



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



*Book*  
**59**

Thomas S. Burack, Commissioner

August 1, 2014

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

**REQUESTED ACTION**

Authorize the Department of Environmental Services (DES) to accept and expend \$95,521 in additional federal funds for purposes of leaking underground storage tank facility cleanup, effective upon Governor and Council approval through June 30, 2015. 100% Federal Funds.

Funding to be budgeted as follows:

**LUST Trust Program**  
**03-44-44-444010-20750000**  
**FY 2015**

Object Class		Current Budget	Requested Action	Revised Budget
	<b>Revenue</b>			
000-404245	Federal Funds	(\$549,404)	(\$95,521)	(\$644,925)
	<b>Expenditures</b>			
10-500100	Permanent Personnel	285,878	0	285,878
18-500106	Overtime	0	4,000	4,000
20-500200	Current Expense	5,400	1,252	6,652
22-500255	Rents & Leases	850	0	850
27-502799	Transfers to OIT	15,148	0	15,148
28-500292	Transfers to General Services	13,651	0	13,651
39-500188	Telecommunications	4,000	0	4,000
40-500800	Indirect Costs	37,581	7,026	44,607
41-500801	Audit Fund Set Aside	533	111	644
42-500620	Additional Fringe Benefits	28,694	5,796	34,490
49-500294	Transfer to Other Agencies	124	0	124
50-500109	Temporary Personnel	0	51,200	51,200
59-500117	Full Time Temporary Personnel	18,000	0	18,000
60-500601	Benefits	137,595	24,636	162,231
66-500543	Employee Training	700	0	700
70-500705	In-State Travel	500	1,500	2,000
101-500729	Medical Payments	750	0	750
	<b>Total Expenditures:</b>	<b>\$549,404</b>	<b>\$95,521</b>	<b>\$644,925</b>

**EXPLANATION**

The Department receives federal funds for the leaking underground storage tank (LUST) program through an EPA Cooperative Agreement grant. Department personnel and expenses supported by the LUST grant include program management, site inspection, and oversight of cleanup work performed by site owners. Grants are awarded on a two-year cycle following approval of the Department's application. For the State Budget, DES budgets grant funds based on the approved award and the funds are received during the biennium.

LUST grant awards to New Hampshire are based on an EPA allocation formula. EPA revised its allocation post-award, and New Hampshire received \$95,521 greater than currently budgeted. The purpose of this request is to authorize the Department to accept and expend those additional funds that will also be used for LUST inspections and cleanup management.

Expenditures itemized by Class included in this request are budgeted and described as follows:

Class 018 – Overtime - To cover the cost of personnel overtime.

Class 020 – Current Expense - To cover the costs for supplies and vehicle expenses.

Class 040 – Indirect Costs - To cover the program share of statewide indirect costs.

Class 041 – Audit Set-Aside - To cover the program audit costs.

Class 042 – Additional Fringe - To cover the program share of additional fringe benefit costs.

Class 050 – Part Time Personnel - The additional amount of \$51,200 will not be used for new positions. These funds are available in support of expanded project beyond the original budget scope. Employee support from other DES organization units will be used to administer the program. These funds will be used to supplant funding of the following positions, which are currently budgeted:

Position #	Title	Budget Account 03-44-44-444010	Funding	Amount
19137	Environmentalist IV	14210000	100% Other	\$10,000
19509	Environmentalist IV	14210000	100% Other	\$10,000
40151	Hydrogeologist III	14210000	100% Other	\$10,000
42141	Hydrogeologist III	14210000	100% Other	\$10,000
42136	Environmentalist III	14210000	100% Other	\$11,200
			Total:	\$51,200

Funding that is budgeted in the accounts for the current positions referenced above will either be lapsed or closed-to-control.

Class 060 – Benefits - To cover benefits costs associated with personnel costs.

Class 070 – Instate Travel - To cover travel to various contaminated sites.


We respectfully request your approval.


  
Thomas S. Burack, Commissioner

**NEW HAMPSHIRE LUST TRUST PROGRAM  
FISCAL SITUATION FY15  
03-44-44-444010-20750000**

Total Federal Authorization	\$903,614.00
Less Expenditures thru 6/30/14	\$258,689.00
Remaining Authorization to Budget	\$644,925.00
Less Current FY15 Budget	\$549,404.00
Total Available for Budgeting	\$95,521.00
<b>REQUESTED ACTION</b>	<b>\$95,521.00</b>
Available to Budget at a later date	\$0.00

<b>Grant Award Number</b>	<b><u>Award Amount</u></b>	<b><u>Expenses to 6/30/14</u></b>	<b><u>Balance</u></b>
LS-97199804-1	\$281,807.00	\$258,689.00	\$23,118.00
LS-97199804-2	\$621,807.00	\$0.00	\$621,807.00
	\$903,614.00	\$258,689.00	\$644,925.00

