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## **CIOMA MEMBER ALERT**

# ***AB 1188 (Ruskin) Signed!!!***

CIOMA Members -

AB 1188 (Ruskin), CIOMA's sponsored UST Fund program measure, was signed into law today by Governor Schwarzenegger.

**This was a huge team effort - we thank all CIOMA members who responded so effectively to our numerous calls for assistance - THIS COULD NOT HAVE BEEN DONE WITHOUT YOU!**

The measure does the following:

- Increases the UST fee charged on motor fuels stored in underground storage tanks from 1.4 cents/gallon to 2 cents/gallon (6 tenths of one cent/gallon increase) for two years.
- Provides language that allows the Water Board to unsuspend over 1300 UST claims in the "C" class (CIOMA members) that are currently suspended indefinitely. This action has barred them from trying to get third-party bridge financing to assist in their continuing remediation obligations.
- Allows the 1300+ suspended claimants to file for reimbursement of bridge financing costs, within specified parameters. This is compromise language developed by the Water Board and accepted by CIOMA.
- Requires the Water Board to post the results of an independent audit they are having done on the UST Fund and program on their web site.
- Moves a program for remediation of school locations (created in AB 2729-'07 (Ruskin)) from accessing funds from the "D" category account, to accessing funds in the general claims account.
- Provides a fix to the Remediation of Underground Storage Tank (RUST) Program administered by the Water Board, allowing approximately 36 applicants to be eligible for Enhanced Vapor Recovery (EVR) grants authorized by your signature of **AB 96** (Ruskin) earlier this year. These applicants had/have already completed their EVR upgrades and were not eligible for the grants as current law only allows for payment prior to commencement of activities. Station owners felt compelled to initiate EVR upgrades this spring due to the high uncertainty over potential enforcement actions and penalties for missing the EVR deadline. There is adequate revenue, authorized by AB 96, to cover the grants and the Water Board has agreed to the language in this measure.

This package of provisions will infuse the Fund with needed revenue. And it will provide needed legislation to reduce Fund expenses and allow claimants, currently hand-cuffed, the ability to find third-party assistance in meeting their obligations.