



# IOWA UNDERGROUND STORAGE TANK

## Financial Responsibility Program

*Cheryl Murray*

Susan E. Voss, Chairperson

Scott M. Scheidel, Administrator

Board Members: Michael L. Fitzgerald    Jeff W. Robinson    Jacqueline A. Johnson    James M. Holcomb  
Richard A. Leopold    Nancy A. Lincoln    Douglas M. Beech

### 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 25, 2007. **The meeting will be held at the Iowa Insurance Division located at 330 E Maple St, Des Moines, Iowa.**

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 a.m.)
- ✓ 3. Public Comment Period
4. Board Issues
  - A. Final Adoption of UST Removal Rules *motion to approved - passed*
  - B. Software Investigation Committee Recommendation – RBCA Rules
  - C. Loss Portfolio Transfer Discussion
  - D. 2008 Goals Quarterly Update
  - E. DNR Update *at the meeting at Reg Department*
5. Approval of Program Billings *at the meeting at Reg Department*
6. Monthly Activity Report and Financials Reviewed
7. Attorney General's Report
8. Claim Payment Approval
9. Contracts Entered Into Since September 26, 2007 Board Meeting
10. Other Issues as Presented
11. Correspondence and Attachments

## **Approval of Prior Board Minutes**



# IOWA UNDERGROUND STORAGE TANK FUND

Susan E. Voss, Chairperson

Scott M. Scheidel, Administrator

Board Members:

Michael L. Fitzgerald ❖ Jeff W. Robinson ❖ Jacqueline A. Johnson ❖ James M. Holcomb  
Richard Leopold ❖ Nancy A. Lincoln ❖ Douglas M. Beech

## MINUTES IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND PROGRAM

September 26, 2007

### COMMISSIONER'S CONFERENCE ROOM IOWA INSURANCE DIVISION, 330 EAST MAPLE STREET DES MOINES, IOWA

Susan Voss, Chairperson, called the Iowa UST Board meeting to order at 10:03 A.M. A quorum was present. Roll call was taken with the following Board members present:

Jim Holcomb  
Jacqueline Johnson (via telephone)  
Nancy Lincoln (via telephone)  
Liz Christiansen (for Richard Leopold)  
Doug Beech  
Stephen Larson (for Michael Fitzgerald)

Also present were:

David Steward, Attorney General's Office  
Tim Benton, Attorney General's Office  
Scott Scheidel, Program Administrator  
Lacey Skalicky, Program Administrator's Office  
James Gastineau, Program Administrator's Office  
Elaine Douskey, Iowa Department of Natural Resources

### APPROVAL OF PRIOR BOARD MINUTES

The minutes from the August 23, 2007 Board meeting were reviewed. Mr. Holcomb requested a word change on page 2 as follows: "The Board had decided to review **its** LPT strategy." With the change, Mr. Holcomb moved to approve the minutes, Mr. Larson seconded the motion, and by a vote of 6-0, the minutes were approved.

### CLOSED SESSION

Ms. Voss noted there were matters dealing with litigation for discussion in closed session pursuant to Iowa Code Chapter 21. The Board members entered into closed session at 10:06 AM, and the session ended at 10:36 AM with no votes taken.

## PUBLIC COMMENT

Ms. Voss requested any comments from the public present. There were no comments at this time.

## BOARD ISSUES

### A. Potential RBCA Rule Changes

Mr. Scheidel presented a copy of the software investigation committees' (SIC's) recommendation to the Department of Natural Resources (DNR) for changes to the current risk based corrective action (RBCA) software, which was completed by the committee in June 2007. Also, he presented a copy of the DNR's summary of process for applying the recommendation to administrative rules, as well as, a copy of the Notice of Intended Action for Information of the rules that were drafted by DNR senior staff. He noted the DNR planned to take the Notice to the Environmental Protection Commission (EPC). Also, he stated the DNR had held a question and answer session on September 21, 2007, and another was planned for the 28<sup>th</sup>.

Mr. Scheidel explained that the DNR had drafted six items in the Notice to amend the Iowa Administrative Code 567, Chapter 135. He noted that Item 6 implemented the changes to the RBCA model, as recommended by the SIC and based on the analysis of LaDon Jones. He stated that the Administrator's Office had concerns with the inclusion of Items 1-5 in the rule change Notice. He stated that some of the items had some relevance to the model, i.e. the treatment of drinking water well receptors in proximity to the modeled plume. He further explained that Item 2 modified the rule to require a RBCA Tier 3, in addition to the Tier 2 model, for all sites that had a public water supply well receptor within 1,000 feet. Mr. Scheidel stated that new RBCA model changes could most likely shrink the projected groundwater plumes on sites, and the possibility for an unidentified public water supply well within relatively close proximity to the plume could result. He stated in cases where a public water supply well existed outside of the identifier plume and had a high pumping volume which might affect the plume, he would expect a Tier 3 to be used to further evaluate a site on an exception basis. However, the DNR drafted rules in Item 2 would make the Tier 3 required for all cases involving public water supply wells within 1,000 feet of the site. He clarified that if a public water supply well had an effect on the contaminant plumes in the majority of instances, he would agree with making it the rule to complete a Tier 3; however, if the effect on the plume was more infrequent, then a Tier 3 should be an exception rather than the rule, in his opinion.

Mr. Scheidel explained that Item 3 of the drafted rule, in addition to adding language requiring a Tier 3 submittal for public water supply wells, involved a change to the review time requirement for DNR's review of reports proposing the classification of sites to low risk. Currently, the rule allows for an indefinite timeline for the review of reports classifying sites as no action required (NAR). The current timeline for the review of reports classifying sites to low risk or high risk is 60 days. The rule change would make review time for low risk sites unlimited.

Ms. Voss inquired if the Board could be presented with a rule change analysis explaining how each item changes the status quo and why the change is necessary. Mr. Scheidel stated he and Elaine Douskey of DNR could work on such an analysis together to breakdown the items

outlined in this draft to present to the Board. Ms. Voss inquired if the rules had been filed with the EPC, and Ms. Douskey stated they were scheduled to be filed at the October meeting as an informational item before the EPC. Ms. Douskey hoped the Notice would be ready for filing for approval before the EPC at its November meeting, to stay on schedule with her reported timeline to the Board last month.

**B. DNR Update**

Ms. Douskey discussed with the Board the RBCA change rules as drafted by DNR staff. She stated that DNR staff moved quickly to develop rules to stay on schedule with the timeline she had reported to the Board at the August meeting. She explained that the current RBCA model was approximately eight times over-predictive of contaminant plumes, and the new model would be approximately two and a half times over-predictive. She stated that in order to proceed with caution with regard to high volume public water supply wells, the DNR staff had included in the drafted rules some additional sampling and reporting requirements with regard to those wells that may fall outside of the new model's identifier plume, but still remain within relatively close proximity, identified in rule as being within 1,000 feet of the LUST site.

Ms. Douskey explained that another significant change developed within the rule, was that regarding the memoranda of agreement signed by claimants as a result of corrective action meetings held between the DNR, claimant, consultant and UST Fund. Corrective action meetings were defined in the new rule, and language was added to the new rule to create some accountability for the claimant to honor the signed memorandum regarding his site. She explained that currently enforcement authority existed to compel owners and operators to complete corrective action design reports (CADR's), however corrective action meetings along with their resulting memoranda of agreement were new procedures often used in place of CADR's therefore requiring some acknowledgement within rule.

