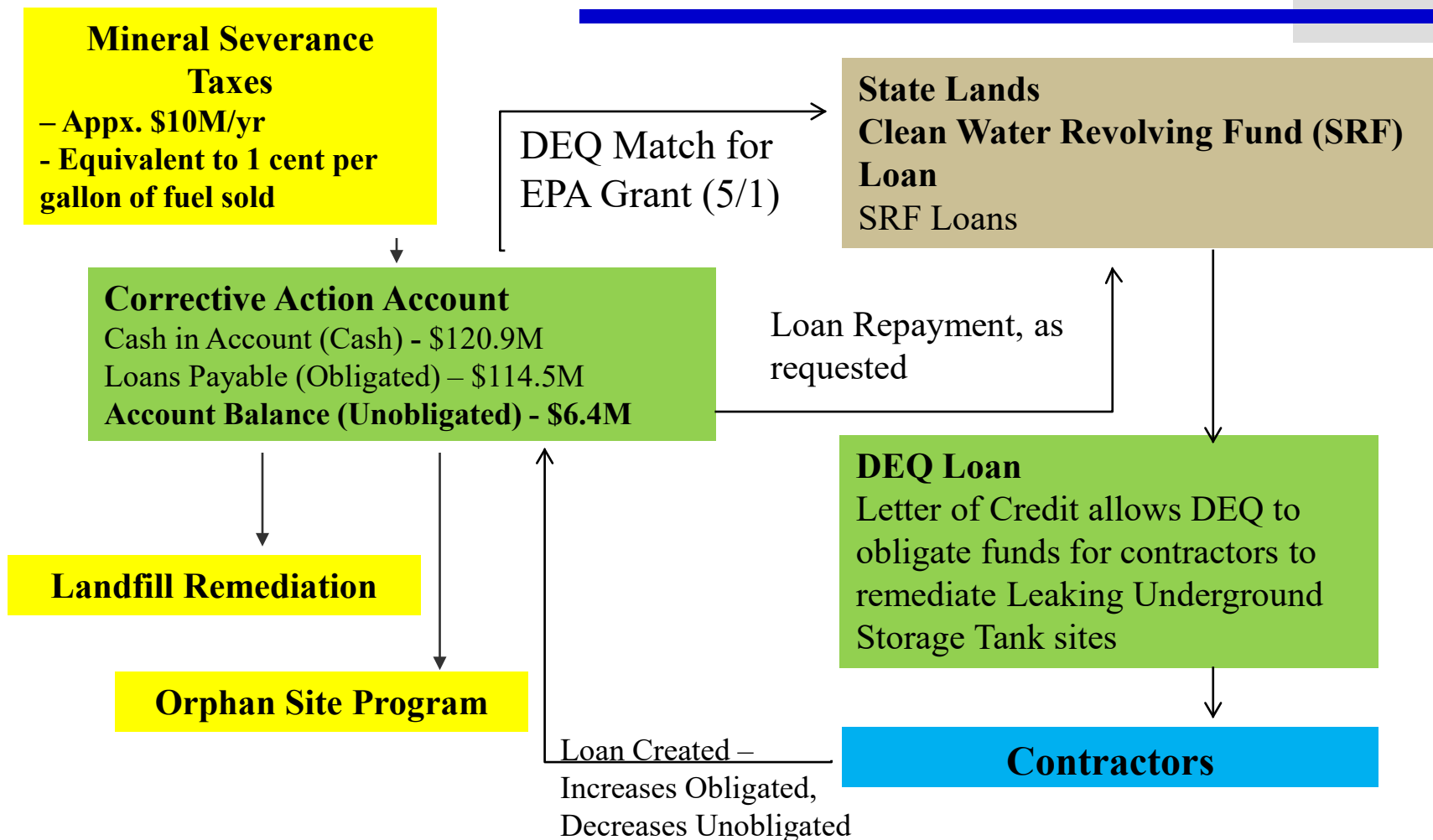
Balance - \$6,400,000



Tank and Contaminated Site Fees

Approx. \$400,000/year

Corrective Action Account



Landfill Remediation Program

- ◆ In 2013, the Legislature created the Landfill Remediation Program (LRP)
 - DEQ works with operators to oversee and fund up to 75% of the cost of investigating and remediating contamination at landfills for up to 10 years after implementing the remedy.

