

**October 27, 2016**

**Board of Directors**

**Iowa Comprehensive Petroleum  
UST Fund Board**



# 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, October 27, 2016. The meeting will be held at the **State Capitol Building, 1005 East Grand Avenue, Room G-15, 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. FY 2017 Goals Update
  - B. Lien # 0801030 - Griswold
  - C. Lien # 0701022 – Mt. Zion Store
  - D. Environmental Support Services Contract
  - E. Operator Training Agreement
  - F. USTCA Closure Contract
  - G. 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 September 29, 2016 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

**SEPTEMBER 29, 2016**

**STATE CAPITOL BUILDING  
1005 EAST GRAND AVENUE, ROOM 15  
DES MOINES, IOWA**

Joseph Barry, acting Board Chair, called the Iowa UST Fund Board meeting to order at 10:00 A.M. A quorum was present, with the following Board members present:

Joseph Barry  
Karen Andeweg  
Patricia Beck  
Tim Hall (for Chuck Gipp)  
Tim Gartin  
Adam Phillips (for Michael Fitzgerald)  
Jeff Robinson

Also present were:

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

Elaine Douskey, Iowa Department of Natural Resources

### **APPROVAL OF PRIOR BOARD MINUTES**

Mr. Barry inquired if the members had reviewed the minutes and there were any items for discussion. Mr. Hall moved to approve the minutes of the August 25, 2016, meeting and Mr. Gartin seconded the motion. The minutes were approved unanimously.

### **CLOSED SESSION**

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

## **PUBLIC COMMENT**

Mr. Mike Kmiecik requested permission to speak to the Board regarding Griswold Custom Classics site in Griswold, Iowa. Mr. Barry responded that Mr. Kmiecik was welcome to speak but the Board would not be able to act on any items today.

Mr. Kmiecik noted he spoke with Elaine Douskey of the Department of Natural Resources who suggested he share what he knows about the Griswold Custom Classics' mortgage. Mr. Kmiecik indicated that he owns the mortgage on the site and that he came to the meeting to discuss the mortgage and provide more information for consideration. He provided his home address as 3321 Monroe Street, Omaha, NE 68107.

Mr. Kmiecik said that, by the time he met the owners of Griswold Custom Classics, they owned that gas service station and another auto repair shop in Omaha. Mr. Kmiecik and the owners started a joint venture kit car club to build a handcrafted car; the owners soon were in financial trouble and borrowed money from Mr. Kmiecik in 1998. The owners put up a deed of trust on the written principal of the property as security.

Mr. Kmiecik said that due to difficulties, the owners had to sell the Omaha business and, by that time, the Griswold business was failing, too. The problem was the previous owners had inflated the sales and by the time the Specks (the owners) found this out, it was too late to take legal action against the previous owners. The Specks then faced increased competition from automated 24-hour pumps across the street. This new competition ended their attempts to keep the business open and they rented out the building as an auto repair facility. This led to empty tanks that had to be removed.

Mr. Kmiecik noted the Specks then had problems making ends meet personally. Howard Speck was declared bankrupt in 2010. He was in declining health and died in poverty in 2011. Cliff Speck tried to do the best he could but got behind on his bills and Mr. Kmiecik had to pay \$5,220 in back taxes to redeem the real property from the tax sale in 2011.

Cliff Speck tried for several years to sell the property to no avail. One of the problems was the environmental status of the property and Mr. Kmiecik worked with Ms. Douskey to get the property reclassified to no further action in 2012. This led to a purchaser of the property in 2013 on a rent to own contract. The first thing the purchaser had to do was to pay the back taxes, which had not been paid since Mr. Kmiecik had done so in 2011. Then, Cliff Speck, being mindful of his obligation to the Storage Tank Fund asked that half of each of his payments be used to pay off the Storage Tank Fund lien. This is what happened until the purchaser lost his business and his payments stopped.

Mr. Kmiecik noted that Cliff Speck cannot make the payments on the lien on his own and has asked that the lien be forgiven. Mr. Kmiecik believes he (Mr. Kmiecik) is an innocent creditor. When Mr. Kmiecik lent the money in 1998, he was working but is now retired and living on a fixed income. Also, Mr. Kmiecik's mother passed away recently and the burial was an additional drain on his savings. He also asked that the lien be forgiven.

Mr. Kmiecik provided a written statement of the money owed and indicated he would be willing to answer any questions.

Mr. Gartin indicated the Board is not in a position to deliberate but he would like to ask some clarification questions. He asked Mr. Kmiecik the name of the person who is the purchaser of the property in the private party contract. Mr. Kmiecik answered that Mr. Martin Dorsher offered quite a bit more than anyone else ever considered before in 2013; however, Mr. Dorsher couldn't make it financially and had to stop.

Mr. Gartin then asked if, when Mr. Dorsher went through this process to buy the property on contract, was the title being done such that the State's lien was identified. Mr. Kmiecik answered that this was handled between Mr. John Fischer, the attorney for Cliff Speck, the owner upon Howard Speck's passing, and Martin Dorsher. They met with Mr. Kmiecik to get an agreement about what would happen to the money so they could go ahead and sell the property because the money owed to Mr. Kmiecik was basically about what was offered for the property. They were looking at the obligation to the Storage Tank Fund lien and Mr. Kmiecik had to sign off and agree to allow the money to go to the Fund instead of him.

Mr. Gartin asked the current balance of Mr. Kmiecik's claim to which he responded that it is \$29,863.79. Ms. Andeweg asked if that amount was on the record filed with the County. Mr. Kmiecik indicated the sheet he sent around to the Board describes the circumstances. Mr. Kmiecik loaned the money in 1998 and received security on the loan with the Griswold property, he refinanced in 2006 and then extended that on March 18, 2007. The amount at that time was \$23,500. Then in 2011 he had to pay the \$5,220 property taxes raising it to \$28,660 and he forgave any interest on anything in exchange for Mr. Speck's interest in the kit car. This year it started at \$28,660 and his deed of trust could no longer be extended. Mr. Kmiecik started calculating interest at that time. Of the almost \$30,000, he would say \$28,500 is principle.

Mr. Gartin further asked about the amount that is secured, to which Mr. Kmiecik indicated roughly \$23,500. Mr. Kmiecik indicated that the mortgage was refinanced on October 3, 2006 and is recorded in Cass County. Mr. Gartin indicated he could get a copy of the mortgage.

Ms. Andeweg asked when the lien was put into place and Mr. Gastineau indicated that was in 2008. Mr. Kmiecik said he and the other parties are open to selling the property and that he has been contacted by a Mr. David Watson who is interested in purchasing the property for \$20,000.

Mr. Gartin asked why Mr. Kmiecik does not just enforce the mortgage. Mr. Kmiecik indicated the owners are friends and he would prefer not to do that. He also noted that Mr. Speck's attorney has taken a hard line to take Mr. Speck off the note personally, however Mr. Kmiecik is not willing to do that, at this point. Mr. Kmiecik will probably need to do something before March 2017 because that is 10 years from the last extension.

Mr. Kmiecik was thanked for appearing at this morning's meeting.

Mr. Gartin asked how to bring this matter for discussion and Mr. Steward said Mr. Gastineau can put this on the agenda at a future time. If the Board takes no action then the lien continues. By this request, Mr. Gastineau indicated this will be on next month's agenda.

Mr. Gartin believes it would be advantageous to have the Cass County abstractor do a title search for us before next meeting. Mr. Gastineau answered that may take longer than a month as we would need to get a check from the State Treasurer's office to pay for it. Mr. Gartin indicated he will take of it and that he'd try to have it for the next meeting.

## **BOARD ISSUES**

### **A. Administrator Contract**

Mr. Steward asked the Board to recall that, at the September 29, 2016, meeting, the Board voted to extend the contract with Aon for two more years. He noted that in his review that there are some amendments that are appropriate to make because the contract was intended to expire at the end of this year.

Mr. Steward noted that he went through the contract and believes there are three areas that require an amendment. He noted he had emailed an amendment to the Board on September 28, 2016, indicating the changes including a change in the term of the contract; changes to Section 5.1 regarding compensation, and changes to Section 6.1.2 providing the option to renegotiate the contract if a material change is realized.

Mr. Steward noted he received communication from Aon yesterday that they have reviewed and agreed to the terms of the extension and noted that he is presenting the same to the Board today. He indicated if the agreement is passed, he will email the agreement to Mr. Beech and Aon for signature. This would be in the contracts entered section of next month's Board packet.

Ms. Beck moved to accept the amendment and Ms. Andeweg seconded the motion. The motion passed with a vote of 6-0.

### **B. FY 2017 Goals**

Mr. Cira reported the Administrator continues efforts to achieve goals assigned at the July Strategy Meeting. Those include identifying those locations that would be subject to a Loss Portfolio Transfer (LPT) and drafting an RFP that would be used for the LPT. Mr. Cira noted a list has been mostly identified of sites that fall into categories such as likely to be closed very soon, those with challenges and those to be part of an LPT. He also noted the intended November 1<sup>st</sup> date for the RFP but noted that this is not likely to happen in that time frame. He explained that the RFP is being developed in part with the Iowa Department of Administrative Services (DAS) and that inclusion of language to incorporate morale hazard language is needed to ensure future compliance. He indicated that we expect to have a draft to review before the December 8 meeting and that the draft would be provided to the Board as soon as it is available.

Mr. Steward indicated that some concerns had recently been noted for a LPT. He noted there are many owners/operators who get benefits from the Fund who are not a responsible party for a site. Thus, if funds are transferred but an owner is not legally obligated, there may be situations in which the DNR would not have enforcement authority to compel work thus creating a situation where monies transferred may not be spent. He commented that the Board needs to avoid this situation in the drafting of the agreements for the LPT.

Mr. Steward also noted the Board previously talked about a claw back provision that removes the possibility of the site not being addressed or the idea that a claimant may be required to opt in to a LPT using contractual language whereby the claimant would bind themselves legally to use the funding for the intended purpose. The concept would be similar to a settlement agreement but would instead place a duty of an entity not otherwise obligated to do work, to use the funding within the LPT for the intended purpose.

Mr. Tom Norris of PMMIC inquired on the number of claims that may not be associated with a responsible party. Mr. Gastineau noted he had already looked at about 120 claims and thought that about 80 claims were not held by responsible parties. He also commented that overall, he would estimate that one-third to one-half of the proposed claims may not be held by a responsible party.

