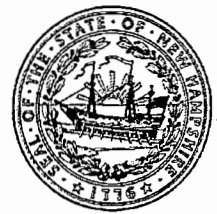




The State of New Hampshire
Department of Environmental Services



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Robert R. Scott, Commissioner

May 7, 2018

His Excellency, Governor Christopher T. Sununu
 and the Honorable Council
 State House
 Concord, New Hampshire 03301

MAY 09 '18 PM 12:35 DAS

REQUESTED ACTION

Authorize the Department of Environmental Services (DES) to accept and expend \$63,290 in federal funds under authority of RSA 146-C:12, for purposes of managing corrective action at leaking underground storage tank (LUST) sites, effective upon Governor and Council approval through March 31, 2019. 100% Federal funds.

Funding is to be budgeted as follows:

N.H. LUST Trust Program
03-44-44-444010-2075
FY 2018

Class	Budget Category	Current Budget	Requested Action	Revised Budget
Income				
000-404245	Lust Trust Program	(\$611,335)	(\$63,290)	(\$674,625)
Expenditures				
010-500100	Personal Service Perm	\$273,737	\$0	\$273,737
020-500200	Current Expense	\$1,150	\$0	\$1,150
027-500799	Transfers to DOIT	\$35,875	\$0	\$35,875
028-500292	Transfers to General Service	\$14,783	\$0	\$14,783
030-500302	Equipment New Replacement	\$250	\$0	\$250
039-500188	Telecommunications	\$5,250	\$0	\$5,250
040-500800	Indirect Costs	\$37,590	\$0	\$37,590
041-500801	Audit Fund Set Aside	\$617	\$0	\$617
042-500620	Additional Fringe Benefits	\$29,874	\$0	\$29,874
049-584995	Transfer to Other State Age	\$108	\$0	\$108
050-500109	Personal Service Temp	\$0	\$63,290	\$63,290
059-500117	Temp Full Time	\$25,000	\$0	\$25,000
060-500601	Benefits	\$184,251	\$0	\$184,251
066-501709	Employee Training	\$1,350	\$0	\$1,350

Class	Budget Category	Current Budget	Requested Action	Revised Budget
070-500705	In-State Travel	\$1,000	\$0	\$1,000
101-500729	Medical Payments to Provide	\$500	\$0	\$500
TOTAL		\$611,335	\$63,290	\$674,625

EXPLANATION

In 1986, the Leaking Underground Storage Tank (LUST) Trust Fund was created by Congress to address petroleum released from federally regulated underground storage tanks (USTs). DES is delegated by the US Environmental Protection Agency (EPA) to: 1) oversee cleanups of petroleum releases by responsible parties, 2) enforce cleanups by recalcitrant parties, 3) pay for cleanups at sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency actions, and 4) conduct inspections and other release prevention activities. Since the 1990s, DES has received a semi-annual grant of approximately \$1,420,000 and has typically used these monies to pay for personnel expenses addressing delegated responsibilities.

The additional funds will be used for full-time and part-time personnel salaries listed below working in the petroleum contaminated site management program providing work and services in support of this program. Due to shifting staff responsibilities funds in the existing grant has not been used at the anticipated rate. These additional funds will allow DES to fully utilize the grant by March 31, 2019 made available by EPA and support cleanup of New Hampshire's LUST sites.

DES is requesting additional funds to be budgeted as follows:

Class 050 – Part Time Personnel: \$63,290 is budgeted for existing positions from other DES organizational units used to administer the LUST program. The funds will not be used for new positions, but are available in support of using grant funds by March 31, 2019. These funds will be used to supplant funding of the following positions, which are currently budgeted:

Position #	Title	Budget	Funding Mix	Amount
12117	Admin. Secretary	03-44-444010-1421-010	100% Other	\$4,981
18330	Hydrogeologist IV	03-44-444010-1421-010	100% Other	\$9,902
19508	Environmentalist IV	03-44-444010-1421-010	100% Other	\$5,369
19509	Environmentalist IV	03-44-444010-1421-010	100% Other	\$6,131
19525	Environmentalist IV	03-44-444010-1421-010	100% Other	\$6,999
42134	Program Spec. III	03-44-444010-1421-010	100% Other	\$6,922
42140	Hydrogeologist IV	03-44-444010-1421-010	100% Other	\$10,402
42141	Hydrogeologist III	03-44-444010-1421-010	100% Other	\$6,999
42209	Program Spec. II	03-44-444010-1421-010	100% Other	\$5,585
Total:				\$63,290

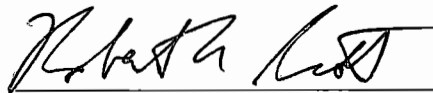
His Excellency, Governor Christopher T. Sununu
and the Honorable Council

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Classes 040 (Indirect Costs), 041 (Audit Fund Set-Aside), 042 (Additional Fringe Benefits), and 060 (Benefits) - There are no requested increases in these classes since there are sufficient funds already budgeted.

In the event that the Federal funds are not available to complete the grant, General Funds will not be requested to support these existing positions.

