

Underground Storage Tank Indemnification Fund Interim Financial Report (Unaudited)

For the Nine Months Ended March 31, 2022 and 2021



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Bureau of Accounting & Financial Management



Underground Storage Tank Indemnification Fund Financial Statements (Unaudited) For the Nine Months Ended March 31, 2022 and 2021

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Underground Storage Tank Indemnification Fund Balance Sheet (Unaudited) As of March 31

	2022		2021
ASSETS:			
Deposits and Investments—Note B			
Cash-In-Transit	\$ 1,529,074	\$	492,988
Temporary Investments	14,186,743		8,160,748
Long-term Investments	405,932,222		318,441,863
Receivables—Note C			
Interest on Loan to General Fund	-		18,938,112
Investments Interest and Dividends	1,139,301		629,216
Investments Sold	1,499,478		862,208
Advances to Other Funds—Note D	-		67,500,000
TOTAL ASSETS	\$ 424,286,818	\$	415,025,135
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LIABILITIES AND FUND BALANCE			
Liabilities:			
Payables—Note E			
Accounts Payable and Accrued Liabilities	\$ 12,237,592	\$	12,801,888
Invoices Payable	1,203,764		1,810,533
Investments Purchased Payable	5,440,768		1,538,288
Due to Other Obligations—Note F	 23,048		55,220
TOTAL LIABILITIES	\$ 18,905,172	\$	16,205,929
Fund Balance:—Note G			
Nonspendable:			
•	405 204 646		200 040 200
Restricted	405,381,646		398,819,206
TOTAL FUND BALANCE	 405,381,646		398,819,206
TOTAL LIABILITIES AND FUND BALANCE	\$ 424,286,818	<u>\$</u>	415,025,135

⁻ The notes and supplemental schedule to the financial statements are an integral part of this statement. -



Underground Storage Tank Indemnification Fund Statement of Revenues, Expenditures, and Changes in Fund Balance (Unaudited)

For the Nine Months Ended March 31

		2022		2021
REVENUES—Note I				
Fees:				
Gallon	\$	37,175,073	\$	33,510,570
Tank Capacity		5,293,709		5,418,907
TIIP		284,516		288,485
Legal Settlement		389		-
Investment Income:				
Interest and Dividend Income		6,450,493		4,921,826
Net Increase (Decrease) in Fair Value of Investments		(22,279,242)		16,910,552
Gain/(Loss) on Sale of Investments		-		5,502,777
Other		-		1,009
TOTAL REVENUES	\$	26,924,938	\$	66,554,126
EXPENDITURES—Note I				
Administrative:				
Insurance Department Personnel and Other Charges		641,668		616,551
Third Party Administrator		2,634,325		2,819,521
Professional Services		590,493		586,835
Total Administrative		3,866,486		4,022,907
Claims Indemnification:				
Losses		20,538,699		24,984,442
Loss Expenses - Non-Legal		904,609		1,104,252
Loss Expenses - Legal		333,336		167,746
Total Claims Indemnification	•	21,776,644		26,256,440
Allocations - Funds Released:				
Environmental Cleanup Program		1,694,572		1,756,076
Pollution Prevention Program		7,500		40,052
Investigation and Closure Costs		5,496,566		5,076,160
Total Allocations - Funds Released		7,198,638		6,872,288
TOTAL EXPENDITURES	\$	32,841,768	\$	37,151,635
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES		(5,916,830)		29,402,491
OTHER FINANCING SOURCES (USES)—Note I				
Interest Due on Fund Advance		-		93,278
Transfer Out		-		(30,000,000)
NET OTHER FINANCING SOURCES (USES)	\$	-	\$	(29,906,722)
NET CHANGE IN FUND BALANCES		(5,916,830)		(504,231)
FUND BALANCE, JULY 1 (restated) — Note H		411,298,476		399,323,437
FUND BALANCE, MARCH 31	\$	405,381,646	\$	398,819,206
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The notes and supplemental schedule to the financial statements are an integral part of this statement. –



NOTE A - Summary of Significant Accounting Policies

Basis of Presentation

The fund financial statements have been prepared in accordance with accounting principles generally accepted in the United States applicable to governments. The Governmental Accounting Standards Board (GASB) establishes accounting and financial reporting requirements for governments.