Mr. Steward commented that the LPT language would need to include some mechanism for money being spent in a certain time frame or the owner contractually obligating himself to be responsible. He also noted that it would be his preference for claimants to obligate themselves rather than excluding the claims from a LPT, as the certainty of funding may not exist.

Mr. Cira added this is the morale hazard component of the RFP referred to earlier. Once the money is transferred to another third party, the money is theirs. Their obligation is to comply with the regulations we have been using and noted that the rules may be unenforceable. The question becomes do we give money to a third party entity knowing some of these sites will never reach no further action classification or in an effort to avoid that, do we require a claimant sign an opt-in agreement to contractually compel compliance on their part. Other than that, we may end up with a larger number of sites not being transferred.

Mr. Cira went on to note that the RFP for the LPT will not be an easy task. Unlike other RFPs which may provide for a service or some other predictable purchase, this is unique because this type of RFP has not been done with any frequency. In addition, a determination of how to evaluate respondents is needed, as is a consideration of how to establish a financial threshold of those who may apply so to ensure that we protect the state's money for the intended use.

In regard to the proposed action for the remaining monies, Mr. Hall indicated a meeting was held with the Iowa Finance Authority (IFA) yesterday to explore the question of what happens to the remaining funds and sites after the LPT is done. He noted the discussion was specifically related to the best ways for the money to be managed, noting that the Board and Department have a positive history working with IFA. He noted that all parties seem interested and that the idea is to write a 28E agreement to delineate responsibilities, what the money could be used for, and when the agreement would be implemented. He noted that under the 28E, the Board could continue to

exist with IFA cutting checks for the remaining claims, or language could be added to control the funding in the event that the Board ceases to exist.

Mr. Hall suggested the 28E be written concurrently with the RFP so that the two pieces could be developed together to ensure continued work of the program. As part of the discussion, Mr. Gartin suggested that we reach out to the Legislature to get their input of the plan now in motion noting that the Board was created many years ago and the Legislature may not have same ideas for the program now as when the Board was created.

Mr. Cira continued by providing an overview of the LPT Status as presented in the Board memo. He noted that of 394 open claims, we project that 288 claims may be candidates for the LPT with an estimated claim reserve of \$17.4 million and the remaining 106 claims would form the pool of the excluded claims. He noted that as part of a LPT, the \$17.4 million would likely increase due to application of a risk premium and administrative fees that may be charged by the bidders.

The concept of the LPT risk premium was questioned as Mr. Robinson stated that it seems hard to consider that the Board would pay a premium above the liabilities to sell the claims and noted that any such premium would take away money that could be left for the IFA transfer. The comment was acknowledged and it was also noted that if the Board were to continue paying on the claims, the \$17.4 million could increase as new information is obtained and as costs typically increase over time.

**C. Limited LPT Update**

Mr. Gastineau indicated that, following last month’s meeting, no more agreements from claimants were received. He reported that the final transfer amount, with a 15 percent risk premium and 5 percent administration cost added, totaled a transfer amount of \$779,198.46. He also noted that once the transfer is complete, the claims would be closed and removed from the excluded claims list. He also noted that there should be no change in the handling of the sites from the Department’s perspective as they have been working on these sites.

**D. DNR Update**

Ms. Douskey indicated she had nothing to report.

**APPROVAL OF PROGRAM BILLINGS**

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

1. Aon Risk Services ..... \$101,262.00  
Consulting Services October 2016 -- \$62,262.00  
Claims Processing Services October 2016-- \$39,000.00
  
2. Iowa Department of Justice ..... \$2,401.12  
Legal Services for IUST Fund – July & August 2016

3. Mileage Reimbursement – Karen Andeweg..... \$24.96  
Iowa UST Fund Board meeting, Madrid, IA, July 18, 2016

Mr. Hall moved to approve the billings and Mr. Gartin seconded the motion. The motion was passed unanimously.

### **MONTHLY ACTIVITY REPORT AND FINANCIALS REVIEWED**

Mr. Gastineau noted there was nothing of significance to report. He did note that just over \$600,000 had been paid for corrective action costs in August and about \$1.5 million has been paid for the first two months of the fiscal year.

### **ATTORNEY GENERAL'S REPORT**

Mr. Steward indicated that he had nothing more to report.

### **CLAIM PAYMENT AUTHORITY**

The following claim authority requests were presented:

#### **1. Site Registration 8601704 – City of Audubon, Audubon (1<sup>st</sup> Board Report)**

Mr. Gastineau reported the site is classified high risk for the vapor and water line pathways. He noted this site is eligible for benefits through an eminent domain claim. In light of the contamination, vapor sampling was attempted but failed. An excavation is proposed to remove the contamination for this is a non-operating facility. The excavation proposed will likely result in reclassification following a period of post-excavation monitoring.

Mr. Gastineau noted the present claim reserve is \$175,000. Total projected costs are \$85,000 to \$125,000+. Authority up to \$200,000 was requested.

Mr. Gartin moved to approve the request and Mr. Hall seconded the motion. Motion carried unanimously.

#### **2. Site Registration 8604789 – Casey's General Store, Marion (1<sup>st</sup> Board Report)**

Mr. Gastineau reported this is a NFA re-opened site, considered high risk site for vapor pathways. He noted that contamination at the site is perceived to be from the pre-1990 release previously investigated and assigned a No Action Required classification. The contamination is located beneath the canopy, product lines and dispenser islands of an active station and as a result excavation is not an option. The consultant is proposing the injection of compounds to oxidize the contamination, followed a period of monitoring.

Mr. Gastineau noted the present claim reserve is \$225,000. Total projected costs are \$150,000 to \$200,000+. Total authority of \$250,000 was requested.

Mr. Gartin moved to approve the request and Ms. Andeweg seconded the motion. The motion was approved unanimously.

### **3. Site Registration 8915763 – Easter Enterprises, Bedford (5<sup>th</sup> Board Report)**

Mr. Gastineau reported this is an active UST facility, considered high risk for a water line and low risk for the potential vapor pathways. He noted that the water line cannot be replaced due to its location under a heated parking area without significant costs. He also noted that a Tier 3 evaluation was deemed unsuccessful and that the consultant, in conjunction with the Department's approval, is now recommending excavating a portion of the property. It was noted that if the post-excavation contamination can be shown to remain on-site, the property owner (not the Fund claimant) has agreed to establish an environmental covenant to prohibit future vapor receptors on this site, thus allowing the site to be reclassified to no action required.

Mr. Gastineau noted the present claim reserve is \$875,000. Previous Board approval was granted on July 2, 2014, for costs up to \$700,000. Total projected costs are \$40,000 to \$100,000+. Mr. Gastineau requested additional authority of \$200,000 for a total authority of \$900,000.

Mr. Gartin moved to approve the request and Mr. Hall seconded the motion. The motion was passed unanimously.

### **4. Site Registration 8811618 – Woodbury Central Schools, Climbing Hill (4<sup>th</sup> Report)**

### **5. Site Registration 9217516 – Pat Benjamin/Tuff Luck, Inc., Climbing Hill (4<sup>th</sup> Report)**

Mr. Gastineau reported on these sites together. The sites are high risk for the groundwater ingestion pathway. Due to depth and extent of contamination, corrective action options are limited. In 2002, two private association wells were installed to serve multiple affected parties, and one public well was installed for the use of a local restaurant. Due to siting requirements, the public well was placed on private land with a 10-year lease, with an option to renew for an additional 10-year period. The lease expired in 2013 with no action taken by the lessee. The landowner demanded the well be removed resulting in the lessee no longer having access to a source of potable water. Due to the immediate need for water, the former restaurant was connected to one of the association wells.

Due to concerns over long term water quality, use of the association well has been sporadic. As a result of high iron and manganese content, several properties connected to the well have switched to a previously used private well, considered a high risk receptor. In an effort to close that well and all other high risk wells, a new well is proposed.

In 2015, a test well was installed; however, high nitrate levels were identified making the well unusable. A deeper well is now planned. Additional funding is requested to provide for the test

well and, if acceptable, a new association well. All remaining private wells would then be pursued for closure. Costs for the new well will be shared for each claim.

Mr. Gastineau noted the request for new activities for each site is \$40,000 to \$100,000+. Additional authority requested is \$85,000 for each site, resulting in total authority for Woodbury Central Schools of \$700,000 and \$600,000 for Pat Benjamin/Tuff Luck, Inc.

Mr. Gartin moved to approve the requests and Ms. Beck seconded the motion. The motion approved unanimously.

### **CONTRACTS ENTERED INTO SINCE AUGUST 25, 2016 BOARD MEETING**

Mr. Gastineau reported that the Board has not entered into any contracts since the August 25, 2016 meeting.

### **OTHER ISSUES AS PRESENTED**

A short discussion was held regarding legislative input on the possible LPT. Mr. Gartin requested that we solicit input from legislative staff on the plan now in motion. In considering this request, Mr. Gastineau noted that the quarterly report to the legislative committees would be issued within the month, noting that the report goes to both the House and Senate and environmental entities. He also noted that the Board packet goes to several members of the House and Senate staff as well, but that additional communications will be made to invite staff to the next Board meetings. Mr. Hall indicated that the Department has a legislative liaison and that he will contact her regarding an invitation to the Legislature on behalf of the Board.

Mr. Gastineau reported one claim in Council Bluffs had closed because it hit the \$1 million cap. He noted the site remains high risk and that the City of Council Bluffs may opt to continue work.

### **CORRESPONDENCE AND ATTACHMENTS**

Mr. Barry indicated that the correspondence and attachments could be read after the meeting adjourns.

A motion to adjourn the meeting was made by Mr. Gartin and seconded by Ms. Andeweg. The meeting adjourned at 11:31 A.M.

