



**Listening Session Feedback on proposed rule for:
Underground Storage Tank Revolving Loan & Grant Program
Conducted virtually on May 3 and 10, 2023, from 2:00-3:30pm**

The Washington State Pollution Liability Insurance Agency (PLIA) conducted listening sessions on the agency's proposed rule for the Underground Storage Tank (UST) Revolving Loan and Grant Program. These public sessions are intended to elicit comments, feedback, and questions regarding program specifics. Information received are considered in the drafting of proposed rule language.

Comments regarding the UST Loan and Grant Program	
Comment	PLIA response
A former gas station is currently enrolled in the Technical Assistance Program, would they be eligible for a grant?	Potentially. The gas station owner would need to submit a completed application to the program to determine eligibility.
For commercial sites enrolled into TAP, are grants for UST cleanup only available for owners or are potential liable parties also eligible?	Grants are for the owner/person with current interest in and control of the real property. If the potentially liable party is a prior property owner, then no, grant funding is not available to that party.
What is the definition of the owner? Sometimes the Property owner and the responsible party to commercial UST cleanups are different.	The owner is the person with an interest in and control of the real property where the cleanup is to take place.
What are the loan amounts?	For the UST Loan and Grant Program, the total program funding award limit for each applicant is \$2 million. Participants receive a grant award of up to \$150,000 for the PPA and can receive up to \$1.85 million for a loan award.
Grants for overburdened communities sound great.	Thank you for your comment.
In regard to the PPA amount for UST Loan & Grant sites, with very few exceptions, there hasn't been an issue getting work done under that \$150,000 budget. (Some other attendees generally agreed with this, though concerns about inflationary effects on sub costs was also brought up.)	
It's also important to recognize that, in regard to the previous contract for the loan and grant program for your primes, the scope has expanded. There wasn't a draft cleanup action plan in the original scope and I know that there's a requirement now for an inadvertent discovery plan. It didn't seem like there	The Program is still fairly new. We appreciate the input and will take it into consideration.



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was consideration given for that expanded work in terms of funding amounts.	

Comments regarding the Heating Oil Loan and Grant Program	
Comment	PLIA response
Is there any consideration provided for the elderly in the ranking priorities?	Consideration for funding awards is not based on age. Eligibility for funding is based on income, assets, any available resources, and ranking criteria related to health disparities and potential threat to human health and the environment.
Are the assessments of work needing done given with a list of pre-approved contractors as those able to perform the work? How does a homeowner navigate obtaining bids of the work in the assessment?	Once the Preliminary Planning Assessment is performed and potential costs of work to be done are estimated, homeowners can bring that to potential contractors to get a quote and choose the contractor to perform the work. PLIA does not endorse any specific contractor.
I live in a house my parents built in 1955 and am surrounded by \$2-3.5 million houses. Taking the neighborhood into consideration is not helpful to me at 73, nor is income because I have a modest teacher's pension, so I doubt this is going to fly.	A variety of factors go into the ranking priorities for loan and grant applicants. If you would like to discuss further, please contact kory.neidich@plia.wa.gov .
What are the loan amounts?	For the Heating Oil Loan and Grant Program, the total program funding award limit for each applicant is \$75,000. Participants receive a grant award of up to \$5,000 for the PPA and can receive up to \$70,000 for a loan award.
How was the initial budget of \$5,000 to investigate residential heating oil tank established? Who provides funding if/when the extent of impacts can't be delineated within that budget because additional borings and analyses are needed?	The \$5,000 grant for the PPA is based on our experience operating the residential Heating Oil Insurance Program. We understand that there may be some situations where additional funds are needed, but that would have to be assessed on a site-by-site basis.
Hiring a driller for a day is generally going to cost about \$2,000 or more to put borings in the ground.	The \$5,000 is for the Preliminary Planning Assessment (PPA) conducted by prime contractors who have