Financial Statements

The financial statements report the financial position and results of activities for the reporting periods ended March 31, 2022 and 2021. The Balance Sheet, often described as a *snapshot* of an entity's financial condition, is a summary of financial balances at a specific point in time. Assets, liabilities, and fund balances are presented as of a specific date, generally at the end of a closed period or fiscal year. The Statement of Revenues, Expenditures, and Changes in Fund Balance presents increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in current resources.

Fund Structure

Fund Accounting: In governmental accounting, a fund is defined as an independent fiscal and accounting entity, with a self-balancing set of accounts, recording cash and/or other resources together with all related liabilities and equities which are segregated for the purposes of carrying out specific activities or attaining certain objectives in accordance with the fund's special regulations, restrictions or limitations. In the commonwealth, funds are established by legislative enactment or, in certain rare cases, by administrative action.

Financial Reporting Entity

The Storage Tank and Spill Prevention Act, Act 32 of 1989, as amended, established the Underground Storage Tank Indemnification Fund (USTIF) to administer a program to provide claim payments to owners and operators of underground storage tanks who incur liability for taking corrective action, bodily injury or property damage caused by a release from underground storage tanks. The cost covered by the USTIF includes identifying the extent, nature and impact of the release and develops a remedial action plan for restoring the site. The USTIF will not cover any upgrade costs for the facility or any repair and maintenance work performed on the underground storage tanks, including tank removal. Administrative expenditures of the fund are also covered. The fund is administered by the Insurance Department in conjunction with the nine-member Underground Storage Tank Indemnification Board.

Act 13 of 1998 established a new loan program to assist owners of regulated underground storage tanks to upgrade their underground storage tank systems to meet federal Environmental Protection Agency upgrade requirements or to remove them from service. Act 100 of 2000 expanded the upgrade loan program to include the removal of underground storage tanks. The act also established an environmental cleanup program and a pollution prevention program that are administered by the Department of Environmental Protection.

Measurement Focus and Basis of Accounting

As a governmental fund, the Balance Sheet and the Statement of Revenues, Expenditures, and Changes in Fund Balance report financial activity using the current financial resources measurement focus and the modified accrual basis of accounting. The emphasis is on resources that are *available* to provide goods and services and, in some cases, capital assets, during the reporting period.

Comptroller Operations



Used with governmental activities, under this measurement focus, only current assets and current liabilities are normally included on the balance sheet. *Current* essentially refers to an asset which can either be converted to cash or used to pay current liabilities within one year, or a liability that is to be settled in cash within one year of the reporting period.

Under the modified accrual basis of accounting, revenues and other financial resource increments are recognized when they become susceptible to accrual; that is, when they become both measurable and available to finance expenditures of the current period. Resources are available when they have already been received or will be received within a reasonable period, typically 60 days, after the end of the reporting period in order to pay current liabilities. Receivables, advances, debt from other governments, political subdivisions, funds, and component units that are measurable and accruable as due to the commonwealth are reported. However, any portion of assets determined to be *unavailable* (typically received after 60 days) is offset with a deferred inflow of resources, having no impact on fund balance.

Expenditures are recognized when the fund liability has been incurred; that is, they will be paid with current financial resources. Expenditures that do not require the use of current financial resources—such as compensated absences, claims and judgments, environmental cleanup, and capital leases—are not recognized when the liability is incurred; rather they are recognized when the financial resources are *used*.

Normal Balances

A normal balance is the expectation that a particular type of account will have either a debit or a credit balance based on its classification within the chart of accounts. It is possible for an account expected to have a normal balance as a debit to have a credit balance, and vice versa, but these situations should be minimal. An abnormal balance is typically reported as a negative value on the face of the financial reports and explained within the notes.

NOTE B - Deposits and Investments

Cash-in-Transit

Cash-in-Transit are amounts that have been posted to the accounting system, but not yet receipted by the Treasury Department. Upon receipt, Treasury transfers all cash balances into investment pools. For the reporting periods ended March 31, 2022 and 2021, Cash-In-Transit totaled \$1.5 million and \$493.0 thousand.

