FLORIDA
LUST TRUST FUND PREVENTION ASSISTANCE COOPERATIVE AGREEMENT WORK PLAN FY 2021

The outcome of this work plan will be land preservation due to improved installation and operation of underground storage tanks, which will result in fewer releases of petroleum and other hazardous materials into the environment.

Goal 1: Core Mission
Objective 1.3: Revitalize Land and Prevent Contamination. Provide better leadership and management to properly cleanup contaminated sites to revitalize and return land back to communities.
Goal 3: Rule of Law. Pursue vigorous civil and criminal enforcement that targets the most serious water, air, and chemical hazards in communities. Assure strong, consistent, and effective enforcement of federal environmental laws nationwide.
Objective 3.1: Compliance with the Law. Timely enforce environmental laws to increase compliance rates and promote cleanup of contaminated sites through the use of all of EPA's compliance assurance tools, especially enforcement actions to address environmental violations.

Categorical Grant:

BFS Code	Outcome / Output Measure	2020 National TCR	2021 National Target	2020 State TCR	2021 State Target	Measurement Period or date	Source of Data	Comments
Strategic Targets								
FY 2021	By 2021, increase the percentage of UST facilities that are in significant operational compliance with both release detection and release prevention by 0. 5% over the previous year's target out of a total estimated universe of approximately 200,000 facilities. National goal of 71% for year 2021.	68.5%	71.0%	52.2%	60.0%	10/1/2020 – 9/30/22	Quarterly report from State	Current TCR 57.97%
Program Measures								
FY 2021	Percentage of UST facilities that are in significant operational compliance with both release detection and release prevention (spill, overfill and corrosion protection requirements.)	68.5%	71.0%	52.2%	60.0%	10/1/2020 – 9/30/22	Quarterly report from State	

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List of Commitments

TASK	ACTIVITY	REF	DATE DUE	YES/ NO/NA	STATE COMMITMENTS
State Program Development					
1.	Develop/revise State authorities and regulations for the State UST program in order to meet new federal UST made effective October 13, 2015. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		
2.	Inspect all regulated UST facilities once every 3 years. Report on progress and **obstacles** to progress in semi-annual performance reports required below.	UST Compliance Act of 2005 Final EPA Guideline 510-R-07-004 2 CFR § 200	Ongoing		No more than three years can elapse between tank inspections. The inspection cycle is a rolling three- year requirement, with a new three-year cycle ending each day. Indicate number of regulated facilities subject to triennial inspections:
3.	Make available to the public a record of regulated USTs, in accordance with EPA guidelines. Record should include data collected from October 1 through September 30 of each year. Report available to public on or before December 31 of each year. Report on progress and obstacles to progress in semi-annual performance reports required below.	UST Compliance Act of 2005 Final EPA Guideline 510-R-07-001 2 CFR § 200	12/31/2020, 2021 Annually		**This report should match, or be very close, to the same data as that was reported under the 4th Quarter STARS/LUST 4.**
4.	Develop and/or implement a fuel delivery prohibition program, in accordance with EPA guidelines. Report on progress and obstacles to progress in semi-annual performance reports required below.	UST Compliance Act of 2005 Final EPA Guideline 510-R-06-003, August 2006 2 CFR § 200	In place		

5.	Database Management - Maintain an ongoing tank notification program and capability to report aggregate data derived from the notification requirements to EPA on an annual basis. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	In place		
6.	Develop State authorities and procedures for an adequate compliance monitoring and enforcement program as related to the 2015 UST regulations. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		
7.	Secure technical assistance and training for State and local personnel for UST program implementation as it relates to requirements of the 2015 federal UST regulations. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		
10.	Participate in Regional and National EPA meetings upon request by EPA, to the extent such participation can be supported by available travel allocations.	Regional Requirement	Biannually		This remains a grant condition, however certain state governments may restrict travel regardless of outside funding.
11.	Develop draft and/or final application for State program approval (SPA) related to the 2015 federal UST regulations, and submit to the EPA for approval. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Submitted		If applicable. Will be required within 3 years after new federal regulations are promulgated. New Memorandum of Agreements (MOA) will be required in the interim. LUST Prevention funds cannot be used for state program approval work, or rule making not associated with EPAct.

