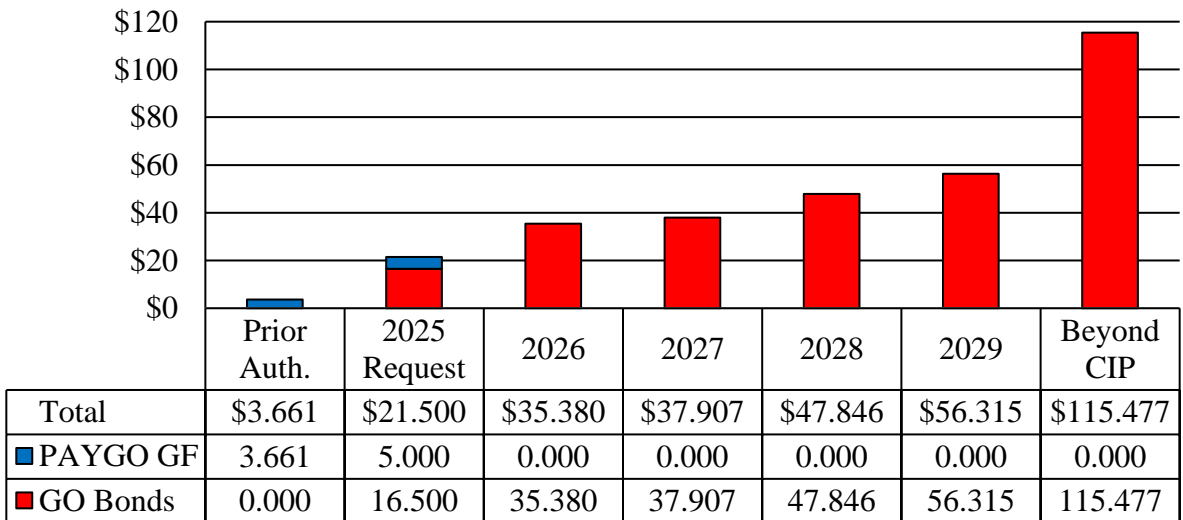
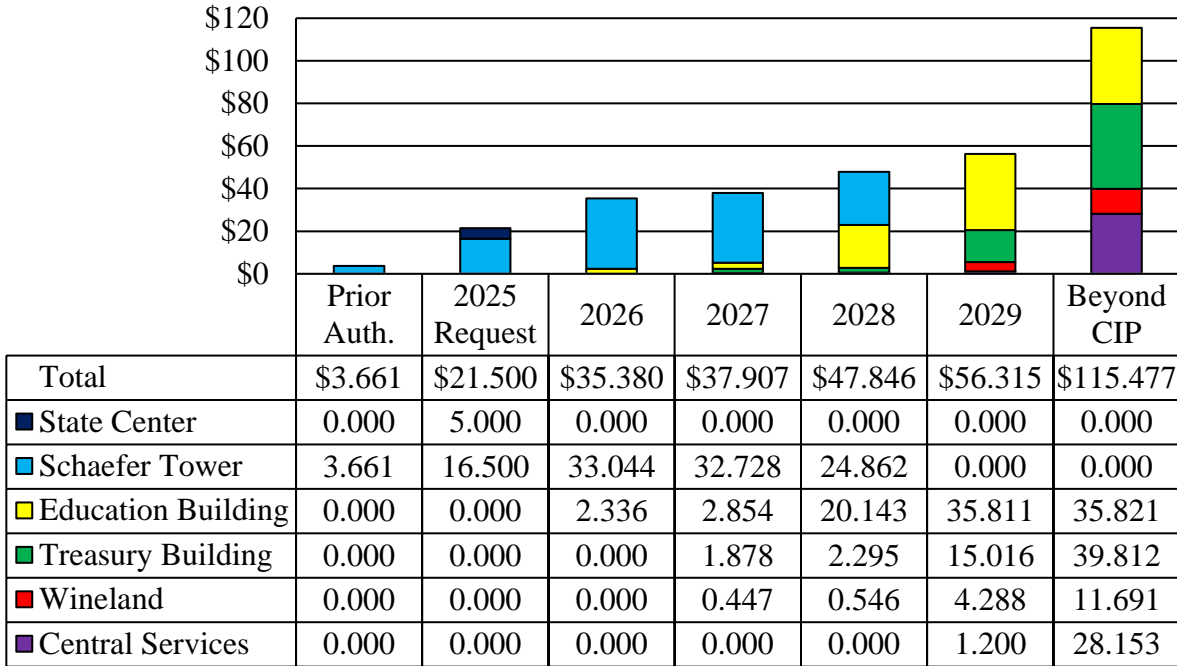


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Capital Budget Summary

State-owned Capital Improvement Program
(\$ in Millions)



