

**American Recovery and Reinvestment Act of 2009
Program/Funding Summary**

Short title: Leaking Underground Storage Tanks (LUST)

ARRA Reference: Division Interior, Environment, and Related Agencies Title VII Section Leaking Underground Storage Tank Trust Fund Program

Funding by federal fiscal year:

Year	Total Florida State Budget Amount**	Amounts to Local Governments Passed Through State Agencies	Amounts to Directly to Local Governments	Amounts Directly to Individuals**
FFY 2009*	\$11,636,000	N/A	N/A	N/A
FFY 2010				
FFY 2011				
Later Years				
Total	\$11,636,000	N/A	N/A	N/A

*All funds are being made available at one time; DEP will contract directly with approved cleanup contractors. The funds must be committed by September 30, 2011; however, 60% of funds must be obligated within the first year after grant award and 30% of the funds must be spent within the first year after grant award. The federal OMB has determined that LUST moneys will not be considered “infrastructure” funding for purposes of the stimulus unless the project involves connection to a water system, in which case Davis-Bacon and Buy American labor provisions would apply to contracts.

**DEP has been advised that the amount of funds available to Florida may be only \$11.2 million, but at the time the budget adjustment request was submitted to the Governor’s Office and Senate staff (reflected below), \$11.636 million was the projected amount.

Funding by state fiscal year: See notes above about the potentially changing funding amounts.

SFY 2008 – 2009	\$600,000	N/A	N/A	\$600,000
SFY 2009 – 2010	\$11,036,000	N/A	N/A	\$11,036,000

SFY 2011 – 2012	N/A	N/A	N/A	N/A
Later Years	N/A	N/A	N/A	N/A
Total	\$11,636,000	N/A	N/A	\$11,636,000

Brief description of program or funding including funding distribution method (formula or competitive grant): Federal funds will be distributed through a set state allocation. Based on recent guidance from EPA, funds may only be spent on the cleanup of leaking underground (petroleum) storage tank sites under a consent order (enforcement) and where the responsible party is identified as “indigent.” Florida currently has a list of candidate sites undergoing further review to confirm that they will meet federal requirements, including that cleanup activities can be conducted within the ARRA time constraints. Once the determination has been finalized, funding will be awarded to approved contractors to carry out the work on the highest priority candidate sites, with a focus on those posing the greatest environmental threat and having the potential for successful source removal.

When funds are expected to be available: EPA expects to award the state grants 30 days after that agency receives the funds, pending receipt of state agency grant applications. The actual date of availability is uncertain.

How long are funds available: Funds will be available through September 2011.

Conditions or prerequisites for accessing funds (include matching or MOE requirements): No state match is required to access funds. Funds may only be spent on the cleanup of leaking underground storage tank sites under a consent order (enforcement) and where the responsible party is identified as “indigent.” In addition, funds will only be committed to and spent on sites that can meet the ARRA time constraints. Stimulus-related budget authority is required for both SFY 2008-09 and 2009-10.

Federal agency: EPA

State agency: Department of Environmental Protection, Office of Regulatory Programs

If there is a link to a federal web site that describes the program or funding include here:

<http://www.epa.gov/recovery/index.html>

If there is a link to a state web site that describes the program or funding, include here:

<http://www.dep.state.fl.us/waste/categories/pcp/default.htm>

Contact Person (Name, telephone, email).

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