Respectfully submitted,



James Gastineau  
Deputy Administrator

## **Closed Session**

### **Discussion of Pending and Imminent Litigation**

## **Public Comment**

## **Board Issues**

## **A. FY 2017 Goals Update**



# IOWA UNDERGROUND STORAGE TANK FUND

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## MEMORANDUM

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**TO:** UST Board  
**FROM:** Dale T. Cira  
**DATE:** October 20, 2016  
**RE:** FY 2017 Goals Update

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A number of goals were established this year that will eventually lead to the closure of the Program. The goals were developed in consideration of 2016 legislation which ends the Program funding as of December 31, 2016. The overall goal is to ensure funding remains available, to the extent possible, for the intended purpose of assisting owners and operators in meeting State requirements for petroleum contaminated sites. The plan to meet the goals includes the following tasks:

- A. Establish, Bid and Finalize a Loss Portfolio Transfer ("LPT").
  - 1) By October 1, 2016, the Administrator, in conjunction with the Department, will identify those claims that would be subject to an LPT. Staff will also identify those claims that are not perceived to be suitable for a LPT; these may include claims for sites classified no action required, sites near completion, near the statutory funding cap, and those sites thought to be highly complex.
  - 2) By November 1, 2016, the Administrator, in conjunction with counsel, will develop documents necessary to bid the LPT to interested parties with the objective to transfer claims to the winning bidder.
- B. Transfer the Remaining Funds to the Iowa Finance Authority (IFA).
  - 1) As soon as practicable, Board staff will evaluate this concept to determine if monies set aside with IFA will be protected from future legislative actions. The evaluation will be completed by Department staff, in coordination with the Treasurer's office and IFA.
  - 2) Develop a 28E agreement with IFA and the Department to administer the transferred monies and set forth the protocol on how the monies can be used. Uses may include continued funding of the sites excluded from the LPT, new eligible claims, tank closure claims, claims on NFA re-opened sites, operator training and limited administrative costs for the Department and IFA.

## Claims Review

As of October 1, 2016, the Administrator's office, in conjunction with the Department, had identified those claims which would be likely candidates for the proposed LPT. Following the discussion in the September Board meeting, the claims were further analyzed in an attempt to discern which claims are held by "responsible parties", i.e., those claimants that could be subject to enforcement. Using current information, the following breakdown was determined:

	<u>Count</u>	<u>Liabilities*</u>
<b>Open Claims (as of 10/17/2016):</b>	<b>379</b>	<b>\$20,613,595</b>
<b>Candidates for a Loss Portfolio Transfer:</b>	<b>286</b>	<b>\$16,871,130</b>
Group 1 – claimants perceived to be responsible party	155	\$8,232,813
Group 2 – claimants not likely a responsible party	131	\$8,638,317
<b>Claims recommended for exclusion</b>	<b>93</b>	<b>\$3,909,424</b>
Group 3 – inactive, near completion, complex, etc.	74	\$3,507,928
Group 4 –NAR sites, CRPs, right-of-way claims	19	\$401,495

\* Opt-In claim reserves will increase liabilities by \$273,366; additional claims are possible.

If the proposed LPT is limited to those claims held by a responsible party, a thorough evaluation of the status of each claim may be needed. The analysis completed to date was based on the claim files. The final determination of a claimant as a responsible party however would be subject to the Department's review of each claim.

## RFP Status

Due to the complexity of the proposed LPT, staff from the Administrator's office and legal counsel met with the Iowa Department of Administrative Services (DAS) Purchasing Department in August 2016. Following the discussion of the need for a comprehensive LPT proposal, DAS staff offered to coordinate the development of a Request for Proposal (RFP). A draft version of the RFP may be available near the November 1<sup>st</sup> target date.

## 28E Agreement

The terms of the agreement along with the roles and responsibilities of the parties involved will need to be determined in the near future to ensure the Program plans are developed concurrently with the proposal to transfer claims in a LPT.

**B. Lien # 0801030 - Griswold**



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## MEMORANDUM

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TO:            UST Board Members  
FROM:        Dale Cira  
DATE:        October 20, 2016  
SUBJECT:    Lien # 0801030 – Griswold Custom Classics (UST # 8608073)

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The Board, in conjunction with the Department of Natural Resources (DNR), retained an environmental contractor to perform activities on the referenced site including removal of one underground storage tank. The property owner at the time was not eligible for UST closure benefits due to the date the tank had been installed. Following the 2007 tank removal, the owner was notified \$9,840.50 was due for the closure costs. The owner was unable to pay thus a lien was filed in February 2008.

In 2013, the property owner notified the Board that he had entered into an agreement to sell the property on contract and had negotiated a settlement with the lender. Per the agreement, the owner began periodic payments to settle the lien. To date, the owner has paid \$4,420 toward the lien leaving the current balance at \$5,420.50.

In May 2016, the property owner requested the lien be released for the amount paid to date so the property may be sold albeit at a reported loss to the owner. In August 2016, the property owner notified us that the sale did not go through and that the tenant has vacated the property.

### Current Status

The lien filed February 2008 will remain through February 2018, unless released earlier.

The LUST number associated with this site was classified No Action Required. A No Further Action certificate was issued in April 2012.

## Lien Release / Extension / Modification Worksheet

<b>Purpose</b>	Request for release of lien
<b>Lien #</b>	0801030
<b>County</b>	Cass County
<b>Site Name</b>	Griswold Custom Classics
<b>- Location</b>	802 Main, Griswold, IA
<b>Site Registration #</b>	198608073
<b>Site LUST #</b>	8LTB69
<b>Site Claim #</b>	15006
<b>- IUST eligible</b>	tank closure costs were not eligible
<b>Property owner when filed</b>	Griswold Custom Classics LC
<b>Property owner address</b>	Clifford Speck, 802 Main St., Griswold, IA 51535
<b>Lien filed date</b>	2/1/2008
<b>Book &amp; Page #</b>	2008 - 223
<b>Lien Amount</b>	\$9,480.50
<b>Total Subject to Recovery</b>	\$9,480.50
<b>Proposed Amount for Release</b>	\$4,420 (paid to date)
<b>Parcel #</b>	360008283001000
<b>Current Assessed Value / Date</b>	\$37,880 (2016)
<b>Current Property Owner</b>	Griswold Custom Classics LC
<b>- owned property when USTs operated</b>	Yes
<b>- owned property when work completed</b>	Yes
<b>- owned property when lien was filed</b>	Yes
<b>- If no, how was property acquired</b>	n/a
<b>- is landowner a responsible party</b>	Yes - landowner responsible for tank removal costs
<b>DNR Status</b>	
<b>- USTs present / active</b>	None
<b>- USTs present / temp closed</b>	None
<b>- USTs permanently closed (date)</b>	Yes, last UST removed 2008
<b>- LUST Status</b>	Closed, classified NAR
<b>- NFA cert elig / issued</b>	Yes, NFA cert issued
<b>Summary</b>	
<b>Did landowner hinder work</b>	No
<b>Will property owner benefit</b>	Yes - if lien released
<b>Will State benefit</b>	Possibly - if property returned to use as commercial business
<b>Other (transaction)</b>	Aug. 2016: Owner reports sale of property planned fell through; buyer reportedly could not secure financing. Property owner reports tenant has abandoned lease and vacated property. Landowner asks for leniency and release of lien for amount paid to date (44% of original lien amount)

<b>BOARD ACTION</b>
---------------------

**C. Lien # 0701022 – Mt. Zion Store**



# 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:        October 20, 2016  
SUBJECT:    Lien # 0701022 – Mt. Zion Store (UST # 8600890)

The Board, in conjunction with the Department of Natural Resources (DNR), retained an environmental contractor to perform activities on the referenced site including site assessment and limited corrective actions. The property owner was considered responsible to complete the assessment work but was deemed ineligible for Fund benefits due to the date contamination was discovered. Following assessment, the owner was notified \$32,980.90 was due for the activities completed. The owner failed to provide payment thus a lien was filed on the former UST location on January 18, 2007.

The property was and is now vacant; the site buildings are in poor condition. The site is classified as residential property, with the assessed value of \$5,190. All taxes are current; no tax certificates have been assigned to the property.

### Status

DNR records show the site is low risk. No reports have been submitted since 2006.

The property owner inherited the site in 1997 after the underground storage tanks were removed thus it is presumed he would not be a responsible party. The property owner may be obligated to complete further work including future monitoring activities.

### Lien

The lien may be renewed for an additional 10 year term, released or allowed to expire.

## Lien Release / Extension / Modification Worksheet

<b>Purpose</b>	10 Year Review
<b>Lien #</b>	0701022
<b>County</b>	Van Buren County
<b>Site Name</b>	Former Mt. Zion Store
<b>- Location</b>	20862 180th Street, Mt. Zion
<b>Site Registration #</b>	198600890
<b>Site LUST #</b>	9LTL27
<b>Site Claim #</b>	11032 / 14002
<b>- IUST eligible</b>	NO
<b>Property owner when filed</b>	Henry W. Robbins
<b>Property owner address</b>	102 Greenvale Drive, Mansfield, TX 76063-5556
<b>Lien filed date</b>	1/19/2007
<b>Book &amp; Page #</b>	136-856
<b>Lien Amount</b>	\$32,980.90
<b>Total Subject to Recovery</b>	\$32,980.90
<b>Proposed Amount for Release</b>	na
<b>Parcel #</b>	420707479120
<b>Current Assessed Value / Date</b>	\$5,190 (2016)
	property taxes are current
<b>Current Property Owner</b>	Henry W. Robbins
<b>- owned property when USTs operated</b>	No
<b>- owned property when work completed</b>	Yes
<b>- owned property when lien was filed</b>	Yes
<b>- If no, how was property acquired</b>	n/a
<b>- is landowner a responsible party</b>	No
<b>DNR Status</b>	
<b>- USTs present / active</b>	No
<b>- USTs present / temp closed</b>	No
<b>- USTs permanently closed (date)</b>	Yes, last UST removed during 1990's
<b>- LUST Status</b>	Low Risk
<b>- NFA cert elig / issued</b>	na
<b>Summary</b>	
<b>Did landowner hinder work</b>	No
<b>Will property owner benefit</b>	Yes - if lien released
<b>Will State benefit</b>	Possibly
<b>Other (transaction)</b>	

**BOARD ACTION**

## **D. Environmental Support Services Contract**



# 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

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TO:            UST Board Members  
FROM:        Dale T. Cira  
DATE:        October 20, 2016  
SUBJECT:    RBCA 1509-01: Environmental Support Services Contract Re-Authorization

---

The Board, in conjunction with, the Department of Natural Resources (DNR) entered into a 28E agreement to implement authority provided in 2007 legislation regarding sites which have attained a No Further Action certificate. Iowa Code 455G.9(1)(k) directs that pursuant to the agreement, the Board may provide funding for assessment and corrective action arising out of releases at sites for which a no further action certificate has been issued, when the Department determines that an unreasonable risk to public health and safety may still exist or that previously reported upon target levels have been exceeded.