12.	Statement explaining the similar nature of the scope of work and the existence of an approved QMP, thus insuring competency requirements for generating environmental measurement data.	EPA Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Approved: March 13, 2013; Effective: October 1, 2013.			The work plan commitments under this cooperative agreement and/or its supplements are of similar nature of the scope of work for the generation of environmental data as previous LUST Prevention cooperative agreements where past performance is documented and the State has an approved Quality Management Plan (QMP) in place

Outreach

1.	Promote compliance with Federal and State requirements through outreach efforts designed to disseminate regulatory and technical information to the regulated community regarding new requirements mandated by the 2015 federal UST regulations. Report on progress and obstacles to progress in semi-annual performance reports required below.	OWSER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		Refer to the community engagement initiative as found in the FY14 LUST Cleanup work plan
2.	Distribute printed program material to the regulated community and interested citizens and organizations covering new regulations mandated by the EPAct. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10	Ongoing		Refer to the community engagement initiative as found in the FY14 LUST Cleanup work plan
3.	Make presentations about the UST program to public and private organizations in regards to meeting the 2015 federal UST regulations.	OSWER DIRECTIVE 9630.10	Ongoing		Refer to the community engagement initiative as found in the FY14 LUST Cleanup work plan

Compliance and Enforcement

1.	Identify, investigate and resolve violations of the Federal regulations. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		
2.	Operate and enforce existing State UST program. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		
3.	The ability to operate and enforce existing State regulations through the Federal facilities waiver of sovereign immunity. Report on progress and obstacles to progress in semi-annual performance reports required below.	UST Compliance Act of 2005, 2 CFR § 200	Ongoing		
4.	Carry out compliance and enforcement initiatives directed at UST systems subject to RCRA Subtitle I requirements. Report on progress and obstacles to progress in semi-annual performance reports required below.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	Ongoing		
5.	Project the number of UST compliance inspections to be accomplished in FY 21. Report on progress in the STARS and narrative reports required below. Report on progress and obstacles to progress in semi-annual performance reports required below.	Regional Requirement, 2 CFR § 200	Ongoing		To meet the 3 year EPAct requirement, there are 383 facilities remaining to be inspected before completion of FY 21; 116 USTs / 267 ASTs.

6.	Establish a target compliance rate for substantial operational compliance or technical compliance rate (TCR) (reporting measure UST-6, or UST-9e) consistent with the revised national definition of significant operational compliance issued by OUST on 3-8-05. Report on the progress in the STARS and narrative reports required below.	OECA/R4 Requirement 2 CFR § 200	Ongoing		
Reporting					
1.	Submit the EPA STARS and Supplemental reports on the following schedule: 1'st quarter (Oct. – Dec.): 1/15/21, 22 2'nd quarter (Jan. – March): 4/8/21, 4/7/22 3'rd quarter (April – June): 7/15/21, 22 4'th quarter (July – September): 10/7/21, 10/6/22.	OSWER DIRECTIVE 9630.10, 2 CFR § 200 OUST Memo dtd 8/14/96, and, FY 2008 National Program Guidance	1/15/21, 22 4/8/21, 4/7/22 7/15/21, 22 10/7/21, 10/6/22		Using the appropriate STARS form for the newly enacted UST measures LUST4 Semiannual Reporting database/New LUST4 Measures LUST4 Semiannual Reporting database/New LUST4 Measures

2.	Submit a semi-annual performance report that includes: 1. A comparison of actual accomplishments to the commitments included with each task in this work plan; 2. The reasons for commitments not being met; 3. Areas of success, including approaches that could be shared with other states; 4. Existing and potential problem areas; 5. Areas of improvement, including, where applicable, schedules for making improvements; and 6. Changes in program structure, staffing, and/or funding levels. Due date is 30 days after the end the mid-year and end-of-year of the federal fiscal year.	OSWER DIRECTIVE 9630.10, 2 CFR § 200	4/30/21, 22 10/31/21 22		
3.	Budget provisions should be made to obligate or draw down a minimum 50% of the FY21 allocation.	Regional Requirement	3/15/21		Describe in detail any problems with meeting this provision and work with R4 to develop a corrective action plan to make sure the state is not facing a large amount of unliquidated funds by the end of FY21 grant period.

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PROGRAM ELEMENT ESTIMATES

STATE: PROJECT PERIOD: October 1, 2020 – September 30, 2022
BUDGET PERIOD: October 1, 2020 – September 30, 2022

WORK PLAN ELEMENT	STATE FUNDING 25% Match	FEDERAL FUNDING	TOTAL FUNDING	WORK YEARS
1. STATE PROGRAM DEVELOPMENT				
2. OUTREACH				
3. COMPLIANCE AND ENFORCEMENT	$ 427,445	$ 700,000	$ 1,127,445	1.35
4. REPORTING				
TOTALS	$ 427,445	$ 700,000	$ 1,127,445	1.35
Are Pre-Award Costs* Requested? **Yes ____ No ____** **If, yes, Budget sheet should reflect those costs and category**				

*Costs incurred prior to the effective date of the award directly pursuant to the negotiation and in anticipation of the award where such costs are necessary to comply with the proposed delivery schedule or period of performance and are in conformance with the appropriate statue and cost principles. Pre-award costs do include federal and non-Federal matching shares. Recipients incur pre-award costs at their own risk.