Ms. Douskey explained that the DNR staff had made this first cut draft of the rule expecting comment from stakeholders, and the draft was simply a starting point which included DNR concerns. Also, she stated that DNR scheduled two informational meetings for stakeholders to attend to discuss the first draft and collect input, and the DNR was open to holding another meeting after the EPC meeting in early October. Their goal was to collect all comments and address them in whole before filing the official Notice of Intended Action with the EPC in November potentially.

Next she discussed the UST Section rules regarding secondary containment and fuel delivery prohibition, which the DNR was taking for final action before the EPC. Also, the DNR planned to issue a request for proposal (RFP) for an instructor of UST certification courses related to installers and inspectors, so that the DNR had someone retained to complete courses on a regular basis. She also said the third party inspection process continued and new inspections had been submitted to the DNR and entered into their database. Those site owners who had not yet submitted their site inspections would soon be receiving letters from the DNR requiring inspection submittals by calendar year end.

James Gastineau addressed the Board regarding plastic water lines due to inquiries from Board members at the August meeting. He explained that the history of the discussion went back to 2005 when Iowa State University began studying the permeability of various types of plastic water lines; the results of the study would not be available to the public until 2008. Additionally, he explained that the DNR had conducted a survey of states regarding their approaches to plastic water lines as receptors. Mr. Gastineau stated the results of the survey showed that Iowa's standards were the most restrictive.

Mr. Gastineau discussed specific instances where plastic water lines were impacted by contamination from LUST sites. He specifically cited black plastic, poly-ethylene pipe as readily permeable and should not be used for water lines, in his opinion. Additionally, he explained that service lines, which can allow water to stagnate over time, in direct contact with certain petroleum contamination would be at risk, and his evaluation followed that a risk existed where petroleum contamination was in direct contact with plastic water lines.

He stated that the current RBCA approach considered plastic water lines at risk if they were in direct contact with soil or groundwater contamination, were within 10 feet of the soil contaminant plume, or were located within the projected groundwater contaminant plume, modeled by RBCA software. In his opinion, the RBCA approach was a reasonable evaluation of plastic water lines at risk. However, he stated the numerical standard used in the groundwater evaluation was the basis of concern, and he explained that the numerical standard was set to be the same as that used for the groundwater ingestion limit for a protected groundwater source, a decision that he deemed to be arbitrary because the two receptors would not present similar risk. - document  
He recommended the numerical standard be changed to represent the actual risk to the plastic water line receptor.

Mr. Gastineau then compared the Iowa numerical standards with the numerical standards set by other states. He stated that Iowa has standards set for all types of plastic water lines, as does South Dakota. However, he stated that Missouri had proposed numerical standards based on the type of plastic (i.e. poly-butylene/poly-ethylene or poly-vinyl chloride). Mr. Gastineau said that the State of Iowa had outlawed the use of poly-butylene plastic water lines. The comparison showed that Missouri standards for benzene and toluene were much higher for all types of plastic pipe, and therefore far less stringent than Iowa's standards. He also stated that Missouri representatives had collected data from several resources to come to their numerical standard conclusions. Mr. Gastineau encouraged the Iowa DNR to consider the research completed by the Missouri Department and re-evaluate their numerical standards for types of plastic water line receptors.

Mr. Beech thanked Mr. Gastineau for the information presented and suggested the DNR consider researching the plastic water line standards and including the results of their research in the form of revised numerical standards when they present the RBCA change rules to the EPC.

Ms. Christiansen noted that changes to the plastic water line standards would invite significant public comment, and the EPC would want to know if the Department of Public Health had been consulted regarding any change recommended by the DNR. Also, she stated that the Administrator had expressed concerns about adding ancillary items to the proposed RBCA model rule changes, and to add plastic water lines standards would be yet another. Mr. Scheidel

agreed stating his preference would be to present only the current RBCA model change in the new rule along with a stated exception authority for public water supply wells with a higher pumping volume to be addressed if such receptors fall outside of the identifier plume. And he offered to contact the Department of Health or the Water Supply Department on the issue of plastic water lines, if the DNR would provide direction on whom to contact to get those discussions started.

Tim Hall from the DNR shared with the Board some good news about GIS mapping of LUST sites on a website potentially. He had discussions with GIS staff to possibly map all LUST sites with an arbitrary 1,000 ft circle around each, making the map available to all. And he had discussed with the Water Supply Department the idea of adding to their checklist for water line permitting a requirement to check the map to see if the requested water lines fall within a circled site area. If so, the Water Supply Department could contact the LUST Department for more detailed information about the risk. He hoped this red flag system would catch future water line receptor problems before they occur.

**C. Loss Portfolio Transfer Review**

Mr. Scheidel stated the LPT discussion was scheduled on the agenda to address Board questions regarding the process. He explained that he did not receive any questions from Board members. Ms. Voss inquired if Mr. Scheidel had received anything from Petroleum Marketers Management Insurance Company, and he stated that he expected to receive something at any time. No additional questions were posed.

**PROGRAM BILLINGS**

Mr. Scheidel presented the current monthly billings to the Board for approval.

- 1. Aon Risk Services ..... 117,120.00  
Consulting Services – October 2007 (\$64,536.00)  
Claims Processing Services – October 2007 (\$52,584.00)
  
- 2. Attorney General’s Office ..... \$17,482.70  
Services provided for July & August 2007

No additional billings for outside cost recovery counsel were presented by the Attorney General’s office for this meeting. On a motion by Mr. Beech and a second by Ms. Christiansen, the billings were approved by a vote of 6-0.

**MONTHLY ACTIVITY REPORT**

Mr. Scheidel noted that the August activity report and opt-in report were in the Board packets, and the August financial reports were carried for the Board members to review. He noted the trend downward of open claims continued.

## ATTORNEY GENERAL'S REPORT

Mr. Steward stated he had nothing to report to the Board at this time.

### CLAIM AUTHORITY

Mr. Gastineau presented the following claim authority requests:

#### **1. Site Registration 8811292 – Robert E Cummings, Anamosa**

This is an exempt granular bedrock site with high levels of groundwater contamination and historical free product. The site is high risk for a number residential basements and sewers. Soil gas sampling had failed, and the groundwater professional had recommended excavation followed by soil vapor extraction (SVE). Previous authority to \$75,000 had been granted, and \$46,833.59 was incurred to date. Additional authority to \$275,000 was requested for a site monitoring report (SMR), a corrective action design report (CADR), and implementation of the CADR.

A motion to approve the claim authority was submitted by Mr. Holcomb and seconded by Ms. Christiansen. Approved 6-0.

#### **2. Site Registration 8606587 – Casey's General Store, Alton**

This site was classified high risk; however the groundwater professional had submitted a SMR recommending reclassification to low risk. Previous authority to \$75,000 had been granted, and \$84,451.11 was incurred to date. Additional authority to \$104,000 was requested for a site monitoring report (SMR).

Mr. Holcomb submitted a motion to approve the claim authority, and Ms. Christiansen seconded the motion, which was approved 5-0. Mr. Beech abstained from the discussion and the vote.