Consistent with the agreement, the Board retained the services of two environmental contractors through a public bid process. The contractor agreements, signed January 2016 provide for a 12 month contract period. The contractor agreements provide the Board shall have the sole option to renew the agreements for up to five additional one (1) year periods with written notice of the extension given at least 60 days prior to the expiration of the current contract term.

Since the program inception, 67 sites have been identified for which contamination is suspected to be related to a release for which a NFA certificate was issued; 16 sites remain open. Total expended for work on these sites is \$1,374,617, with estimated reserves at \$699,738.

### **Recommendation**

It is requested that the Board authorize extension of the contractor agreements using the first of the five possible time extensions, thus allowing work to continue through January 14, 2018, unless terminated earlier in accordance with contract terms.

## **E. Operator Training Agreement**



# 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:        Dale T. Cira  
DATE:        October 20, 2016  
SUBJECT:    Iowa UST Operator Training Agreements

Since 2010, the Board has administered a program to provide UST owners and operators' access to training to aid in complying with the Department of Natural Resources rules that requires trained individuals be available for each UST facility. The Board opted to provide assistance to owners and operators by creating a reimbursement process to Department approved vendors who provide the operator training directly to owners and operators. Since the program inception, 3225 individuals have been given instruction on the duties and responsibilities of a Class A and/or Class B UST Operator. The number of those trained each year is shown below:

FY 2011:	1929	FY 2015:	224
FY 2012:	588	FY 2016:	138
FY 2013:	91	FY 2017:	23 (as of 10/18/2016)
FY 2014:	289		

Based on data from the Department, it is anticipated continued services are necessary.

### **Recommendation**

It is requested the Board authorize an extension of the reimbursement agreements for the training of Class A & B UST Operators at the reimbursement rate of \$100 for a person trained as a Class A & B Operator, or \$80 for a person trained as a Class A or B Operator for an additional one-year time period. This will allow continued training activities through December 31, 2017.

In the event that early termination of the program is necessary, the vendor agreements include such a provision following a 60 day notice.

## **F. USTCA Closure Contracts**



# 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

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TO:            UST Board Members  
FROM:        James Gastineau  
DATE:        October 20, 2016  
SUBJECT:     USTCA Closure Contract Re-authorization

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### **Background**

The Board and Department of Natural Resources (DNR) have entered into a series of agreements to conduct UST closures, RBCA evaluations and emergency activities at sites where DNR has determined such action is needed and either there is no responsible party able to pay, the responsible party cannot be found, or the responsible party is recalcitrant in completing the corrective action measures. The most recent agreement also allows work to be performed on fund eligible sites.

Following the terms of the agreement, the Board retained two contractors to provide the needed services. The vendor agreements, initiated in August 2011, are scheduled to expire in February 2017.

### **Status**

Since 2011, more than 120 sites have been identified for possible inclusion in the project; currently work is ongoing at 57 sites. Many of the sites are classified high risk or have free product present thus requiring corrective actions be initiated.

Board authority for the project has been granted for costs up to \$2,500,000. As work is completed on each site, funds are transferred to the eligible claims and for non-eligible sites, where appropriate, cost recovery actions are considered. To date, costs incurred on the project are \$1,049,156; estimated reserves for future work on the known sites is \$1,198,784.

### **Recommendation**

The vendor agreements were last extended in March 2016 to allow activities through the February 2017. In an effort to continue work on the selected sites, including several that would likely be excluded from a loss portfolio transfer, it is requested the Board grant authorization to extend the vendor agreement for the period to end August 28, 2017.

## **G. 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:        October 20, 2016  
SUBJECT:     Summary of Bills for Payment

### \*NOTICE\*

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

1.     Aon Risk Services ..... \$101,262.00  
      Consulting Services November 2016 -- \$62,262.00  
      Claims Processing Services November 2016-- \$39,000.00
  
2.     Aon Risk Services ..... \$101,262.00  
      Consulting Services December 2016 -- \$62,262.00  
      Claims Processing Services December 2016-- \$39,000.00
  
3.     Attorney General’s Office (FY 2017) ..... \$3,769.61  
      Legal Services for the UST Fund – September 2016

**Correction to previously submitted item:**

4.     Attorney General’s Office (FY 2017) ..... \$8,761.48  
      Legal Services for the UST Fund – July & August 2016

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



Invoice Date: 10/06/16

**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: September SFY17

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

Document Number	Account Coding				Description	Amount
	Fund	Agency	Org	Sub Org		
112AG100616042	0001	112	2301		0302	\$ 3,769.61

---

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

## Iowa Comprehensive Petroleum

Invoice No. 9500000129643

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  
Sep-15-2016

Currency  
US DOLLAR

Account Executive  
James Gastineau

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2016 - Jan-01-2017	Nov-01-2016	Renewal - Service Fee	
<b>Comments</b>			Service Fee	62,262.00
Installment 11 of 12 Monthly Fee			Consulting Expense	39,000.00
Payment due 21 days after Transaction Effective Date.				
Thank you for your business!				
			<b>TOTAL INVOICE AMOUNT DUE</b>	<b>101,262.00</b>

**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](http://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	9500000129643	Sep-15-2016	US DOLLAR	101,262.00

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. 9500000129643

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

*Please see reverse side for statement regarding Aon compensation.*

Page 2 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	9500000129643	Sep-15-2016	US DOLLAR	101,262.00

**USD ONLY WIRE/ACH Remit to:**

Northern Trust Company  
50 South LaSalle  
Chicago IL 60675

ABA No 071000152  
Swift No CNORUS44  
Account Name Aon Risk Services Inc  
Account No 30215288

**Please Reference your Client Account No. & Invoice No. being paid**

**Wire payment information is for USD currency only. Please contact your Aon representative for Multi-Currency payment instructions.**

**Overnight Remit to:**

ARS Companies, Inc  
C/O Northern Trust Bank  
350 North Orleans Street  
Receipt & Dispatch, 8th Floor  
Chicago IL 60654  
Reference Suite 1943  
Phone No 410-363-5800

## Iowa Comprehensive Petroleum

Invoice No. 9500000130304

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  
Oct-17-2016

Currency  
US DOLLAR

Account Executive  
James Gastineau

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2016 - Jan-01-2017	Dec-01-2016	Renewal - Service Fee	
<b>Comments</b>			Service Fee	62,262.00
Installment 12 of 12 Monthly Fee			Consulting Expense	39,000.00
Payment due 21 days after Transaction Effective Date.				
Thank you for your business!				
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>101,262.00</b>

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Page 1 of 2

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Client Account No.	Invoice No.	Invoice Date	Currency	Amount Due
10756349	9500000130304	Oct-17-2016	US DOLLAR	101,262.00

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. 9500000130304

FATCA Notice: Please go to [Aon.com/FATCA](http://Aon.com/FATCA) to obtain the appropriate W-9.

Please see reverse side for statement regarding Aon compensation.

Page 2 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	9500000130304	Oct-17-2016	US DOLLAR	101,262.00

**USD ONLY WIRE/ACH Remit to:**

Northern Trust Company  
50 South LaSalle  
Chicago IL 60675

ABA No: 071000152  
Swift No: CNORUS44  
Account Name: Aon Risk Services, Inc  
Account No: 30215288

Please Reference your Client Account No. & Invoice No. being paid

Wire payment information is for USD currency only. Please contact your Aon representative for Multi-Currency payment instructions.

**Overnight Remit to:**

ARS Companies, Inc.  
C/O Northern Trust Bank  
350 North Orleans Street  
Recallpt & Dispatch, 8th Floor  
Chicago IL 60654  
Reference: Suite 1943  
Phone No: 410-363-5800

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



Invoice Date: 09/09/16

**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: July & August SFY17

---

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

Document Number	Account Coding					Description	Amount
	Fund	Agency	Org	Sub Org	Rev Source		
112AG090916042	0001	112	2301		0302		\$ 8,761.48

---

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

## **Monthly Activity Report and Financials Reviewed**

## **A. September 2016 Activities Report**

Sep-16

	Open Claims		Open Claims		Open & Closed	
Claims	August Ending	Monthly Net Changes	September Ending	Totals since Inception		
<b>RETROACTIVE</b>						
number	20	(1)	19	447		
reserve	\$1,168,826.29	(\$21,215.15)	\$1,147,611.14	\$1,147,611.14		
paid	\$5,476,173.71	(\$128,784.85)	\$5,347,388.86	\$18,188,847.54		
	\$6,645,000.00	(\$150,000.00)	\$6,495,000.00	\$19,336,458.68		
<b>REMEDIAL</b>						
number	289	(10)	279	4,462		
reserve	\$16,132,928.85	(\$97,369.54)	\$16,035,559.31	\$16,035,559.31		
paid	\$65,068,077.44	(\$1,732,190.96)	\$63,335,886.48	\$219,310,425.25		
total	\$81,201,006.29	(\$1,829,560.50)	\$79,371,445.79	\$235,345,984.56		
<b>INNOCENT LANDOWNER</b>						
number	76	(2)	74	1,138		
reserve	\$3,762,203.92	(\$89,834.97)	\$3,672,368.95	\$3,672,368.95		
paid	\$10,138,024.38	(\$277,793.33)	\$9,860,231.05	\$33,780,184.63		
total	\$13,900,228.30	(\$367,628.30)	\$13,532,600.00	\$37,452,553.58		
<b>GLOBAL OPT-IN</b>						
number	59	(2)	57	1,309		
reserve	\$287,529.28	(\$13,421.32)	\$274,107.96	\$274,803.99		
paid	\$510,381.77	(\$15,274.71)	\$495,107.06	\$9,883,990.51		
total	\$797,911.05	(\$28,696.03)	\$769,215.02	\$10,158,794.50		
<b>UNASSIGNED REVENUE FUND PROJECTS</b>						
number	64	(7)	57	313		
reserve	\$1,210,967.20	(\$3,152.96)	\$1,207,814.24	\$1,207,814.24		
paid	\$764,021.30	\$2,164.96	\$766,186.26	\$3,389,568.90		
total	\$1,974,988.50	(\$988.00)	\$1,974,000.50	\$4,597,383.14		
<b>NFA RE-EVALUATIONS</b>						
number	12	5	17	66		
reserve	\$298,764.96	\$331,877.85	\$630,642.81	\$630,642.81		
paid	\$511,235.04	\$33,122.15	\$544,357.19	\$1,365,629.33		
total	\$810,000.00	\$365,000.00	\$1,175,000.00	\$1,996,272.14		
<b>TANK PULLS</b>						
number	37	(6)	31	491		
reserve	\$487,447.29	(\$53,474.89)	\$433,972.40	\$433,972.40		
paid	\$62,552.71	(\$51,524.11)	\$11,028.60	\$5,527,855.33		
total	\$550,000.00	(\$104,999.00)	\$445,001.00	\$5,961,827.73		