- ◆ In 2010, the estimated cost of remediation of all the contaminated landfills was \$226 million.
 - The current cost estimate for the 11 highest priority landfills is \$32 million.

- ◆ \$45 million placed in LR Account
 - \$17 million appropriated to DEQ to begin LRP work.
 - \$17 million transferred to Cease and Transfer Program in 2016.
 - \$2 million transferred to Cease and Transfer Program in 2018.
 - \$9 million appropriated to LR Account.

- ◆ 2015 Legislature – HEA No. 0039, Corrective Action Account
 - Beginning in 2019, diversions from Corrective Action Account to LRP.
 - Maintains STP Fund Soundness and Provides Reliable Source of Funding for LRP.

Landfill Remediation Program Status

- ◆ Investigation and remediation activities underway at five (5) highest priority landfills.

- ◆ DEQ is:
 - Conducting priority assessments of landfill remediation list
 - Refining clean up costs
 - Establishing groundwater cleanup standards for landfills by determining applicable groundwater classifications

- ◆ DEQ has an unobligated balance of \$12.8M in the LRP account.
 - Anticipate the remaining balance will be exhausted over the next two years and the funding source will be from the CAA.

Orphan Site Remediation Program

- ◆ In 2000, the Legislature created the Orphan Site Remediation Program (OSRP), which authorizes DEQ to remediate contaminated orphan sites in the State of Wyoming.

- ◆ An “orphan site” is defined as:
 - A site where no viable responsible party can be identified
 - Spill sites where the entity responsible for the spill cannot be located, or where the department must take prompt action to prevent hazards to human health and/or the environment at a site where a responsible party fails to act

Orphan Site Remediation Program

- ◆ The purpose of the OSRP is to remediate a threat to human health and the environment and allow properties to be returned to productive use.
- ◆ In 2018, the Legislature passed SEA 001 that allows the OSRP to utilize funding from the Corrective Action Account, in a limited amount and at the Director's discretion.

Orphan Site Remediation Program

- ◆ DEQ has identified 34 known orphan sites.
 - 12 sites are in the active investigation or remediation phase;
 - 10 sites are awaiting investigation;
 - 4 sites are considered cleaned up or remediated in a localized area;
 - 8 sites have transferred to the VRP, been removed from the list due to cleanup under new ownership, or through tax default.
- ◆ Orphan Site funds have been expended at the following sites:
 - former Texas Gulf Sulfur Plant in Worland
 - former Crown Oil and Gas Refinery in LaBarge
 - the Cheyenne PCE plume
 - the Casper PCE plume
 - former Sanderson Dry Cleaners in Sheridan
 - Deluxe Dry Cleaner in Cheyenne
 - Evanston Roundhouse site in Evanston

Corrective Action Account Maximum Distributions

- ◆ W.S. 25-11-1424; Corrective Action Account Maximum Distributions:
 - 2019 - divert \$1M from CAA to LRP and \$1M OSRP;
 - 2020 - \$4M to LRP and \$1M to OSRP;
 - 2021 - \$5M to LRP and \$1M to OSRP;
 - 2022 - \$5M to LRP and \$1M to OSRP;
 - 2023 - \$6M to LRP and \$1M to OSRP;
 - 2024 – 2028 – Determine funds needed for STP and keep in CAA and divert \$1M to OSRP and rest to LRP;
 - 2029 and after – Determine funds needed for STP and keep in the CAA, Director’s discretion on dividing additional funds between LRP and OSRP.

- ◆ Must keep \$2M in CAA for STP at all times.

Corrective Action Account Actual Distributions

Corrective Action Account Actual Distributions:

- ◆ 2019 - \$1M to LRP and \$1M to OSRP
- ◆ 2020 - \$2M to LRP, no OSRP distribution
- ◆ 2021 - \$500K to LRP and \$500K to OSRP
- ◆ Reduced revenue to CAA from less travel due to COVID

Funding Moving Forward

- STP projects a need of \$48.5 million dollars over the next 10 years to address the known contaminated sites and a continued source of funding to address contaminated sites as they are identified.
- LRP projects a funding need of ~286M to address the 82 landfills on the priority list.
- OSRP projects a funding need of \$10 million to address the current list of orphan sites.
 - Additional funding will be needed for new sites as are they are identified.