




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

December 13, 2010

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

Subject: LUST4 ARRA And Section 1512 Reporting: Summary To Date And Additional Lessons Learned

From: Carolyn Hoskinson, Director 
Office of Underground Storage Tanks

To: Regional UST Division Directors, Regions 1-10
Regional UST Deputy Division Directors, Regions 1-10
Regional UST Branch Chiefs, Regions 1-10
Regional UST Program Managers, Regions 1-10
LUST4 ARRA State Users Group

As we are approaching the final year for many LUST ARRA Recovery Act Grants, we are providing you with a summary of Lessons Learned from LUST4 ARRA and Section 1512 reporting for all previous quarters plus some additional Lessons Learned. This memo supersedes all previous Lessons Learned memos.

Upcoming Dates

States are to submit ARRA performance measures and locations to the Regions for review by **January 10, 2011**. States are to submit their Section 1512 reports on FederalReporting.gov by **January 10, 2011**.* OUST will hold quarterly calls with the Regions on **January 11, 12, 13, 18, and 19, 2011**. Regions are expected to have reviewed all records by the quarterly calls.

<i>If you need additional assistance on:</i>	<i>Please contact:</i>
ARRA performance measures Semiannual LUST performance measures	Matt Young (young.matthew@epa.gov)
ARRA locations	Queenie Mungin-Davis (mungin-davis.queenie@epa.gov)
Section 1512 reporting Semiannual UST performance measures	Tim Roberts (roberts.timothy-p@epa.gov)

*OMB extended the Section 1512 reporting date to January 14 but noted that any report received after January 10 will be marked late. To avoid late reports and to facilitate our review schedule, we ask that states report by January 10.

Hot Topics

ARRA Performance Measures – Recipients will file their final performance measures report at the end of the quarter in which all funds associated with their ARRA cooperative grant have been expended, whether or not all funds have been drawn down. This is a new clarification and is similar to the guidance given for Section 1512 reporting.

Section 1512 Reporting – OMB has revised its guidance on the reporting of vendor payments. In the past, recipients have been allowed to report the total dollar amount paid to a vendor when any one payment to that vendor is \$25,000 or more. However, OMB is no longer allowing this. It is now requiring the reporting of every individual payment that is \$25,000 or more. Payments that are less than \$25,000 can still be aggregated in the prime recipient report.

For example, if State A makes ten individual payments of \$30,000 and two additional payments of \$20,000 each to Vendor X between October 2010 and December 2010, then in January 2011 State A must list Vendor X and \$30,000 ten times under the vendor reporting section. The \$40,000 (that is, the sum of the two payments of less than \$25,000 each) can be reported under the prime recipient report in the “Total Amount Paid to Vendors Less Than \$25,000” field. The recipient can no longer simply aggregate the total amount paid (\$340,000).

States do not need to alter previous Section 1512 reports; rather they will implement this change in reports from this point forward.

ARRA Location Mapping – The EPA Interactive Map of the Recovery Act Investments (EPA Recovery Mapper), which includes all of the ARRA LUST4 locations, performance data, and 1512 Reporting information as of September 30, 2010, is publicly accessible and can be viewed at <http://epamap17.epa.gov/arra/>. The Mapper can be accessed by clicking in the area on the EPA Recovery Act Web page shown below:



[View Interactive Map of the Recovery Act Investments](#) | [Learn More](#)



Help Desk

Please continue to use the LUST4 Help Desk at 1-877-608-LUST (5878). The Help Desk will be available from December 15, 2010, through January 31, 2011, and is your first line of support for all questions related to LUST4 data entry and EPA Portal access.

Consolidation of Earlier Guidance

This section contains OUST's consolidations of all the guidance and clarifications previously provided on the Section 1512 reporting, the ARRA location mapping, and the ARRA performance measures. These consolidations supersede all the previous Lessons Learned memos. We hope that these summaries will help recipients have a clearer understanding of these performance measures/tools.

Summary of Section 1512 Reporting

OUST has been providing updates in previous versions of these Lessons Learned memos regarding clarifications to 1512 reporting requirements. Subsequent to these clarifications being shared, a clarification would evolve and sometimes change. A summary of all applicable 1512 reporting guidance can be found on the EPA Web site under recipient reporting requirements (<http://www.epa.gov/recovery/recipient.html>). Please refer to this Web site for up-to-date reporting requirements.

