



UST Program Facts

Leaking Underground Storage Tank Trust Fund

What is the "LUST" Trust Fund?

Congress created the Leaking Underground Storage Tank (LUST) Trust Fund in 1986 by amending Subtitle I of the Resource Conservation and Recovery Act. In December 1990, Congress reauthorized the Trust Fund for five more years.

The LUST Trust Fund has two purposes. First, it provides money for overseeing corrective action taken by a responsible party, who is usually the owner or operator of the leaking underground storage tank (UST). Second, the Trust Fund provides money for cleanups at UST sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action.

What's in the Trust Fund?

The Trust Fund is financed by a 0.1 cent tax on each gallon of motor fuel sold in the country. As of May 1994, about \$1.2 billion had been collected.

Of this amount, Congress has given \$475 million to the U.S. Environmental Protection Agency (EPA) through fiscal year 1994. About \$410 million—or 86 percent of the amount given to EPA—has been dispersed to state programs for state officials to use for administration, oversight, and cleanup work.

The remaining Trust Fund money—about \$65 million or 14 percent of the total—has been used by EPA for administrative activities: negotiating and overseeing cooperative agreements; implementing programs on Indian lands; and supporting regional and state offices.

How does the Trust Fund work?

To receive money from the Trust Fund, a state must enter into a cooperative agreement with the federal government to spend the money for its intended purpose. Every state except Florida (which has its own state cleanup fund) has a cooperative agreement with EPA.

The money is divided among EPA regional offices based on a formula that uses state data. In fiscal year 1994, each state received a base allocation plus additional money depending on the following: the number of confirmed releases in the state; the number of notified petroleum tanks; the number of residents relying on groundwater for drinking water; and the number of cleanups initiated and completed as a percent of total confirmed releases.

How do states use Trust Fund money?

States use Trust Fund money to oversee corrective action by a responsible party and to clean up sites where no responsible party can be found. Only about 1 percent of all cases have been without a responsible party.

To date, states have used about one-third of their Trust Fund money for administration, one-third for oversight and state-lead enforcement activities, and one-third for cleanups.

How many USTs are leaking?

As of July 1994, EPA, states, and local agencies have confirmed more than 262,000 UST releases. Over the next several years, EPA expects more

than another 100,000 confirmed releases to be reported, primarily releases discovered during the replacement or closure of USTs. After this peak, EPA expects fewer additional releases as USTs comply with requirements.

How much do cleanups cost?

Cleanup costs depend on a variety of factors, including the extent of contamination and state cleanup standards. The average cleanup is estimated to cost \$125,000.

If only a small amount of soil needs to be removed or treated, cleanup costs can run as low as \$10,000. However, costs to clean more extensive soil contamination can reach \$125,000. Corrective action for leaks that affect groundwater can cost from \$100,000 to over \$1 million, depending on the extent of contamination.

What cleanup activities have taken place?

As of July 1994, states have used Trust Fund and state money to:

- Confirm more than 262,000 releases,
- Oversee or conduct more than 7,800 emergency responses,
- Oversee or initiate more than 202,000 cleanups,
- Oversee or complete more than 101,000 cleanups, and
- Oversee or conduct more than 892,000 closures.

"Leaking Underground Storage Tank Trust Fund" is one in a series of fact sheets about underground storage tanks (USTs) and leaking USTs. The series is designed to help EPA, other federal officials, and state authorities answer the most frequently asked questions about USTs with consistent, accurate information in plain language. Keep the fact sheets handy as a resource. This fact sheet addresses federal regulations. You may need to refer to applicable state or local regulations, as well. For more information on UST publications, call the RCRA/Superfund Hotline at 800 424-9346.



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