#### **3. Site Registration 8601125 – Seeley Oil Co, Logan**

This site was classified high risk for the groundwater vapor to enclosed space pathway for six residential basements and six residential sewers. The soil leaching to groundwater vapor and soil vapor pathways were also high risk for the same receptors. Soil gas sampling had failed and free product was present in several monitoring wells intermittently. A dual phase extraction system was recommended by the groundwater professional. An excavation was also being considered as an alternative. Previous authority to \$75,000 had been granted, and \$74,313.10 was incurred to date. Additional authority to \$350,000 was requested for a SMR, a CADR, implementation of the CADR and free product recovery (FPR).

Ms. Christiansen submitted a motion to approve the claim authority, and Mr. Larson seconded the motion. Approved 6-0.

**4. CRPCA 0309-34 Conesville**

This community remediation project (CRP) had been contracted in 2003 to complete work including additional testing and evaluation of corrective action options. Due to low contaminant levels the DNR approved installation of a carbon filter on the on-site water well combined with monitoring in lieu of invasive corrective actions. The filter was replaced annually, and in 2007 the groundwater professional recommended reclassification of the site; however the DNR rejected the recommendation and required another year of monitoring. It was hoped that the site would be reclassified to no action required (NAR) in 2008.

The original agreement for the project was for 2 years, with the option of four 1-year extensions. It was requested the Board authorize to extend the consultant contract for a 1-year period to allow for continued activity on the project. Current funding authorization for the project totaled \$43,272.20, of which \$10,288.30 had been incurred to date. No additional funding authorization was requested.

Mr. Holcomb submitted a motion to approve the contract extension for one year, and Ms. Christiansen seconded the motion. Approved 6-0.

**5. CRPCA 0309-33 Bentley (Neola)**

This CRP had been contracted in 2003 to include additional testing and evaluation of corrective action options at a site in Neola, Iowa. Due to proximity to multiple private water wells and the lack of a public water supply system, corrective action had been deemed necessary. Due to the hydrogeologic conditions, an in-well air stripping system had been installed. The system commenced operation in early 2007, and it was anticipated that operation would continue for 2 to 3 years.

The original agreement for the project was for 2 years, with the option of four 1-year extensions. It was requested the Board authorize to extend the consultant contract for a 1-year period to allow for continued activity on the project. Current funding authorization for the project totaled \$400,000.00, and no additional funding authorization was requested.

Ms. Christiansen submitted a motion to approve the contract extension for one year, and Mr. Larson seconded the motion, which was approved by a vote of 6-0.

**6. Site Registration 8603897 – James Oil Company, Moorland**

This was the second Board report for a site that was classified high risk for two drinking water wells and the protected groundwater source pathway. A water supply system was not available to the area, therefore remediation was necessary. A large biosparge system had been proposed, and the system would likely need to be operated for a number of years to achieve target levels. Previous authority to \$225,000 had been granted, and \$156,410.17 was incurred to date. Additional authority to \$360,000 was requested for a SMR and implementation of the CADR.

Mr. Holcomb submitted a motion to approve the claim authority, and Mr. Beech seconded the motion. Approved 6-0.

#### **7. CRPCA 0308-31 Chelsea**

This CRP was contracted in November 2003 to address the high risk classification of the site, as assessed under the State Lead Closure Contract project. Site activities under the CRP had included replacement of plastic water lines and an excavation to remove the main area of contaminant plumes. Recent sampling had identified new areas of contamination which will require remediation.

Current funding authorization for the project totaled \$120,000.00. The Administrator's Office requested additional funding authorization totaling \$250,000.00 for this project to complete a second excavation, further monitoring, and to obtain an environmental covenant to restrict the placement of wells on the property.

Mr. Holcomb submitted a motion to approve the funding authorization to \$250,000.00, and Ms. Christiansen seconded the motion, which was approved by a vote of 6-0.

Next, Mr. Gastineau had brought more information to the Board regarding a report from last month for a property in Bettendorf owned by Daniel Grothus (8607462). He had researched the site and noted to the Board that the Quad Cities did not have a public water system, however a private water supply company, Iowa American Water, had a system in place for property owners in that area to hook up. However, none of the cities required property owners to hook up to the private system available to them, and water wells were installed often. The Grothus property report involved the discovery of an additional water well in a recent monitoring report; however Mr. Gastineau stated that water well had been there for several years and simply had not been previously identified as a receptor by the prior groundwater professional for the LUST site.

#### **CONTRACTS ENTERED INTO SINCE THE AUGUST 23, 2007 BOARD MEETING**

Mr. Scheidel noted that the Board had entered into one new contract extension for one year with Aon for the Administrator's duties.

#### **OTHER ISSUES**

Mr. Scheidel noted that the next Board meeting was scheduled for Thursday, October 25, 2007.

Mr. Norris inquired if the Board members preferred to wait until the outcome of the rules regarding RBCA software changes, as well as, the potential changes resulting from recent plastic water line discussions, before considering a loss portfolio transfer (LPT) proposal. The members of the Board requested a formal, written proposal for an LPT to consider further. Therefore, Mr. Norris stated he would present a formal proposal at a later Board meeting.

CORRESPONDENCE AND ATTACHMENTS

Ms. Voss asked if there was any further business, and there being none, Ms. Christiansen moved to adjourn, and Mr. Holcomb seconded the motion. By a vote of 6-0, the Board adjourned at 11:30 A.M.

Respectfully Submitted,

A handwritten signature in black ink that reads "Scott M. Scheidel". The signature is written in a cursive style with a large, stylized initial 'S'.

Scott M. Scheidel  
Administrator

**Closed Session**

**Discussion of Pending and Imminent Litigation**

## **Public Comment**

## **Board Issues**

## **A. Final Adoption of UST Removal Rules**



# IOWA UNDERGROUND STORAGE TANK

## *Financial Responsibility Program*

Susan E. Voss, Chairperson

Scott M. Scheidel, Administrator

Board Members: Michael L. Fitzgerald      Jeff W. Robinson      Jacqueline A. Johnson      James M. Holcomb      Richard A. Leopold  
Douglas M. Beech      Nancy A. Lincoln

**TO: UST Board**

**FROM: Scott Scheidel**

**SUBJECT: Final Adoption of UST Removal Rules**

**DATE: October 18, 2007**

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### **Background**

2007 Iowa Acts, Senate File 499 made two changes that necessitated Administrative Rule changes by the Board to IAC 591. The two changes dealt with the transfer of the Installer and Inspector licensing to the Department of Natural Resources. The second change added a new paragraph to 455G.9, that clarified the Board's authority to reimburse for the removal of tanks that had been upgraded. To implement these changes the Board filed ARC 6165B Emergency on August 15, 2007. In the same Administrative Bulletin the Board had published ARC 6164B, Notice of Intended Action with the same language. The Board has been handling these costs of reimbursement on claims since the publication of the Emergency Filing and has ceased providing for the Installer and Inspector program as well. There was no public comment received in by the noticed deadline of 4 pm on September 4, 2007. The Board may either withdraw the Notice or move forward and Adopt the Noticed rule. If the Board moves forward with the Adoption, the Emergency designation is removed as the Board completed the normal rule making process.

