



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

Dale T. Cira, *Administrator*

Board Members: Michael L. Fitzgerald Joseph D. Barry Jeff. W. Robinson Karen E. Andeweg Chuck Gipp
 Timothy L. Gartin Dawn M. Carlson Patricia J. Beck N. Kurt Mumm

NOTICE OF PUBLIC MEETING

A public meeting of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board has been scheduled for 10:00 A.M., Thursday, August 27, 2015. The meeting will be held at the **State Capitol Building, 1005 East Grand Avenue, Room 19, Des Moines, IA 50319.**

The tentative agenda for the meeting is as follows:

10:00 a.m. Call to Order

1. Approval of Prior Board Minutes
2. Closed Session Discussion of Pending and Imminent Litigation (To adjourn by 10:30 am)
3. Public Comment Period
4. Board Issues
 - A. Review of Strategic Planning Session
 - B. DNR Update
5. Approval of Program Billings
6. Monthly Activity Report and Financials Reviewed
7. Attorney General's Report
8. Claim Payment Approval
9. Contracts Entered Into Since July 14, 2015 Board Meeting
10. Other Issues as Presented
11. Correspondence and Attachments

Approval of Prior Board Minutes



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MINUTES IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND PROGRAM

July 14, 2015

ANNUAL STRATEGIC PLANNING SESSION IOWA ARBORETUM EDUCATION CENTER 1875 PEACH AVENUE, MADRID, IA

Doug Beech, Chairperson, called the Iowa UST Board meeting to order at 9:35 A.M. A quorum was present with the following Board members present:

Doug Beech
Joseph Barry
Patricia Beck
Dawn Carlson
Timothy Gartin
Tim Hall (for Chuck Gipp)
M. Kurt Mumm
Adam Phillips (for Michael Fitzgerald)

Also present were:

Dale Cira, Administrator
James Gastineau, Deputy Administrator
David Steward, Attorney General's Office

Elaine Douskey, Iowa Department of Natural Resources

STRATEGIC PLANNING SESSION

Mr. Beech welcomed the Board members and guests.

Mr. Beech commented that the Governor's office "sent us a bit of a message" with the veto of House File 652.

A. Current Program Status

Mr. Beech turned the meeting over to Dale Cira, Administrator, who provided highlights of accomplishments during the past fiscal year. He noted some of the program highlight's including:

- As of June 30, 2015, the Iowa UST Fund Program had established 6,090 claims related to petroleum releases, of which, 5,574 claims have been closed. Currently there are 505 open claims and 11 project claims for the NFA re-opener process.
- In fiscal year 2015, an actuarial study was completed. The study indicated there is adequate funding in relation to the outstanding reserves to do the work required, absent any significant changes to the program.
- In fiscal year 2015, the UST Fund reimbursed claimants \$6.8 million for corrective action costs, including \$873,000 paid for removal of underground storage tank systems.

Mr. Cira continued by with an overview using the *UST Fund Program Overview and Status* document included in the Board packet. In referencing the document, he noted that to date more than \$233 million has been paid from the remedial account and \$36 million from the innocent landowner fund account on eligible claims. He also noted the program funding changes over the years and noted that funding is currently provided from the Statutory Allocations Fund (SAF) in the amount of \$17 million annually. The annual allocation is deposited into the Revenue Fund and then disbursed according the Board approved budget.

Mr. Gastineau continued with the overview by reviewing the program operational issues. He noted some of the significant events of the past year such as the Department's recent release of an updated RBCA guidance document and that the Department was in the process of updating the RBCA software which is the basis for all risk classifications. He also noted that the Fund continues to be interested in innovative technologies as a means to bring sites to closure.

Mr. Gastineau also referenced the Board's history with Loss Portfolio Transfers (LPTs) noting that the Board had twice entered into an agreement to transfer certain claims to Petroleum Marketers Management Insurance Company (PMMIC) that had shared liability claims. He also remarked that there are currently 14 sites with shared liability claims and that a future transfer of those claims is possible. Mr. Gastineau also made mention of the successes of the UST Operator Training program and of the tank closure program which assists owners and operators maintaining compliance on their active tank sites.

Mr. Gastineau referenced the FY 2015 activity report and a summary activity report for the last three fiscal years. For both documents, the downward trend in the number of claims was noted. He noted the major expense items being that paid for corrective action, free product recovery, excavations and remedial implementation of construction for new systems.

Mr. Jeff Robinson joined the meeting in progress at 9:50 a.m.

Mr. Gastineau continued by providing an overview of the State Lead remediation projects and the NFA Re-Opener project. He reported several of the State Lead projects remain as long-term concerns but noted progress is being made to identify problems and resolve the concerns. For the NFA Re-Opener projects, it was noted most sites that are re-opened are closed following limited assessment however a few sites require further monitoring or remediation.

Mr. Gastineau continued by providing a summary report of the claim status in comparison to the Department's open LUST site backlog. He also provided a review of a data table showing claim status and Fund balances for the fiscal years 1990 through 2015. He noted that the Board packet includes several graphical representations of the same data.

Mr. Gastineau noted an important item for reference is the UST Fund Projections table which is updated annually. Using the table as a reference, he described the data provided therein. For FY 2015, the information is that incurred while the data for the years 2016 through 2020 were indicated to be a projection or that which is authorized by statute, such as amounts for DNR technical review and for IDALS for fuel quality inspections.

Following the presentation, Ms. Carlson inquired on the Governmental Admin Expenses line cost of \$100,000. Mr. Gastineau noted this value includes the 28E agreements for the Attorney General's office, State Auditor's Office and the Department of Revenue. Questions were also asked on the amounts listed for the 28E Projects of \$800,000 and \$500,000 for the next two years. Mr. Gastineau noted that these amounts are projections of what might be spent trying to address the stalled and recalcitrant sites that are added to the State Lead closure contract.

In concluding the Current Program Status review, Mr. Gastineau presented the final memo to document the expenses paid in Fiscal Year 2015. He noted that values presented are taken from the year-end financial statements which followed in the packet, but are provided in the one-page summary for ease in review. He reported revenue for the past fiscal year was \$14,151,851.66 and total expenses were, to date, \$9,802,988.62, which provides an increase to the overall available balance for the program of approximately \$4.2 million. He noted several expenditures including those provided to the Department of Natural Resources for the administration match and technical reviews and that provided to the Department of Agriculture for fuel quality inspections.

B. Summary of 28E Agreements

Mr. Gastineau provided an overview of the status of the 28E Agreements currently in place with the amount paid pursuant to each agreement during fiscal year 2015.

C. Attorney General's Report

Mr. Steward provided his report noting that things have slowed down on UST appeals. He noted in the past year, there was one settlement and two administrative appeals both of which are in negotiation to discern to what degree other sources may have contributed to the contamination at the sites.

Mr. Steward also noted pursuant to the 28E agreement with the Board he is seeking the Board's authorization to attend the National Tanks Conference to be held in September 2015. He stated that he has attended the conference every year since he has been counsel for the Board and that the cost to attend this year should not be more than \$1,500. He also noted that because of a reimbursement program there would likely be no cost to the Board for his participation.

Following a brief discussion, Ms. Carlson moved to approve authority for Mr. Steward to attend the conference and for the proposed expenditures. Mr. Gartin seconded the motion. The motion was approved unanimously.

D. Prior Year's Goals

Mr. Cira reviewed the Fiscal Year 2015 goals that were created during the Board's 2014 Strategic Planning Session. He noted the emphasis was placed on completing an actuarial study to evaluate the program liabilities in comparison to the liabilities estimated by the Administrator's staff and program funding.

In addition to the actuarial study, Mr. Cira noted that the goals for the year included the following:

- Continue efforts to bring as many claims as possible to a timely closure.
- Continue review of possible options and alternatives for the program as a whole for delivery to the appropriate legislative committees.
- Identifying and issuing letters to claimants and landowners seeking access to sites so as to allow activities to be completed in an attempt to attain claim closure.
- Identifying the sites with shared liability claims with PMMIC insured policy holders and seeking an expedited settlement to remove Fund obligations.
- Conducting an actuarial analysis of the current program to establish a 3rd party estimation of Fund obligations – including current eligible claims and claim development, as well as likelihood of future claims.
- Establish a Loss Portfolio Transfer (LPT) structure and draft contractual wording for review and eventual development into a request for proposal (RFP).
- Establish language for a settlement agreement for the closure of claims for claimants with two or more open claims.
- Explore options for long-term funding for the Department to address sites where a responsible party cannot be found.

Mr. Cirra noted that progress was made on most of the goals; claims continue to be closed and work continues on identifying stalled sites. He also noted that while options were in part identified, no specific presentation was made to the legislative bodies, other than that communicated in the quarterly reports and that provided during the lobbying for the House File 652 and its predecessor bills. He also noted that while language has been developed for possible settlements, no explicit actions were taken to initiate settlements or to complete a LPT during the prior year.

E. Fiscal Year 2016 Goals

Mr. Cirra indicated the proposed FY 2016 goals are similar to those adopted for 2015, except that the actuarial study has been completed. He noted that with the study results there is some certainty on what is likely to be needed to meet the final goal for claim closure. For consideration of the Board members, he noted that the Board packet included a memo with some suggested goals, presented in outline form to be used as a basis for discussion. The goal suggestions are as follows:

- Issues and Highlights from the Prior Year
- Getting the Program to Closure
 - Offering settlement agreements to responsible parties to allow claim closure.
 - Identify shared liability sites and negotiating a settlement for those claims.
 - Identify a 3rd party insurance or liability transfer firm that would be in a position to aggregate the remaining claims for a fee with funding.
 - Consider a combined DNR/Iowa Finance Authority (IFA) approach to address recalcitrant and stalled sites, as well as new sites that come to light in the event the Fund is concluded.
- Maintaining Short and Long Term Solvency
 - Ensure appropriate cash flow for continued operations.
 - Coordinate with the DNR on claim handling and corrective actions.
 - Consider development of a long-term trust fund for future claims, stalled claims, and LUST sites with no responsible party.
 - Evaluate impact of HF 652 veto on future program funding and cash balances.
- Legislative Initiatives

In beginning the discussion, questions were asked as to how many sites might be available for a transfer to a 3rd party, whether to PMMIC or another party. Mr. Cirra noted that the starting number should be the 490 claims identified earlier. Of those, there are some claims that are unlikely to be completed regardless of time or funding however the majority of claims would likely be candidates.

Mr. Beech noted instead of trying to decide on a division of the claims, the first task might be to consider what that end date goal should be; the projection table identified 2020 as a possibility. However some may want a far shorter timeframe. He also noted that the question on continued funding needs to be considered, noting that while the EPC has an end date, the funding provided through the Statutory Allocations Fund (SAF) does not. However the question becomes when will funding cease? Mr. Hall concurred that a 5-year time frame to 2020 may not be the best goal but also noted that trying to end the program by July 1, 2016 is

likely not possible. Instead the goal is likely somewhere in between. In consideration of the comments, Mr. Cira asked if the Board should plan on taking an affirmative stand on stating its plans on how to end the program and by what date. This may be necessary given the perception that the Governor's office wants the program to end. The question of when the program should end needs to be further examined. It was also noted in the discussion, that HF 652 had been amended and a question was asked as to what the impediments would be to closing the program by December 31, 2018. Upon further discussion, it was suggested to consider the end of FY 2018 as an end date.

Mr. Gartin continued by asking 'what are the barriers to ending the program'? In considering this question, it was noted that the claims represent a financial matter and that claim closure does not in all cases mean that a site has been cleaned up or attained regulatory closure. As a side matter, it was commented that the phrase 'cleaned up' should not be used, as almost none of the sites that attain regulatory closure are cleaned up to pristine conditions. This is a common misperception that is held by many. Instead the correct terminology that should be used since the 1995 adoption of the Risk Based Corrective Action process is that a site meeting regulatory closure has attained a status of 'no action required'.

Mr. Gartin noted his idea that there are 3 broad steps that should be considered; the first would be to craft language for a LPT that provides a mechanism for enforcement. Second, create a role for the Iowa Finance Authority (IFA) by establishing an escrow account that identifies when and how funds can be used, and lastly by pursuing action on sites to get as many closed as possible prior to effecting transfer by a LPT. Mr. Steward noted a fourth group of sites needs to be considered, those being the sites where there is no expectation that work will be completed. These may include the stalled sites and are generally those sites where the Department has no authority to pursue work. Mr. Gartin commented that these same sites could be included in the group assigned to the Department for future action using the IFA account, as it is likely that someone will eventually want to get a no further action certificate for the site.