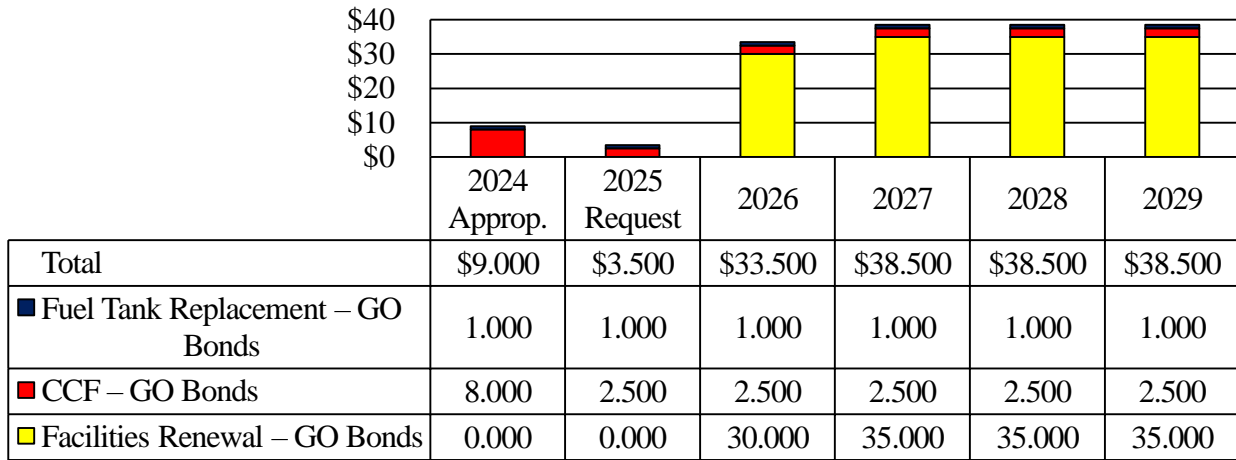
CIP: Capital Improvement Program
GF: general funds

GO: general obligation
PAYGO: pay-as-you-go

For further information contact: Samantha Tapia

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**Statewide and Regional Programs Capital Improvement Program
(\$ in Millions)**



CCF: Construction Contingency Fund
GO: general obligation

Key Observations

- Facilities Renewal Funding Remains Paused for a Year:** There is no fiscal 2025 funding for facilities renewal. As of February 2024, a total of \$45 million has been transferred by budget amendment to the Department of General Services (DGS) from the Dedicated Purpose Account (DPA), leaving \$65 million remaining in the DPA for the purpose of facilities renewal. Planned levels of fiscal 2024 and 2025 encumbrances could exceed available funding and necessitate consideration of a fiscal 2025 deficiency appropriation in the 2025 session.
- State Center:** The fiscal 2025 capital budget includes \$5 million of pay-as-you-go (PAYGO) funds in the DPA, specifically for State Center demolition. The fiscal 2022 budget included \$50 million in the DPA, and an additional \$30 million is added to the fiscal 2024 budget in the DPA by deficiency appropriation to fund costs associated with agency relocations out of State Center.
- 2100 Guilford Avenue:** The *Capital Improvement Program* (CIP) no longer includes construction funding for the 2100 Guilford Avenue property. DGS reported that it had decided not to move forward with the renovation of and relocation to 2100 Guilford Avenue. The fiscal 2023 budget included \$18.3 million in general obligation (GO) bonds as well as \$29 million in PAYGO in the DPA for renovation of the property, which will be deauthorized and revert to the General Fund. DGS will issue a request for information (ROI) to determine alternative uses for the property but will continue to manage maintenance and security of the site.

PAYGO Recommended Actions

1. Add the following language to the general fund appropriation:

Further provided that \$5,000,000 of this appropriation for the purposes of creating conceptual plans for the reuse or demolition of the State Center Complex may not be expended or transferred for any other purpose until the Department of General Services submits a report to the budget committees detailing how the funds will be utilized and what deliverables are expected to be developed with the use of the funds, a status and timeframe for the transfer of the property to new ownership, collaboration with any other State agencies or Baltimore City, and an assessment of additional State funding that might be required for the transition of the property for alternative use and redevelopment. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose.

Explanation: The fiscal 2025 budget includes \$5.0 million in the Dedicated Purpose Account (DPA) specifically for spending on State Center demolition. Information on plans for the State Center property has been limited, and it is noted that the placement of funds in the DPA provides flexibility in spending and, therefore, uncertainty for the legislature in terms of the timing of activity and new information on demolition plans and transfer of property. This language restricts expenditure of the funds until a report has been submitted providing detail on demolition plans, collaboration with other agencies and Baltimore City, a description and schedule of demolition activity, schedule of expenditure, and plan for transfer of the property.

Information Request	Author	Due Date
Plan for use of funding for State Center demolition	DGS	45 days before the release of funds

GO Bond Recommended Actions

1. Concur with all authorizations and preauthorizations.
2. Adopt Committee Narrative

Department of General Services (DGS) Relocation and 2100 Guilford Avenue Status Report: DGS is moving agencies out of State Center and into leased space in Baltimore City, while DGS itself has not determined a new location for its headquarters. DGS has decided not to move forward with renovation and relocation to 2100 Guilford Avenue and will be issuing a request for information to determine alternative uses of the

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property. DGS should report on the status of its own relocation and on the status of determining a use for the 2100 Guilford Avenue property.