Corrective Action Meetings (10/14)	
Scheduled:	6
Completed:	1,302
MOA's	488

UST Operator Training	
A/B (all)	3,225
A/B (FY2011-17)	\$312,120

Total Claims	(RT, RM, ILO, NFA)	389
Reserves	(inc. Global Opt-in)	\$21,760,290

RT Claims	#
New	0
Reopened	0
Closed	1

RM Claims	#
New	0
Reopened	1
Closed	10

ILO Claims	#
New	1
Reopened	0
Closed	1

GS Claims	#
New	0
Reopened	0
Closed	2

USTCA	#
New	1
Reopened	0
Closed	8

NFA Re-Eval	#
New	5
Reopened	0
Closed	0

Tank Pull	#
New	7
Reopened	0
Closed	12

DNR @ 9-23-16	
Total LUST	6651
NAR, RNV	5979

High Risk	371
Low Risk	139
NAR-FP	62
Not Class.	100
<b>Open LUST</b>	<b>672</b>

Invoice Type Totals	SEP	FYTD	Program to Date
Aon - Admin	\$ 63,430.81	\$ 125,692.81	
Aon - Claims	\$ 39,000.00	\$ 78,000.00	
Government	\$ 13,820.84	\$ 234,965.98	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 148,745.26	\$ 401,761.87	\$ 5,677,001.80
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST Removal	\$ -	\$ -	\$ 3,306,435.24
AST Upgrade	\$ -	\$ -	\$ 7,911,496.87
CADR Charges	\$ 5,880.81	\$ 11,242.19	\$ 4,694,968.72
Corrective Action	\$ -	\$ -	\$ 52,439,553.67
Expenses / OT	\$ 2,000.00	\$ 4,800.00	\$ 312,420.00
Free Prod Recover	\$ 22,186.42	\$ 119,252.11	\$ 11,942,567.68
Monitoring	\$ 111,046.28	\$ 400,999.04	\$ 32,898,888.98
Operations/Maint	\$ 14,405.53	\$ 63,487.61	\$ 10,533,955.71
Over-excavation	\$ 85,108.47	\$ 153,983.07	\$ 34,838,082.65
Water Lines	\$ 96,903.01	\$ 96,903.01	\$ 3,006,128.44
Post RBCA Evals	\$ -	\$ 1,700.00	\$ 247,388.41
RBCA	\$ 52,761.65	\$ 113,760.65	\$ 26,914,754.56
Remed Imp/Const.	\$ 107,980.84	\$ 707,485.67	\$ 31,127,187.55
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	\$ 7,555.00	\$ 9,220.50	\$ 1,391,867.65
Utilities	\$ 8,262.73	\$ 27,456.89	\$ 2,217,001.18
Well Closure	\$ 14,808.65	\$ 69,888.15	\$ 4,120,273.43
<b>Total Invoice Types</b>	<b>\$ 677,644.65</b>	<b>\$ 2,181,940.76</b>	<b>\$ 302,588,790</b>

Remediation Budgets Approved to Date		
last month (Sep. '16)	5	\$474,325
Trailing 12 mos	40	\$3,324,770
Prev Trail 12 mos	44	\$3,066,648
Total Since Jan 2003	1,230	\$53,876,606

Project Contracts	Open	Closed	Pending
CRP's	4	41	0
Tank Closure	2	5	0
Plastic Water Line	0	2	0

Claims - High R.	250
Claims - Low Risk	76
Claims - NAR-FP	36
Claims - NC	12
CRP / NAR claims	15
<b>OPEN USTF claims</b>	<b>389</b>

## **B. September 2016 Financial Report**

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING SEPTEMBER 30, 2016**

**0471 - UST REVENUE FUND (Bonding)**

<b>Balance of Fund, September 1, 2016</b>		\$1,575,116.58
<b>Receipts:</b>		
Motor Vehicle Use Tax (IDOT - vehicle registration)	\$3,500,000.00	
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$7,075.28	
	\$7,075.28	\$3,507,075.28
<b>Disbursements:</b>		
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
<b>Balance of Fund, September 30, 2016</b>		<b>\$5,082,191.86</b>

**0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)**

<b>Balance of Fund, September 1, 2016</b>		\$6,961,203.07
<b>Receipts:</b>		
Copying/Filing Fees	\$0.00	
Fines & Penalties	\$0.00	
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	\$10,799.43	
	\$10,799.43	\$10,799.43
<b>Disbursements:</b>		
UST Administrator's Fees	\$102,430.81	
Adjustment	\$0.00	
Attorney General's Fees	\$0.00	
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$60.00	
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$0.00	
Claim Settlement	\$0.00	
Department of Revenue EPC Collection Fees	\$7,633.48	
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	\$2,000.00	
Rebate	\$0.00	
Special Project Claims - Closure Contract Project	\$62,168.96	
Travel Expenses-UST Board Members	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING SEPTEMBER 30, 2016**

Warrant Float Expense	\$0.00	
28E Agreement - DNR RBCA Model Revision	\$0.00	
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 2016	\$0.00	
Appropriation 2017	\$6,126.86	
Offset of Funds to/from Innocent Land Owners (0485)	\$0.00	
Offset of Funds to/from Remedial Fund (0208)	\$0.00	
		\$180,420.11
<b>Balance of Fund, September 30, 2016</b>		<b>\$6,791,582.39</b>
 <b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, September 1, 2016</b>		\$21,012,395.20
<b>Receipts:</b>		
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
<b>Disbursements:</b>		
Retroactive Claims	\$12,914.84	
Remedial Claims	\$355,280.44	
28E Agreement - NFA Claims	\$33,122.15	
Adjustment	\$0.00	
Offset of Funds to/from ILO/GS Fund	\$0.00	
Offset of Funds to/from Unassigned Revenue Fund (0450)	\$0.00	
Balance of Outdated Warrants & Cancelled Warrants	\$0.00	
		\$401,317.43
<b>Balance of Fund, September 30, 2016</b>		<b>\$20,611,077.77</b>
 <b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, September 1, 2016</b>		\$835,583.56
<b>Receipts:</b>		
Interest	\$3,261.63	
Use Tax	\$0.00	
		\$3,261.63
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
		\$0.00
<b>Balance of Fund, September 30, 2016</b>		<b>\$838,845.19</b>
 <b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, September 1, 2016</b>		\$6,602,747.75
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	
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 SEPTEMBER 30, 2016**

Outdated Warrants	\$0.00	
Miscellaneous Income	\$0.00	
		\$0.00
<b>Disbursements:</b>		
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	\$3,260.46	
Innocent Landowner Claims	\$211,097.80	
Transfer to Remedial Fund (0208)	\$0.00	
Transfer to/from Unassigned Revenue Fund (0450)	\$0.00	
Offset of Funds to/from Innocent Land Owners (0485)	\$0.00	
Balance of Outdated Warrants	\$0.00	
		\$214,358.26
<b>Balance of Fund, September 30, 2016</b>		<b>\$6,388,389.49</b>
 <b>0238 - UST LOAN GUARANTEE FUND (Non-Bonding)</b>		
<b>Balance of Fund, September 30, 2016</b>		<b>\$0.00</b>
 <b>0614 - UST CAPITAL RESERVE FUNDS (Bonding)</b>		
<b>Balance of Fund, September 30, 2016</b>		<b>\$0.00</b>
 <b>Combined UST Capital Reserve Fund Balances, September 30, 2016</b>		<b>\$0.00</b>
<b>TOTAL FUND BALANCES, September 30, 2016</b>		<b>\$39,712,086.70</b>

**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 September 30, 2016**

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING SEPTEMBER 30, 2016**

		<b>FISCAL 2017 BUDGET</b>
<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, July 1, 2016</b>	\$14,562,012.56	<b>\$14,562,012.56</b>
<b>Receipts:</b>		
Motor Vehicle Use Tax (IDOT - vehicle registration)	\$3,500,000.00	\$7,000,000.00
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$20,179.30	\$25,000.00
	\$3,520,179.30	\$7,025,000.00
<b>Disbursements:</b>		
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)	\$2,000,000.00	\$2,000,000.00
Transfer to Remedial Non-Bonding Fund (0208)	\$11,000,000.00	\$11,000,000.00
	\$13,000,000.00	\$13,000,000.00
<b>Balance of Fund, September 30, 2016</b>	<b>\$5,082,191.86</b>	<b>\$8,587,012.56</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2016</b>	\$7,405,371.95	<b>\$7,405,371.95</b>
<b>Receipts:</b>		
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	\$35,002.46	\$125,000.00
	\$35,002.46	\$125,000.00
<b>Disbursements:</b>		
UST Administrator's Fees	\$203,692.81	\$1,000,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$10,418.03	\$50,000.00
Attorney's Fees: Cost-Recovery Administration	\$0.00	\$0.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$60.00	\$100.00
Actuarial Fees	\$0.00	\$0.00
Auditor of the State Fees	\$1,431.50	\$10,000.00
Claim Settlement	\$0.00	\$0.00
Department of Revenue EPC Collection Fees	\$8,758.50	\$10,000.00
Department of Inspection & Appeals Service Fees	\$0.00	\$0.00
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	\$0.00
Professional Services - Owner/Operator Training	\$4,800.00	\$25,000.00
Rebate	\$0.00	\$0.00
Special Project Claims - Closure Contract Project	\$224,811.91	\$500,000.00
Travel Expenses-UST Board Members	\$504.66	\$500.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING SEPTEMBER 30, 2016**