Mr. Hall concurred and noted that the sites need to be grouped. The sites mentioned by Mr. Steward could be one subset, but other subsets can be determined. However the question of funding for each idea needs to be considered.

In consideration of the idea, Mr. Gartin indicated the Board may want to direct the Administrator to approach the Iowa Finance Authority. Mr. Hall noted that the IFA already works with the Department on other programs so a commonality exists. Mr. Steward noted that the chief counsel for the IFA formerly worked with the Board so he also has some knowledge of the Board programs.

Hearing this, Mr. Gartin moved to direct the Administrator to reach out to the Iowa Finance Authority to discuss this option and if they are interested to begin drafting a 28E agreement that would create an escrow account to manage fund balances. Mr. Barry seconded the motion. The motion passed unanimously.

Mr. Cira indicated that once this contact has been accomplished, a working group could be put together to continue working on the option. It was also acknowledged that representatives, primarily legal counsel for each of the parties, would be needed for the group.

Mr. Gartin proposed the next step would be to identify the sites that could be targeted for a loss portfolio transfer (LPT). Discussion on this topic included the determination that groups of sites must be identified to segregate those sites that potential candidates for a LPT and those that are not, such as those likely to reach closure in the next 18 months or those sites where work is unlikely to proceed. It was also noted that sites that are unlikely to proceed or those that may not reach closure could end up in the program to be administered by IFA or another entity, however, the concern was that monies set aside for such a program may be subject to other uses through legislative actions. It was noted that an advantage of a LPT is that the monies are transferred to a separate entity for the sole intended purpose however it was also commented that a LPT should have a claw-back provision to ensure that the funds provided are used solely for the purpose intended and to ensure that State resources are properly used.

Mr. Gartin moved that staff be directed to draft a proposal on LPT's taking into account the potential closing of sites to a NFA status within one year and also taking into account sites that may be administratively closed by the October 29, 2015 Board meeting. Mr. Hall seconded the motion and the motion was unanimously approved.

Mr. Gastineau inquired on an end date for the letter, noting perception that the program has existed for 26 years and could go on. In consideration of the matter, Ms. Carlson suggested the EPC end date of June 30, 2016 be used in the letter. She also requested that a template of the letter be sent to the Board members. Ms. Beck also requested that a list of the sites be provided showing where the letter would be sent.

Noting the EPC end date, Mr. Beech commented that groups need to assess the need for future program funding. He noted that unless a well-defined plan or need is identified that future allocations from the SAF should be questioned. In discussion, it was noted that there are some who would like to see the program continue and again noted the perception that the program was intended to clean up sites rather than just address risks. Mr. Carlson commented that she doesn't know at this time if industry will make another effort to retain funding for the program or if other sources could be used for previously proposed idea of tank replacement. She noted that some had indicated that the proposed idea might fit better into an economic development role rather than with the Board. It was also noted that program funding presently provides other benefits such as assisting owners pay for tank closures and for ongoing governmental activities. Ms. Douskey noted that the Department is aware of the potential end of funding and is presently sending letters to owners with temporarily closed tanks advising them of the funding that currently exists.

Mr. Steward noted that barring legislative action both the program funding and the Board structure will remain in place after June 30, 2016. Mr. Beech made a motion with a second by Mr. Gartin to direct the staff to start the process of determining what must be done legislatively to end the Board. The motion was unanimously approved.

Mr. Beech noted that the process should not be to simply eliminate 455G, but instead examine the statute and determine which provisions need to remain in place for future use either by the IFA or another entity. In considering the use of such funds, it was asked whether monies set aside would be used for solely for fund eligible sites or for any sites that the DNR may need to pursue action. The issue was extended to include the question on NFA re-opened sites. It was noted more analysis is needed before a decision could be made on where to put money or how much might be needed.

Following this reference, Mr. Gastineau referred to a memo in the Board packet regarding the creation of a trust fund. He noted the Board has discussed the idea during several occasions however stated the criteria for creating the fund has not yet been met. Iowa Code 455G.9(3) states “when the remedial account has accumulated sufficient capital to provide dependable income to cover the expense of expected future releases or expected future losses for which no responsible owner is available, the excess capital shall be transferred to a trust fund administered by the Board and created for that purpose”.

Mr. Gastineau reported the Remedial Fund has a balance of \$16.8 million, and reserves for claims from this fund exceed \$21.4 million. Pending receipt of the statutory allocations in FY16, a transfer of \$9.0 million to the remedial non-bonding fund is recommended to allow the Board to establish a balance greater than the outstanding reserves. In addition, this may allow the Board to create a trust fund of \$5.0 million for the Department’s use on those sites where a responsible party is not available. In consideration of the concept, Mr. Beech noted it’s too soon to make a determination of how much might be needed and questioned if a separate bucket may be needed for NFA re-openers.

Mr. Gartin asked for some guidance on what DNR will need that have might not have been captured in the discussion. Ms. Douskey responded there are some things that are benefits that need to be considered by the various stakeholders but noted there is also a wish list of things that she would like to see continue such as funding for technical reviews, operator training, tank closures and the administration match. Mr. Gartin requested the Department present their ideas on what may be needed at the next Board meeting. Mr. Beech concurred and noted all needs should be considered before an amount for a transfer to IFA or for a trust fund can be considered.

The Strategic Planning Session adjourned at 11:50 a.m. and was immediately followed by lunch.

The Board reconvened at 12:40 p.m. for the regularly monthly meeting with Mr. Beech presiding as the Chair.

APPROVAL OF PRIOR BOARD MINUTES

The minutes from the May 28, 2015 meeting were reviewed. Mr. Beech inquired if there were any changes and, hearing none, Ms. Carlson made a motion to approve the minutes and Ms. Beck seconded the motion. By a vote of 9-0 the minutes were approved.

CLOSED SESSION

Mr. Beech noted there were no matters dealing with litigation for discussion in closed session pursuant to Iowa Code Chapter 21.

PUBLIC COMMENT

Mr. Tom Norris on behalf of PMMIC remarked it was a great discussion regarding exit strategy during the morning's strategic planning session. As relates to the LPT and how the claims are grouped and how interest would be gained from interested parties, Mr. Norris asked what the plan is for doing that. Mr. Cira responded that, initially, direct inquiries will be made to insurers to gauge interest and then as a result, could develop an RFP. Mr. Norris stated it is important to frame the request in a manner to protect the State.

Mr. Norris continued by noting that PMMIC has an interest in any type of transfer that is considered regardless of the mechanism for the transfer. He also noted that PMMIC was created from the Board and has a continued interest in the function of the Board. He also noted that as a claim ages, particularly on sites with active tanks, PMMIC may get a claim on those same sites, too. He indicated that might be something to take into account when the Board considers a LPT. He also noted Mr. Steward's concerns about public bidding but noted that PMMIC believes it is in a unique position regarding the program and the sites involved.

Mr. Norris noted that PMMIC has unique interests and, more importantly, has the skill set and knowledge on the Iowa RBCA programs. He also noted that any one entering a LPT expects to make money and PMMIC too believes they can make money at it or would not do an LPT but that that should not be the only consideration as they continue to work with the Iowa petroleum industry on a daily basis.

Mr. Gartin noted that the comments presented were good but noted that the Board cannot provide discussion on any matter that has not been noticed to the public. Mr. Beech concurred and thanked Mr. Norris for his comments.

BOARD ISSUES

A. Legislative Update

Mr. Cira reported that House File 652, as discussed earlier, was vetoed on June 30, 2015 by Governor Branstad. In the veto message, the Governor indicated his desire for the Fund to wind down. He noted that much of the discussion from the morning meeting was a result of that message.

Mr. Cira also noted that House File 394 included the annual provision for \$200,000 to be provided to the Department for a match to a Federal grant.

B. FY 2016 – 12 Month Meeting Schedule

Mr. Gastineau presented a memo outlining the proposed schedule of Board meetings for FY16 and asked that all Board members put these dates on their calendars.

C. FY 2016 Attorney General Agreement

Mr. Gastineau presented to the Board the proposed reimbursement agreement for FY16 with the Attorney General's Office. Mr. Gastineau noted that the agreement seeks reimbursement of \$50,000 for FY16 which mirrors that provided for the past two years. Mr. Gartin moved to approve the agreement and Mr. Barry seconded the motion. The agreement was approved by a vote of 9-0.

D. FY2016 – Proposed Budget

A memo discussing the actual budget for FY14-15 and proposed budget for FY16 was included in the Board packet. Mr. Gastineau recommended transferring \$9 million from the Revenue Fund at the end of FY16 to the Remedial Non-Bonding Fund to pay remedial and retroactive claims. It was also recommended to transfer the remaining Revenue Fund balance of \$5 million from the Revenue Fund balance to a new fund, to be established as a separate fund for funding to assist the Department in addressing actions at sites where a responsible party cannot be found.

Mr. Beech commented that he believes it is premature to make a transfer to a trust fund and stated he would not support doing so. In considering the matter, the members discussed the timing of the deposits and transfers, and it was explained that transfers can be completed at any time during the fiscal year in accordance with the approved budgets but are generally made as funds become available. Mr. Gastineau noted that the transfer of \$9 million as proposed for the current fiscal year is to ensure funds are available to match the current reserve balance of the open retro and remedial claims. Following the discussion, Mr. Beech moved to pass the proposed budget, excepting the transfer of \$5 million from the Unassigned Revenue Fund for a new Trust Fund. Mr. Gartin seconded the motion. The motion was passed unanimously.

E. Environmental Support Services Contract – Re-Authorization

Mr. Gastineau provided an overview of the No Further Action re-opener process currently in place. It was noted that the Iowa Code 455G.9 requires the Board and Department enter into an agreement to facilitate activities on the sites requiring re-opening. He noted that, in order to complete this work, the Board retained the services of two environmental contractors through an RFP process and that the contractor agreements are set to expire on December 31, 2015. In order to continue working on the No Further Action re-opened sites, Mr. Gastineau requested approval to reissue a request for proposal to retain the services of two contractors; the contracts would be written for a one-year period, subject to additional one-year extensions at the Board's sole discretion. He noted all state contracts include a provision noting if the mission changes or there is a lack of funds, the agreements can be terminated at any time. Ms. Carlson moved to approve the issuance of the RFP and Mr. Barry seconded the motion. The motion passed unanimously.

F. DNR Update

Ms. Douskey provided an overview of the changes in the Underground Storage Tank Section operations during the last fiscal year. She highlighted the recent change to the Federal rules and noted that the Board packets included a copy of a US EPA document entitled “Overview of Revisions to the Underground Storage Tank (UST) Regulations”. Ms. Douskey commented that many of the changes were identified in the 2005 Energy Policy Act and that Iowa has already incorporated most of the changes into its regulations. It was noted that some modifications will still be needed however given the time needed to modify rules it may be 2017 before the changes are fully incorporated.

Ms. Douskey noted that Iowa’s UST program is a federally approved program and, as such, they are able to receive grants to run the program. She noted that the Department will need to re-apply for that approval once rules are adopted to comply with the federal requirements and to maintain program approval.

Ms. Douskey also provided a recap of FY15 staffing changes. She noted there are 14 full-time employees in the UST program in the central office and the equivalent of 3.5 full-time employees in the field offices. She noted two vacancies arose in past year and following a review, the decision was made to vacate one LUST staff position and reclassify the other position to allow a staff member to work half-time with both UST and LUST duties.

Ms. Douskey also provided a review of the program funding noting the Department received three Federal grants. She stated that there have been cuts in funding over the past four years but that program funding is sufficient for the present time. She noted that a long-term budget review is underway as several employees may be looking at retiring in the next five years.

Ms. Douskey also noted that the RBCA software upgrade project seems to be a slow, tedious process. She noted the planning group has been meeting once a week; the business analyst’s time is limited however the intent is to increase the number of meetings in an effort to get the actual programming started soon. Coinciding with the software modification, Ms. Douskey reported that an updated version of the RBCA Tier 2 guidance document was recently issued. It was noted that this is the first major revision since the original release in 1998. She also noted a plan to issue updates each year, as needed for further changes.