Information Request	Author	Due Date
DGS Relocation and 2100 Guilford Avenue Status Report	DGS	December 15, 2024

Summary of Fiscal 2025 Funded State-owned Projects

Schaefer Tower

Project Summary: The William Donald Schaefer Tower, located at 6 Saint Paul Street in downtown Baltimore, was constructed in 1986 and acquired by the State in 1992. The Governor’s Baltimore office and nine other State agency offices occupy the building with over 700 employees. The building has 26 occupied floors, 6 floors of parking, and a “spire” of 5 unoccupied floors. The building is in poor condition with original utility systems that are at risk of imminent failure. This project will upgrade or replace original mechanical, electrical, and plumbing systems and improve the building envelope to allow for an estimated further 50 years of useful life. The fiscal 2025 budget includes funding to complete planning and begin construction.

New/Ongoing: Ongoing								
Start Date: November 2023					Est. Completion Date: April 2028			
Fund Sources:								
(\$ in Millions)	Prior Auth.	2025	2026	2027	2028	2029	Beyond CIP	Total
GO Bonds	\$0.000	\$16.500	\$33.044	\$32.728	\$24.862	\$0.000	\$0.000	\$107.134
GF	3.661	0.000	0.000	0.000	0.000	0.000	0.000	3.661
Total	\$3.661	\$16.500	\$33.044	\$32.728	\$24.862	\$0.000	\$0.000	\$110.795
Fund Uses:								
(\$ in Millions)	Prior Auth.	2025	2026	2027	2028	2029	Beyond CIP	Total
Planning	\$3.661	\$8.318	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$11.979
Construction	0.000	8.182	32.728	32.728	24.546	0.000	0.000	98.184
Equipment	0.000	0.000	0.316	0.000	0.316	0.000	0.000	0.632
Total	\$3.661	\$16.500	\$33.044	\$32.728	\$24.862	\$0.000	\$0.000	\$110.795

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- ***Need:*** Most of the mechanical components of the building are original, including heating, cooling, and water systems as well as the electrical system. Decking in the parking garage is rusted in some places, which increases risk of support structure failure and partial collapse.
- ***Project Status and Schedule:*** The increasing emergent nature of the project became more evident in the 2023 session and resulted in an appropriation of \$3.7 million of general fund PAYGO included in Supplemental Budget No. 3 of the fiscal 2024 operating budget to begin the design phase. DGS moved forward with an emergency procurement for the design of the project with the program consultant using the fiscal 2024 appropriation. Design of this project officially began on November 13, 2023. The fiscal 2025 budget includes \$16.5 million in GO bonds to complete design and planning and begin construction in April 2025. This is \$14.0 million more than was programmed for fiscal 2025 in the 2023 CIP, which reflects the accelerated project schedule. The project is currently estimated to cost \$110.8 million, which will be updated through the design deliverables.
- ***Changes:*** The Board of Public Works’ (BPW) agenda on December 13, 2023, included a proposed emergency procurement to address critical infrastructure failures at Schaefer Tower at a cost of \$5.7 million. However, the BPW summary reports that this proposal was withdrawn, and the proposed work has been incorporated into the full renovation project scope.
- ***Other Comments:*** With regard to the displacement of occupant agency staff, there remains sufficient space to relocate staff within the building while a phased renovation takes place.

State Center

The State Center Complex is a 28-acre site comprised of four buildings in Baltimore City. The buildings on 300 and 301 West Preston Street and 1100 North Eutaw were constructed in the late 1950s, and the building on 201 West Preston Street was constructed in the early 1970s. Due to the poor condition of the building, renovation was deemed too expensive to undertake. Instead, a redevelopment of State Center was conceived as a transit-oriented mixed-use development. In July 2010, the State approved the ground and occupancy leases for the first of five development phases, but the leases were later voided by the Lawrence J. Hogan, Jr. Administration, and the courts upheld the State’s decision to void the contract. The amount owed by the State to the developers is being litigated.

While the disposition and future redevelopment of the State Center Complex remains hindered by the litigation, the State has already begun the process of moving State agencies from the site. This is discussed in more detail in the following section. To facilitate the eventual divestment from the site, the fiscal 2025 budget includes \$5.0 million of general funds appropriated to the DPA for planning of the reuse and/or demolition of State Center. Given limitations

surrounding the litigation process, information on plans for the State Center property itself has been limited. Since the Maryland Stadium Authority prepared and presented an alternative land use study in January 2018, the most recent formal documentation of redevelopment plans on record with the Department of Legislative Services (DLS) is the grant agreement with the Baltimore City Department of Planning that was approved by BPW on December 21, 2022, for \$500,000 in general funds to support redevelopment planning. The capital worksheet provided by the Department of Budget and Management (DBM) in support of the proposed \$5 million appropriation to the DPA does not provide any information on planning activity that may have been funded by the grant approved in December 2022.

DGS should be prepared to brief the committees on its collaboration with the Baltimore City Department of Planning regarding State Center redevelopment plans and on what activities have been supported by the general fund grant awarded in December 2022.