### **Issue**

One issue that has arisen, with regard to claims under this new authority, is whether or not benefits would be paid to those 10 claims that were a part of the Loss Portfolio Transfer (LPT) to PMMIC. Attached for the Board to consider is a copy of the release executed by the claimants who elected to participate in the LPT, the rule as Noticed and recommended for Adoption, and a list of the sites in question with a notation regarding whether or not the tanks at the site were in place the date the transferred claim was filed. While comment was not received on this issue during the comment period, the issue warrants discussion as the rules do not directly address settlement agreements and their impact on expansion of benefits in the statute.

**PETROLEUM UNDERGROUND STORAGE TANK  
FUND BOARD, IOWA COMPREHENSIVE [591]**

**Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency, or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code Section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under Section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 455G.9, the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board hereby gives Notice of Intended Action to amend Chapter 11 and Chapter 15 Iowa Administrative Code.

Chapter 11 as amended will provide rules and procedures for the reimbursement of claims for the removal of eligible upgraded underground storage tanks, pursuant to 455G.9.

Public comments concerning the proposed amendment will be accepted until 4:00 p.m. September 4, 2007. Interested persons may submit written or oral comments by contacting the Administrator to the UST Fund at 2700 Westown Parkway, Suite 320, West Des Moines, IA 50266, e-mail: [Scott\\_Scheidel@aon.com](mailto:Scott_Scheidel@aon.com) or phone: 515/225-9263 or facsimile 515/225-9361.

These rules do not mandate additional combined expenditures exceeding \$100,000 by all affected political subdivisions or agencies and entities which contract with political subdivisions to provide services.

These rules are intended to implement Iowa Code section 455G.9 (2007).

The following amendments are proposed.

ITEM 1—Replace IAC 591 Chapter 11.3(11) with the following:

11.3(11) Permanent closure of an underground storage tank system. Costs for the permanent closure of underground storage tank systems are eligible for reimbursement from the board if all of the following requirements are met:

- a. The underground storage tank system to be permanently closed was already in place on the date an eligible claim was submitted to the board;
- b. The claim must have been eligible for benefits pursuant to Iowa Code section 455G.9(1)"a" at the time submitted and must have remained eligible for benefits without disqualification, including eligible innocent landowner claims, claims for sites receiving a

no further action certificate from the department, and claims for sites the department has designated as no action required;

- c. The claimant seeking reimbursement under this subrule must certify by affidavit that the claimant is the owner or operator of the underground storage tank system, that the legal owner of the tank system has abandoned the tanks, or that there is no known owner of the tank system;
- d. The permanent closure activities occurred on or after July 1, 2007. All costs must have been preapproved prior to the commencement of work.
- e. For projects that include the removal of tank systems that are also associated with a larger scope of work, for example the installation of remediation system or expanded excavation or upgrading of fuel delivery system, the budget for the entire scope of work must be submitted for any costs to be considered eligible for reimbursement.
- f. The Board may elect to provide for the direct removal of any tanks eligible through a Board contracted vendor. Any copayment shall be paid by the claimant upon removal of the tank system.
- g. Claimants shall be responsible for ensuring that any persons performing work meet all applicable licensing and/or certification requirements that may exist at the time of completion of the work to be reimbursed.
- h. Claims made under this subrule are subject to Iowa Code chapter 455G copayment requirements and cost recovery enforcement.

ITEM 2—Delete Chapter 15 in its entirety:

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Susan Voss, Chairperson

Site #	Site Name	Responsible Party	Claim #	CIm OP	UST's Inst	UST's Inst	Elig TP?
1	8608472 Kum & Go #212	QuikTrip Corp	83569	1/26/1993	10/1/1979		YES
2	8601754 Iowa Feed & Grain	Iowa Feed & Grain	47161				
			80320	8/7/1990	6/1/1967	7/1/1975	YES
3	8608193 Kum & Go #442	Krause Gentle Corp	47076				
			81222	10/30/1990	6/1/1972		YES
4	8605816 Stoskopf Oil Co	Stoskopf Oil Co	46151				
			84065	1/11/1994	12/1/1987		YES
5	9918057 Broadway Amoco	Buck's Inc.	47158				
			60908	7/31/2002	10/1/1998		YES
6	8710396 IOCO Auto/Truck Plaza	Genesis Two Holdings LLC	46996				
			81148	10/29/1990	3/1/1987		YES
7	8605337 North Shore Standard	Nelco Ltd	46528				
			80436	8/30/1990	5/1/1982	8/1/1991	YES/NO
8	8605242 Brooklyn Service Center	James Plants	46089			(1 tank)	
			80275	8/3/1990	9/1/1987		YES
9	8608688 Dell Des Moines	Dell Oil Ltd	82927	5/9/1991	12/1/1993		NO
					(1 tank)		
10	8602082 Reinbeck Pronto Market	Reinbeck Pronto Market	46612				
			80271	7/26/1990	5/1/1990		YES

## AGREEMENT, WAIVER AND GENERAL RELEASE

This Agreement, Waiver and General Release ("Agreement") is entered into by and between the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board ("Board"), an Iowa governmental agency created pursuant to Iowa Code chapter 455G, and [NAME], of [City] ("Claimant"). This Agreement is effective as of the date it is fully executed by all parties.

WHEREAS, Claimant is currently receiving benefits from the Board to reimburse corrective action costs for a site at [ADDRESS], [REG AND LUST #S], ("Site");

WHEREAS, Iowa Code section 455G.6(17) authorizes the Board to adopt rules providing for the transfer of all or a portion of the liabilities of the Board, and the Board has adopted rules contained in 591 Iowa Admin. Code 9 providing for the transfer of the Board's liabilities to third parties ("loss portfolio transfer"). Claimant acknowledges a copy of Iowa Code 455G.5(17) and 591 Iowa Admin. Code 9 have been provided with this Agreement for reference and review; and

WHEREAS, Petroleum Management Mutual Insurance Company ("PMMIC") has requested the Board enter into a loss portfolio transfer concerning the Site;

THEREFORE, in consideration of the commitments made herein, the Board and Claimant agree as follows:

1. **Consent to Transfer of Liabilities.** Claimant hereby consents to PMMIC assuming any and all liabilities of the Board under Iowa Code chapter 455G to pay benefits for the Site. Claimant understands that upon completion of the loss portfolio transfer, PMMIC shall assume any and all related responsibilities and activities of the Board for the Site, including but not limited to, project funding and management, claim adjustment, and consultation with Claimant, contractors and the Iowa Department of Natural Resources. Claimant further understands the Board shall cease to maintain any ongoing duty whatsoever to Claimant in relation to the Site, and Claimant will become ineligible to again receive benefits from the Board in relation to the Site under any circumstances.

2. **Waiver of Benefits.** In consideration for the transfer of funds described in paragraph 4 of this Agreement, Claimant hereby voluntarily waives any and all right to receive benefits pursuant to Iowa Code chapter 455G and Iowa Admin. Code chapter 591 upon completion of the loss portfolio transfer. Claimant understands that by consenting to a loss portfolio transfer to PMMIC, PMMIC shall assume all duties and liabilities of the Board to provide benefits to the claimant pursuant to a separate agreement with the Claimant.