Ms. Douskey reported that the Department has also had a significant number of database changes however those may come to a halt because of funding. She noted the ability to upload documents from PMMIC inspections has been completed and that they now have ability to upload documents for public viewing.

For the current Federal fiscal year, Ms. Douskey reported that they have closed 107 LUST sites and for the State fiscal year, 144 sites have been closed.

Going forward, Ms. Douskey noted that the changes required by the Federal rules will require a big block of time and commented that other changes may be considered.

Ms. Carlson thanked Ms. Douskey for the review and commented that because of the Energy Policy Act and changes to the Iowa rules completed for that, that the impact of the new rules

will be less than what other states may have to address. She indicated the biggest expense for owner/operators in Iowa in the new EPA rules is the single wall issue. It was noted that there are over 2,000 tanks over 25 years old and most are single wall tanks and as upgrades or replacements are completed, new systems will have to be upgraded to meet the requirements.

PROGRAM BILLINGS

Mr. Gastineau presented the monthly billings to the Board for approval.

- 1. Aon Risk Services (FY 2016).....\$97,838.00
Consulting Services August 2015 -- \$58,838.00
Claims Processing Services August 2015 -- \$39,000.00

- 2. Attorney General’s Office (FY 2015)..... \$3,980.91
Legal Services for the UST Fund – June 2015

Previously submitted to Treasurer’s Office

- 3. Aon Risk Services (FY 2016).....\$97,838.00
Consulting Services July 2015 -- \$58,838.00
Claims Processing Services July 2015 -- \$39,000.00

- 4. Attorney General's Office (FY 2015) \$ 3,495.66
Legal Services for UST Fund -- May 2015

Ms. Hall moved to approve; Ms. Beck seconded. The measure passed with a unanimous vote.

MONTHLY REPORTS

Reports for May and June were included in the Board packets. For June, the number of claims closed continues down, with 49 closed this calendar year. No unexpected expenses or issues were noted.

Lien status information was provided in the Board packet. Mr. Gastineau noted one lien will be filed this month on an ineligible tank site. The lien in the amount of \$16,675 is recovery of the excess tank closure costs and the initial investigation costs. He noted the site owner is not the responsible party, thus while liable for the initial assessment the owner is not responsible for corrective action. Mr. Gastineau noted if corrective action is needed, a request would be presented to the Board for consideration of those costs prior to any work being performed.

ATTORNEY GENERALS REPORT

Mr. Steward stated there was no report to be given.

CLAIM PAYMENTS

Mr. Gastineau summarized the claim payment reports in the Board packet.

1. Site Registration 8710551 – Battery Shack , Sioux City (3rd Board Report)

This site is classified high risk for the groundwater and soil vapor pathways, and free product is present at the site. Past remediation efforts were unsuccessful and the consultant is now recommending excavation combined with the injection of the chemical compound BOS-200 to address the deeper contamination and free product.

Present claim reserve is \$750,000. Projected costs are in range of \$300,000 to \$400,000+. Additional authority of \$365,000 for a total authority of \$800,000 was requested. Motion to approve claim authority was submitted by Mr. Barry and seconded by Ms. Carlson. The motion was approved on a vote of 9-0.

2. Site Registration 8606573 – Casey’s Marketing Co., Exira (2nd Board Report)

This site is classified high risk for the groundwater ingestion, groundwater vapor, and the soil leaching to protected groundwater source pathways. Free product is also present. It was noted that the property appears to be vacant. The consultant is proposing a laser induced fluorescence (LIF) evaluation to better define the free product plume prior to presenting corrective action options.

Present claim reserve is \$450,000 and costs to date total \$433,143.41. Projected costs for future work are in range of \$65,000 to \$300,000. Additional authority of \$180,000 for a total authority of \$500,000 was requested. Motion to approve claim authority was submitted by Mr. Gartin and seconded by Mr. Hall. The motion was approved on a vote of 7-0, with Mr. Beech abstaining.

3. Site Registration 8600044 – Krause Gentle Corp., Monroe (3rd Board Report)

This site is classified high risk for vapor, water line receptors. Past remediation efforts have included use of a dual phase extraction system and more recently, soil excavation to remove identified contamination. Following the excavation, some contamination remained in the right-of-way and beneath a city street. In November of 2014, the DNR attributed the contamination on an adjacent LUST site to be from this site. The adjacent LUST site was classified as no action required and a NFA certificate was issued. The consultant for the Krause Gentle Corp. site is recommending an excavation in the right of way and on the former station site to address the remaining risks. Some contamination will likely remain beneath the city street.

Present claim reserve is \$850,000 and costs to date have been \$637,820.22. Prior Board approval was given in October 2007 for costs up to \$700,000. Projected costs for future work are in the range of \$200,000 to \$350,000+. Additional authority of \$300,000 for a total authority of \$1,000,000 was requested. Motion to approve claim authority was submitted by Mr. Beech and seconded by Ms. Beck. The motion was approved on a vote of 8-0.

4. Site Registration 8605859 – Fauser Oil Co., Oelwein (2nd Board Report)

This site is classified high risk for soil leaching and soil vapor pathways. Free product is present at the site. It was noted that the depth of the product and the sandy soils make excavation unfeasible. Laser induced fluorescence was recently used to define the area of free product and a soil vapor extraction and air sparge system is the recommended remedial option.

Present claim reserve is \$300,000. Projected costs for future work are in range of \$180,000 to \$220,000+. Additional authority of \$175,000 to a total of \$350,000 was requested. Motion to approve claim authority was submitted by Ms. Carlson and seconded by Mr. Beech. The motion was approved on a vote of 8-0.

CONTRACTS ENTERED INTO SINCE MAY 28, 2015 BOARD MEETING

Mr. Gastineau noted that the Board had entered into one agreement since the May 28, 2015 Board meeting: An amendment to the 28E agreement between the Board and the Iowa DNR for the State Lead Closure contract project, allowing work to continue through August 31, 2016.

OTHER ISSUES

A table depicting regulated underground storage tanks in Iowa was provided in the Board packet. There are 7,371 total with 2,232 installed before 1990.

CORRESPONDENCE AND ATTACHMENTS

An article written by Carol R. Eighmey, Executive Director of the Missouri Petroleum Storage Tank Board regarding aging tank systems was provided in the Board packet as well as the regular corrective action meeting correspondence.

Mr. Beech noted that there was no further business, and motioned to adjourn the meeting at 1:40 pm. Mr. Barry seconded the motion and the motion was passed on a vote of 8-0.

Respectfully Submitted,



James Gastineau
Deputy Administrator

Public Comment

Board Issues

A. Review of Strategic Planning Session



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

Dale T. Cira, *Administrator*

Board Members:

Michael L. Fitzgerald
Timothy L. Gartin

Joseph D. Barry

Jeff. W. Robinson
Dawn M. Carlson

Karen E. Andeweg
Patricia J. Beck

Chuck Gipp
N. Kurt Mumm

MEMORANDUM

TO: UST Board
FROM: Dale T. Cira
DATE: August 20, 2015
RE: 2015 Strategic Planning Session Overview

The Board met for its annual strategic planning session as part of the monthly Board meeting on July 14, 2015. Most of the discussion is documented in the minutes of the meeting, but below is a brief overview and outcome/action items of the planning session.

Goals and Highlights of 2015

Based on a review of the claim closure status and financial standing, the Board can feel confident that the primary goals of the Fund continue to be achieved. The primary goal, providing for the completion of corrective action on claim sites, is still the objective.

In Fiscal Year 2015, the Board commissioned an actuarial study of the program liabilities, affirming that as of 11/30/2014, the reserve for the open claims was \$26,642,000. The review opined that with anticipated development on the claims, the ultimate cost may be \$34,869,000, an increase of approximately 30%. As of 06/30/2015, the outstanding reserve balance for the open claims was \$26,398,195.

In Fiscal Year 2015, legislation was introduced and passed that would have modified the Board program. The bill would have reduced the amount credited from the Statutory Allocations Fund (SAF) and would have provided for a new program to be administered by the Board. The bill would also have required a study be completed to identify obstacles or impediments to cleanup and redevelopment of LUST sites, gauge the progress on the current LUST sites and provide an assessment of whether cleanup of those sites might be completed by December 31, 2018. However, this legislation was vetoed by the Governor. In the veto message, the Governor stated his support to ending the one cent Environmental Protection Charge and urged the State and the Board to complete action on the remaining liabilities to the UST Fund.

2016 Planning and Goals

With the completion of the actuarial study in 2015 and the message from the Governor's office leading into this planning session, the Board has started a path forward to meeting the objectives set by the Governor. With this direction, there are two main goals for 2016:

- 1) Getting the program to closure, and
- 2) Maintain short and long-term solvency of the Fund.

Getting to Program Closure:

Recognizing the universe of open claims is steadily declining, the number of new claims is at a relatively low and predictable rate, and that a portion of the existing claims are in a stalled state, the goal will be to work out a plan to close out the Fund and the Board program with minimum long-term obligations. During the strategic planning session, the Board directed the Administrator to develop and submit a plan for winding down the program. This plan, to be presented at the October Board meeting, will include a thorough vetting of the elements below:

- Target letters noting end of funding to claimants of stalled sites seeking affirmative action to either proceed with work, allow access for a State Contractor to complete work, or face administrative closure of their claim
- Identify sites with shared liability claims with PMMIC and negotiate a settlement for the sub-set portfolio.
- Identify sites with responsible parties and negotiate settlements on a portfolio basis where plausible.
- Identify the possibility of using a third-party insurance or liability transfer firm that would be in a position to aggregate a number of claims and transfer those claims to the third party for a fee with funding.
- Consider a combined DNR/Iowa Finance Authority (IFA) approach to address recalcitrant and stalled sites, as well as new sites that come to the light in the event the Fund is concluded.

Maintaining Short and Long Term Fund Solvency:

The Fund will maintain its funding through FY 2016. After that date, the legislature may initiate defunding of the program to meet the Governor's directives. Based on the actuarial study completed in FY 2015, the Fund is predicted to have sufficient resources to address the outstanding claims and projections through 2020 with a closure rate of approximately 100 sites annually. This assumes no further funding beyond the 2016 sunset date. However, it is recognized that aggressive measures, including those identified above, must be conducted to meet these solvency predictions.

The Board has directed the Administrator to establish a timeline for closing out the Fund by end of FY 2018, assuming no further funding beyond FY 2016. To accomplish this, the Administrator will explore the establishment of a fund program to be managed by the Iowa Finance Authority (IFA) upon close-out of the current Board. This new fund will be used to manage the stalled and remaining sites that could not be satisfactorily addressed through claim closure, settlement, or liability portfolio transfer (LPT). The Administrator

has initiated discussions with the legal counsel for the IFA. These discussions will continue and if may include DNR Tanks Program management.

Immediate Action Items

The Board has directed the Administrator to immediately initiate discussion and action on the following items. These items will be reported on at the October Board meeting.

- 1) Reach out to the Iowa Finance Authority for feasibility of creating a program to manage remaining sites post-closure of the current fund program.
- 2) Prepare a list of recalcitrant claimants and draft a letter for review by the Board to be sent indicating the Fund closure and recommending action and/or settlement.
- 3) Identify Loss-Portfolio-Transfer options and prepare draft language to be used in such agreements.
- 4) Seek input and draft legislation to cease Board/Fund status at a pre-determined date of June 30, 2018.

B. DNR Update

Approval of Program Billings



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

Dale T. Cira, *Administrator*

Board Members: Michael L. Fitzgerald Joseph D. Barry Jeff. W. Robinson Karen E. Andeweg Chuck Gipp
 Timothy L. Gartin Dawn M. Carlson Patricia J. Beck N. Kurt Mumm

MEMORANDUM

TO: UST Board Members
FROM: James Gastineau
DATE: August 20, 2015
SUBJECT: Summary of Bills for Payment

NOTICE

The following is a summary of UST bills requiring Board approval for payment:

1. Aon Risk Services \$97,838.00
Consulting Services September 2015 -- \$58,838.00
Claims Processing Services September 2015 -- \$39,000.00
2. Aon Risk Services \$1,153.12
Annual Strategic Planning Session – catering & facility rental

Previously Submitted to Treasurer:

3. Iowa Attorney General's Office \$1,794.33
Services provided for Underground Storage Tank Program
June 2015 Billing (FY 2015 expense)
4. Office of the Auditor of State \$5,715.38
Services provided for Underground Storage Tank Program
FY 2014 Year Audit (FY 2015 expense)
5. Iowa Department of Revenue \$1,027.43
4th Quarter FY 2015 EPC billing (FY 2015 expense)



Iowa Department of Revenue

Director: Courtney M. Kay-Decker
Hoover State Office Building
Des Moines, Iowa 50319
www.iowa.gov/tax
Phone (515) 281-3204

August 7, 2015

James Gastineau
Underground Storage Tank Program
2700 Westown Parkway, Suite 320
West Des Moines, Iowa 50266



Dear Mr. Gastineau:

I am enclosing our 4th quarter FY15 EPC billing. Please direct the billing to the appropriate person for approval and payment.