Status of State Agency Moves

In April 2021, the Hogan Administration announced plans to relocate State agencies from the State Center Complex to vacant office space within Baltimore City’s Central Business District. Although not in the State Center Complex, the Department of Human Services (DHS) headquarters is included in this relocation project. DHS is moving out of the State building at 311 West Saratoga Street, owned by Baltimore City. The State Center relocation process includes a detailed study of each agency’s space needs, including changes due to telework for a post-pandemic workforce.

Leases for new locations have been approved by BPW for all but three agencies at State Center, and seven of the other eight agencies are scheduled to move during calendar 2024. More information on leases and moving schedules can be found in the H00 – DGS operating budget analysis. The fiscal 2022 budget included \$50 million in the DPA to fund costs associated with the State Center relocation process. An additional \$30 million is added to the fiscal 2024 budget in the DPA for the same purpose by deficiency appropriation in the fiscal 2025 Budget Bill.

DLS recommends adding budget language restricting use of the \$5.0 million of general funds budgeted in the DPA for State Center reuse and demolition pending the submission of a report to the budget committees on a plan for use of the funds and timeline for transfer of the property.

Summary of Out-year State-owned Projects

- ***Louis L. Goldstein Treasury Building Renovation:*** The 2024 CIP programs funding for the renovation of the Louis L. Goldstein Treasury Building located in the Annapolis State Government Complex. The building was constructed in 1958 and is occupied by the Comptroller, the State Treasurer, and BPW staff. This project will renovate or make substantial alterations to the interiors of the building on the second, third, and fourth floors. The scope also includes systemic infrastructure upgrades, consisting of all mechanical,

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electrical, and plumbing systems; fire protection and security system; exterior building envelope; and Americans with Disabilities Act (ADA) access compliance upgrades. A preliminary cost estimate for the project is \$59 million. Initial design funding is programmed for fiscal 2027, which is a year earlier than what was programmed in the 2023 CIP.

- ***Wineland Building Renovation:*** New to the 2024 CIP is planned funding for the renovation of the five-story Wineland Building (formerly known as the Jeffrey Building) at 16 Francis Street in the Annapolis State Government Complex. The building was constructed in 1965 and is occupied by the Secretary of State, the Maryland Department of Veterans Affairs, the Governor’s Office of Homeland Security, and several offices for the Governor’s staff. The building is poorly configured, is not ADA compliant, contains hazardous materials, and is not fire safe. This project will reconfigure and widen spaces, extend fire suppression systems throughout the building, and abate hazardous materials. The project has a preliminary cost estimate of \$17 million and is scheduled for initial design funds in fiscal 2027.
- The fiscal 2022 capital budget included \$2 million in PAYGO general funds for renovations at the Wineland Building. DGS reported in August 2023 that this funding was actively being used for restoration of the building envelope, replacing the roof and windows, repairing the brick exterior, renovating the front entrance to improve security, and adding a building exit. This stage of renovations is expected to be completed in fiscal 2024. **DGS should comment on the status of renovations funded by the PAYGO general funds appropriated in the fiscal 2022 capital budget.**
- ***Central Services Building Renovation:*** New to the CIP is programmed funding for renovations of the existing four-story Central Services Building at 29 St. Johns Street in the Annapolis State Government Complex. This structure was constructed in 1972. It houses the DGS Annapolis Public Buildings and Grounds offices and the Maryland Capitol Police and includes indoor parking for approximately 132 vehicles. This project includes renovations to the ground floor and parking areas, building system replacement, and building envelope upgrades. The scope of work provides new interior finishes of offices and resurfacing and sealing of the three parking decks. The project has a preliminary cost estimate of \$29.4 million, and initial design is programmed for fiscal 2029.

Summary of Projects Removed from the CIP

- ***Annapolis Data Center (ADC):*** The 2024 CIP removes planned funding for the renovation of the ADC building located within the Annapolis State Government Complex. The project scope includes the reconfiguration of the building layout and replacement of all building systems. The renovation will allow ADC to maintain its critical function in support of the Comptroller’s Office and for State government agencies. This project will provide a state-of-the-art data storage facility with sufficient space to accommodate future space needs. This project is deferred in the CIP for other priorities within the complex.
- ***Renovations to 2100 Guilford Avenue:*** The former location of the Department of Public Safety and Correctional Services Division of Parole and Probation, 2100 Guilford Avenue, was selected as a new location for DGS as part of the relocation of State agencies from the State Center Complex. A construction and renovation plan with funding for fiscal 2023 and 2024 was included in the 2022 CIP, and \$18.3 million in GO bonds as well as \$29 million in PAYGO in the DPA were included in the fiscal 2023 budget for this purpose. However, as renovation plans progressed, design modifications were found to be necessary and came with greater costs, including the addition of a five-level secure structured parking deck. At the same time, concerns arose from the surrounding community about disruptions from construction and traffic congestion. These issues were reflected in the 2023 CIP delay of funding to fiscal 2025 and 2026 and an increase from the initial estimate of \$23.8 million to \$76.3 million. The 2023 *Joint Chairmen’s Report* requested that DGS hold quarterly public meetings with representatives from the affected neighborhood and submit a report in January 2024 summarizing these discussions and their impacts on planning of the renovation project and DGS relocation. In its response submitted January 15, 2024, DGS reported that it had decided not to move forward with renovation and relocation to the property. The previous fiscal 2023 appropriations for renovation of the property will be deauthorized and reverted to the General Fund. DGS will be issuing an ROI to determine alternative uses for the property but will continue to manage maintenance and security of the site.