Pooled Cash

In accordance with the Fiscal Code, cash balances of most commonwealth funds are pooled by the Treasury Department. Cash balances are accounted for centrally for receipt and disbursement purposes and are segregated by fund. These cash deposits facilitate daily transactions on behalf of the funds and are maintained separately from the investment fund balances. The law requires that collateral be pledged by banks and other financial institutions to guarantee cash on deposit.

Treasury Investment Pools

The deposit and investment policies of the Treasury Department are governed by Sections 301, 301.1 and 505 of the Pennsylvania Fiscal Code (Act of 1929, P.L. 343), and Section 321.1 of the Pennsylvania Administrative Code (Act of 1929, P.L. 177, No. 175).

In compliance with the Fiscal Code, the Treasury Department holds investment control over the USTIF and most other funds of the commonwealth. The Treasury Department uses a variety of internal investment pools that seek to provide preservation of principal, liquidity, diversification, and income for most funds. All participating funds report amounts invested in such pools as Temporary or Long-term Investments.

Comptroller Operations



The Treasury Department manages the Commonwealth Investment Program (CIP) for funds that are part of the primary government. Investments in the CIP are reported as shares by the participants. Investments are reported at fair value, typically using published market prices.

Temporary Investments are those investments expected to be realized in cash within twelve months or less following the reporting period and Long-term Investments are expected to be realized in cash beyond one year. The Treasury Department accounts for the investments held in the CIP for each participating fund's equity (considered shares) on a daily basis. Share balances of participating funds may fluctuate considerably during the fiscal year, based on the timing of cash receipts and disbursements in the participating fund. Periodic earnings of the CIP are allocated to specific participating funds based on the weighted daily average share balance.

Treasury investment pools each have their own distinct investment strategies, goals, and holdings that reflect the differing needs of commonwealth funds for income, cash flows, and investment risk tolerance. The USTIF investment pools are held within the CIP and BNY Mellon Bank. The short-term investment pools, also referred to as Pool 924 and Pool 999, comply with the investment policies as adopted by Treasury, and are highly liquid vehicles, which can consist of cash and short-term fixed income with a goal of providing a high degree of liquidity and security but only modest returns. Shares in this pool are classified as Temporary Investments. The Long-term Investment pool complies with the investment polices as adopted by USTIF, and is a less liquid vehicle, which allows for investment in assets that offer potentially higher returns with commensurate risk.

The USTIF investments as of March 31, 2022 and 2021 consist of \$14.2 million and \$8.2 million of Temporary Investments and \$405.9 million and \$318.4 million in Long-term Investments.

NOTE C - Receivables

A receivable is a legally enforceable claim for payment to a business or government by its customers or residents for either goods supplied and/or services rendered in execution of the customer's order or for government imposed non-exchange transactions for which payment has not yet been received.

Exchange transactions represent cash received for the aforementioned good or service delivery, investment sale proceeds, as well as interest on notes and loans. Non-exchange transactions include government imposed obligations such as taxes or other assessments.

Receivables on Investments Interest and Dividends are settlements effected as of the end of the reporting period for which related cash is expected to be received in the subsequent period. As of March 31, 2022 and 2021, the Investments Interest and Dividends Receivables totaled \$1.1 million and \$629.2 thousand.

Interest Receivable on Loan to General Fund is accrued interest calculated on the reported principal balance Advances to Other Funds. An advance (or loan) is a debt evidenced by a note which specifies, among other things, the principal amount, interest rate, and date of repayment. An advance entails the reallocation of the subject asset(s) for a period of time, between the lender and the borrower. The asset class Advances to Other Funds represents the balance of outstanding principal, net of allowance for loan loss, at the end the reporting period. As of March 31, 2022 and 2021, Receivables, Interest on Loans to the General Fund totaled \$0 and \$18.9 million, see Note D for additional information.



NOTE D - Advances to Other Funds

Payment was made on June 30, 2021 for the full amount of the loan, \$86.5 million, this consisted of \$67.5 million of the remaining loan balance and \$19.0 million of accrued interest. As of March 31, 2022 and 2021, Advances to Other funds totaled \$0 and \$67.5 million.