If you or the board requires more detailed info, please call or email me at anytime.

Your assistance is fully appreciated.

Sincerely,

Roxane Foster
Accountant 2
Iowa Department of Revenue
Roxane.Foster@iowa.gov
(515) 281-5228

Enclosures

cc: Stefanie Devin, Treasurer's Office

8/7/2015

ENVIRONMENTAL PROTECTION CHARGE
COSTS INCURRED BY THE DEPARTMENT OF REVENUE
APRIL - JUNE FY 2015

Compliance Division

Examination Section:

Personnel	\$167.06
Indirect Costs	\$0.00
	<u>\$167.06</u>

Field Audit Section:

Personnel	\$360.18
Indirect Costs	\$0.00
	<u>\$360.18</u>

Customer Accounts Section:

Personnel	\$20.31
Postage	\$5.50
Indirect Costs	\$0.00
	<u>\$25.81</u>

Total Compliance Division \$553.05

Revenue Operations Division

Processing Section:

Personnel	\$74.62
Indirect Costs	\$0.00
	<u>\$74.62</u>

Total Revenue Operations Division \$74.62

Internal Services Division

Personnel	\$399.76
Postage	\$0.00
Printing	\$0.00
Indirect Costs	\$0.00
	<u>\$399.76</u>

Total Internal Services Division

DEPARTMENT TOTAL

\$1,027.43

Please use the following accounting codes for the Environmental Protection Charges for the 4th quarter FY 15.

15-0001-625- EX04 - 0304	\$	553.05
PR01 -		74.62
IS03 -		<u>399.76</u>
<i>Total for Revenue</i>	\$	1,027.43

N:\ISD\Finance\BUDGET\EPC\EPC2.xls]Apr-June



**OFFICE OF AUDITOR OF STATE
STATE OF IOWA**

State Capitol Building
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

Mary Mosiman, CPA
Auditor of State

BILL TO:
Dale Cira, Administrator Iowa UST Program 2700 Westown Parkway, Suite 320 West Des Moines, IA 50266

INVOICE	
DATE	6/30/2015
NUMBER	22871
AMOUNT DUE	\$ 5,715.38

FOR AUDIT SERVICES PERFORMED DURING FISCAL YEAR 2015

DESCRIPTION	HOURS	PER DIEM	EXPENSE	TOTAL
A. FISCAL YEAR TO DATE:				
Barnard, Ricky	0.5	\$ 38.00	\$ -	\$ 38.00
Brustkern, Karen	15.5	1,348.50	-	1,348.50
Daly, Ramona	3.0	216.00	-	216.00
Hollingsworth, Tammy	9.5	881.13	-	881.13
Holman, Luke	4.0	278.00	-	278.00
Swanson, Ryan	42.5	2,953.75	-	2,953.75
TOTAL	75.0	\$ 5,715.38	\$ -	\$ 5,715.38
B. LESS BILLED TO DATE	-	\$ -	\$ -	\$ -
C. 4TH QUARTER BILL	75.0	\$ 5,715.38	\$ -	\$ 5,715.38



OFFICE USE ONLY
Please make payment for the audit bill with the attached Internal Exchange Transaction (IET) to the Office of Auditor of State.
If you have any questions, please contact Dave Simmons (515-281-6504).

IOWA ATTORNEY GENERAL'S OFFICE
Hoover State Office Bldg - 2nd Floor
Des Moines, Iowa 50319-0141

Invoice Date: 07/30/15

Buyer: Aon Risk Services
2700 Westown Pkwy, Ste 320
West Des Moines, IA 50266
Attn: Dale Cira

Seller: Iowa Attorney General's Office
Hoover State Office Bldg - 2nd Floor
Des Moines, IA 50319-0141

Services For: Assistant Attorneys General
Period of Service: June 15 GAAP

Please use the following accounting information for (IET) transfer/payment:

Document Number	Account Coding					Description	Amount
	Fund	Agency	Org	Sub Org	Rev Source		
112AG073015042	0001	112	2301		0302		\$ 1,794.33

Please direct billing questions to Vicki Bahe at 515-281-0853



Iowa Comprehensive Petroleum

Invoice No. 9500000121781

Iowa Comprehensive Petroleum
Underground Storage Tank Fund
2700 Westown Pkwy, #320
West Des Moines IA 50266 USA

Aon Risk Services Central, Inc.
Aon Risk Insurance Services Central, Inc.
West Des Moines IA Office
CA License # 0D04043
2700 Westown Parkway, Suite 320
West Des Moines IA 50266
(515) 267-9101 FAX (515) 267-9045



Client Account No.
10756349

Invoice Date
Jul-15-2015

Currency
US DOLLAR

Account Executive
James Gastineau

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2015 - Jan-01-2016	Sep-01-2015	Renewal - Service Fee	
Comments			Service Fee	58,838.00
Installment 9 of 12 Monthly Fee			Consulting Expense	39,000.00
Payment due 21 days after Transaction Effective Date.				
Thank you for your business!				
TOTAL INVOICE AMOUNT DUE				97,838.00

TO AVOID POTENTIAL DISRUPTION IN YOUR COVERAGE, PAYMENT IS DUE UPON RECEIPT.
Please Make Payable to Aon Risk Services

FATCA Notice: Please go to Aon.com/FATCA to obtain the appropriate W-9.

Please see reverse side for statement regarding Aon compensation.

Page 1 of 2

Please detach here. Top portion is for your records, bottom portion to be returned with your payment.

Client Account No.	Invoice No.	Invoice Date	Currency	Amount Due
10756349	9500000121781	Jul-15-2015	US DOLLAR	97,838.00

Iowa Comprehensive Petroleum
Underground Storage Tank Fund
2700 Westown Pkwy, #320
West Des Moines IA 50266 USA

Remit to:

Aon Risk Services Central, Inc.
Aon Risk Services Companies, Inc.
75 Remittance Drive - Suite 1943
Chicago IL 60675-1943

Iowa Comprehensive Petroleum

Invoice No. 9500000121861

Iowa Comprehensive Petroleum
Underground Storage Tank Fund
2700 Westown Pkwy, #320
West Des Moines IA 50266 USA



Aon Risk Services Central, Inc.
Aon Risk Insurance Services Central, Inc
West Des Moines IA Office
CA License # 0D04043
2700 Westown Parkway, Suite 320
West Des Moines IA 50266
(515) 267-9101 FAX (515) 267-9045

Client Account No.

10756349

Invoice Date

Jul-20-2015

Currency

US DOLLAR

Account Executive

James Gastineau

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2015 - Jan-01-2016	Jul-14-2015	Endorsement - Service Fee Service Fee	1,153.12
Comments Annual Strategic Planning Session 7/14/15 - catering and facility rental				
			TOTAL INVOICE AMOUNT DUE	1,153.12

TO AVOID POTENTIAL DISRUPTION IN YOUR COVERAGE, PAYMENT IS DUE UPON RECEIPT.
Please Make Payable to Aon Risk Services

FATCA Notice: Please go to Aon.com/FATCA to obtain the appropriate W-9.

Please see last page for statement regarding Aon compensation.

Page 1 of 3

Please detach here. Top portion is for your records, bottom portion to be returned with your payment.

Client Account No.	Invoice No.	Invoice Date	Currency	Amount Due
10756349	9500000121861	Jul-20-2015	US DOLLAR	1,153.12

Iowa Comprehensive Petroleum
Underground Storage Tank Fund
2700 Westown Pkwy, #320
West Des Moines IA 50266 USA

Remit to:

Aon Risk Services Central, Inc.
Aon Risk Services Companies, Inc.
75 Remittance Drive - Suite 1943
Chicago IL 60675-1943

Iowa Arboretum, Inc.

1875 Peach Ave.
Madrid, IA 50156
Phone 515.795.3216 515.795.2619

DATE: May 8, 2015

Bill To:

James Gastineau
Iowa Underground Storage Tank Program
Iowa UST
2700 West Town Parkway, suite 320
West Des Moines, IA 50265

DESCRIPTION	AMOUNT
Hughes Education Center rental - Tuesday, July 14, 2015 (Non-profit rate \$100.00/weekday)	\$100.00
TOTAL	\$ 100.00

Make all checks payable to **Iowa Arboretum**

If you have any questions concerning this invoice, contact Heather, 515.795.3216, heather@iowaarboretum.org

THANK YOU FOR YOUR BUSINESS!

To Sheryl 7/15/15

HICKORY PARK CATERING

1404 S. Duff Ave. * P.O. Box 765 * Ames, IA 50010
 515.233.5344 - Email: catering@hickorypark-bbq.com

INVOICE

Date of Event: Tuesday July 14, 2015
 Organization: AON
 Contact: Diana Neth
 Phone Number: 402-697-5204
 Email: diana.neth@aon.com

Guest Number: 45
 Serve Time: 9:00am 12:00pm
 End Time: Drop Off
 Event Location: Iowa Arboretum
Madrid

HP Ready Time: 8:00am HP Leave Time: 8:15am

#	qty	DESCRIPTION	UNIT PRICE	LINE TOTAL
45.00	ea	Smoked Sandwich Variety	\$ 7.95	\$ 357.75
45.00	ea	Assorted Cheese	\$ 1.00	\$ 45.00
45.00	ea	Lettuce, Tomato, Onion	\$ 1.00	\$ 45.00
2.00	Gallons	Iced Tea	\$ 10.00	\$ 20.00
80.00	ea	Assorted Sodas and Bottled Water	\$ 1.25	\$ 100.00
3.00	Gallons	Coffee	\$ 12.00	\$ 36.00
2.00	ea	Fruit Trays	\$ 75.00	\$ 150.00
3.00	Dozen	Assorted Rolls and Bagels	\$ 24.00	\$ 72.00
3.00	Dozen	Cookies and Brownies	\$ 15.00	\$ 45.00
1.00	Dozen	Dessert Bars	\$ 24.00	\$ 24.00
0.00			\$ -	
SUBTOTAL				\$ 894.75
<i>Service Charge</i> 10%				\$ 89.48
<i>Sales Tax</i> 7%				\$ 68.90
<i>Venue Catering Fee - Hilton/ Alumni Center</i> 15%				\$ -
TOTAL				\$ 1,053.12
TOTAL				\$ 1,053.12

County: Story

PAYMENT

CASH: Received by: _____
 CHECK: Number _____ Drivers License # _____ State _____ DOB _____

DIRECT BILL:
 All direct billing must be preapproved by a manager!

