

POTPOURRI

**Department of Environmental Quality
Office of the Secretary
Legal Division**

Clarification Notice of the Estimation of the Unobligated Balance Associated with the Motor Fuel Underground Storage Tank Trust Fund (Tank Trust Fund) from R.S. 30:2195.3.A.(10)

This potpourri notice (1311Pot1) clarifies R.S. 30:2195.3 (A)(10) that requires the fee authorized by R.S. 30:2195.3.A.(1)(a) not be collected or be required to be paid after a determination has been made by the board that the unobligated balance in the Tank Trust Fund equals or exceeds twenty million dollars.

In making that determination, the board calculates the unobligated balance by subtracting from the cash balance in the Tank Trust Fund at the end of each month the sum of the total estimates made by the board of eligible payment requests pending review and the outstanding balance of the estimated costs to be incurred associated with corrective action plans approved by the department. The portion of the obligated balance for Trust Fund eligible sites without an approved Corrective Action Plan is determined by applying generally accepted accounting guidelines and utilizing historical site specific data. This practice ensures compliance with the statutory requirement that the board make a determination of the estimated costs to be incurred.

The estimated costs to be incurred by sites deemed eligible are a necessary component of determining the obligated balance in the Tank Trust Fund.

For questions concerning this notice (1311Pot1), please contact Perry Theriot, Attorney Supervisor, Office of the Secretary, Legal Division, Box 4302, Baton Rouge, LA 70821-4302; FAX (225) 219-4068; or email at perry.theriot@la.gov.

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