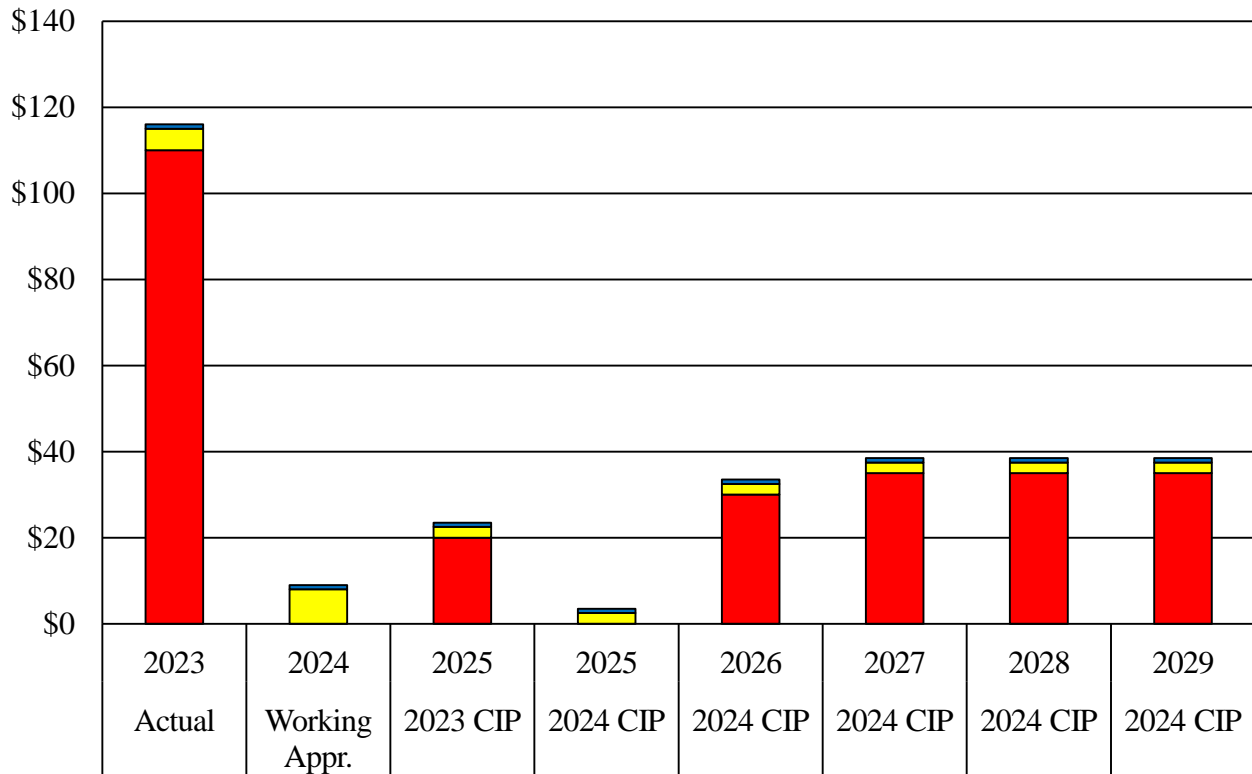
DLS recommends adopting committee narrative requesting a report updating the committees on the status of relocation plans for DGS and identified uses for the 2100 Guilford Avenue property.

Budget Overview of Statewide and Regional Programs

DGS administers two statewide funds, the Facilities Renewal Fund and the Construction Contingency Fund (CCF), and one regional program, the Fuel Storage Tank System Replacement Program. **Exhibit 1** shows that proposed fiscal 2025 authorizations total \$3.5 million, which is \$20 million less than what was programmed for fiscal 2025 in the 2023 CIP. While the amounts budgeted for the CCF and the Fuel Storage Tank Replacement Program are consistent with the

levels programmed in last session’s CIP at \$2.5 million and \$1 million, respectively, there are no fiscal 2025 authorizations for the Facilities Renewal Program, which was previously scheduled in the 2023 CIP to receive \$20 million in fiscal 2025. Overall, fiscal 2025 provides \$5.0 million less than fiscal 2024, as less is budgeted to the CCF.