		<b>FISCAL 2017 BUDGET</b>
Warrant Float Expense	\$0.00	\$0.00
28E Agreement - DNR RBCA Model Revision	\$39,082.50	\$60,000.00
Statutory Transfer to DNR (Admin match)	\$0.00	\$200,000.00
Statutory Transfer to DNR (technical review - recurring & carry over)	\$0.00	\$200,000.00
Statutory Transfer to IDAL (fuel inspections - recurring & carry over)	\$0.00	\$250,000.00
Appropriations Prior Fiscal Year	\$151,378.03	\$75,000.00
Appropriations Current Fiscal Year	\$23,911.92	\$0.00
Offset of Funds to/from Innocent Land Owners (0485)	(\$20,057.84)	(\$50,000.00)
Offset of Funds to/from Remedial Fund (0208)	\$0.00	(\$50,000.00)
	<u>\$648,792.02</u>	<u>\$2,280,600.00</u>
<b>Balance of Fund, September 30, 2016</b>	<b>\$6,791,582.39</b>	<b>\$5,249,771.95</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, July 1, 2016</b>	\$11,158,377.12	\$11,158,377.12
<b>Receipts:</b>		
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)	\$11,000,000.00	\$11,000,000.00
	<u>\$11,000,000.00</u>	<u>\$11,000,000.00</u>
<b>Disbursements:</b>		
Retroactive Claims	\$62,249.85	\$500,000.00
Remedial Claims	\$1,430,841.35	\$4,850,000.00
28E Agreement - NFA Claims	\$54,208.15	\$500,000.00
Adjustment	\$0.00	\$0.00
Offset of Funds to/from ILO/GS Fund	\$0.00	\$0.00
Offset of Funds to/from Unassigned Revenue Fund (0450)	\$0.00	\$50,000.00
Balance of Outdated Warrants	\$0.00	
	<u>\$1,547,299.35</u>	<u>\$5,900,000.00</u>
<b>Balance of Fund, September 30, 2016</b>	<b>\$20,611,077.77</b>	<b>\$16,258,377.12</b>
<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, July 1, 2016</b>	\$828,242.12	\$828,242.12
<b>Receipts:</b>		
Interest	\$10,603.07	\$50,000.00
Use Tax	\$0.00	\$0.00
	<u>\$10,603.07</u>	<u>\$50,000.00</u>
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
<b>Balance of Fund, September 30, 2016</b>	<b>\$838,845.19</b>	<b>\$878,242.12</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, July 1, 2016</b>	\$4,831,638.08	\$4,831,628.08
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	\$10,000.00
ILO Refunds	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$2,000,000.00	\$2,000,000.00
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 SEPTEMBER 30, 2016**

		<b>FISCAL 2017 BUDGET</b>
Outdated Warrants	\$0.00	\$0.00
Miscellaneous Income	\$0.00	\$0.00
	\$2,000,000.00	\$2,010,000.00
<b>Disbursements:</b>		
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	\$19,785.14	\$125,000.00
Innocent Landowner Claims	\$403,635.61	\$2,000,000.00
Transfer to/from Remedial Fund (0208)	\$0.00	\$0.00
Transfer to/from Unassigned Revenue Fund (0471)	\$0.00	\$50,000.00
Offset of Funds to/from Innocent Land Owners (0485)	\$20,057.84	
Balance of Outdated Warrants	(\$230.00)	\$0.00
	\$443,248.59	\$2,175,000.00
<b>Balance of Fund, September 30, 2016</b>	<b>\$6,388,389.49</b>	<b>\$4,666,628.08</b>
<b>0238 - UST LOAN GUARANTEE FUND (Non-Bonding)</b>		
<b>Balance of Fund, September 30, 2016</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>0614 - UST CAPITAL RESERVE FUNDS (Bonding)</b>		
<b>Combined UST Capital Reserve Fund Balances, September 30, 2016</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL FUND BALANCES, September 30, 2016</b>	<b>\$39,712,086.70</b>	<b>\$35,640,031.83</b>

**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 10-17-2016)

Lien #	County	Site #	Claim #	Site Address	Property Owner	Owner Address	Cost Recovery Letter	Lien Fee Requested	Lien Amount	Lien Filed Date	Book & Page	comment
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	\$59,055.50	10/30/2003 ; renewed 10/30/2013	2013-2389	
0404009	Butler	8608131	12039	12682 Highway 3, Dumont	Dave Dohlman	11794 195th St, Dumont 50625-7504	1/20/2004	3/24/2004	\$13,650.00	4/14/2004; renewed 3/17/2014	2014-1057	
0404010	Ida	8710293	73001 & 73013	Hwy 59 & 175, Ida Grove	Robin Hill Trust, %Vernus Wunschel	Box 113, Ida Grove 51445		4/19/2004	\$330,131.40	4/30/2004; renewed 6/24/14	6-349	
0605012	Keokuk	8609694	73040 / 11003	407 South Barnes St, What Cheer	Melvin & Karen Foubert	601 N. Barnes St, What Cheer 50268	2/2/2006	4/24/2006	\$82,373.75	5/16/2006; renewed 5/16/2016	2006-0962	
0610017	Jefferson	8601629	11023 / 14009	206 West Main St, Lockridge	Richard & Connie Richardson	206 West Main St, Lockridge 52635	7/13/2006	10/13/2006	\$35,202.00	10/25/2006 ; renewed 10/05/16	Bk 4 - pg 258	
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	12/22/2006	\$32,980.90	1/19/2007	136-856	
0702023	Montgomery	8607574	15013	Tenville IA	Marvin G. Shipley	2048 Tenville Avenue, Villisca	10/30/2006	1/23/2007	\$2,795.00	2/16/2007	302-663,664	
0704025	Tama	9017159	14005	100 Jacobs St., Chelsea	Tony J. & Christie Jacobi	2772 370th Street, Chelsea, IA 52215	12/7/2006	4/25/2007	\$17,839.00	5/17/2007	43-474	
0706029	Woodbury	9217516	73002	29 Deer Run Trail, Climbing Hill	Pat Benjamin	7 Moville Blacktop, Climbing Hill 51501	3/27/2007	6/1/2007	\$14,400.00	8/7/2007	692 - 10744	
0801030	Cass	8608073	82102	802 Main St., Griswold, IA	Griswold Custom Classics LC	802 Main, Griswold, IA 51535	10/12/2007	1/11/2008	Balance: \$5420.50	2/1/2008	2008 - 223	
150732	Webster	8605779	16041	1406 A St., Ft Dodge	David & Elaine Killian	1005 River Forest Ct., Ft. Dodge, IA	6/20/2016	9/16/2016	\$2,500.00			Lien Pending
160633	Hancock	8608878	16065	595 State St., Garner	Charles Schmidt	2440 Union Avenue, Garner, IA	6/20/2016	9/16/2016	\$3,495.00	10/10/2016	16-1775	
160734	Marshall	8608247	17062	103 S. Main, Laurel	Laurel Convenience Stores, Inc.	7842 HWY 14 East, Kellogg, IA	7/12/2016	9/16/2016	\$3,405.00	10/5/2016	2016 - 5335	

## **Attorney General's Report**

## **Claim Payment Approval**

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 OCTOBER 18, 2016  
 PANAMA OIL COMPANY  
 102 NORTH 1<sup>ST</sup> STREET  
 PANAMA  
 SITE REGISTRATION NUMBER: 8606670  
 LUST NUMBER: 8LTR05**

RISK CLASSIFICATION:

HIGH            LOW            UNDETERMINED     

PRESENT CLAIM RESERVE:                      \$ 200,000.00

ELIGIBILITY: Contamination was discovered on this property during the removal of 3 USTs in September and October of 1990. A timely claim was filed. This is an eligible remedial claim.

COST INCURRED TO DATE:

1. Site check/Site clean-up report	\$ 18,381.26
2. RBCA Tier II report	15,808.30
3. Site monitoring reports	12,266.56
5. Free product recovery	20,208.80
6. Engineering for water line replacement	4,859.14
7. Corrective action teleconferences	<u>1,100.58</u>
TOTAL COST TO DATE	\$ 72,624.64

PROJECTED COSTS:

- ❖ Site Monitoring Report
- ❖ Water line replacement
  
- ❖ Tier 3 or corrective action for vapor pathways

TOTAL PROJECTED COSTS:                      \$ 115,000.00 to 150,000.00+

TOTAL AUTHORITY RECOMMENDED:

\$225,000.00

COMMENTS:

The site is high risk for a water main and for non-residential sewers. The site is also low risk for potential basement and sewer receptors. The consultant recommends the replacement of the water main which intersects the contaminant plume. An environmental covenant will be placed on the deed of the property prohibiting the installation of enclosed space receptors within the contaminated area. The city will provide a letter stating that sewers will not be installed within the contaminated area and the site could potentially be reclassified to no action required. Affected population likely less than 20.

Site Timeline

- 1990 Contamination discovered during the removal of 3 of the 5 USTs; 5 above ground storage tanks are installed. A claim is filed by Panama Oil Company.
- 1992 Free product is discovered during site assessment activities.
- 1992 An SCR and several revisions were submitted but not accepted.
- 1994 The remaining USTs were removed.
- 1995 – 2006 Limited activity completed.
- 2007 Claimant retains groundwater profession to complete RBCA assessment; free product is identified during the assessment work.
- 2008 A Tier 2 is submitted and accepted as high risk. A corrective action teleconference is scheduled
- 2008 1<sup>st</sup> corrective action teleconference held on June 5. Plume delineation will be completed to define a possible excavation as well as to confirm that a release from ASTs has not occurred.
- 2012 2nd corrective action teleconference is held on December 19, 2012. A pilot test was completed to determine if mechanical remediation (soil vapor or multiphase extraction) could be successful. The results were poor ruling these technologies out. Excavation would be difficult as the site is very small, it is still operating as a service station using the ASTs, and contamination is within the right-of-way and beneath the street/Hwy 191. As an excavation appears as best option, talks with the property owner/claimant, city, and DOT will continue to determine if this can be achieved.
- 2013 - 2016 - The consultant reports back to DNR that they are having a difficult time getting excavation contractors to provide bids and also the claimant/property owner will not commit to allowing the excavation. The excavation will require the removal and replacement of the dispensers and supporting the canopy during the excavation with no compensation for lost business.
- 2016 - The DNR grants a cessation of free product recovery/inspection activities as free product has not been observed for two years.

Google Maps



Imagery ©2016 DigitalGlobe, Map data ©2016 Google 50 ft



Google Maps

**Contracts Entered Into  
Since September 29, 2016 Board Meeting**



# IOWA UNDERGROUND STORAGE TANK FUND

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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

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TO:            UST Board Members  
FROM:        Dale T. Cira  
DATE:        October 20, 2016  
SUBJECT:    Contracts Entered Into Since September 29, 2016 Board Meeting

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The Board entered in a contract with Aon Risk Services, Inc. to serve as the Program Administrator for a two year period ending December 31, 2018.