NOTE E - Payables

A payable is money owed by a government or business to its employees, vendors, sellers of investments and/or grantees for which payment has not yet been rendered. *Accounts Payable and Accrued Liabilities* reflects vendor invoice disbursements that have posted through the end of the reporting period that have not cleared for payment from the State Treasurer, whereas *Invoices Payable* reflects invoice disbursements that have cleared for payment.

Accounts Payable and Accrued Liabilities as of March 31, 2022 and 2021, totaled \$12.2 million and \$12.8 million and Invoices Payable totaled \$1.2 million and \$1.8 million.

Investments Purchased Payable represents obligations of payment to sellers of investments associated with the routine operational investment activity of the fund. As of March 31, 2022 and 2021, the Investments Purchased Payable totaled \$5.4 million and \$1.5 million.

NOTE F - Due to Other Obligations

The liability class reflects resources payable to other commonwealth or governmental funds for the reimbursement of goods or services provided or the enactment of a statutory transfer for which a cash transaction has not yet been effected. As of March 31, 2022 and 2021, the Due to Other Obligations totaled \$23.0 thousand and \$55.2 thousand. The following liabilities are included under Due to Other Obligations: Due to Other Funds; Due to Other Governments; Due to Fiduciary Funds and Due to Political Subdivisions.

Due to Other Funds

The inter fund cash transfer outstanding as of March 31, 2022 and 2021, of \$0.2 thousand and \$0.2 thousand is associated with a quarterly billing of the Insurance Liquidation Fund for consulting which is shared by the Workers' Compensation Security Fund and the Catastrophic Loss Benefit Continuation Fund.

Due to Other Governments

Due to Other Governments are obligations owed to the Federal government related to the payroll operations of the USTIF. These benefit obligations are attributable to Social Security and Medicare deductions from employees and related employer matching Social Security portions and are due to the Internal Revenue Service. As of March 31, 2022 and 2021, the Due to Other Governments totaled \$1.9 thousand and \$1.5 thousand.

Due to Fiduciary Funds

Due to Fiduciary Funds are obligations owed to other commonwealth funds related to the payroll operations of the USTIF. These benefit obligations are attributable to retirement deductions from employees and are due to the State Employees Retirement System. As of March 31, 2022 and 2021, the Due to Fiduciary Funds totaled \$7.7 thousand and \$6.9 thousand.



Due to Political Subdivisions

Due to Political Subdivisions are obligations owed to other local governmental entities related to the operations of the USTIF. As of March 31, 2022 and 2021, Due to Political Subdivisions totaled \$13.2 thousand and \$46.6 thousand.

Note G – Fund Balance

Restricted

Restricted includes fund balances that may only be utilized for 1) consumption in accordance with external laws or regulations imposed by creditors, grantors, contributors or other governments 2) consumption by law through constitutional provisions or enabling legislation, where the enabling legislation must authorize the commonwealth to assess, levy, charge or otherwise mandate payment of resources from external providers and be legally enforceable.

As of March 31, the USTIF Restricted Fund balance is segregated and classified in the following manner:

Restricted For:	2022	2021
Loans/Advances	\$ -	\$ 67,500,000
Interest Due on Fund Advance	-	18,938,112
Encumbrances	4,897,543	3,924,000
Underground Storage Tank Indemnification	 400,484,103	 308,457,094
Total Fund Balance	\$ 405,381,646	\$ 398,819,206

Loans and Advances include fund balance amounts restricted for a loan made to the General Fund. For the reporting periods ended March 31, 2022 and 2021, Fund Balance Restricted for Loans and Advances totaled \$0 and \$67.5 million.

Interest Due on Fund Advance is the total accumulated interest due from Loans/Advances. For the reporting periods ended March 31, 2022 and 2021, Interest Due on Fund Advance totaled \$0 and \$18.9 million (See Note D - Advances to Other Funds). While these funds are classified as part of the restricted fund balance, they are also considered nonspendable. Nonspendable includes amounts that are not expected to be converted to cash.

The encumbrance portion of the restricted fund balance reflects contracted obligations to vendors relative to administrative or operational activities of the fund. For the reporting periods ended March 31, 2022 and 2021, Encumbrances totaled \$4.9 million and \$3.9 million.