3. **Release of Claims.** In consideration for the transfer of funds described in paragraph 4 of this Agreement, Claimant hereby releases, acquits, and forever discharges the Board and its officers, employees, assigns, agents, and successors in interest from any and all claims, rights, demands, actions, obligations, liabilities, and causes of action of any and every kind, nature, and character whatsoever, known or unknown, whether based on federal, state, or local law, or for claims

based on tort, contract (implied, oral, or written), or any other theory of recovery, and whether for compensatory or punitive damages, for any matter related to or concerning the Site.

4. **Transfer of Funds.** In consideration for Claimant's waiver of benefits and release of claims in this Agreement, the Board hereby agrees to enter into an agreement with PMMIC providing for the loss portfolio transfer and payment of a sum of money to PMMIC to be used by PMMIC to reimburse corrective action costs incurred by Claimant at the Site. The specific amount of money to be transferred to PMMIC will be separately negotiated between the Board and PMMIC in a separate agreement.

5. **No Representation of Future Right to Benefits.** Claimant understands and agrees that upon completion of a loss portfolio transfer to PMMIC, Claimant's continued eligibility to receive benefits is a matter to be determined exclusively between the Claimant and PMMIC. Claimant understands and agrees the Board has not made any representation regarding Claimant's future eligibility for benefits.

6. **Public Record.** The parties acknowledge this Agreement is a public record under Iowa Code chapter 22, and is available for public inspection and copying.

7. **Titles.** Paragraph titles are provided for the parties' convenience and do not limit the scope or meaning of any paragraph.

8. **Complete Agreement.** This Agreement reflects the parties' entire agreement on this matter and may not be altered or amended except by a subsequent written document signed by all parties to the Agreement.

9. **Authority to Sign.** The parties, and their representatives, by signing below, acknowledge that they have complied with all the legal requirements for approval of this Agreement and that their representatives are authorized to bind their respective agencies or bodies by their signatures to this contract.

10. **Applicable Law.** This Agreement shall be governed by, and construed in accordance with, Iowa law.

11. **Execution.** Claimant is executing this Agreement solely in reliance upon Claimant's own knowledge, belief and judgment and not upon any representations made by the Board or others on the Board's behalf. Furthermore, Claimant acknowledges reading this entire Agreement, understanding the Agreement constitutes a contract, and enters into this Agreement voluntarily only after being advised by the Board of the right to consult an attorney to review the Agreement and having freely exercised this right.

**PLEASE READ CAREFULLY. THIS AGREEMENT INCLUDES A WAIVER OF BENEFITS AND A RELEASE OF ALL KNOWN AND UNKNOWN CLAIMS.**

\_\_\_\_\_  
Claimant's Printed Name

\_\_\_\_\_  
Scott Scheidel, Administrator  
Iowa Comprehensive Petroleum Underground  
Storage Tank Fund Board

\_\_\_\_\_  
Claimant's Signature

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

I, \_\_\_\_\_, a notary public in and for the State of Iowa, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Subscribed and Sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

My commission expires:

**B. Software Investigation Committee Recommendation  
– RBCA Rule**

Iowa Department of Natural Resources  
Environmental Protection Commission

---

**ITEM**

**INFORMATION**

**TOPIC** Proposed Rule – Amendments to Chapter 135, Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks

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The Department proposes amendments to revise the current Tier 2 software model and to implement a planning process for corrective action at high risk leaking underground storage tank (LUST) sites.

Based on observations during the first decade's use of the existing Tier 2 model, there was a perception that the length of contaminant plumes generated by the model, in many cases, significantly overestimated the extent of contaminant migration. A committee was formed to discuss how to recalibrate the Tier 2 software model to make the modeled groundwater plumes more closely match the actual groundwater plumes. The proposed Tier 2 model changes are the result of the committee's work.

Although not included in this informational notice, the Department is working on proposed transitional rules and policy for implementation of the Tier 2 model changes. Also between now and filing a formal Notice of Intended Action (NOIA) to the Commission, the Department will be looking at the potential impact of the Tier 2 model revision on sites with respect to public water supply wells. There is a question of what effect public water supply wells have on inducing contaminant plume movement. For situations where there is a potential for plumes to be drawn into the water supply, the revised Tier 2 model could be an inappropriate tool for their risk evaluation, and an alternative evaluation process would be defined in a proposed rule. Stakeholders seem to be in agreement that there are times when this Tier 2 model should not be used, but the details of when this occurs have not been developed. The Department (both the UST Section and the Iowa Geological Survey) will be examining existing data, LUST site modeling, geologic records, and water quality information to determine whether and what screening tools are more appropriate to evaluate risk in these specific cases. If at all possible, we would like to have this language included in this rule revision, so we will be working to develop the language in conjunction with stakeholders for inclusion in the NOIA to be presented at a later date to the Commission.

As a result of a business process improvement event held by the department in 2004, a modified approach to processing and planning activities for high risk LUST sites was implemented. The proposed rules incorporate these changes in the processing of high risk sites.

Wayne Gieselman  
Administrator  
Environmental Protection Division

November, 2007

**ENVIRONMENTAL PROTECTION  
COMMISSION[567]**

**Notice of Intended Action For Information**

Pursuant to the authority of Iowa Code section 455B.474, the Environmental Protection Commission proposes to amend Chapter 135, "Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks," Iowa Administrative Code.

The amendments propose to revise the current Tier 2 software model based on observations during the first decade of use. There was a perception that the length of plumes generated by the Tier 2 groundwater model may significantly over-estimate the length of actual groundwater contamination plumes. Changes were made to recalibrate the Tier 2 software model to make the modeled groundwater plumes more closely match the actual plumes.

The amendments also establish a procedure to implement corrective action at high risk sites either through a collaborative meeting process resulting in a Memorandum of Agreement between the interested parties and the department or submittal of a Corrective Action Design Report.

Three public hearings will be held at the following locations:

Iowa City Public Library  
123 S Linn Street  
Iowa City, Iowa

Community Meeting Room  
Denison City Hall Clerk's Office  
111 N Main St  
Denison, Iowa

Wallace State Office Building  
502 East Ninth Street  
Des Moines, Iowa

These amendments are intended to implement Iowa Code section 455B.474. A fiscal impact summary prepared by the Legislative Services Agency pursuant to Iowa Code § 17A.4(3) will be available at <http://www.legis.state.ia.us/IAC.html> or at (515) 281-5279 prior to the Administrative Rules Review Committee's review of this rule making.

The following amendments are proposed.

ITEM 1: Amend rule 135.2 by adding the following definitions:

"Corrective action meeting process". A series of meetings organized by department staff with owners and operators and other interest parties such as certified groundwater professionals, funding source representatives, and affected property owners. The purpose of the meeting process is to develop and agree on a corrective action plan and the terms for implementation of the plan.

"Corrective action plan". A plan which specifies the corrective action to be undertaken by the owner or operator in order to comply with requirements in this chapter which is incorporated into a memorandum of agreement or other written agreement between the department and the owner and operator. The plan may include but is not limited to provisions for additional site assessment, site monitoring, Tier 2 revisions, Tier 3 assessment, excavation and other soil and groundwater remediation.