## **Other Issues as Presented**



# STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

June 27, 2016

James R. Gastineau, CSP  
Assistant Vice President  
Aon Risk Solutions  
2700 Westown Parkway, Suite 320  
West Des Moines, IA 50266

## **Re: Liability for properties affected by leaking underground storage tanks**

James:

This letter is provided in response to your request for information regarding potential liability related to property that may contain contamination from an underground storage tank (UST). Not all circumstances discussed below may be applicable to a specific site, but are included to provide a broad explanation of current Department of Natural Resources (Department) policy and rules. You may share this letter with others as necessary, recognizing that should applicable regulations or court interpretations change so will Department policy. Additionally, this letter supersedes and replaces all prior versions addressing this topic.

First, the Department does not provide a “release of liability,” “covenant not to sue,” or similar enforceable instrument which would have the effect of relieving a purchaser or current owner of a contaminated property of all present or future liability associated with the UST release(s) of concern. Instead, it is the policy of the Department to pursue liability against “owners and operators” of USTs as those terms are defined in Iowa Code § 455B.471.

Briefly stated, these definitions cover anyone who owned the tank or was in control of its day-to-day operation at the time the leak occurred. The liability of the UST owner and operator as the legally responsible party (RP) remains even after a property is sold. As such, a bona fide purchaser who purchases a leaking underground storage tank (LUST) contaminated site would not have liability as an owner or operator for remediation of the contamination at the site caused by a previous owner. However, based on the Iowa Supreme Court’s holding in *Blue Chip Enterprises, et al. v. State of Iowa Dept. of Natural Resources*, 528 N.W.2d 619, 627 (Iowa 1995), the purchaser of a contaminated site may have responsibility for site investigation and evaluation, which may include determining the scope of contamination at the site and monitoring the contamination to determine if the contamination is increasing, decreasing or moving.

Additionally, a new owner may incur liability for site remediation if the new owner takes some action which disturbs existing contamination causing human exposure or causing the contamination to spread. Finally, while site remediation costs may not be the responsibility of a new purchaser of the property except in these limited circumstances, the new owner may be required to allow site access by a groundwater professional and/or the Department to conduct

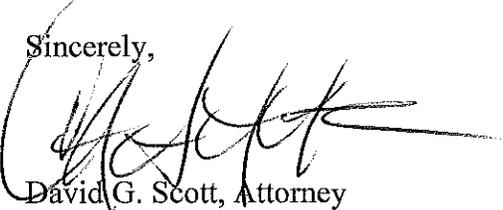
certain remediation activities. As such, a prospective purchaser of a contaminated site should take these factors into consideration when considering whether to purchase the property.

Additionally, Iowa enacted legislation in 2004 which (generally) protects buyers of contaminated property who are not UST owners/operators from private "third party" lawsuits which claim damage to persons or property related to the contamination. Protection is provided so as long as the buyer did not cause the contamination, did not knowingly allow new releases of contamination, and did not take unreasonable action which exposed persons to contamination. *See Iowa Code § 455B.751 et seq.*

The legislature has also enacted a lender exemption-from-liability for security interests held on a tank site or on a site contaminated by an off-site tank source. This provision establishes that a lender who holds a mortgage on a property or takes title to a property by foreclosure is not liable for contamination on the site. Some limitations apply, such as the lender must not retain title to a foreclosed property for an extended period of time for investment purposes. *See Iowa Code §§ 455B.471(6), 455B.381(7), and 455B.392(7)(a).*

As stated above, this letter is intended for informational purposes only and is not intended to be a legally-binding opinion of the Department. If a party is considering purchasing a contaminated property, that party should consult private legal counsel to determine its potential liability. Please contact me if you have any questions.

Sincerely,



David G. Scott, Attorney  
Legal Services Bureau  
Iowa Department of Natural Resources



# 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

October 17, 2016

Mr. Glen Dickinson  
Legislative Council  
State Capitol Building  
Des Moines, IA 50319

Mr. Dickinson,

We are pleased to provide the attached report regarding the Iowa Comprehensive Underground Storage Tank Fund (UST Fund) progress for activities through the end of the 1<sup>st</sup> quarter of FY2017. The report is submitted pursuant to Iowa Code Section 455G.4(6) titled "Reporting".

The code section calls for the report to include the following items:

- Total open claims, including identification of the number of new claims
- IDNR risk classification associated with open claims
- Total reserve figures
- Summary of budgets approved during the reporting period
- Breakdown of categories of claim payment expenditures during the reporting period

Some information in the attached table is obtained from the Department of Natural Resources (DNR), but the report numbers deal with UST Fund claims and therefore do not include all DNR reported releases since not all meet the eligibility criteria of Iowa Code Section 455G.

This report will be submitted following the close of each quarter throughout the year to both this council and the Chair and Ranking members of the House Environmental Protection Committee and the Senate committee on Natural Resources and the Environment consistent with Iowa Code Section 455G.4.

If you have any questions regarding the enclosed report or other issues associated the UST Fund, please call the UST Fund Administrator's office at 515/225-9263.

Sincerely,

James Gastineau  
Deputy Administrator

enclosed: FY17-1Q Report

## UST Fund Program Status Areas 1QFY2017 (September 30, 2016)

### 1. Financial Balances

	09/30/2016	6/30/2016	6/30/2015	6/30/2014	6/30/2013
Revenue Fund	\$5,082,192	\$14,562,013	\$538,282	\$524,210	\$14,470,480
Unassigned Revenue Fund	\$6,791,582	\$7,405,496	\$9,417,609	\$11,681,366	\$8,133,085
Remedial Fund	\$20,611,078	\$11,208,135	\$16,834,688	\$8,681,846	\$4,347,071
Marketability Fund	\$838,845	\$828,242	\$787,670	\$755,308	\$742,024
Innocent Landowner Fund	\$6,388,389	\$4,841,819	\$7,110,415	\$8,604,467	\$2,176,164
Loan Guarantee Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Reserve Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Fund Balances</b>	<b>\$39,712,086</b>	<b>\$38,845,705</b>	<b>\$34,668,664</b>	<b>\$30,247,200</b>	<b>\$29,868,825</b>

#### Previous and Pending Transfers

FY2007--\$3.5 million  
 FY2008--\$6.5 million  
 FY2009--\$4.9 million  
 FY2011--\$26.4 million  
 FY2012--\$3 million

#### Paid on Claims

\$ 6.6 million FY2012  
 \$ 7.6 million FY 2013  
 \$10.1 million FY 2014  
 \$ 7.6 million FY 2015  
 \$ 8.2 million FY 2016

### 2. Operational

#### Changes

- Program funding to cease 12/31/2016 (HF2464).
- Focus on mission to complete action on pre-existing liabilities prior to ceasing operations.
- Implementation of plan to transfer a majority of the remaining pre-existing liabilities.
- Coordinate with Department of Natural Resources and Iowa Finance Authority for future liabilities

#### Expected Results

- Continued reduction of claim count.
- Retirement of existing program liabilities and reduction of future liabilities.

### 3. Results -- Iowa DNR LUST Sites / Risk Classifications in relation to Open UST Fund claims

<b>Iowa DNR / Iowa UST Site Data (as of 09/30/2016)</b>	<b><u>DNR LUST Sites</u></b>	<b><u>Remedial CRP/NFA claims</u></b>	<b><u>Retroactive claims</u></b>	<b><u>Innocent Landowner Fund Claims</u></b>	<b><u>Total UST Fund Claims</u></b>
<b>Total Active LUST Sites / Fund Claims</b>	<b>672</b>	296	19	74	<b>389</b>
Sites "Not Classified"	<b>100</b>	8	0	4	12
Low Risk sites	<b>139</b>	59	3	14	76
High Risk sites	<b>371</b>	190	14	46	250
No Action with free product sites	<b>62</b>	26	2	8	36
No Action Required / Release Not Verified	<b>5979</b>	13	0	2	15

### 4. Results -- UST Fund Open Claims / Liabilities

	<b>Liabilities Sept. 30, 2016</b>	<b>Sept. 2016</b>	<b>June 2016</b>	<b>June 2015</b>	<b>June 2014</b>	<b>June 2013</b>
Retroactive Claims	<b>\$ 1.15 million</b>	<b>19</b>	22	26	31	36
Remedial/CRP/ NFA Claims	<b>\$ 16.67 million</b>	<b>296</b>	308	375	414	481
Innocent Landowner Fund Claims	<b>\$ 3.94 million</b>	<b>74</b>	77	120	140	153
<b>Totals *</b>	<b>\$21.76 million</b>	<b>389</b>	407	521	585	733
Liabilities on open claims*		<b>\$21.8M</b>	\$22.1M	\$26.8M	\$28.6M	\$32.3M

\*does not include State Lead Closure Contract project claims or tank closure claims

Sep-16

	Open Claims		Open Claims		Open & Closed	
Claims	August Ending	Monthly Net Changes	September Ending	Totals since Inception		
<b>RETROACTIVE</b>						
number	20	(1)	19	447		
reserve	\$1,168,826.29	(\$21,215.15)	\$1,147,611.14	\$1,147,611.14		
paid	\$5,476,173.71	(\$128,784.85)	\$5,347,388.86	\$18,188,847.54		
	\$6,645,000.00	(\$150,000.00)	\$6,495,000.00	\$19,336,458.68		
<b>REMEDIAL</b>						
number	289	(10)	279	4,462		
reserve	\$16,132,928.85	(\$97,369.54)	\$16,035,559.31	\$16,035,559.31		
paid	\$65,068,077.44	(\$1,732,190.96)	\$63,335,886.48	\$219,310,425.25		
total	\$81,201,006.29	(\$1,829,560.50)	\$79,371,445.79	\$235,345,984.56		
<b>INNOCENT LANDOWNER</b>						
number	76	(2)	74	1,138		
reserve	\$3,762,203.92	(\$89,834.97)	\$3,672,368.95	\$3,672,368.95		
paid	\$10,138,024.38	(\$277,793.33)	\$9,860,231.05	\$33,780,184.63		
total	\$13,900,228.30	(\$367,628.30)	\$13,532,600.00	\$37,452,553.58		
<b>GLOBAL OPT-IN</b>						
number	59	(2)	57	1,309		
reserve	\$287,529.28	(\$13,421.32)	\$274,107.96	\$274,803.99		
paid	\$510,381.77	(\$15,274.71)	\$495,107.06	\$9,883,990.51		
total	\$797,911.05	(\$28,696.03)	\$769,215.02	\$10,158,794.50		
<b>UNASSIGNED REVENUE FUND PROJECTS</b>						
number	64	(7)	57	313		
reserve	\$1,210,967.20	(\$3,152.96)	\$1,207,814.24	\$1,207,814.24		
paid	\$764,021.30	\$2,164.96	\$766,186.26	\$3,389,568.90		
total	\$1,974,988.50	(\$988.00)	\$1,974,000.50	\$4,597,383.14		
<b>NFA RE-EVALUATIONS</b>						
number	12	5	17	66		
reserve	\$298,764.96	\$331,877.85	\$630,642.81	\$630,642.81		
paid	\$511,235.04	\$33,122.15	\$544,357.19	\$1,365,629.33		
total	\$810,000.00	\$365,000.00	\$1,175,000.00	\$1,996,272.14		
<b>TANK PULLS</b>						
number	37	(6)	31	491		
reserve	\$487,447.29	(\$53,474.89)	\$433,972.40	\$433,972.40		
paid	\$62,552.71	(\$51,524.11)	\$11,028.60	\$5,527,855.33		
total	\$550,000.00	(\$104,999.00)	\$445,001.00	\$5,961,827.73		