Exhibit 1
Comparison of GO Bond Authorizations in 2023 and 2024 CIPs
Fiscal 2023-2029
(\$ in Millions)



- Fuel Storage Tank Replacement Program
- Construction Contingency Fund
- Facility Renewal Fund

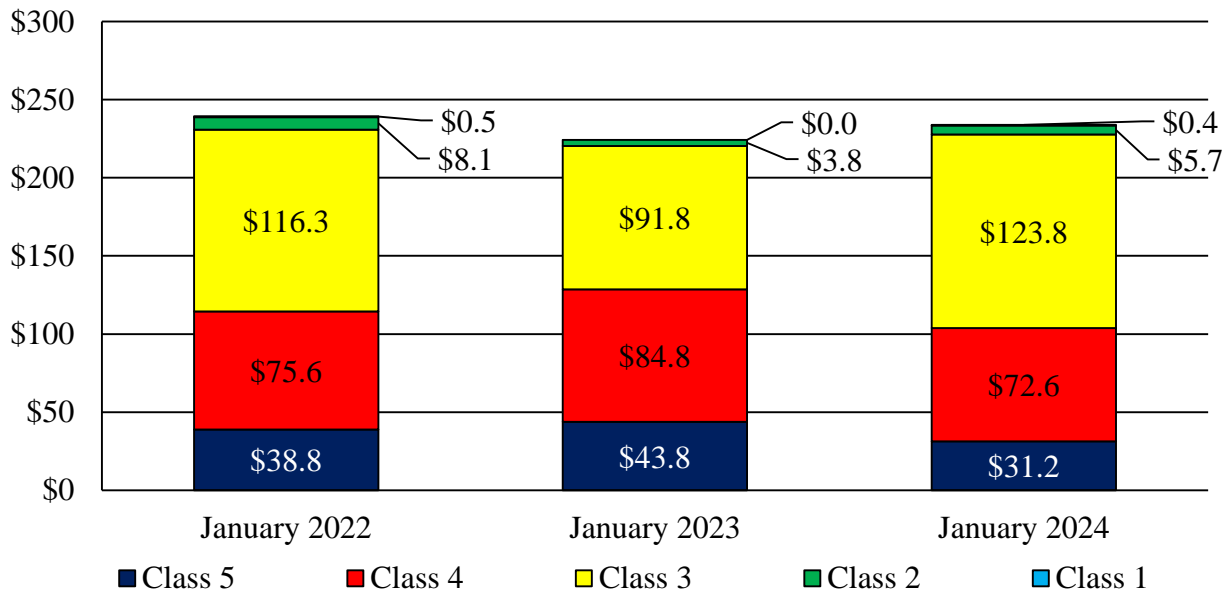
CIP: Capital Improvement Program
 GO: general obligation

Source: Department of Budget and Management

Facilities Renewal Program

The Facilities Renewal Program received \$110 million in PAYGO general funds budgeted in the DPA in fiscal 2023. As of February 2024, a total of \$45 million has been transferred by budget amendment to DGS from the DPA, leaving \$65 million remaining in the DPA to fund facilities renewal in fiscal 2024 and 2025. **Exhibit 2** shows the change in estimated facilities renewal costs from January 2022 to January 2024 by priority category. The total estimated cost of the backlog is relatively level from year to year. The total backlog in January 2024 was approximately \$233.8 million, a 4.3% increase from approximately \$224.2 million in January 2023.

Exhibit 2
Capital Facilities Renewal Backlog Projects by Priority Categories
 January 2022 through January 2024
 (\$ in Millions)



Source: Department of General Services

It is noted that estimated project cost increases are highest for the top three priority levels. Replacement of the fire alarm system and paneling at Deer’s Head Hospital was added as a new project at the highest priority level 1 at \$400,000. There are 12 projects in the backlog at priority level 2, with 7 carried over from January 2023 at the same estimated costs. Five level 2 projects were moved out of the backlog since January 2023, removing \$550,000 from the category. There are 2 projects that were promoted from level 4 to level 2, and 3 projects were newly added to the backlog at level 2, for a total of approximately \$2.5 million added to priority level 2.

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While the number of priority level 3 projects decreased from 210 in January 2023 to 181 in January 2024, the total cost of projects at this level increased from approximately \$91.8 million to \$123.8 million. There are 120 projects remaining in the backlog at level 3 from the previous year (\$76.7 million), 58 new projects added to the backlog at level 3 (\$45.1 million), and 3 projects promoted to level 3 from lower priority levels (\$2 million).

- **Concerns:** There is a question of adequacy of funding for facilities renewal projects through fiscal 2025. DGS reported on February 7, 2024, that it had encumbered approximately \$38 million of the transferred \$45 million in fiscal 2024, or approximately \$5.4 million per month. At this rate, the remaining funds available in the DPA are estimated to support the program through April 2025. No further funding for the program is provided in the fiscal 2025 budget as introduced. At this time, DLS is not recommending adding funds for the program in fiscal 2025, but this situation will need to be closely monitored throughout the fiscal year for potential consideration of a deficiency appropriation in the fiscal 2026 budget, which, if provided, would become available upon passage of the budget in April 2025.
- **Other Comments:** Several issues were identified as potential contributing factors to the pace of addressing the backlog, including staffing and permitting. Regarding permitting, DGS advised that, while Maryland Department of the Environment (MDE) permitting is necessary for all new construction projects and renovations at a scale of \$10 million or more, the majority of facilities renewal projects are replacements and upgrades of existing structures and typically do not require MDE review. Where MDE review is required, DGS reports that it has begun to utilize permit expeditors that can reduce the permitting process time by months. Regarding staffing, DGS reported that the new Job Order Contracting program and the associated master contracts awarded in calendar 2023 are expected to reduce the solicitation burden on the procurement team and lead to advancing projects more quickly from the backlog into funding and development. However, DGS has reported inefficiencies in recordkeeping and sharing, partly from inadequate software and partly from staff turnover.