ITEM 2 Amend paragraphs 135.12 (9) "a" and "d" as follows:

a. Owners and operators must submit a corrective action design report (CADR) within 60 days of the date the department approves or is deemed to approve a Tier 2 assessment report under 135.10(11) or a Tier 3 assessment is to be conducted. The department may establish an alternative schedule for submittal. In the alternative, owners and operators may participate in a corrective action meeting process to develop a corrective action plan which would be incorporated into a memorandum of agreement or other written agreement approved by the department. Owners and operators shall implement the terms of an approved CADR, memorandum of agreement or other corrective action plan agreement.

d. Review. Unless the report proposes to classify the site as no action required, the department must approve the report within 60 days for purposes of completeness or disapprove the report upon a finding of incompleteness, inaccuracy or noncompliance with these rules. If no decision is made within this 60-day period, the report is deemed to be approved for purposes of completeness. The department retains the authority to review the report at any time a no action required site classification is proposed. Owners and operators who fail to implement actions or meet the activity schedule in a Memorandum of Agreement resulting from a corrective action meeting or other written corrective action plan agreement or who fail to implement the actions or schedule outlined in an approved CADR are subject to legal action.

ITEM 3 Amend Appendix B as follows:

**Appendix B - Tier 2 Equations and Parameter Values**

All Tier 1 equations and parameters apply at Tier 2 except as specified below.

$$C(x) = C_s \exp\left(\frac{x}{2\alpha_x} \left[1 - \sqrt{1 + \frac{4\lambda\alpha_x}{u}}\right]\right) \operatorname{erf}\left(\frac{S_w}{4\sqrt{\alpha_y x}}\right) \operatorname{erf}\left(\frac{S_d}{4\sqrt{\alpha_z x}}\right) \quad (1)$$

$$C(x) = C_s \exp\left(\frac{x_m}{2\alpha_x} \left[1 - \sqrt{1 + \frac{4\lambda\alpha_x}{u}}\right]\right) \operatorname{erf}\left(\frac{S_w}{4\sqrt{\alpha_y x_m}}\right) \operatorname{erf}\left(\frac{S_d}{4\sqrt{\alpha_z x_m}}\right) \quad (1)$$

Where  $x_m = ax + bx^c$  (2)

The value of  $x_m$  is computed from equation (2), where the values for a, b and c in equation (2) are given in Table 1.

Table 1. Parameter values for equation (2)

Chemical	a	b	C
Benzene	1	0.000000227987	3.929438689
Toluene	1	0.000030701	3.133842393
Ethylbenzene	1	0.0001	2.8
Xylenes	1	0.0	0.0
TEH-Diesel	1	0.000000565	3.625804634
TEH-Waste Oil	1	0.000000565	3.625804634
Naphthalene	1	0	0

**Variable definitions**

- x: distance in the x direction downgradient from the source
- erf(): the error function
- C(x): chemical concentration in groundwater at x
- Cs: Source concentration in groundwater (groundwater concentration at x=0)
- Sw: width of the source (perpendicular to x)
- Sd: vertical thickness of the source
- u: groundwater velocity (pore water velocity);  $u=Ki/\theta e$
- K: hydraulic conductivity
- i: groundwater head gradient
- $\theta e$ : effective porosity
- $\lambda$ : first order decay coefficient, chemical specific
- $\alpha x, \alpha y, \alpha z$ : dispersivities in the x, y and z directions, respectively

For the following lists of parameters, one of three is required: site-specific measurements, defaults or the option of either (which means the default may be used or replaced with a site-specific measurement).

**Soil parameters**

Parameter		Default Value	Required
$\rho_s$	soil bulk density	1.86 g/cm <sup>3</sup>	option
$f_{oc}$	fraction organic carbon in the soil	0.01 kg-C/kg-soil	option
$\theta_T$	total soil porosity	0.3 cm <sup>3</sup> -voids/cm <sup>3</sup> -soil	option
$\theta_{as}$	volumetric air content in vadose zone	0.2 cm <sup>3</sup> -air/cm <sup>3</sup> -soil	default
$\theta_{ws}$	volumetric water content in vadose zone	0.1 cm <sup>3</sup> -H <sub>2</sub> O/cm <sup>3</sup> -soil	default
$\theta_{acrack}$	volumetric air content in foundation/wall cracks	0.2 cm <sup>3</sup> -air/cm <sup>3</sup> -soil	default
$\theta_{wcrack}$	volumetric water content in foundation/wall cracks	0.1 cm <sup>3</sup> -H <sub>2</sub> O/cm <sup>3</sup> -soil	default
I	infiltration rate of water through soil	7 cm/year	default

If the total porosity is measured, assume 1/3 is air filled and 2/3 is water filled for determining the water and air fraction in the vadose zone soil and floor cracks.

**Groundwater Transport Modeling Parameters**

Parameter		Default Value	Required
K	hydraulic conductivity	16060 cm/year	site-specific
i	groundwater head gradient	0.01 cm/cm	site-specific
S <sub>w</sub>	width of the source	use procedure specified in 135.10(2)	site-specific
S <sub>d</sub>	vertical thickness of the source	3 m	default
$\alpha x$	dispersivity in the x direction	0.1x	default
$\alpha y$	dispersivity in the y direction	0.33 $\alpha x$	default
$\alpha z$	dispersivity in the z direction	0.05 $\alpha x$	default
$\theta e$	effective porosity	0.1	default

where  $u=Ki/\theta e$

**Groundwater Transport Modeling Parameters (continued)**

**First-order Decay Coefficients**

Chemical	Default Value $\lambda$ (d <sup>-1</sup> )	Required
Benzene	0.0005-0.000127441	default
Toluene	0.0007-0.0000208066	default
Ethylbenzene	0.00043-0.0	default
Xylenes	0.0005	default
Naphthalene	0.00013	default
Benzo(a)pyrene-TEH-Diesel	0.0000554955	default
Benzo(a)anthracene-TEH-Waste Oil	0.0000554955	default
Chrysene	0	default

Other Parameters for Groundwater Vapor to Enclosed Space

Parameter		Default Value	Required
L <sub>gw</sub>	depth to groundwater from the enclosed space foundation	1 cm	option
L <sub>B</sub>	enclosed space volume/infiltration area ratio	200 cm	option
ER (s-1)	enclosed space air exchange rate	0.00014	default
L <sub>crack</sub>	enclosed space foundation or wall thickness	15 cm	default
η	areal fraction of cracks in foundation/wall	0.01	default

Other Parameters for Soil Vapor to Enclosed Space

Parameter		Default Value	Required
L <sub>s</sub>	depth to subsurface soil sources from the enclosed space foundation	1 cm	option
L <sub>B</sub>	enclosed space volume/infiltration area ratio	250 cm *	option
ER (s-1)	enclosed space air exchange rate	0.000185 *	default
L <sub>crack</sub>	enclosed space foundation or wall thickness	15 cm	default
η	areal fraction of cracks in foundation/wall	0.01	default

\*These values are an average of residential and nonresidential factors.