Summary of ARRA Location Mapping

As discussed in the ARRA LUST program guidance, states must maintain records of location information when LUST Recovery Act funds are used for direct or indirect assessment or cleanup work. To capture this information, OUST has developed a location component to the LUST4 system to allow for direct entry or file importation of location information.

This ARRA Locations subsystem of LUST4 collects location data on releases tracked by ARRA performance measures in addition to releases with ongoing activities that do not correspond to the eight LUST ARRA performance measures (i.e., you've taken action but not achieved a milestone). The intention is to map site-specific information for every location where ARRA money is being spent. The system is designed to accept location information consistent with Agency standards. The ARRA Locations subsystem is also designed to share data with other EPA systems, including the Facility Registry System, Cleanups in My Community, and the newly released EPA Interactive Map of the Recovery Act Investments (<http://epamap17.epa.gov/arra/>).

Since the inception of location reporting, numerous data-related reporting errors have been noted, including: incomplete address information, latitude/longitude entered in the wrong order, location not visually checked, missing method collection codes, no performance measure or other activity checked, no activity quarter noted, reporting location data for proposed work in future reporting quarters, etc.

Please report location information only for sites where work is being accomplished up to the current reporting period, and recheck all information loaded. Additionally, you must remember to click the “Map Your Location” button to verify that your location is mapping correctly and then click “Save to LUST4.” The “Map Your Location” function directs the system to geocode the location entered (if entered as a physical address, intersection, or in degree/minutes/seconds latitude/longitude format) to a decimal latitude/longitude format. Checking the verification box flags the location as verified in the database, which confirms it will be mapped.

If you click the “Map Your Location” button and the mapped location is incorrect, please recheck the accuracy of your location entry using a commercial mapping tool such as Google maps or Mapquest. If you continue to have difficulty mapping a location, uncheck the verification box, click “Save to LUST4,” and call the LUST4 Help Desk for support. If a verifiable location cannot be found and geocoded in the decimal latitude/longitude format, the location cannot be displayed on any map.

Summary of ARRA Performance Measures Guidance

OUST has compiled here all the guidance and clarifications previously provided for the ARRA performance measures. We have also integrated additional Lessons Learned; in the sections below, *new information is highlighted with italics*.

Direct – means a state funded the site work (e.g., drilling, lab work, corrective action plan development) with LUST Recovery Act funds, regardless of the funding source for the oversight. Typically, states have contractors perform such work, although some states may conduct these activities with their own staff/equipment. **Note:** To avoid double counting, any activity (e.g., site assessment) counted as direct work should not be counted as indirect work. (6/2009 ARRA Guidance) (Further clarification for direct site work is included in the site assessment and cleanup Clarifications below.)

Indirect – means a state used LUST Recovery Act funds to pay for the oversight of the site work, but the site work itself was **not** funded with LUST Recovery Act funds. Oversight activities might include enforcement actions to compel the tank owner to perform work or the review of corrective action reports. **Note:** To avoid double counting, any activity (e.g., site assessment) counted as indirect work should not be counted as direct work. (6/2009 ARRA Guidance) (Further clarification for indirect site work is included in the site assessment and cleanup Clarifications below.)

Site Assessments Initiated/Completed – The initiation and then the completion of a determination of the extent and location of soil and groundwater contaminated by a release from a federally-regulated petroleum UST, as required by state site assessment rules and/or guidelines. **Note:** If multiple tiers of site assessment are needed/performed at a given site, a state should only report the assessment once the final tier is completed and may only count these activities as one site assessment. (6/2009 ARRA Guidance)

Clarifications:

