

May 1, 2015

The Honorable Orrin Hatch, Chairman
The Honorable Ron Wyden, Ranking Member
U.S. Senate Committee on Finance
Washington, D.C. 20510

The Honorable Paul Ryan, Chairman
The Honorable Sandy Levin, Ranking Member
U.S. House Committee on Ways and Means
Washington, D. C. 20515

Dear Chairmen Ryan and Hatch and Ranking Members Wyden and Levin:

The Petroleum Marketers Association of America (PMAA) remains strongly opposed to any efforts to raid the remaining \$485 million from the Federal Leaking Underground Storage Tank (LUST) Trust Fund to keep the Highway Trust Fund (HFT) solvent. On behalf of our members and thousands of employees across the country, we urge you to reject this funding approach should it arise again.

As you are aware, the LUST Trust Fund was established in 1986 to ensure tank owners took appropriate measures to protect the environment and to assist States in cleaning contamination from abandoned tanks. PMAA member companies have supported the LUST fund and have paid \$3.8 billion in LUST fees since its inception. The Fund is financed by a 0.001 fee on a per gallon basis. Unfortunately, Congress included a provision in the 2012 Highway bill that raided the LUST Trust Fund of \$2.4 billion dollars and moved it to the HFT, and raided another \$1 billion again during the last highway fund extension.

Additionally, any transfer of the remaining funds from the LUST Trust Fund violates the spirit of the 1986 agreement forged between petroleum marketers and Congress when the fund was created. PMAA has supported continuance of the fund but believes Congress has repeatedly failed to adequately appropriate funds to finish the remediation work. Any transfer would not only deny marketers the benefits for which they have paid, it would force governments to impose new tank fees on petroleum marketers at the state level. As of September 2014, 521,271 releases from federally-regulated leaking underground storage tanks had occurred nationwide. States and EPA have made tremendous progress by cleaning 85.8 percent of the releases. However, EPA estimates there is still a backlog of 73,948 waiting to be completed. Given the backlog of so many sites, it is important for Congress to spend the LUST Trust Fund on remediation and leak prevention programs.

PMAA stands ready to work with you towards achieving these important outcomes.

Sincerely,



Dan Gilligan
PMAA President