Soil Leaching to Groundwater

Parameter		Default Value	Required
δ	groundwater mixing zone	2 m	default

Building Parameters for Iowa Tier 2

Parameter		Residential	Nonresidential
ER (s-1)	enclosed space air exchange rate	0.00014	0.00023
L <sub>B</sub>	enclosed space volume/infiltration area ratio	200 cm	300 cm

Other Parameters

For Tier 2, the following are the same as Tier 1 values (refer to Appendix A): chemical-specific parameters, slope factors and reference doses, and exposure factors (except for those listed below).

Exposure Factors for Tier 2 Groundwater Vapor to Enclosed Space Modeling:

Potential Residential: use residential exposure and residential building parameters.

Potential Nonresidential: use nonresidential exposure and nonresidential building parameters.

## **C. Loss Portfolio Transfer Discussion**

## **D. 2008 Goals Quarterly Update**

## Fiscal Year 2008 Goals Summary

### Claims Closures

- Close 165 claims by the end of the fiscal year
- Have 100 Corrective Action meetings by the end of the fiscal year
- Evaluate Loss Portfolio Transfer opportunity PMMIC indicated they most likely will present to Board and review Board's LPT strategy, in general

### Short/Long Term Solvency

- Coordinate with DNR for implementing Plastic Water Line policy that implements both experience in Iowa and other states, ISU Study and hopefully cost savings by the end of the fiscal year
- Coordinate with DNR to put formal guidelines on recent well closure orders from DNR legal staff by the end of the calendar year 2007.
- Follow through on completing updating of Tier 2 model with DNR.
- Enter into NFA funding agreement with DNR and evaluate risk transfer mechanism for benefit to Board's liability under agreement.

	September 07	December 07	March 08	June 08
Closed Claims	69 closed (43) net 42% to goal			
Corrective Action Meetings	38 Completed 38% to goal			
Loss Portfolio Transfer	PMMIC currently reviewing individual files to develop proposal.			
Plastic Water Lines	James working with DNR...recommendati on made in September to DNR			
Well Closure	DNR draft guidance in place, waiting for final copy			
SIC Model Update	NOIA drafted, removed from [REDACTED] 10/1/07 — amended for November EPC mtg			

## **E. DNR Update**

## **Approval of Program Billings**



# IOWA UNDERGROUND STORAGE TANK

## *Financial Responsibility Program*

Susan E. Voss, *Chairperson*

Scott M. Scheidel, *Administrator*

*Board Members:* Michael L. Fitzgerald

Jeff W. Robinson

Jacqueline A. Johnson

James M. Holcomb

Richard A. Leopold

Nancy A. Lincoln

Douglas M. Beech

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### MEMORANDUM

---

TO: UST Board Members  
FROM: Scott Scheidel  
DATE: October 18, 2007  
SUBJECT: Summary of Bills for Payment

---

#### **\*NOTICE\***

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

1. Aon Risk Services .....\$117,120.00  
Consulting Services November 2007 - \$64,536.00  
Claim Processing Services November 2007 - \$52,584.00
  
2. Attorney General's Office .....\$9,503.90  
Services provided for the Iowa Underground Storage Tank Program  
September 2007
  
3. Iowa Department of Revenue .....\$498.86  
Environmental Protection Charge Collections (3<sup>rd</sup> Q)  
July - Sept 2007

## Iowa Comprehensive Petroleum

Invoice No. 9500000058892

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

Aon Risk Services, Inc. of Nebraska  
Insurance Services CA License No OE16975  
2700 Westown Parkway  
Suite 320  
West Des Moines IA 50266  
(515) 267-9101 FAX (515) 267-9045

Client Account No.	Invoice Date	Currency	Relationship Manager
10756349	Sep-17-2007	US DOLLAR	Scott Scheidel

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2007 - Jan-01-2008	Nov-01-2007	Renewal - Service Fee	
			Service Fee	60,638.00
			Consulting Expense	5,000.00
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>65,638.00</b>

**TO AVOID POTENTIAL DISRUPTION IN COVERAGE, PLEASE PAY IMMEDIATELY.**  
For Wire instructions, contact your Relationship Manager.

Please see reverse side for statement regarding Aon compensation.

Page 1 of 1

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	9500000058892	Sep-17-2007	US DOLLAR	65,638.00

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

## Send remittance to:

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

## Iowa Comprehensive Petroleum

Invoice No. 9500000058990

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



Aon Risk Services, Inc. of Nebraska  
Insurance Services CA License No OE16975  
2700 Westown Parkway  
Suite 320  
West Des Moines IA 50266  
(515) 267-9101 FAX (515) 267-9045

Client Account No.	Invoice Date	Currency	Relationship Manager
10756349	Sep-17-2007	US DOLLAR	Scott Scheidel

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2007 - Jan-01-2008	Nov-01-2007	Renewal - Service Fee Service Fee	(1,102.00)
<b>Comments</b> Installment 4 of 5				
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>(1,102.00)</b>

Please see reverse side for statement regarding Aon compensation.

Page 1 of 1

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	9500000058990	Sep-17-2007	US DOLLAR	(1,102.00)

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

## Send remittance to:

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

## Iowa Comprehensive Petroleum

Invoice No. 9500000058893

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

Aon Risk Services, Inc. of Nebraska  
Insurance Services CA License No OE16975  
2700 Westown Parkway  
Suite 320  
West Des Moines IA 50266  
(515) 267-9101 FAX (515) 267-9045

Client Account No.	Invoice Date	Currency	Relationship Manager
10756349	Sep-17-2007	US DOLLAR	Scott Scheidel

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2007 - Jan-01-2008	Nov-01-2007	Renewal - Service Fee	
<b>Comments:</b>			Service Fee	0.00
Installment 11 of 12 GAB Robins Monthly Claims Service Payment due within 20 days of Transaction Effective Date			Consulting Expense	52,584.00
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>52,584.00</b>

**TO AVOID POTENTIAL DISRUPTION IN COVERAGE, PLEASE PAY IMMEDIATELY.**  
For Wire instructions, contact your Relationship Manager.

Please see reverse side for statement regarding Aon compensation.

Page 1 of 1

▼ 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	9500000058893	Sep-17-2007	US DOLLAR	52,584.00

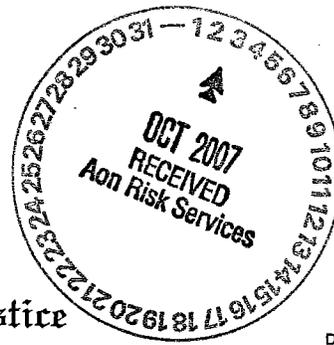
Iowa Comprehensive Petroleum  
Underground Storage Tank Fund  
2700 Westown Pkwy, #320  
West Des Moines IA 50266

## Send remittance to:

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

THOMAS J. MILLER  
ATTORNEY GENERAL

Department of Justice



ADDRESS REPLY TO:  
HOOVER BUILDING  
DES MOINES, IOWA 50319  
TELEPHONE: 515/281-5164  
FACSIMILE: 515/281-4209

## MEMORANDUM

**TO:** All State Agencies Reimbursing the Attorney General's Office

**FROM:** Karen Redmond, Executive Officer

**DATE:** September 28, 2007

**RE:** Billing Format

The Attorney General billings are in an invoice format that includes all the required information for payment via an IET accounting document or direct warrant payment. **Please use the document number provided on the invoice when making payment.** We use this document number to match payments to invoices. When other document numbers are used, it makes it difficult for us to track the payments.