Corrective Action Meetings (10/14)	
Scheduled:	6
Completed:	1,302
MOA's	488

UST Operator Training	
A/B (all)	3,225
A/B (FY2011-17)	\$312,120

Total Claims	(RT, RM, ILO, NFA)	389
Reserves	(inc. Global Opt-in)	\$21,760,290

RT Claims	#
New	0
Reopened	0
Closed	1

RM Claims	#
New	0
Reopened	1
Closed	10

ILO Claims	#
New	1
Reopened	0
Closed	1

GS Claims	#
New	0
Reopened	0
Closed	2

USTCA	#
New	1
Reopened	0
Closed	8

NFA Re-Eval	#
New	5
Reopened	0
Closed	0

Tank Pull	#
New	7
Reopened	0
Closed	12

DNR @ 9-23-16	
Total LUST	6651
NAR, RNV	5979

High Risk	371
Low Risk	139
NAR-FP	62
Not Class.	100
<b>Open LUST</b>	<b>672</b>

Invoice Type Totals	SEP	FYTD	Program to Date
Aon - Admin	\$ 63,430.81	\$ 125,692.81	
Aon - Claims	\$ 39,000.00	\$ 78,000.00	
Government	\$ 13,820.84	\$ 234,965.98	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 148,745.26	\$ 401,761.87	\$ 5,677,001.80
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST Removal	\$ -	\$ -	\$ 3,306,435.24
AST Upgrade	\$ -	\$ -	\$ 7,911,496.87
CADR Charges	\$ 5,880.81	\$ 11,242.19	\$ 4,694,968.72
Corrective Action	\$ -	\$ -	\$ 52,439,553.67
Expenses / OT	\$ 2,000.00	\$ 4,800.00	\$ 312,420.00
Free Prod Recover	\$ 22,186.42	\$ 119,252.11	\$ 11,942,567.68
Monitoring	\$ 111,046.28	\$ 400,999.04	\$ 32,898,888.98
Operations/Maint	\$ 14,405.53	\$ 63,487.61	\$ 10,533,955.71
Over-excavation	\$ 85,108.47	\$ 153,983.07	\$ 34,838,082.65
Water Lines	\$ 96,903.01	\$ 96,903.01	\$ 3,006,128.44
Post RBCA Evals	\$ -	\$ 1,700.00	\$ 247,388.41
RBCA	\$ 52,761.65	\$ 113,760.65	\$ 26,914,754.56
Remed Imp/Const.	\$ 107,980.84	\$ 707,485.67	\$ 31,127,187.55
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	\$ 7,555.00	\$ 9,220.50	\$ 1,391,867.65
Utilities	\$ 8,262.73	\$ 27,456.89	\$ 2,217,001.18
Well Closure	\$ 14,808.65	\$ 69,888.15	\$ 4,120,273.43
<b>Total Invoice Types</b>	<b>\$ 677,644.65</b>	<b>\$ 2,181,940.76</b>	<b>\$ 302,588,790</b>

Remediation Budgets Approved to Date		
last month (Sep. '16)	5	\$474,325
Trailing 12 mos	40	\$3,324,770
Prev Trail 12 mos	44	\$3,066,648
Total Since Jan 2003	1,230	\$53,876,606

Project Contracts	Open	Closed	Pending
CRP's	4	41	0
Tank Closure	2	5	0
Plastic Water Line	0	2	0

Claims - High R.	250
Claims - Low Risk	76
Claims - NAR-FP	36
Claims - NC	12
CRP / NAR claims	15
<b>OPEN USTF claims</b>	<b>389</b>

## **Correspondence and Attachments**

# Notes of Third Corrective Action Conference

Iowa Department of Natural Resources (DNR)

**Held:** Thursday, September 22, 2016 at 2:00 in room 5W, Wallace building  
**Site:** K&H Coop, Corwith  
**LUST No.** 7LTO27  
**Status:** Third conference; no further conferences are scheduled.  
**Synopsis:** The site is high risk for soil to water line and has periodic petroleum odors in an adjacent building (Hawkeye Pride) with a basement. A soil vapor extraction (SVE) barrier trench system was installed in 2011 and is operating; the UST system was removed in 2013 and an over-excavation conducted. By 10/3/16, the certified groundwater professional (CGP) will submit a plan and budget for a technological control to help prevent petroleum vapors from entering the basement. The DNR and UST Fund will review the plan and budget by 10/10/16; the CGP will implement the approved plan as soon as possible.

## Participating

**RP:** Eldon Meyers of K&H Coop (in person)  
**Funding:** Steve Reinders of Cunningham Lindsey (by phone)  
James Gastineau of Aon Risk Services (in person)  
**CGP:** Leah Calvert, CGP; Mary Thomson, CEO; and Justin Simon, Engineer, of Barker Lemar Engineering (all in person)  
**DNR:** Ruth Hummel, Project Manager, and Jeff White, Conference Facilitator (in person)  
**Other:** Randy Epting of Hawkeye Pride (in person)  
Brian Miller of Unlimited Construction Services (UCS) (in person)

## Funding Report by Steve Reinders of Cunningham Lindsey (CL)

- \$335,935 has been spent to date.
- The UST Fund Board has granted funding authority to \$500,000.
- Copay has been met; pre-approved costs can be reimbursed to a cap of \$1,000,000, but the Fund Board has to extend authority if costs go beyond \$500,000.

## Background & Recommendations by Leah Calvert (CGP) of Barker Lemar (BL)

- Strong petroleum odors occurred in the Hawkeye Pride building during a 2010 failed attempt to install a basement sump. Contaminated soil beneath the basement slab was exposed.
- A soil vapor extraction system (SVE) was installed in 2011; the tanks were removed and an over-excavation conducted in 2013. The SVE is operating.
- Periodically, strong petroleum odors from the basement are in the entire building.
- Recommendation: We have presented three options: 1) install sumps to lower the water table and sub-slab depressurization system with option to add a vapor barrier, if necessary; 2) raise the floor about 18" and conduct vapor extraction between the existing floor and the raised floor; or 3) raise up the building about two feet and also install sub-slab vaporization.

## Discussion

DNR: We would like Hawkeye Pride to tell us firsthand about what they've been experiencing.

UCS: Petroleum odors have been noted in the building as far back as 2010 when we attempted to install a sump in the basement to keep it dry. The fumes from the exposed soil were so strong we had to immediately abandon the project and patch the concrete in the floor.

The northeast wall of the basement was ceramic block and deteriorating, so this past spring we excavated the wall, installed a tile line, poured 4' of concrete inside and outside the wall, and installed a sump outside the southeast corner of the building.

In the basement we opened up three areas through the concrete and installed sumps in them. We found a tile line under the floor around the inside of the basement; the line drains into the sanitary sewer service line. The soil is very obviously contaminated and appears to be the source of the problem because the odors inside the building are much worse when water is not on the floor. Nothing has been done to clean up the contamination on the Hawkeye Pride property.

DNR: The regulations for LUST sites are based on concentrations of chemicals of concern. Previous soil sampling conducted around the basement did not reveal petroleum concentrations above vapor target levels and the first sampling of soil from beneath the Hawkeye Pride building itself was just conducted last week. The analytical results of the soil samples from last week are back for TEH-diesel and waste oil but not for BTEX. The TEH results show moderate diesel and waste oil detections in soil.

These results don't mean that we don't consider this basement impacted by petroleum vapors; we do. The evidence of impact is based upon reports of multiple incidents now where the exposure of contaminated soil beneath the basement has produced fumes strong enough to make working in the building intolerable. But it makes remediation system design and monitoring more difficult to manage because we don't have well-defined cleanup goals for direct exposure to soil vapor.

A trench-based SVE system was installed along the north side of the Hawkeye Pride Building in 2011 in an attempt to provide a barrier between the former UST basin and the Hawkeye Pride basement and to treat the soil contamination observed during the attempted basement sump installation in 2010. This system has failed to solve the problem of fumes in the building. As such, the options we are considering now are focusing on installing technological controls to prevent petroleum vapors from the entering the basement.

UCS: There isn't much headroom in the basement now; if we choose option 2 and you take 18 inches out, it won't be useable space. Option 3 sounds a bit more complicated but it would at least leave the basement useable which is what we need.

Aon: We are not allowed to fund capital improvements for a site or building. Putting in a new floor or basement would be a capital improvement.

Hawkeye Pride: The vapors have caused our building to be evacuated 14 times since 2010. We need to get this problem solved and we're willing to do whatever we can to help make that happen.

DNR: From the discussion it sounds like we should move forward with Option 1.

BL: We can provide a plan and a budget in about a week or so. The basement should have a vapor barrier, too.

DNR: Based on the groundwater sampling from the sumps; the recovered groundwater from sumps will have some contaminants present. Therefore, we recommend you talk with the city about discharging directly into the sanitary sewer. This is a technological control and not a remediation system, so we are looking for a relatively brief technological control plan with what you are proposing, where, and how it will be monitored.

### **Selected Corrective Actions and Schedule**

- DNR sends out conference notes by 9/29/16.
- CGP submits a proposal and budget for a technological control plan by 10/3/16.
- The Fund and DNR evaluate the plan and budget by 10/10/16.
- CGP implements the technological control plan as soon as possible.

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.*