The portion restricted for Underground Storage Tank Indemnification is obligated to meet the known and unknown present and future claims liability and operations of the fund. For the reporting periods ended March 31, 2022 and 2021, the fund balance restricted for Underground Storage Tank Indemnification was \$400.5 million and \$308.5 million (See also Supplemental Schedule – Statement of Actuarial Claims Liability).



NOTE H – Restatement of Fund Balance

The Fund Balance, July 1 (restated) includes adjustments for additional accrued FY 2020-21 revenues pertaining to miscellaneous revenue and additional accrued FY 2020-21 expenditures pertaining to liabilities due to commonwealth funds. These additional accruals were recorded subsequent to the distribution of the June 30, 2021, USTIF financial statements.

The restatement consisted of the adjustments disclosed as follows:

Underground Storage Tank Indemnification Fund Restatement of Beginning Fund Balance (Unaudited)

(Onaddited)	
FUND BALANCE AS REPORTED JUNE 30, 2021	\$ 411,209,537
ACCRUED REVENUE	
Miscellaneous Revenue	7,121
TOTAL REVENUE RELATED ADJUSTMENT	7,121
ACCRUED EXPENDITURES	
Operational related to due to other funds	81,818
TOTAL EXPENDITURE RELATED ADJUSTMENT	81,818
NET INCREASE (DECREASE) TO FUND BALANCE	88,939
ADJUSTED FUND BALANCE, JULY 1, 2021	\$ 411,298,476

NOTE I - Revenues, Expenditures and Other Financing Sources (Uses)

Revenues

Fees

The USTIF is financed by fees paid by underground storage tank owners or operators, distributors, and tank installers. By law, the USTIF Board is required to evaluate the financial condition of the program annually. The agency's fee structure and collection methodology are described in regulations, which can be found at 25 Pa. Code 977.11 to 977.24. The current fees include:

Gallon Fees: Each distributor must assess a fee of \$0.011 per gallon on regulated substance deliveries to underground storage tanks (USTs) under agency regulation. The Gallon Fees for the nine months ended March 31, 2022 and 2021, totaled \$37.2 million and \$33.5 million.

Tank Capacity Fees: The owner or operator of USTs storing heating oil, diesel fuel, kerosene, and used motor oil products must pay an annual fee of \$0.0825 per gallon of tank capacity. The Tank Capacity Fees for the nine months ended March 31, 2022 and 2021, totaled \$5.3 million and \$5.4 million.

Comptroller Operations



TIIP Fees: Tank Installer Indemnification Program (TIIP) is funded by two types of fees: a yearly company fee; and activity fees related to installations, removals, and major modifications of USTs performed by tank installers. In order to properly and accurately bill the company and activity fees, the USTIF depends upon data from the Department of Environmental Protection. The certified company must pay an annual activity fee of \$1,000. Additional activity fees of \$15 for tank removals and \$50 for installations or modifications are billed monthly. The TIIP Fees for the nine months ended March 31, 2022 and 2021, totaled \$284.5 thousand and \$288.5 thousand.

Investment Income

Investment income includes Interest and Dividend Income and Net Increase in Fair Value of Investments during the fiscal period. If the change in the fair value of investments decreases during any specific fiscal year, such decreases could cause reported overall investment income to be negative within specific funds. Similarly, realized losses could cause reported overall investment income to be negative within specific funds. For the nine months ended March 31, 2022 and 2021, Interest and Dividend Income totaled \$6.5 million and \$4.9 million and Net Increase (Decrease) in Fair value of Investments totaled \$(22.3) million and \$16.9 million.

Other Revenues

Other Revenues include payments on interest on fund advance, charged off loans, cost recoveries and other miscellaneous items and for the nine months ended March 31, 2022 and 2021, totaled \$0 and \$1.0 thousand.

Expenditures

Administrative

Administrative disbursements include Insurance Department Personnel, such as salaries, health and retirement benefits, Third Party Administrator fees and Professional Services. For the nine months ended March 31, 2022 and 2021, Administrative disbursements totaled \$3.9 million and \$4.0 million.