DGS Design, Construction and Energy (DCE) indicated in December 2023 that it was in the process of selecting a new software platform for project management and coordination with the Building Assessment Unit (BAU). While DCE and the Office of Facilities Management (OFM) are separate offices, there is a shared maintenance project backlog. In the backlog record, projects are categorized as operating (Facilities Maintenance) or capital (Facilities Renewal) based on project scale. DGS has indicated in the past a need to improve training and retention of facilities maintenance managers. DGS has been working to improve training of employees and makes monthly assessment of staff use of the eMaint record keeping system. However, OFM has faced high turnover rates, limiting overall levels of staff training.

DGS should comment on the current process for tracking projects and how the new software planned for use by DCE and BAU will change or improve recordkeeping for the backlog. DGS should also be prepared to brief the committees on the overall Facilities

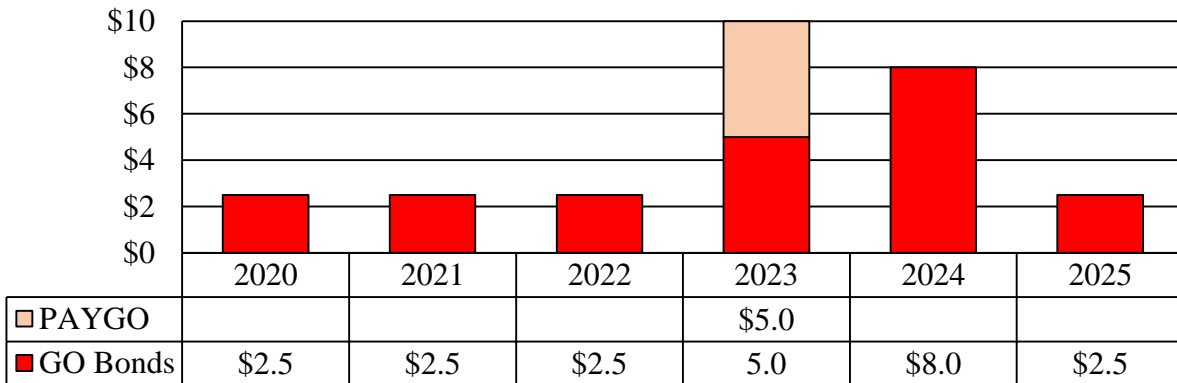
Renewal and Maintenance program, operating and capital together, identifying the greatest needs of these programs and discussing any new activities or agenda changes targeted toward addressing these needs.

Construction Contingency Fund

Program Description: The CCF provides a source of supplementary funds for the construction of State-owned projects when existing funds are insufficient to complete them. The CCF may also be used to conduct value engineering and to cover change orders during construction of a previously authorized project. To access the fund, DGS must provide written notice to the budget committees, and the committees have 45 days to review and comment on the request. After legislative review, proposed transfers from the fund must be approved by BPW. The CCF is a continuing, nonlapsing fund that receives funding from a GO bond authorization or appropriation, unspent proceeds of an enabling act (such as unspent PAYGO funds appropriated in the operating budget), or unspent GO bond authorizations. Unspent GO bond authorizations that exceed \$100,000 are usually deauthorized in a capital budget bill and not made available to the fund.

- **Changes:** Recent construction inflation has exceeded the cost escalation rates used by DBM in the project cost estimating process. As shown in **Exhibit 3**, as a hedge against rising construction costs, the State increased the level of funding to the CCF in both fiscal 2023 and 2024 with appropriations of \$10 million and \$8 million, respectively.

Exhibit 3
Construction Contingency Fund Total Authorizations
Fiscal 2020-2024
(\$ in Millions)



