



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

FIS 13 245

59  
*Rowe*



**Thomas S. Burack, Commissioner**

Rep. Leigh A. Webb, Chairman

*Oil Fund Disbursement Board*

October 28, 2013

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
and

*M. Jane Wallner* 11/22/13  
Approved by Fiscal Committee Date

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, authorize the Oil Fund Disbursement Board (Board) to budget and expend prior year carry forward funds under the provisions of RSA 146-D:3, I, in the amount of \$1,250,000 for purposes of oil discharge cleanup effective upon Fiscal Committee and Governor and Council approval through June 30, 2015. 100% Oil Discharge & Disposal Cleanup funds.

Funding to be budgeted as follows.

**Oil Discharge & Disposal Cleanup Fund**  
**03-44-44-444010-14140000**  
**FY 2014**

Object Class		Current Budget	Requested Action	Revised Budget
<b>Income</b>				
009-402315	Agency Income	(\$10,500,000)	(\$1,250,000)	(\$11,750,000)
<b>Expenditures</b>				
300-500830	Reimbursements	\$10,500,000	\$1,250,000	\$11,750,000
	Total Expenditures:	\$10,500,000	\$1,250,000	\$11,750,000

The Oil Discharge & Disposal Cleanup (ODD) Fund was established in 1988 under RSA 146-D for reimbursement of contamination cleanup costs incurred by motor fuel storage tank facility owners, including businesses, local governments, counties and schools. Motor fuel contamination is a risk to public health and the environment, and under RSA 146-A, storage tank facility owners are strictly liable for cleanup costs. Typical insurance policies do not provide cleanup cost coverage. The ODD Fund, which is funded through an import fee on motor fuel, provides coverage so facility owners do not face significant and unplanned financial hardship.

The budget increase requested herein will be used to pay cleanup cost reimbursement claims from owners of facilities and contaminated properties where facilities were located. The increase is

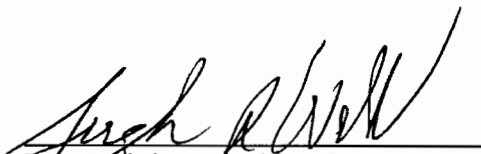
The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

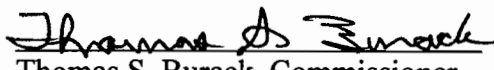
Her Excellency, Governor Margaret Wood Hassan  
And the Honorable Council  
Page 2

needed because additional cleanup funding is necessary for various investigation and remediation projects. The current FY 2014 reimbursement budget was based on the best available information at the time of biennium budget development. Budgets are developed in consideration of planned projects and contingencies, and maintaining a minimum fund balance for unanticipated work and long term project planning. Thus, carry forward funds are available to budget an additional \$1,250,000 in Class 300 Reimbursements expenditures.

On behalf of the Board, the Department of Environmental Services approves all reimbursable cleanup work in advance for both scope and cost, and eligible applicants may request payment when work is completed. Applications are reviewed in accordance with applicable rules and regulations adopted by the Board under N.H. Administrative Rule Odb 400.

We respectfully request your approval.

  
\_\_\_\_\_  
Rep. Leigh A. Webb, Chairman  
Oil Fund Disbursement Board

  
\_\_\_\_\_  
Thomas S. Burack, Commissioner  
Dept. of Environmental Services

Department of Environmental Services  
Oil Fund Disbursement Board  
Supplemental Information

Oil Discharge & Disposal Cleanup Fund  
03-44-44-444010-14140000

	<u>FY 2014</u>
Balance carried forward July 1	\$ 2,724,056
Revenue Received Thru 10/11/13	1,951,475
Estimated income to be received	<u>9,298,525</u>
Available	\$ 13,974,056
Less current budget	<u>(10,500,000)</u>
Available to budget	\$ 3,474,056
Less current request	<u>(1,250,000)</u>
Available Balance	\$ 2,224,056