Claims Indemnification

Claims Indemnification disbursements mostly include losses on claims filed and the related legal and non-legal disbursements on those losses. For the nine months ended March 31, 2022 and 2021, Claims Indemnification disbursements totaled \$21.8 million and \$26.3 million.

Allocations - Funds Released

Allocations - Funds Released activities include disbursements for Environmental Cleanup Programs, Pollution Prevention Programs, Catastrophic Release Programs and Investigation and Closure Cost Programs. For the nine months ended March 31, 2022 and 2021, Allocations - Funds Released disbursements totaled \$7.2 million and \$6.9 million.

Other Financing Sources (Uses)

Interest Due on Fund Advance

Interest Due on Fund Advance for the periods ended March 31, 2022 and 2021, totaled \$0 and \$93.3 thousand and total accumulated interest for the periods ended March 31, 2022 and 2021, totaled \$0 and \$18.9 million. As of June 30, 2021 payment for the loan and accrued interest has been made in full.



Supplemental Schedule – Statement of Actuarial Claims Liability

Underground Storage Tank Indemnification Fund Statement of Actuarial Claims Liability (Unaudited) As of March 31

	2022		2021
Actuarial liability for estimated unpaid claims	\$ (316,293,496)	\$	(328,850,222)
Funds Balance restricted for Underground Storage Tank Indemnification	400,484,103		308,457,094
Fund Balance Available (Unavailable) for Future Claims	\$ 84,190,607	\$	(20,393,128)

The Statement of Actuarial Claims Liability provides a segregated presentation of the balances from the actuarial report associated with the Incurred But Not Reported (IBNR) claims and the fund balance for Underground Storage Tank Indemnification available to meet these future claims payment obligations.

The USTIF provides claim payments to owners and operators of USTs who have incurred liability caused by leaks from USTs. The USTIF covers reasonable and necessary costs for corrective actions to clean up contamination from leaking tanks. It also covers claims for bodily injury and property damage that occur as a result of the release.

The fund balance for Underground Storage Tank Indemnification for future claims is \$400.5 million as of March 31, 2022. Based on actuarial analysis as of June 30, 2021 (report issue date November 23, 2021), the estimated unpaid loss was \$316.3 million for March 31, 2022.



<u>Supplemental Schedule – Statement of Funds Available</u>

Underground Storage Tank Indemnification Fund Statement of Funds Available (Unaudited) As of March 31

	2022
TOTAL FUNDS AVAILABLE, JULY 1, 2021	\$ 462,069,140
REVENUES:	
Gallon Fees	37,175,073
Tank Capacity Fees	5,293,709
TIIP Fees	284,516
Legal Settlement	389
TOTAL REVEUNES	\$ 42,753,687
EXPENDITURES:	
Operating Expenses	 33,051,712
TOTAL EXPENDITURES	\$ 33,051,712
INVESTMENT ACTIVITY:	
Treasury Investment Income	12,848
Change in Interest Receivable (Inc)/Dec	(232,926)
Change in Investment Receivable (Inc)/Dec	19,576,120
Change in Investment Payable Inc/(Dec)	(53,638,521)
Dividends & Interest	6,294,640
Security Lending Income	100,038
Realized Gain (Loss)	1,553,911
Unrealized Gain (Loss)	(23,826,169)
Miscellaneous	(5,984)
Consent Fee Income	42,967
TOTAL INVESTMENT ACTIVITY	\$ (50,123,076)
TOTAL FUNDS AVAILABLE	\$ 421,648,039
REDUCTION OF FUNDS AVAILABLE:	
Operating Commitments	 4,897,543
TOTAL REDUCTION OF FUNDS AVAILABLE	\$ 4,897,543
NET FUNDS AVAILABLE, MARCH 31, 2022	\$ 416,750,496





Statement of Funds Available

The Statement of Funds Available reports the Cash and Investment balance (Total Funds Available) for the USTIF Fund as of the end of the reporting period. The statement is prepared on a cash basis utilizing cash records of receipts, disbursements, and transfers as recorded by the State Treasury.

Treasury cash balances, less any open commitments as of the reporting date, are reported as the Net Funds Available for the fund.