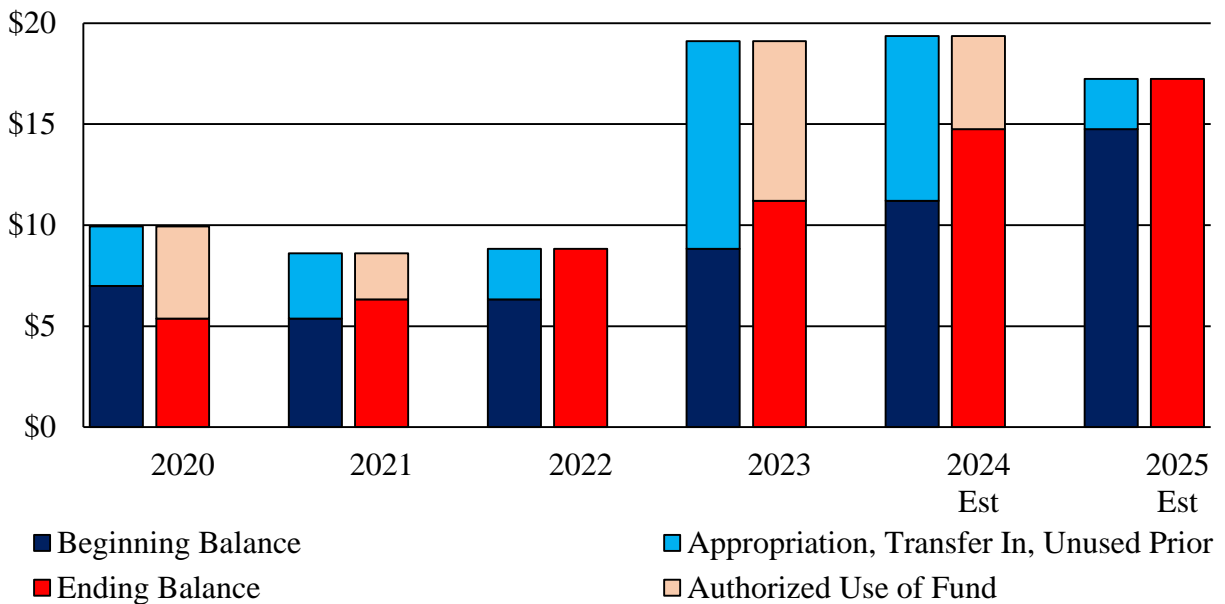
GO: general obligation

PAYGO: pay-as-you-go

Source: Department of Budget and Management

The proposed fiscal 2025 authorization of \$2.5 million is a significant reduction from both previous years. However, as of January 31, 2024, the balance of the CCF was \$14.7 million. The fiscal 2024 balance is an increase of 23.3% over the previous year, after a total of approximately \$5.4 million was approved for use during calendar 2023. **Exhibit 4** illustrates fund balance and expenditures from fiscal 2020 to 2025, showing that, in each year except fiscal 2020, more funding is appropriated than expended, leading to an increase in the ending balance each year.

Exhibit 4
Construction Contingency Fund Balance and Expenditures
Fiscal 2020-2025 Est.
(\$ in Millions)



Source: Department of Budget and Management

- Other Comments:** Section 3-609(c) of the State Finance and Procurement Article limits the CCF balance to no more than 1.25% of the limit recommended by the Capital Debt Affordability Committee (CDAC). Given that the balance of the fund was expected to exceed the limit at the end of fiscal 2023, language attached to the fiscal 2024 authorization allowed the balance to exceed the statutory cap on the fund, notwithstanding the statutory fund balance limit. This language is not necessary for the fiscal 2025 authorization because the higher GO bond debt limit recommended by CDAC and adopted by the Spending Affordability Committee of \$1.75 billion for the 2024 session allows for a fund balance of slightly above \$23 million, well above the estimated fund balance of \$14.7 million at the beginning of fiscal 2025.

Fuel Storage Tank Replacement Program

Program Description: The Fuel Storage Tank Replacement Program provides funds to remove, replace, or upgrade State-owned fuel storage tanks. This program is primarily designed to correct gasoline fuel storage tank deficiencies at Department of State Police barracks and other specified fueling facilities throughout the State. A significant number of existing underground gasoline fuel storage tanks at these locations have reached or are nearing the end of their useful lives, which is estimated to be 30 years. The fuel storage tanks will be replaced or upgraded to eliminate or prevent leakage problems and related soil contamination. Fuel leaks can contaminate groundwater and cause other environmental damage. Leaking tanks may also subject the State to regulatory penalties, and DGS notes that when tanks fail tests, they may face an immediate 30-day replacement order and fines of up to \$100,000 per tank. Funding for this program remains at \$1 million in the fiscal 2025 budget. **DGS should comment on the urgency of tank replacements and on whether additional funding would allow replacements to be completed sooner.**

- **Projects Selected:** The fiscal 2024 authorization funded the McHenry Barrack in Garrett County and the Westminster Barrack in Carroll County. DGS reported in January 2024 that the fuel tank at McHenry Barrack has been removed and the replacement tank project has been proposed. **Exhibit 5** provides a table of sites at which there are tanks pending removal. **DGS should comment with an updated status of the projects underway and which projects will be prioritized in fiscal 2025.**

Exhibit 5 Fuel Tank Replacement Sites January 2024

<u>Priority</u>	<u>Vehicle Fuel Tank Site</u>	<u>Total Original Tanks</u>	<u>Tanks Removed without Replacement</u>	<u>Tanks Removal Pending</u>
1	North East Barrack F	4	3	1
2	McHenry Barrack W	3	2	1
3	Glen Burnie Barrack P	3	2	1
4	Westminster Barrack G	10	9	1
5	Easton Barrack I (**)	7	1	1
6	Bel Air Barrack D (**)	6	1	1

** The Department of General Services notes that these sites included multiple smaller tanks that were eliminated or replaced with above ground tanks.

Source: Department of General Services

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- ***Other Comments:*** DGS notes that the pace at which these projects are completed depends on the current level of funding, and that more funding would allow tank replacements to be completed sooner. DGS notes that there is a national grant program, the Leaking Underground Storage Tank Trust Fund, that may be sought for federal financial aid for this purpose. **DGS should comment on whether it has applied for a grant through this program and, if not, whether there are any plans to do so.**