

# Environmental and Economic Security

## Sufficiently and Consistently Funding the IPTF



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In business, many of us are looking for strategies to help us provide security in dealing with potential liabilities such as information breaches, criminal activities, property damage and loss, and environmental harm.

An important security measure the state of Florida and Florida's petroleum marketers have developed and implemented to minimize environmental liabilities associated with leaking petroleum storage tanks is the Inland Protection Trust Fund (IPTF). Present authority for the program is found in section 376.3071, Florida Statutes.

The IPTF was created by the Florida legislature in 1986 to serve as a repository for funds that would allow the Florida Department of Environmental Protection (FDEP) to respond without delay to incidents of inland contamination related to the storage of petroleum and petroleum products. This was done to protect the public health, safety and welfare, and to minimize environmental damage. The legislators recognized that preserving surface and ground waters must be a matter of the highest priority, as these waters provide the primary source for potable water in Florida.

The IPTF provides funding to individuals or businesses to pay for the cost of remediating and restoring properties impacted by leaking petroleum storage systems. The IPTF is funded by the petroleum industry through a tax levied on each barrel of oil sold in the state of Florida. It is estimated that more than 18,000 leaking petroleum storage tank systems have been identified in the state, and that approximately 13,000 applicants have applied for coverage under the IPTF.

Recognizing the importance of protecting our drinking water resource, and the potential liabilities to the state economy and environment resulting from the large number of petroleum impacted properties, the legislator wisely decided that money from the IPTF could only be used to fund activities associated with the cleanup of petroleum impacted properties.

However, in recent years significant amounts of the IPTF have been diverted to pay for other government activities. Failing to use the IPTF for its intended purpose has resulted in unintended negative consequences that are putting the security of our industry and the state at risk.

### Some of These Negative Consequences Include:

- Placing our drinking water at risk through lack of funding needed for the timely assessment and cleanup of leaking petroleum tank systems.
- Significantly reducing the number of private real estate transactions due

to fears over the lack of consistent cleanup funding.

- Preventing FDEP from effectively implementing important changes to the petroleum cleanup program designed to reduce the time and cost of cleanup projects, and improve cleanup results.
- Losing thousands of petroleum industry jobs and income in this state. It is reported that each dollar spent from the IPTF generates multiple dollars and that 90 percent of this money remains in Florida.
- Causing numerous cleanup projects to be put on hold in mid-cleanup. Delayed cleanups put our drinking water resource at risk and often require that expensive testing be redone when funding is reinstated before a project can move forward.
- Lack of consistent funding and expeditious cleanup allows petroleum impacts in the subsurface to spread unabated resulting in greater



cleanup costs. In some cases petroleum impacts are spreading off-site and an increasing number of property owners are now facing potential third-party liability claims

The silver lining in all of this is that we already have a program in place to help protect businesses and the public from these negative impacts: the "IPTF." If used as originally intended, the IPTF can help to quickly and effectively bring back environmental and economic security to this industry and the state of Florida. All that is

needed now is for our suppliers, marketers, dealers, lobbyists and FDEP to recommit ourselves to continually reminding and educating our legislators and the citizens of this state on the importance of sufficiently and consistently funding the IPTF, and what is at stake if it is not.

### How Can We Recommit Ourselves to Securing the IPTF?

1. Get to know and help to educate your local government representatives

and citizens on why funding the IPTF is so important.

2. Visit the state capitol at least once a year to educate your local representatives and other key decision makers on the importance of proper use of the IPTF.
3. Prepare a cleanup program business plan that outlines how we can implement changes to the existing program to optimize the use of IPTF funding, reduce the cost of cleanups and increase the number of site closures each year. This plan must show how sufficient and consistent IPTF funding is the key to accomplishing these goals, and should provide a means by which we can monitor and report back to our citizens and the legislature on the progress and success of our plan.
4. Ask FPMA leadership how you can help make a difference in securing IPTF funding.
5. Help to raise funds and attend fundraising events for candidates who understand why the IPTF was developed and who are committed to using it as intended.
6. Participate in organizations and committees that work to secure the IPTF.
7. Participate with industry and FDEP to develop and implement strategies and initiatives that result in less expensive and faster cleanups so that more sites are closed yearly.
8. Stay united as an organization and an industry so that our voice can be heard.

By implementing the above activities consistently throughout the year we can and will refocus IPTF funding for its intended purpose of rehabilitating petroleum impacted properties, thus helping to secure clean drinking water for generations to come, reviving and stabilizing lending and sales associated with petroleum properties, and creating thousands of quality jobs. Please help FPMA secure the IPTF and a brighter future for Florida. ○

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