Approved _____ *Not Approved* _____

VOUCHER/PURCHASE ORDER

CREDIT CARD:
 Name on Card: _____ Card Number: _____ Exp Date: _____

Monthly Activity Report and Financials Reviewed

A. July 2015 Activities Report

Jul-15

	Open Claims		Open Claims	Open & Closed
Claims	June Ending	Monthly Net Changes	July Ending	Totals since Inception
RETROACTIVE				
number	26	0	26	447
reserve	\$1,524,094.89	(\$112,149.47)	\$1,411,945.42	\$1,411,945.42
paid	\$5,948,766.77	\$112,149.47	\$6,060,916.24	\$17,918,479.65
	\$7,472,861.66	\$0.00	\$7,472,861.66	\$19,330,425.07
REMEDIAL				
number	359	(5)	354	4,457
reserve	\$19,272,887.81	(\$119,398.93)	\$19,153,488.88	\$19,153,488.88
paid	\$71,225,755.72	(\$189,101.07)	\$71,036,654.65	\$214,114,540.21
total	\$90,498,643.53	(\$308,500.00)	\$90,190,143.53	\$233,268,029.09
INNOCENT LANDOWNER				
number	120	(2)	118	1,131
reserve	\$5,408,287.96	(\$93,435.12)	\$5,314,852.84	\$5,314,852.84
paid	\$10,596,463.04	\$6,435.12	\$10,602,898.16	\$31,246,055.30
total	\$16,004,751.00	(\$87,000.00)	\$15,917,751.00	\$36,560,908.14
GLOBAL OPT-IN				
number	77	(2)	75	1,303
reserve	\$388,594.84	(\$11,582.69)	\$377,012.15	\$377,012.15
paid	\$660,718.61	(\$16,417.31)	\$644,301.30	\$9,768,969.65
total	\$1,049,313.45	(\$28,000.00)	\$1,021,313.45	\$10,145,981.80
UNASSIGNED REVENUE FUND PROJECTS				
number	70	(2)	68	284
reserve	\$1,987,296.92	(\$73,063.00)	\$1,914,233.92	\$1,964,233.92
paid	\$481,703.08	\$31,063.00	\$512,766.08	\$2,993,585.22
total	\$2,469,000.00	(\$42,000.00)	\$2,427,000.00	\$4,957,819.14
NFA RE-EVALUATIONS				
number	11	0	11	56
reserve	\$192,894.45	\$16,233.50	\$209,127.95	\$209,127.95
paid	\$397,105.55	(\$26,233.50)	\$370,872.05	\$1,161,870.49
total	\$590,000.00	(\$10,000.00)	\$580,000.00	\$1,370,998.44
TANK PULLS				
number	37	(2)	35	400
reserve	\$483,051.00	(\$75,000.00)	\$408,051.00	\$408,051.00
paid	\$0.00	\$51,788.44	\$51,788.44	\$4,364,895.73
total	\$483,051.00	(\$23,211.56)	\$459,839.44	\$4,772,946.73

Corrective Action Meetings (7/15)	
Scheduled:	8
Completed:	1,263
MOA's	488

UST Operator Training	
UST Operators (A / B)	3,065
A/B (FY2011-15)	\$272,160.00

RT Claims	#
New	0
Reopened	0
Closed	0

RM Claims	#
New	0
Reopened	1
Closed	6

ILO Claims	#
New	0
Reopened	1
Closed	3

GS Claims	#
New	0
Reopened	0
Closed	2

USTCA	#
New	1
Reopened	0
Closed	3

NFA Re-Eval	#
New	1
Reopened	0
Closed	1

Tank Pull	#
New	3
Reopened	0
Closed	5

DNR @ 7-2015	
Total LUST	6605
High Risk	446
Low Risk	172
NAR-FP	68
Not Class.	99
NAR, RNV	5725

Invoice Type Totals	JULY	FYTD	Program to Date
Aon - Admin	\$ 58,838.00	\$ 58,838.00	
Aon - Claims	\$ 39,000.00	\$ 39,000.00	
Government	\$ 33,481.11	\$ 33,481.11	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 69,532.50	\$ 69,532.50	\$ 4,451,514.24
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST Removal	\$ -	\$ -	\$ 3,306,435.24
AST Upgrade	\$ -	\$ -	\$ 7,911,496.87
CADR Charges	\$ -	\$ -	\$ 4,593,661.78
Corrective Action	\$ -	\$ -	\$ 52,423,154.11
Expenses / OT	\$ 2,300.00	\$ 2,300.00	\$ 295,320.00
Free Prod Recover	\$ 37,129.13	\$ 37,129.13	\$ 11,266,644.20
Monitoring	\$ 135,977.30	\$ 135,977.30	\$ 31,009,056.66
Operations/Maint	\$ 27,142.13	\$ 27,142.13	\$ 10,218,886.84
Over-excavation	\$ 45,871.97	\$ 45,871.97	\$ 32,345,027.51
Water Lines	\$ 1,564.76	\$ 1,564.76	\$ 2,551,517.97
Post RBCA Evals	\$ 2,870.00	\$ 2,870.00	\$ 233,482.99
RBCA	\$ 21,511.00	\$ 21,511.00	\$ 26,517,042.81
Remed Imp/Const.	\$ 124,853.46	\$ 124,853.46	\$ 29,208,024.00
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ -	\$ 1,365,766.40
Utilities	\$ 10,991.09	\$ 10,991.09	\$ 2,106,213.67
Well Closure	\$ 13,505.00	\$ 13,505.00	\$ 3,881,519.01
Total Invoice Types	\$ 493,248.34	\$ 493,248.34	\$ 292,693,581.47

Remediation Budgets Approved to Date		
last month (July '15)	8	\$344,612
Trailing 12 mos	47	\$2,678,368
Prev Trail 12 mos	51	\$3,601,759
Total Since Jan 2003	1,182	\$49,603,219

Project Contracts	Open	Closed	Pending
CRP's	5	40	0
Tank Closure	2	5	0
Plastic Water Line	0	2	0

B. July 2015 Financial Report

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FOR THE MONTH ENDING JULY 31, 2015**

0471 - UST REVENUE FUND (Bonding)

Balance of Fund, July 1, 2015		\$538,281.87
Receipts:		
Motor Vehicle Use Tax (IDOT - vehicle registration)	\$0.00	
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$2,236.93	
	\$2,236.93	\$2,236.93
Disbursements:		
Bond Interest Payment	\$0.00	
Bond Principal Payment	\$0.00	
EPC Charges	\$0.00	
Adjustments	\$0.00	
Transfer to General Fund	\$0.00	
Transfer to Unassigned Revenue Fund (0450)	\$0.00	
Transfer to Innocent Landowner Fund (0485)	\$0.00	
Transfer to Remedial Non-Bonding Fund (0208)	\$0.00	
	\$0.00	\$0.00
Balance of Fund, July 31, 2015		\$540,518.80

0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)

Balance of Fund, July 1, 2015		\$9,417,609.04
Receipts:		
Copying/Filing Fees	\$0.00	
Fines & Penalties	\$0.00	
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	\$14,703.81	
	\$14,703.81	\$14,703.81
Disbursements:		
UST Administrator's Fees	\$97,838.00	
Adjustment	\$0.00	
Attorney General's Fees	\$3,980.91	
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$12.00	
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$0.00	
Claim Settlement	\$0.00	
Department of Revenue EPC Collection Fees	\$0.00	
Department of Inspection & Appeals Service Fees	\$0.00	
Environmental Protection Charge Refunds	\$0.00	
Iowa Finance Authority Expenses	\$0.00	
Legal and Professional Fees	\$0.00	
Postage / Printing / Miscellaneous	\$0.00	
Professional Services - Owner/Operator Training	\$2,300.00	
Rebate	\$0.00	
Special Project Claims - Closure Contract Project	\$32,363.00	
Travel Expenses-UST Board Members	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FOR THE MONTH ENDING JULY 31, 2015**

Warrant Float Expense	\$0.00	
28E Agreement - DNR RBCA Model Revision	\$3,633.75	
Statutory Transfer to DNR (Admin match)	\$0.00	
Statutory Transfer to DNR (tech review - recurring & carry over)	\$0.00	
Statutory Transfer to IDAL (fuel inspections - recurring & carry over)	\$0.00	
Appropriation 2015	\$22,341.03	
Appropriation 2016	\$7,160.07	
Offset of Funds to/from Innocent Land Owners (0485)	\$0.00	
Offset of Funds to/from Remedial Fund (0208)	\$0.00	
		\$169,628.76
Balance of Fund, July 31, 2015		\$9,262,684.09
 0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, July 1, 2015		\$16,834,687.68
Receipts:		
Remedial Refunds	\$0.00	
Misc. Income (i.e. eligibility settlements)	\$0.00	
Interest Income	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
		\$0.00
Disbursements:		
Retroactive Claims	\$112,149.47	
Remedial Claims	\$261,080.68	
28E Agreement - NFA Claims	\$10,836.50	
Adjustment	\$0.00	
Offset of Funds to/from ILO/GS Fund	\$0.00	
Offset of Funds to/from Unassigned Revenue Fund (0471)	\$0.00	
Balance of Outdated Warrants & Cancelled Warrants	\$0.00	
		\$384,066.65
Balance of Fund, July 31, 2015		\$16,450,621.03
 0478 - UST MARKETABILITY FUND		
Balance of Fund, July 1, 2015		\$787,669.61
Receipts:		
Interest	\$5,613.47	
Use Tax	\$0.00	
		\$5,613.47
Disbursements:		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
		\$0.00
Balance of Fund, July 31, 2015		\$793,283.08
 0485 - UST INNOCENT LANDOWNERS FUND		
Balance of Fund, July 1, 2015		\$7,110,415.34
Receipts:		
Cost Recovery (i.e. lien settlements)	\$105.00	
ILO Refunds	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Transfer From Loan Gaurantee Fund (0238)	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FOR THE MONTH ENDING JULY 31, 2015**

Outdated Warrants	\$0.00	
Miscellaneous Income	\$0.00	
		\$105.00
Disbursements:		
Cost Recovery Reimbursement	\$0.00	
Cost Recovery Global Settlement	\$0.00	
Adjustment	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Other Contractual Services	\$0.00	
Global Settlement Claims	\$1,823.82	
Innocent Landowner Claims	\$72,695.05	
Transfer to Remedial Fund (0208)	\$0.00	
Transfer to/from Unassigned Revenue Fund (0471)	\$0.00	
Balance of Outdated Warrants	(\$6,217.20)	
		\$68,301.67
Balance of Fund, July 31, 2015		\$7,042,218.67
 0238 - UST LOAN GUARANTEE FUND (Non-Bonding)		
Balance of Fund, July 31, 2015		\$0.00
 0614 - UST CAPITAL RESERVE FUNDS (Bonding)		
Balance of Fund, July 31, 2015		\$0.00
 Combined UST Capital Reserve Fund Balances, July 31, 2015		 \$0.00
TOTAL FUND BALANCES, July 31, 2015		\$34,089,325.67

FOOTNOTES:

Note 1: Funds labeled "Bonding" were created as a result of the issuance of UST Revenue Bonds. Disbursements from these funds are restricted by the Revenue Bond indenture.
Funds labeled "Non-Bonding" are funds not restricted as to use by the Revenue Bond indenture.

C. Year-to-Date Financials as of July 31, 2015

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE ENDING JULY 31, 2015**

		FISCAL 2016 BUDGET
0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, July 1, 2015	\$538,281.87	\$538,281.87
Receipts:		
Motor Vehicle Use Tax (IDOT - vehicle registration)	\$0.00	\$14,000,000.00
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$2,236.93	\$50,000.00
	\$2,236.93	\$14,050,000.00
Disbursements:		
Bond Interest Payment	\$0.00	\$0.00
Bond Principal Payment	\$0.00	\$0.00
EPC Charges	\$0.00	\$0.00
Adjustments	\$0.00	\$0.00
Transfer to General Fund	\$0.00	\$0.00
Transfer to Unassigned Revenue Fund (0450)	\$0.00	\$0.00
Transfer to Innocent Landowner Fund (0485)	\$0.00	\$0.00
Transfer to Remedial Non-Bonding Fund (0208)	\$0.00	\$9,000,000.00
	\$0.00	\$9,000,000.00
Balance of Fund, July 31, 2015	\$540,518.80	\$5,588,281.87
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, July 1, 2015	\$9,417,609.04	\$9,417,609.04
Receipts:		
Copying/Filing Fees	\$0.00	\$0.00
Fines & Penalties	\$0.00	\$0.00
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$14,703.81	\$50,000.00
	\$14,703.81	\$50,000.00
Disbursements:		
UST Administrator's Fees	\$97,838.00	\$1,100,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$3,980.91	\$50,000.00
Attorney's Fees: Cost-Recovery Administration	\$0.00	\$0.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$12.00	\$150.00
Actuarial Fees	\$0.00	\$0.00
Auditor of the State Fees	\$0.00	\$5,100.00
Claim Settlement	\$0.00	\$0.00
Department of Revenue EPC Collection Fees	\$0.00	\$25,000.00
Department of Inspection & Appeals Service Fees	\$0.00	\$500.00
Environmental Protection Charge Refunds	\$0.00	\$0.00
Iowa Finance Authority Expenses	\$0.00	\$0.00
Legal and Professional Fees	\$0.00	\$0.00
Postage / Printing / Miscellaneous	\$0.00	\$500.00
Professional Services - Owner/Operator Training	\$2,300.00	\$50,000.00
Rebate	\$0.00	\$0.00
Special Project Claims - Closure Contract Project	\$32,363.00	\$800,000.00
Travel Expenses-UST Board Members	\$0.00	\$700.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE ENDING JULY 31, 2015**

