Eligibility Flowchart

**Commercial tank** includes USTs containing petroleum products for resale, farm or residential motor fuel tanks with a capacity greater than 1,100 gallons, heating oil tanks greater than 1,100 gallons (unless they serve four or fewer households).

1. Is applicant a current or former tank owner? **No**
   - *Fees due must be paid prior to receiving reimbursement.*
   - **If two or more releases result in more than one plume of contamination, a multiple deductible amount will apply per G.S. 143-215.94(b1).**

2. Is applicant a current or former tank operator? **No**
   - Not eligible for Trust Fund

3. Is release due to willful violation or willful/wanton misconduct? **No**
   - Not eligible for Trust Fund

4. Was UST in use on or after 1/1/89? **No**
   - Was tank fees paid at the time of release discovery? **No**
     - Was release discovered on or after 2/1/93? **Yes**
       - Not eligible for Trust Fund
     - Was UST still present at the property when you purchased? **Yes**
       - Was UST removed or closed in place prior to 12/22/88? **No**
         - Was UST upgraded at the time of release discovery? **Yes**
           - Did the responsible party discover the release on or after 6/30/88? **Yes**
             - Was UST in use on or after 11/8/84? **No**
               - Was the responsible party notified of the release on or after 7/1/94? **No**
                 - Up to $75,000 deductible**
               - **$20,000 deductible**
             - **$50,000 deductible**
           - **$20,000 deductible**
         - **$50,000 deductible**
       - **$20,000 deductible**
     - **$50,000 deductible**
   - **$50,000 deductible**

5. Was UST in use on or after 1/1/89? **Yes**
   - Did UST qualify as a commercial heating oil UST? **No**
     - Was UST removed or closed in place prior to 12/22/88? **No**
       - Was UST upgraded at the time of release discovery? **Yes**
         - Did UST owner/operator notify DWM by 12/31/93 that UST would be closed, upgraded in 1994, commence work prior to 7/1/94, complete work prior to 1/1/95 and report release prior to 1/1/95? **Yes**
           - Up to $75,000 deductible**
         - **$20,000 deductible**
       - **$20,000 deductible**
     - **$50,000 deductible**
   - **$50,000 deductible**

6. Was UST in use on or after 11/8/84? **Yes**
   - Was the responsible party notified of the release on or after 7/1/94? **No**
     - Was UST upgraded at the time of release discovery? **Yes**
       - Did UST owner/operator notify DWM by 12/31/93 that UST would be closed, upgraded in 1994, commence work prior to 7/1/94, complete work prior to 1/1/95 and report release prior to 1/1/95? **Yes**
         - Up to $75,000 deductible**
       - **$20,000 deductible**
     - **$50,000 deductible**
   - **$50,000 deductible**

7. Does UST qualify as a commercial heating oil UST? **Yes**
   - Was UST removed or closed in place prior to 12/22/88? **No**
     - Was UST upgraded at the time of release discovery? **Yes**
       - Did UST owner/operator notify DWM by 12/31/93 that UST would be closed, upgraded in 1994, commence work prior to 7/1/94, complete work prior to 1/1/95 and report release prior to 1/1/95? **Yes**
         - Up to $75,000 deductible**
       - **$20,000 deductible**
     - **$50,000 deductible**
   - **$50,000 deductible**

NOTES:
1. G.S. 143-215.94A
2. G.S. 143-215.94E(g)
3. G.S. 143-215.94C
4. G.S. 143-215.94N and 15A NCAC 2P.0401(b)(1)
5. G.S. 143-215.94B(b)(2)
6. G.S. 143-215.94B(b)(2a, 3 and 4)
7. G.S. 143-215.94E(b)(2a, 3 and 4)