- If a site assessment was initiated by funding other than ARRA funding, it should not be listed as a site assessment initiated in LUST4. (12/2009 ARRA Lessons Learned memo)
- Completion of site assessments should be counted in LUST4 regardless of the funding mechanism used to start or finish the activity as long as some ARRA money has been spent on the site. (12/2009 ARRA Lessons Learned memo)
- Some states indicated they are using ARRA money to investigate suspected releases for the first time. If you are conducting an initial site investigation for a suspected release and find that a release did not occur, you should not report the release in LUST4 measures. You should list the site in LUST4 locations and check the “Other Assessment and Cleanup Activities” box. If a release is confirmed, then you should report the site in LUST4 measures as a direct site assessment initiated. (3/2010 ARRA Lessons Learned memo)
- *Some states indicated that while investigating a confirmed release, they discovered the release came from a source other than an UST (such as an AST). In the event that you discover a release is from a source other than an UST, you should stop all ARRA-funded site work. During the next reporting cycle, you should report a correction for any reporting on the site that may have been entered into LUST4 ARRA Measures, such as a site assessment initiated or cleanup initiated. The site should only be reported in LUST4 ARRA Locations as "Other Assessment and Cleanup Activities." You should not report the release in any other way and should not count the site as a direct site assessment completed. (This supersedes information from the 3/2010 Lessons Learned memo.)*

Cleanups Initiated - Confirmed releases at which the state or responsible party (under supervision as designated by the state) has evaluated the site and initiated 1) management of petroleum-contaminated soil, 2) removal of free product (from the surface or subsurface environment), 3) management or treatment of dissolved petroleum contamination, 4) monitoring of the groundwater or soil being remediated by natural attenuation, or 5) the state has determined that no further actions are currently necessary to protect human health and the environment. (1/2008 Performance Measures Definitions)

Clarifications:

- “Cleanups Initiated” indicates that physical activity (e.g., pumping, soil removal, recovery well installation) has begun at the site, unless a state has evaluated the site and has determined that no physical activity is currently necessary to protect human health and the environment. Site investigations and emergency responses DO NOT qualify as a cleanup initiated unless one of the five actions listed in the definition above has occurred. Sites being remediated by natural attenuation can be counted in this category when site characterizations, monitoring plans, and site-specific cleanup goals are established for these sites. (Excerpt from 1/2009 Performance Measures Definitions Clarifications) *A formal corrective action plan (CAP) is not required for a site to be counted as a cleanup initiated.*

- If a cleanup initiated was initiated by funding other than ARRA funding, it should not be listed as a cleanup initiated in LUST4. (12/2009 ARRA Lessons Learned memo)
- Cleanups initiated being reported in LUST4 ARRA measures should also be reported in the semiannual report for LUST measures 2b. (12/2009 ARRA Lessons Learned memo)
- Please report indirect cleanups initiated using ARRA money as state-led cleanups initiated within the semiannual report, as appropriate. (6/2010 ARRA Lessons Learned memo)
- *If the site assessment work is complete and a new non-ARRA funding source is being used to initiate cleanup, then as long as the site does not use ARRA funds for the cleanup work, the site no longer needs to be reported as ARRA.*

Cleanups Completed - Confirmed releases where cleanup has been initiated and where the state has determined that no further action is currently necessary to protect human health and the environment. This number includes sites with post-closure monitoring as long as site-specific (e.g., risk-based) cleanup goals have been met. Site characterization, monitoring plans, and site-specific cleanup goals must be established and cleanup goals must be attained for sites being remediated by natural attenuation to be counted in this category. (1/2008 Performance Measures Definitions)

Clarifications:

- Completion of cleanups should be counted in LUST4 regardless of the funding mechanism used to start or finish the activity as long as some ARRA money has been spent on the site. (12/2009 ARRA Lessons Learned Memo)
- Cleanups completed being reported in LUST4 ARRA measures should also be reported in the semiannual report for LUST measures 2b and 3b, respectively. (12/2009 ARRA Lessons Learned Memo)
- Please report indirect cleanups initiated or completed using ARRA money as state-led cleanups completed within the semiannual report, as appropriate. (6/2010 ARRA Lessons Learned memo)
- If a release is confirmed and the results of the site assessment suggest the release can be closed consistent with state cleanup criteria, report the site as a direct site assessment completed, indirect cleanup initiated, and indirect cleanup completed. If additional work remains at the site, such as well abandonment, report the site as direct cleanup initiated. After completing the additional field activities, report the site as a direct cleanup completed. (9/2010 ARRA Lessons Learned Memo)
Additionally, if well abandonment site work remains and will occur after the closure status has been given to the release, and if the well abandonment site work will be done using non-ARRA money, the site should be reported as a direct site assessment completed, indirect cleanup initiated, and indirect cleanup completed.

I sincerely appreciate your reporting efforts for the previous quarters. I am confident we will see continued successes and improvement in future reporting.

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