		FISCAL 2016 BUDGET
Warrant Float Expense	\$0.00	\$0.00
28E Agreement - DNR RBCA Model Revision	\$3,633.75	\$92,000.00
Statutory Transfer to DNR (Admin match)	\$0.00	\$200,000.00
Statutory Transfer to DNR (technical review - recurring & carry over)	\$0.00	\$361,110.00
Statutory Transfer to IDAL (fuel inspections - recurring & carry over)	\$0.00	\$440,382.07
Appropriations Prior Fiscal Year	\$22,341.03	\$30,000.00
Appropriations Current Fiscal Year	\$7,160.07	\$0.00
Offset of Funds to/from Innocent Land Owners (0485)	\$0.00	(\$150,000.00)
Offset of Funds to/from Remedial Fund (0208)	\$0.00	(\$150,000.00)
	\$169,628.76	\$2,855,442.07
Balance of Fund, July 31, 2015	\$9,262,684.09	\$6,612,166.97
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, July 1, 2015	\$16,834,687.68	\$16,834,687.68
Receipts:		
Remedial Refunds	\$0.00	\$0.00
Misc. Income (i.e. eligibility settlements)	\$0.00	\$0.00
Interest Income	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$9,000,000.00
	\$0.00	\$9,000,000.00
Disbursements:		
Retroactive Claims	\$112,149.47	\$700,000.00
Remedial Claims	\$261,080.68	\$5,750,000.00
28E Agreement - NFA Claims	\$10,836.50	\$500,000.00
Adjustment	\$0.00	
Offset of Funds to/from ILO/GS Fund		\$150,000.00
Offset of Funds to/from Unassigned Revenue Fund (0471)	\$0.00	(\$80,000.00)
Balance of Outdated Warrants	\$0.00	
	\$384,066.65	\$7,020,000.00
Balance of Fund, July 31, 2015	\$16,450,621.03	\$18,814,687.68
0478 - UST MARKETABILITY FUND		
Balance of Fund, July 1, 2015	\$787,669.61	\$787,669.61
Receipts:		
Interest	\$5,613.47	\$35,000.00
Use Tax	\$0.00	
	\$5,613.47	\$35,000.00
Disbursements:		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	\$0.00	\$0.00
Balance of Fund, July 31, 2015	\$793,283.08	\$822,669.61
0485 - UST INNOCENT LANDOWNERS FUND		
Balance of Fund, July 1, 2015	\$7,110,415.34	\$7,110,415.34
Receipts:		
Cost Recovery (i.e. lien settlements)	\$105.00	\$25,000.00
ILO Refunds	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Transfer From Loan Gaurantee Fund (0238)	\$0.00	\$0.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE ENDING JULY 31, 2015**

		FISCAL 2016 BUDGET
Outdated Warrants	\$0.00	\$0.00
Miscellaneous Income	\$0.00	\$0.00
	\$105.00	\$25,000.00
Disbursements:		
Cost Recovery Reimbursement	\$0.00	\$0.00
Cost Recovery Global Settlement	\$0.00	\$0.00
Adjustment	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	\$0.00
Other Contractual Services	\$0.00	\$0.00
Global Settlement Claims	\$1,823.82	\$80,000.00
Innocent Landowner Claims	\$72,695.05	\$2,000,000.00
Transfer to/from Remedial Fund (0208)	\$0.00	\$0.00
Transfer to/from Unassigned Revenue Fund (0471)	\$0.00	\$150,000.00
Balance of Outdated Warrants	(\$6,217.20)	\$0.00
	\$68,301.67	\$2,230,000.00
Balance of Fund, July 31, 2015	\$7,042,218.67	\$4,905,415.34
0238 - UST LOAN GUARANTEE FUND (Non-Bonding)		
Balance of Fund, July 31, 2015	\$0.00	\$0.00
0614 - UST CAPITAL RESERVE FUNDS (Bonding)		
Combined UST Capital Reserve Fund Balances, July 31, 2015	\$0.00	\$0.00
TOTAL FUND BALANCES, July 31, 2015	\$34,089,325.67	\$36,743,221.47

FOOTNOTES:

Note 1: Funds labeled "Bonding" were created as a result of the issuance of UST Revenue Bonds. Disbursements from these funds are restricted by the Revenue Bond indenture. Funds labeled "Non-Bonding" are funds not restricted as to use by the Revenue Bond indenture. **All bond funds are \$0.00 8/31/08**

D. Lien Status Update

Iowa Underground Storage Tank Fund Liens Filed

(Updated 08-14-2015)

Lien #	County	Site #	Claim #	Site Address	Property Owner	Owner Address	Cost Recovery Letter	Cost Rec. Ltr - ticker date	Lien Fee Requested	Mld Notice & Fee	Lien Amount	Lien Filed Date	Book & Page	Request Release Fee	Lien Settlement
0310004	Palo Alto	8916647	13007	510 Inman Ave, Mallard	Theodore J and Norma J Larson	510 Inman Ave, Mallard 50562	10/1/2003		10/2/2003	10/24/2003	\$59,055.50	10/30/2003 ; renewed 10/30/2013			
0404009	Butler	8608131	12039	12682 Highway 3, Dumont	Dave Dohlman	11794 195th St, Dumont 50625-7504	1/20/2004		3/24/2004	4/12/2004	\$13,650.00	4/14/2004; renewed 3/17/2014	2004- 1676, 2014-		
0404010	Ida	8710293	73001 & 73013	Hwy 59 & 175, Ida Grove	Robin Hill Trust, %Vernus Wunschel	Box 113, Ida Grove 51445			4/19/2004	4/29/2004	\$330,131.40	4/30/2004; renewed 6/24/14	6-349		
0605012	Keokuk	8609694	73040 / 11003	407 South Barnes St, What Cheer 50268	Melvin & Karen Foubert	601 N. Barnes St, What Cheer 50268-1033	2/2/2006	3/31/2006	4/24/2006	5/15/2006	\$82,373.75	5/16/2006	2006- 0962		
0610017	Jefferson	8601629	11023 & 14009	206 West Main St, Lockridge 52635	Richard & Connie Richardson	206 West Main St, Lockridge 52635-9705	7/13/2006	8/30/2006	10/13/2006	10/24/2006	\$35,202.00	10/25/2006	2006- 2472		
0611018	Taylor	300033	13053 /15001	NE Corner Adams & 3rd St, Gravity 50848	Terry J Smith	PO Box 133, Gravity IA 50848	7/6/2006	8/15/2006	10/18/2006	11/7/2006	\$52,090.00	11/9/2006	6-265,266		
0611019	Clay	8915566	15012	502 North Main St, Everly, 51338	Roger Ginger	Box 347, Everly, IA 51338	5/26/2006		10/18/2006	11/7/2006	\$14,932.00	11/13/2006	2006- 3529		
0701022	Van Buren	8600890	11032 / 14002	SW Corner Hwy. 1 & 180th St., Keosauqua	Henry Robbins	102 Greenvale Drive, Mansfield, TX 76063-5556	10/20/2006	11/30/2006	12/22/2006	1/16/2007	\$32,980.90	1/19/2007	136-856		
0702023	Montgomery	8607574	15013	Tenville IA 50864	Marvin G. Shipley	2048 Tenville Avenue, Villisca 50864	10/30/2006	11/30/2006	1/23/2007	2/13/2007	\$2,795.00	2/16/2007	302- 663,664		
0704025	Tama	9017159	14005	TJ's Gas & Bait, 100 Jacobs St., Chelsea 52215	Tony J. & Christie Jacobi	2772 370th Street, Chelsea, IA 52215	12/7/2006	1/30/2007	4/25/2007	5/15/2007	\$17,839.00	5/17/2007	43-474		
0706029	Woodbury	9217516	73002	29 Deer Run Trail, Climbing Hill 51015	Pat Benjamin	7 Merville Blacktop, PO Box 25, Climbing Hill 51501	3/27/2007	4/30/2007	6/1/2007	8/1/2007	\$14,400.00	8/7/2007	692 - 10744, 10745		
0801030	Cass	8608073	82102	Griswold Custom Classics, LC 802 Main St., Griswold, IA	Griswold Custom Classics LC	Clifford Speck, 802 Main St., Griswold, IA 51535	10/12/2007	11/30/2007	1/11/2008	1/31/2008	\$6,365.00	2/1/2008	2008 - 223		Payment plan started 9/2013
1506031	Monroe	8607257	17022	300 Highway 34 West	Stop&Shop/Eddyville Oil Co.	210 15th Ave W., Albia, IA	3/5/2015	4/20/2015	6/17/2015	7/16/2015	\$16,397.00	7/20/2015	2015 - 1053		

Attorney General's Report

Claim Payment Approval

Site Timeline

- 2001 - Contamination discovered when employees begin complaining of petroleum odors in the basement of the building constructed on this site. Woodbury County files an ILO claim.
- 2002 – Tier 2 is accepted as high risk on May 3, 2002. CADR due in 120 days.
- 2003 – CADR recommending the installation of a HVAC system as a technological control is accepted; the HVAC system is installed in April and May of 2003.
- 2007 – Free product is during annual monitoring. Monthly hand-bailing of free product begins.
- 2013 – Tier 3 assessment of the soil to water line pathway is accepted; this pathway is reclassified to NAR.
- 2014 – The 2014 monitoring event finds benzene and MTBE concentrations in the guard monitoring well in direction of the bank well, indicating plume migration towards this high risk receptor.
- 2015 – 1st corrective action teleconference is held on January 1, 2015 to discuss the possible plume migration towards the bank well. It is decided that active remediation should be attempted.
- 2015 – 2nd corrective action teleconference is held on June 8, 2015 to discuss the results of an MPE pilot test and Corrective Action Design Report (CADR).
- 2015 – A second MPE pilot test is completed and a revised CADR is submitted; DNR approves the plan July 2015.

**IOWA UNDERGROUND STORAGE TANK PROGRAM
 SECOND BOARD REPORT
 AUGUST 13, 2015
 GILLOTTI CONSTRUCTION
 1405 SE 1ST STREET
 DES MOINES
 SITE REGISTRATION NUMBER: 8601716
 LUST NUMBER: 8LTK56**

RISK CLASSIFICATION:

HIGH LOW NAR-FP

PRESENT CLAIM RESERVE: \$ 200,000.00

PREVIOUS BOARD APPROVAL: \$ 125,000.00
 Number and Date of each previous Board Report: 1st: March 9, 2010

PREVIOUS COSTS INCURRED: \$ 84,468.03

COSTS INCURRED SINCE LAST BOARD APPROVAL:
 1. Free product recovery 6,000.00

TOTAL COSTS INCURRED TO DATE: \$ 90,468.03

PROJECTED COSTS:

- ❖ Free Product Recovery ❖ Completion of an over-excavation

TOTAL PROJECTED COSTS: \$ 100,000.00 to 200,000.00+

ADDITIONAL AUTHORITY RECOMMENDED: \$ 175,000.00

TOTAL AUTHORITY:* \$ 300,000.00

COMMENTS:

The site is classified as no action required with free product. Hand bailing of the free product from three monitoring wells has been ongoing for many years with no end in sight. This property consists of a shop type of building and a large parking lot. The UST system was removed in 1991. The property is now valuable real estate which has been sold to a developer for the construction of condominiums. Once construction is complete, it will be very difficult to address the free product. The consultant is recommending an excavation in an attempt to remove the free product. The success of the excavation might be limited due to sandy soils.

*Previous approval + additional recommended

Affected population: Likely under 20

Site Timeline

- 1991 - Contamination was discovered during a tank removal in January of 1991.
- 1994 - Free product is discovered and hand bailing begins.
- 1995 - SCR completed and accepted as high risk.
- 1996 - DNR accepts a recommendation for high risk monitoring in lieu of corrective action.
- 2000 - Tier 2 submitted. DNR issues 'not accepted' letter on November 3, 2000.
- 2001 - Revised Tier 2 submitted and accepted as low risk.
- 2008 - Site is reclassified to 'no action required' with free product.
- 2009 to present – hand bailing of free product.