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<p>So half of your budget is used up by the driller and then the laboratory takes up a portion of it. In my experience, it's very difficult to come in under the \$5,000 range. More often than not, there's an exceedance of that budget. If you've got impacts that extend beyond the property boundary or multiple groundwater samples are needed, is that something that's likely to automatically qualify you to dip into the remediation to fully define the site?</p>	<p>agreements with PLIA. We will consider how the program can adjust this amount.</p>
<p>You might find that the reason those sites have completed their PPAs without exceeding \$5,000 is because that is the limit and not necessarily because that's how much it costs to do the job. (Some other consultants chimed in here to state that their experience has been consistent and that working heating oil sites often seems unfeasible for them.)</p>	
<p>Firms like ours do stuff like preparation of a health and safety plan that is site-specific. So there's a lot of things that go into this even before a soil or groundwater sample is collected. I would say we struggle to get them done for under around \$7,000. The concern is that if you have firms that are skimping on scope of work to meet the \$5,000 budget, then PLIA may be underserved by the quality of information provided. Inflationary effects are also a concern as they apply to costs.</p> <p>(other attendees concurred that they often have to pare down the scope of work to meet the \$5,000 and that \$7,000 sounds like a more accurate figure.)</p>	<p>We will consider your feedback in evaluating the Heating Oil Loan and Grant Program PPA grant award limit.</p>

Comments regarding the Heating Oil Insurance Program	
Comment	PLIA response
<p>In regard to the Heating Oil Insurance Program, does the \$60,000 for cleanup still apply if I registered my tank in 2009? Is the funds for cleanup still \$60,000?</p>	<p>Yes, tanks registered prior to July 2, 2020, are still covered by the Heating Oil Insurance Program, and the insurance policy still covers up to \$60,000 to clean up contamination from a heating oil release.</p>



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Is there a list of service providers who are able to perform these services for homeowners?	You may choose to continue to work with the contractor who performed Preliminary Planning Assessment or use the Heating Oil Insurance Program Service Provider list which can be found on our website here: https://wa-plia.gov.my.site.com/plia/s/plia-search?tabset-18905=9f73c&tabset-60bc6=a5df6
I'm not finding the link on your page for a new homeowner to get PLIA insurance. I know someone who wants to register a tank. Is there a link for that?	PLIA no longer accepts new registrations of heating oil tanks. Only heating oil tank owners with registrations existing prior to July 2, 2020, are eligible for the Heating Oil Insurance Program. The Heating Oil Loan and Grant Program may be an option for owners without heating oil tank registrations.
Is the change for the Heating Oil Insurance Program for new people or people who already have this?	If you registered your tank prior to July 2, 2020, there is no change, and you are still covered under the Heating Oil Insurance Program. The Heating Oil Loan and Grant is an option for people who don't have a registered heating oil tank or who may require additional funding beyond the insurance proceeds to meet cleanup.

General Comments	
Comment	PLIA response
Is there any program or plan to motivate homeowners to cleanup before a leak occurs?	All PLIA programs are voluntary. We encourage independent investigations and cleanup of properties with petroleum underground storage tanks. We maintain information and fact sheets on our website to assist owners and operators in understanding how to assess when a site needs cleanup.
When will we have more information about the implications of HB 1175?	The bill was recently signed by Governor Inslee on April 25, and takes effect on July 23, 2023. As we develop our Financial Assurance program between now and then, we will keep the public informed with announcements on our home page and emails through our email listserv. If you would like to be



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	added to our email distribution list, please reach out to rules@plia.wa.gov or send us a message through our website's contact form .
It would be nice for everyone who has an account with PLIA to be included on emails regarding agency updates.	Thank you. PLIA is building our email distribution list and determining an efficient strategy for communicating by email.
Do these Zoom meetings and slides get posted online for further viewing? Maybe a PLIA dedicated YouTube Page?	Listening sessions are not recorded. However, we transcribe all comments/feedback and post these and PLIA's responses on the website. For public comment sessions, which are deemed agency action, these are recorded and posted on our Rulemaking page.
Do other businesses attending have any feedback for what's working for you in regard to finding/locating new customers? Talking about PLIA changes is very informative. Knowing how to find those potential customers is even more so, in my opinion.	
Town halls and virtual outreach on the proposed rule change is helpful.	Thank you for your comment.
It would be good if there was more education to applicants that the Technical Assistance Program fee comes out of the Preliminary Planning Assessment grant.	The Technical Assistance Program enrollment fee is in addition to the PPA grant.

Number of attendees total: 52