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	<b>GRANT NUMBER (FAIN):</b> 97199804 <b>MODIFICATION NUMBER:</b> 1 <b>PROGRAM CODE:</b> LS	<b>DATE OF AWARD</b> 07/25/2013
		<b>TYPE OF ACTION</b> Augmentation: Increase	<b>MAILING DATE</b> 08/01/2013
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 10108
<b>RECIPIENT TYPE:</b> State		<b>Send Payment Request to:</b> U.S. EPA Las Vegas Finance Center 4220 South Maryland Parkway, Building C, Suite 503 Las Vegas, NV 89119 Tel: (702) 798-2406 Fax: (702) 798-2423 LVFC-grants@epa.gov	
<b>RECIPIENT:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618		<b>PAYEE:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095	
<b>PROJECT MANAGER</b> Gary Stephen Lynn 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 E-Mail: Gary.Lynn@des.nh.gov Phone: 603-271-8873		<b>EPA PROJECT OFFICER</b> Susan Hanamoto 5 Post Office Square, Suite 100, OSRR07-1 Boston, MA 02109-3912 E-Mail: Hanamoto.Susan@epamail.epa.gov Phone: 617-918-1219	
		<b>EPA GRANT SPECIALIST</b> Brian Tocci Grants Management Office, OARM16-2 E-Mail: Tocci.Brian@epamail.epa.gov Phone: 617-918-1979	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Leaking Underground Storage Tank (LUST) Trust Fund Support Amendment #1 approves an Incremental Increase in Federal Funds in the amount of \$281,807. Total EPA Amount Awarded to Date is now \$581,807. Administrative Term and Condition #2 has been updated. All other Terms and Conditions remain unchanged, and in full force and effect.			
<b>BUDGET PERIOD</b> 04/01/2013 - 03/31/2015	<b>PROJECT PERIOD</b> 04/01/2013 - 03/31/2015	<b>TOTAL BUDGET PERIOD COST</b> \$1,477,777.00	<b>TOTAL PROJECT PERIOD COST</b> \$1,477,777.00
<b>NOTICE OF AWARD</b>			
<p>Based on your Application dated 01/18/2013 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$281,807. EPA agrees to cost-share 39.37% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$581,807. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.</p>			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1  5 Post Office Square, Suite 100 Boston, MA 02109-3912	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official for Michael Kenyon - Director, Office of Administration & Resource Management Fred Weeks - Award Official delegate			<b>DATE</b> 07/25/2013

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	<b>GRANT NUMBER (FAIN):</b> 97199804 <b>MODIFICATION NUMBER:</b> 2 <b>PROGRAM CODE:</b> LS	<b>DATE OF AWARD</b> 05/29/2014
		<b>TYPE OF ACTION</b> Augmentation: Increase	<b>MAILING DATE</b> 06/05/2014
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 10108
		<b>RECIPIENT TYPE:</b> State	
<b>RECIPIENT:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618		<b>PAYEE:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095	
<b>PROJECT MANAGER</b> Gary Stephen Lynn 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 E-Mail: Gary.Lynn@des.nh.gov Phone: 603-271-8873	<b>EPA PROJECT OFFICER</b> Susan Hanamoto 5 Post Office Square, Suite 100, OSRR07-1 Boston, MA 02109-3912 E-Mail: Hanamoto.Susan@epamail.epa.gov Phone: 617-918-1219	<b>EPA GRANT SPECIALIST</b> Brian Tocci Grants Management Office, OARM16-2 E-Mail: Tocci.Brian@epamail.epa.gov Phone: 617-918-1979	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Leaking Underground Storage Tank (LUST) Trust Fund Support Amendment #2 approves an Incremental Increase in Federal Funds in the amount of \$621,807. Total EPA Amount Awarded to Date is now \$1,203,614. Administrative Term and Condition #22 (Unliquidated Obligations) has been updated. All other Terms and Conditions remain unchanged, and in full force and effect.			
<b>BUDGET PERIOD</b> 04/01/2013 - 03/31/2015	<b>PROJECT PERIOD</b> 04/01/2013 - 03/31/2015	<b>TOTAL BUDGET PERIOD COST</b> \$1,477,777.00	<b>TOTAL PROJECT PERIOD COST</b> \$1,477,777.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 01/18/2013 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$621,807. EPA agrees to cost-share 81.45% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,203,614. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1  5 Post Office Square, Suite 100 Boston, MA 02109-3912	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official for Michael Kenyon - Director, Office of Administration & Resource Management Fred Weeks - Award Official delegate			<b>DATE</b> 05/29/2014