Site Timeline

- 1990 – Claim filed by 1010 Partnership after contamination was found during a site check in April.
- 1990 – USTs are removed in November.
- 1992 – Free product is discovered during the site investigation in February. Hand-bailing begins.
- 1994 – SCR is submitted. In 1996 the DNR issues a ‘not accepted’ letter.
- 1998 – First board request is approved in October to continue free product recovery, monitoring, and complete the RBCA assessment and potential corrective action.
- 2000 – RBCA Tier 2 submitted recommending high risk. DNR issues ‘not accepted’ letter.
- 2001 – Revised Tier 2 submitted and accepted as high risk on Sept. 20, 2001. CADR due in 120 days.
- 2004 – An LIF survey (possibly the first in Iowa) is completed to define the free product plume.
- 2004 – CADR recommending a MPE system is submitted in August. Additional board authority is approved in October for the proposed MPE system.
- 2005 – First corrective action teleconference is held on February 2, 2005 to discuss the proposed MPE system. All agreed to implement the proposed system.
- 2006 – The MPE system becomes operational in January.
- 2007 – Following a change in consultants, system modifications are made. Additional board authority is granted in April.
- 2013 – The MPE system is shut down and post-remediation soil and groundwater sampling begins.

**IOWA UNDERGROUND STORAGE TANK PROGRAM
 FIRST BOARD REPORT
 AUGUST 13, 2015
 JONES COUNTY
 311 WEST MAIN STREET
 WYOMING
 SITE REGISTRATION NUMBER: 8915610
 LUST NUMBER: 9LTG63**

RISK CLASSIFICATION:

HIGH LOW UNDETERMINED

PRESENT CLAIM RESERVE: \$ 150,000.00

ELIGIBILITY: Contamination was discovered during a site check and was reported to the DNR on 5/15/98. A claim was filed. A denial of benefits letter was issued on 10/31/00 for lack of FR, inability to document a pre-10/26/90 release and for missing the deadline for submitting a RBCA assessment. In 2007, Jones County acquired the site by tax deed. This is an eligible remedial claim.

COST INCURRED TO DATE:

1. RBCA Tier II report	11,140.00
2. Site monitoring reports	13,010.00
3. CADR	2,750.00
4. Free product recovery	31,572.88
5. Tier 3	600.00
6. Utilities	972.99
7. Corrective action teleconference	<u>1,000.00</u>
TOTAL COST TO DATE	\$ 61,045.87

PROJECTED COSTS:

- ❖ Site Monitoring Report
- ❖ Free product recovery

- ❖ Implementation of Soil Vapor Extraction (SVE)

TOTAL PROJECTED COSTS: \$ 100,000.00 to 200,000.00+

TOTAL AUTHORITY RECOMMENDED: \$200,000.00

COMMENTS:

The site is high risk for the soil to water line pathway and low risk for the protected groundwater source pathway. Significant free product is present in two monitoring wells. A skimmer pump has been used to remove free product. A more effective method of remediation is necessary. The consultant is recommending the installation of a soil vapor extraction (SVE) system.

Affected population likely less than 20.

Site Timeline

- 1998 - Contamination is discovered during the completion of an insurance site check.
- 2000 - A claim for benefits thru the innocent landowner fund is submitted but denied.
- 2002 - The UST system is removed.
- 2007 - The county acquires the property by tax deed; an eligible remedial claim is established.
- 2009 - RBCA Tier 2 is submitted and accepted as high risk on 7/28/09.
- 2010 - A corrective action teleconference was held on 12/29/10. It is agreed that a belt skimmer pump will be installed to remove free product from the subsurface.
- 2011 - The belt skimmer pump system becomes operational.
- 2014 - A CADR is submitted and accepted by the DNR recommending the installation of an SVE system.

Site Timeline

- 1990 - Contamination discovered during a site check. The property has been a gas station since 1924.
- 1993 - SCR submitted and accepted as high risk. CADR due in 60 days.
- 1995 - UST system is removed.
- 2000 - Tier 2 is submitted and accepted as high risk. CADR due in 120 days.
- 2005 – 1st corrective action teleconference; agreed to look into possibility of completing an excavation on this property, on property to the north and in Jackson Street/Hwy 92 between the two sites.
- 2006 – 2nd corrective action teleconference. Due to use of the property as a bank and DOT requirements, excavation deemed not feasible. Parties agreed Tier 3 options for showing that vapor intrusion is not occurring or likely to occur will be explored.
- 2007 – Tier 3 option ruled out after additional soil plume delineation indicates that contamination exceeding the target levels is in contact with the sanitary sewer beneath Hwy 92.
- 2012 – The first board request is approved on October 25, 2012 in preparation for an excavation which will remove a portion of the contamination on-site and in Hwy 92.
- 2015 – 3rd corrective action teleconference held on July 28, 2015. The property owner has agreed to demolish his building to allow for a complete excavation of the property. Details on obtaining access for excavation to be worked out with the city and IDOT; tentative approval has been given.

**IOWA UNDERGROUND STORAGE TANK PROGRAM
 FIRST BOARD REPORT
 AUGUST 13, 2015
 ED BARNETT
 2101 S. 7TH STREET
 COUNCIL BLUFFS
 SITE REGISTRATION NUMBER: 0400005
 LUST NUMBER: 9LTL46**

RISK CLASSIFICATION:

HIGH LOW UNDETERMINED

PRESENT CLAIM RESERVE: \$ 90,000.00

ELIGIBILITY: Contamination was discovered on this property in 2004 during the removal of an orphaned waste oil UST. Petroleum contamination was later determined to be associated with gasoline USTs that were removed from the site in 1985. This is an eligible innocent landowner claim.

COST INCURRED TO DATE:

1. RBCA Tier 2 assessment	26,095.00
2. Site monitoring	20,211.00
3. Corrective action teleconference	1,000.00
TOTAL COST TO DATE	\$ 47,306.00

PROJECTED COSTS:

- ❖ Site Monitoring Report
- ❖ Over-excavation

TOTAL PROJECTED COSTS:

Low risk monitoring into the foreseeable future at ~\$1,500.00 per year	\$25,000.00
Over-excavation to hopefully close the claim	\$150,000.00+

TOTAL AUTHORITY RECOMMENDED:

\$200,000.00

COMMENTS:

The site is classified low risk for the potential vapor pathways. Significant soil contamination remains in the area of the former pump island and product piping. Vapor sampling has exceeded target levels. An excavation of this area is recommended to close the claim. Site reclassification may occur following post-excavation monitoring.

Affected population likely less than 20.

Site Timeline

- 2004 - Gasoline contamination exceeding the Tier 1 action levels is discovered during the removal of an orphaned waste oil UST. The gasoline UST system had been removed in 1985.
- 2006 - The RBCA Tier 2 is submitted and accepted as high risk. A corrective action teleconference is scheduled in lieu of requiring a CADR.
- 2006 - A corrective action teleconference was held on July 7, 2006. It is agreed to conduct a vapor assessment prior to moving forward with an excavation.
- 2007 - The site is reclassified to low risk after vapor sampling clears the high risk sanitary sewer receptor.
- 2007 - 2014 – Annual low risk monitoring is completed.
- 2015 - Soil plume delineation is completed in preparation for a possible excavation.

**Contracts Entered Into
Since July 14, 2015 Board Meeting**



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

Dale Cira, *Administrator*

Board Members: Michael L. Fitzgerald Joseph D. Barry Jeff. W. Robinson Karen E. Andeweg Chuck Gipp
 Timothy L. Gartin Dawn M. Carlson Patricia J. Beck N. Kurt Mumm

MEMORANDUM

TO: UST Board Members
FROM: Dale Cira
DATE: August 20, 2015
SUBJECT: Contracts Entered Into Since July 14, 2015 Board Meeting

The Board has entered into two agreements since the July 14, 2015 meeting. This are:

- 1) Contract extension for the USTCA 1104-01: State of Iowa Closure Contract – for work through August 31, 2016. Agreement with Seneca Environmental Services.

- 2) Contract extension for the USTCA 1104-01: State of Iowa Closure Contract – for work through August 31, 2016. Agreement with Barker Lemar Engineering Consultants.

Other Issues as Presented

Correspondence and Attachments

Notes of Third Corrective Action Conference Iowa Department of Natural Resources (DNR)

Held Tuesday, August 4, 2015 at 9:30 in room 5W of the Wallace building
Site Clasen's 76 in LaMotte
LUST No. 8LTH70
Status Third conference; no further conferences are scheduled.
Synopsis An over-excavation (OE) was conducted of accessible soils at the site, but it remains high risk for soil and soil leaching to groundwater pathways because contaminated soil remains under the dispenser islands and near utilities in the street. The site is low risk for groundwater vapor. The certified groundwater professional (CGP) will conduct soil sampling to determine possible soil plume submergence; groundwater sampling to evaluate groundwater and soil leaching to vapor pathways; and investigate the sewer depth to evaluate that receptor pathway. The CGP will conduct soil sampling and provide a site monitoring report (SMR) and a Tier 3 Work Plan by 10/30/15.

Participating

RP Mike Clasen of Clasen's 76 (by phone)
Funding Steve Reinders of Cunningham Lindsey (by phone)
CGP Mark Diehl and Todd Felderman of Seneca Environmental (by phone)
DNR Ruth Hummel, Project Manager, & Jeff White, Conference Facilitator (in person)

Funding Report by Steve Reinders of Cunningham Lindsey (CL)

- \$93,544 has been spent.
- The site has the Global Settlement; all but \$400 of the copay should be covered.
- The Fund currently has spending authority to \$150,000; if more funds are needed, the UST Fund Board will have to be approached to extend more funding.
- There is a funding cap of \$1,000,000.

Deficiencies by Ruth Hummel, DNR Project Manager

The email last week with attached SMR Revisions tied up a number of loose ends:

- The protected groundwater source pathways were cleared with certification letters from the city and county for the city ordinance limiting the installation of private drinking water wells.
- The water line to the south of the site was cleared by showing it is not a receptor.
- Vapor pathways are left: soil, groundwater, and soil leaching to groundwater.

Background and Recommendations by Todd Felderman with Seneca Environmental

- The 2013 OE went well, but three soil samples over the target levels were left: two by the pump island and one near utilities on the south side of the excavation.
- Excavation was not conducted beneath the pump islands because that would have necessitated removal of the dispensers and piping and, when replaced, would require upgrades to double-walled product piping, tank top sumps, and under dispenser containment. As I understand the cost of these required upgrades would be considered "capital improvements". The Fund, as currently structured, cannot reimburse for "capital improvement" costs and it would be just plain too expensive for this small business to cover the cost of the required upgrades. So we just dug up as close as we could to the pumps and piping and left them in place.
- I recommended that we treat the remaining soil contamination with BIOX injection because we can't OE what remains.

Discussion

DNR: We have concerns about BIOX injections into clay soil. We have not seen good results using this technology under similar conditions at other sites.

CL: The soil samples at SS2, SS8, and SS9 are almost three years old. Should we resample those locations? You could also do better vertical definition of the soil plumes at the same time.

DNR: That's a good idea. The depth to groundwater here appears to be consistently at around 3-4 feet. How deep is the high risk sanitary sewer?

CGP: I believe the sanitary sewers are at least 7 feet deep. The current soil maximum at 6 feet is likely continually submerged.

DNR: If you can document the sewers here are likely to always be submerged, the sewer receptor pathways could be cleared for soil vapor. You would need to document the existing sewer elevations and compare them with groundwater elevations.

The adjacent basement is also high risk for soil vapor; but you might be able to do alternative soil gas sampling as part of a Tier 3 approach if you find the remaining soil plume exceeding target levels is not continuously submerged.

CGP: We should sample native soil at SS2, SS8, and SS9 locations to get a handle on remaining soil plume depth and concentrations. If there is soil contamination greater than the target level above the water table, we could do soil gas sampling at that depth.

DNR: That could work but it might also be necessary to get a restrictive covenant on the property deed agreeing not to install a basement on the site. Would that be possible?

RP: Yes, I could do that.

DNR: You last sampled groundwater in July 2015, so you need at least one more post-OE groundwater sampling event to evaluate the groundwater vapor and soil leaching to groundwater vapor pathways.