We respectfully request your approval.


A handwritten signature in black ink, appearing to read "Robert R. Scott", written over a horizontal line.


Robert R. Scott, Commissioner
Dept. of Environmental Services

Lust Trust Program
FISCAL SITUATION FY18
03-44-44-444010-20750000

Total Federal	\$1,648,683
Less Expenditures thru 6/30/17	\$560,234
Remaining Authorization to Budget	<u>\$1,088,449</u>
Less Current FY18 Budget Authorization	\$611,335
Total Available for Budgeting	<u>\$477,114</u>
REQUESTED ACTION	<u>\$63,290</u>
Available to Budget at a later date	\$413,824

Grant Award Number	<u>Award</u> <u>Amount</u>	<u>Expenses</u> <u>to 6/30/17</u>	<u>Balance</u>
LS97199805	\$1,103,227	\$560,234	\$542,993
LS97199806	\$545,456	\$0	\$545,456
TOTAL	<u>\$1,648,683</u>	<u>\$560,234</u>	<u>\$1,088,449</u>

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment	GRANT NUMBER (FAIN): 97199805 MODIFICATION NUMBER: 3 PROGRAM CODE: LS	DATE OF AWARD 05/02/2018
		TYPE OF ACTION No Cost Amendment	MAILING DATE 05/02/2018
		PAYMENT METHOD: ASAP	ACH# 10108
		RECIPIENT TYPE: State	
RECIPIENT: New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618		PAYEE: New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095	
PROJECT MANAGER Margaret Bastien 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 E-Mail: margaret.bastien@des.nh.gov Phone: 603-271-7372		EPA PROJECT OFFICER Susan Hanamoto 5 Post Office Square, Suite 100, OSRR07-1 Boston, MA 02109-3912 E-Mail: Hanamoto.Susan@epa.gov Phone: 617-918-1219	
EPA GRANT SPECIALIST Brian Tocci Grants Management Office, OARM05-5 E-Mail: Tocci.Brian@epa.gov Phone: 617-918-1979			
PROJECT TITLE AND EXPLANATION OF CHANGES Leaking Underground Storage Tank (LUST) Trust Fund Support Amendment #3 approves a No-Cost Time Extension until 3/31/2019 for the Leaking Underground Storage Tank (LUST) Trust Fund Support Cooperative Agreement to New Hampshire D.E.S. All Terms and Conditions remain unchanged and in full force and effect.			
BUDGET PERIOD 04/01/2015 - 03/31/2019	PROJECT PERIOD 04/01/2015 - 03/31/2019	TOTAL BUDGET PERIOD COST \$1,225,994.00	TOTAL PROJECT PERIOD COST \$1,225,994.00
NOTICE OF AWARD			
Based on your Application dated 03/29/2018 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share 89.99% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,103,227. 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 regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		ORGANIZATION / ADDRESS U.S. EPA, Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Brian Tocci - Senior Grants Management Specialist			DATE 05/02/2018

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 97199806 MODIFICATION NUMBER: 0 PROGRAM CODE: LS	DATE OF AWARD 07/26/2017
		TYPE OF ACTION New	MAILING DATE 08/02/2017
		PAYMENT METHOD: ASAP	ACH# 10108
		RECIPIENT TYPE: State	
RECIPIENT: New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618		PAYEE: New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095	
PROJECT MANAGER Margaret Bastien 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 E-Mail: margaret.bastien@des.nh.gov Phone: 603-271-7372		EPA PROJECT OFFICER Susan Hanamoto 5 Post Office Square, Suite 100, OSRR07-1 Boston, MA 02109-3912 E-Mail: Hanamoto.Susan@epa.gov Phone: 617-918-1219	
EPA GRANT SPECIALIST Brian Tocci Grants Management Office, OARM05-5 E-Mail: Tocci.Brian@epa.gov Phone: 617-918-1979			
PROJECT TITLE AND DESCRIPTION Leaking Underground Storage Tank (LUST) Trust Fund Support This award provides Fiscal Year 2017 Leaking Underground Storage Tank (LUST) funding for the Petroleum Remediation Section of the Oil Remediation and Compliance Bureau at the New Hampshire Department of Environmental Services (NH DES). These funds will be used for program development activities, identifying sites contaminated by petroleum releases, and site work overseeing the investigation and remediation of soils and groundwater at sites contaminated by leaking underground storage tanks. Funding will also be used for supplies, travel, and administrative costs to support the NH DES program.			
BUDGET PERIOD 04/01/2017 - 03/31/2019	PROJECT PERIOD 04/01/2017 - 03/31/2019	TOTAL BUDGET PERIOD COST \$1,225,994.00	TOTAL PROJECT PERIOD COST \$1,225,994.00
NOTICE OF AWARD			
Based on your Application dated 04/21/2017 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$545,456. EPA agrees to cost-share 90.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$545,456. 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 regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		ORGANIZATION / ADDRESS U.S. EPA, Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Michael Kenyon - Director, Office of Administration and Resource Management			DATE 07/26/2017