CGP: We can send in a Tier 3 Work Plan discussing how we will evaluate the sanitary sewers, basement, and low risk pathways. Soil samples SS2, SS8, and SS9 are over the target levels; SS8 and SS9 are less than 10 feet apart and might be evaluated with one borehole. We will try to do this before we send in a Work Plan so we can know if this will work. We have to send in a site monitoring report (SMR) this year, so we will provide a Tier 3 Work Plan with the SMR and the soil and groundwater sampling results.

Selected Corrective Actions and Schedule

- DNR sends out conference notes by 8/7/15.
- CGP submits a budget by 8/21/15.
- CL will evaluate the budget by 8/28/15.
- CGP will submit a site monitoring report (SMR) with a Tier 3 Work Plan by 10/30/15.

Everyone agreed to this approach and schedule.

Ruth Hummel, DNR Project Manager

Jeff White, Conference Facilitator

Note: These notes are generalizations of ideas and comments made by participants in the meeting. They were not recorded verbatim or transcribed. If you have any questions or suggestions, please contact Ruth Hummel at the UST Section of the DNR.

Notes of First Corrective Action Conference Iowa Department of Natural Resources (DNR)

Held: Tuesday, August 04, 2015 at 1:30 in room 5W of the Wallace Building
Site: Former Speedee Mart/Riteway Oil site, Council Bluffs
LUST No. 7LTQ19
Status: First conference; no further meetings scheduled
Synopsis: This site was part of a CRP (Community Remediation Project); a soil vapor extraction (SVE) system operated there for several years. The site is high risk for groundwater vapor to sanitary sewer residential and free product is found in several wells. Laser-induced fluorescence (LIF) has been run to delineate the contamination. The certified groundwater professional (CGP) will install monitoring wells, investigate the use of surfactants for enhancement of free product recovery, and conduct four vac truck events at weekly intervals to evaluate this method of product recovery.

Participating

RP: Rex Ekwall of Rite Way Investments (by phone)
Funding: Steve Reinders of Cunningham Lindsey (by phone)
CGP: Kris LeVier of RGD Geoscience & Engineering (by phone)
DNR: Jeff White, Project Manager, & Tammy Vander Bloemen, Facilitator (in person)

Funding Report by Steve Reinders of Cunningham Lindsey

- \$639,614 spent to date.
- Copay has been met with the aid of the Global Settlement.
- The site has funding authorization to \$690,000. Additional authorization will need to be sought at the August or September UST Fund Board meeting.

Background and Recommendations by Kris LeVier, CGP

- RDG got this site in 1998, but a couple of years later the site went into CRP with several nearby LUST sites and Barker Lemar Engineering did the work.
- They installed and operated a large soil vapor extraction (SVE) system from 2003 through July 2014.
- We got the site back last year. The soil and the dissolved phase contamination have decreased a lot, but the site is still high risk for sanitary sewers. There is still free product in several wells. Well 03 generally has 4 to 5 feet of free product and several others generally have less than a foot.
- Barker Lemar ran two laser induced fluorescence surveys. The contamination is below the clay, in saturated sand from about 19 to 22 feet deep. SVE can't get to it.
- The property has a new owner and operates as a drive-up tobacco and liquor store. He is okay with drilling or vac events, but we can't excavate or impede traffic to the drive-up window. The car wash has to be accessible.
- We have been talking with two remediation companies: Regenesis and EcoVac. I'm not thrilled with either of them.
- Regenesis does carbon injection, but they didn't seem very helpful. They didn't want to do anything until the free product is less than half a foot.
- EcoVac discussed the use of surfactants with vac truck events. They wanted to wait until product was less than half a foot and to install additional wells.
- We need to replace a couple of monitoring wells.
- Barker Lemar tried some vac events a few years ago and had some luck. I recommend we try four vac truck events, a week apart, and see how that works.

Discussion

CL: Why are the sanitary sewers considered residential? There are no residences within 200'.

If the sewers are non-residential, they drop out as receptors.

CGP: There used to be houses within 200', but the properties have become commercial. Does this make the site no action required (NAR) with free product?

DNR: I don't know. First, you would need to send me maps or aerial photos showing the changes in land use within 200 feet of the groundwater plume, as well as an updated zoning map, and develop a case for changing the land use. But don't forget that soil gas sampling failed here and there is still a lot of free product.

CGP: A residential basement to the west of the site had vapors. The house was subsequently torn down and a commercial establishment without a basement put there.

CL: Even if we clear the sewer receptor, the site will be low risk for vapor to enclosed spaces.

The new owner is unlikely to allow a restrictive covenant prohibiting basements.

CGP: Well 03 has the most free product, but there are no monitoring wells to the north and east of it. We need to install a new well there. And MW23 needs to be replaced.

We can use a local vac truck and get a much cheaper price for vac events than EcoVac charges. I wonder if the surfactant is worth it.

DNR: I think the surfactant will be worthwhile. I have listened to presentations from EcoVac about the geochemistry involved. Also, one of my sites in Ames used EcoVac to get rid of free product and it seemed to work. I used to work in the oil business and we used surfactants for oil recovery. It can take a long time to get most of the oil out of a sand unless you use a surfactant to loosen the oil from the sand and let it flow out.

CGP: Why is there so much free product in 03?

DNR: I think it is because 03 is close to a porous sand zone which contains a lot of petroleum. LIF logs B1 and B14 both show several feet of high LIF indices, more than 40%. My opinion is that the vac events will get a lot of product the first time in each well but a lot less product on each succeeding event. Surfactant would help loosen that product up so it can flow more freely.

EcoVac is pretty expensive. I am hoping that you can pay them to formulate a surfactant specifically for this site which will also be applicable for most sites in the Missouri river valley, since all sites in the valley should all have similar geochemistry. If they can sell you a drum of the surfactant for you to inject and you can use a local vac truck, it might save a lot of money.

CL: I can approve some vac truck events, but I would need to see the proposed costs of the surfactant formulation.

DNR: EcoVac will likely want soil and groundwater samples to devise a surfactant. Check with them.

I don't need big reports of the vac truck events, but I want good basic data. What wells, depths of drop tubes, vacuum, fluids recovered, periodic PID readings, water levels, drawdown in nearby wells. Please keep me informed with brief emails and send a longer report after you have completed the series.

We need a new site map at a better scale, maybe 20 feet to the inch. There are a lot of wells and LIF points in a small area. Please show what wells are destroyed.

CGP: I will install the new wells before the vac events and could collect soil and groundwater samples then. Do you want me to sample all wells?

DNR: I don't think so. You have already sampled this year and concentrations won't change quickly. We will see how the vac events work and maybe meet again.

CGP: I will resample the soil source at MW23 at 10 feet.

DNR: Include the boring logs and sample results in your vac truck reports.

Selected Corrective Actions and Schedule

- DNR sends out conference notes by 8/7/15.
- CGP submits a budget for four vac truck events, monitoring well installation, new site maps, surfactant testing and formulation, and residential/non-residential evaluation by 8/11/15.
- CL evaluates the budget by 8/18/15.
- Additional funding authority could be sought at the UST Fund Board meeting of August 27 or September 24.
- CGP will initiate vac truck events no later than late September 2015.
- CGP will keep the DNR informed of events and provide a letter report within a month of completion of the events, by December 15, 2015.

Everyone agreed to this approach and schedule.

Jeff White, DNR Project Manager

Note: These notes are generalizations of ideas and comments made by participants in the meeting. They were not recorded verbatim or transcribed. If you have any questions or suggestions, please contact me at the UST Section of the DNR.

Notes of First Corrective Action Conference Iowa Department of Natural Resources (DNR)

Held: Thursday, July 30, 2015 at 9:30 in room 5W of the Wallace Building
Site: Former Sunrise Service, Des Moines
LUST No. 8LTM08
Status: First conference; no further meetings are scheduled.
Synopsis: The site is high risk for groundwater vapor to sanitary sewers and groundwater to water lines. Groundwater concentrations are less than the site specific target levels (SSTLs), but steady or declining conditions have not been met. The certified groundwater professional (CGP) will conduct groundwater vapor sampling and groundwater sampling in Tier 3; evaluate the site for non-expanding plume; and provide Tier 3 site monitoring reports (SMRs) by 10/30/15 and 10/30/16. It is possible the 2016 SMR could recommend reclassification to no action required.

Participating

RP: Jeff Brandt (in person) as representative for the responsible party, Robert Cram
Funding: Steve Reinders of Cunningham Lindsey (by phone)
CGP: Jennifer Baker of Seneca Environmental (in person)
DNR: Shelly Nellesen, Project Manager, & Jeff White, Facilitator (in person)

Funding Report by Steve Reinders of Cunningham Lindsey

- \$111,568 spent to date.
- The \$400 copay has been met with the aid of the Global Settlement.
- The site has reimbursement authority from the UST Fund Board to \$200,000, with a cap of \$1,000,000.

Deficiencies by Shelly Nellesen: Some questions and concerns are expressed in the DNR letter dated May 8, 2015.

Background and Recommendations by Jennifer Baker, CGP

- This has been a LUST site for a long time. The tanks were pulled in 1994.
- In 2002, an over-excavation (OE) of 965 tons was conducted.
- MW2 was not removed in the OE; this monitoring well has remained the hot spot.
- Tier 3 groundwater monitoring was approved in 2004. However, no monitoring was conducted until 2011.
- The groundwater concentrations are less than the site specific target levels (SSTLs), but MW2 fluctuates in concentration so that steady or declining conditions have not been met.
- The Worksheet lists two options:
 - In Tier 3, conduct groundwater and soil gas sampling and demonstrate non-expanding plume.
 - Conduct an over-excavation (OE) of MW2 and the immediate area and two groundwater sampling events.

Discussion

DNR: What about the water well identified in the latest well search?

CGP: That well is a closed-loop geothermal well. It should not be considered a receptor.

DNR: Please provide documentation or details about the well in the next report.

CL: This site has been less than the SSTLs since 2003. It's difficult to justify an OE when the concentrations are so low.

DNR: Has water line replacement been considered? A 2014 water line sample had a waste oil "hit" in the water analysis.

CGP: I think the "hit" was an anomaly. I will look at it and discuss it further.

CGP: The Worksheet contains a Tier 3 proposal; it includes groundwater vapor sampling, which is always risky. If we can sample groundwater and show that the plume is not expanding, we might avoid replacing the water main, which could be expensive.

RP: The site is for sale and we have an interested purchaser.

CL: We should keep the Tier 3 period as short as possible so the site can be on the market.

DNR: For non-expanding plume I'd like to see 3 years semi-annual monitoring. Considering the data you already have, the site will need three groundwater monitoring events, six months apart including MW10A, MW2, MW3, MW5, MWBH1, MW1A, MW8, and MW4 (as proposed in the post T2 worksheet). Analyze for OA1/OA2/MtBE. Groundwater vapor sampling should be done at both MW-2 and MW-10 to address groundwater vapor pathways.

CGP: We plan to be out there in August. We can get a report in by October 30, 2015 with the vapor sampling (including confirmation) and groundwater data.

DNR: Please include information on the geothermal well and a discussion of the waste oil "hit" in the water line sample. October 2016 SMR submittal might be NAR if a non-expanding plume can be documented.

Selected Corrective Actions and Schedule

- DNR sends out conference notes by 8/4/15.
- CGP submits a budget by 8/4/15 for Tier 3 evaluation of the site, including
 - Groundwater vapor sampling at MW-2 and MW-10
 - Groundwater sampling at 8 monitoring wells.
 - Evaluation of stable/non-expanding plume
 - Information on the new water well located within 1,000 feet.
 - Discussion of waste oil "hit" in water line sample.
- CL evaluates the budget by 8/11/15.
- CGP conducts groundwater and groundwater vapor sampling in August/September 2015.
- CGP provides a site monitoring report (SMR) by 10/30/15 and another by 10/30/16.
- Hopefully, the 2016 SMR will include evidence of a non-expanding plume and recommends reclassifying the site to no action required.

Everyone agreed to this approach and schedule.

Jeff White, Conference Facilitator

Note: These notes are generalizations of ideas and comments made by participants in the meeting. They were not recorded verbatim or transcribed. If you have any questions or suggestions, please contact Shelly Nellesen at the UST Section of the DNR.