Supporting documentation will be attached, with one exception. **An itemized page will not be provided if there is only one expense line, which often happens with a flat fee contract.** In an effort to simplify agency projections, flat fees will be billed evenly over the twelve months of the year. For example, if you have a contract for \$20,000, you will be billed \$20,000/12 or \$1666.67 per month. The exception may be that the first two months of the fiscal year are usually billed together.

**Please check your invoice for address accuracy. If the address is not correct, or if the billing should be sent to another contact, please let me know. Also, please e-mail an agency contact name, phone number, and e-mail address to me which can be used to communicate billing inquiries between our agencies. Send to [Kredmon@ag.state.ia.us](mailto:Kredmon@ag.state.ia.us).**

If you have questions, please feel free to contact me at (515)281-6362.

Thank you.

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

Invoice Date: 09/28/07

**Buyer:** Aon Risk Services  
2700 Westown Pkwy, Ste 320  
West Des Moines, IA 50266  
Attn: Scott Scheidel

**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

---

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

Document Number	Account Coding					Description	Amount
	Fund	Agency	Org	Sub Org	Rev Source		
112AG273027	0001	112	2301		0285		\$ 9,503.90

---

Please direct billing questions to Karen Redmond at (515)281-6362.

**Iowa Attorney General's Office  
Invoiced Services**

Billing Period:	<b>September</b>
Billing Total:	<b>\$9,503.90</b>
DSS @ 33%	\$1,746.16
TDB @ 25%	\$1,256.34
RCH @25%	\$884.12
CLJ @50%	\$1,462.93
Payroll 9/06/07	\$5,349.55
DSS @ 33%	\$1,437.71
TDB @ 25%	\$1,079.79
RCH @25%	\$645.01
CLJ @50%	\$991.10
Payroll 9/20/07	\$4,153.61
Thomsen West Info Charges (Westlaw)	\$0.74
	\$0.00
	\$0.74
	<b>\$9,503.90</b>

**DSS = David Steward** **33%**

Dave is our Asst Attorney General who provides the Board with legal counsel; drafts agreements and settlements with other State agencies and claimants.

**TDB = Timothy Benton** **25%**

Tim is our other Asst Attorney General who provides the Board with the coordination of administrative hearings on UST Fund claim denial appeals, as well as the negotiation of any settlements.

**RCH = Richard Heathcote** **25%**

Rich is a PhD hydrogeologist who consults for the Board by reviewing claim files and DNR records to assist in the determination of technologies used at sites. Rich reviews site files for the usage of RBCA Tier 3 reports; he also reviews proposals for CRP's or special projects.

**CLJ = Cindy Jacobs** **50%**

Cindy is a legal secretary for the Environmental/UST Division of the Attorney General's Office located in the Lucas Building. Cindy completes status reports and maintains appeal files for UST claimants with regard to their UST Fund benefits' eligibility.



Iowa Department of Revenue

Director: Mark R. Schuling  
Hoover State Office Building  
Des Moines, Iowa 50319  
www.state.ia.us/tax

October 11, 2007

Scott Scheidel  
Underground Storage Tank Program  
2700 Westown Parkway Suite 320  
West Des Moines, IA 50266



Dear Mr. Scheidel:

I am enclosing our 3rd quarter EPC billing. I ask that you direct it to the appropriate person for approval and payment.

If you or the board requires more detailed information, please call or write me at anytime.

Your assistance is fully appreciated.

Sincerely,

*Roxane Foster*

Roxane Foster  
Iowa Department of Revenue  
(515) 281-5228

Enclosures

cc: Stefanie Devin, Treasurer's Office

ENVIRONMENTAL PROTECTION CHARGE  
 COSTS INCURRED BY THE DEPARTMENT OF REVENUE  
 JULY - SEPTEMBER FY 2008

**Compliance Division**

Examination Section:

Personnel	\$2.31
Indirect Costs	
	\$2.31

Field Audit Section:

Personnel	
Indirect Costs	
	\$0.00

Total Compliance Division

**Revenue Operations Division**

Customer Accounts Section:

Personnel	\$1.44
Postage	\$0.41
	\$1.85

Processing Section:

Personnel	\$93.26
Indirect Costs	
	\$93.26

Total Revenue Operations Division

\$95.11

**Technology & Information Management Division**

Personnel	\$401.44
Postage	
Printing	
Indirect Costs	
	\$401.44

Total Technology & Information Management Div.

**DEPARTMENT TOTAL**

**\$498.86**

Please use the following accounting codes for the Environmental Protection Charges for the 3rd quarter FY 08.

07-0001-625-EX04 - 0285	\$	2.31
FO04 -		
CA01 -		1.85
PR01 -		93.26
TM03 -		<u>401.44</u>
<i>Total for Revenue</i>	\$	498.86

G:\AD\BUDGET\[EPC2.xls]Jul-Sept

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

## **A. September Activity Report**

Iowa UST Fund  
Monthly Activities Report

September 2007

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	August Ending	Monthly Net Changes	September Ending	Totals since Inception

RETROACTIVE

number	74	1	75	443
reserve	\$3,932,835.10	(\$167,897.75)	\$3,764,937.35	\$3,764,937.35
paid	\$8,010,498.69	\$165,097.05	\$8,175,595.74	\$14,159,673.96
total	\$11,943,333.79	(\$2,800.70)	\$11,940,533.09	\$17,924,611.31

REMEDIAL

number	940	(11)	929	4,434
reserve	\$54,189,568.81	(\$761,289.27)	\$53,428,279.54	\$53,428,279.54
paid	\$91,848,521.92	\$342,870.16	\$92,191,392.08	\$175,678,344.75
total	\$146,038,090.73	(\$418,419.11)	\$145,619,671.62	\$229,106,624.29

INNOCENT LANDOWNER

number	248	(2)	246	1,039
reserve	\$9,648,053.21	(\$77,676.30)	\$9,570,376.91	\$9,570,376.91
paid	\$11,664,681.80	\$282,007.61	\$11,946,689.41	\$21,443,358.46
total	\$21,312,735.01	\$204,331.31	\$21,517,066.32	\$31,013,735.37

GLOBAL OPT-IN

number	265	(6)	259	1,250
reserve	\$1,621,939.39	(\$42,238.97)	\$1,579,700.42	\$1,579,700.42
paid	\$2,054,153.41	(\$40,656.03)	\$2,013,497.38	\$8,695,069.03
total	\$3,676,092.80	(\$82,895.00)	\$3,593,197.80	\$10,274,769.45

UNASSIGNED PROJECTS

number	20	0	20	176
reserve	\$242,215.10	(\$12,409.80)	\$229,805.30	\$229,805.30
paid	\$277,784.90	\$32,409.80	\$310,194.70	\$2,592,178.93
total	\$520,000.00	\$20,000.00	\$540,000.00	\$2,821,984.23

Corrective Action Meetings	
Scheduled:	95
Completed:	762
MOA's	384

RT Claims	#
New	0
Reopened	1
Closed	0

RM Claims	#
New	0
Reopened	2
Closed	13

ILO Claims	#
New	2
Reopened	0
Closed	4

GS Claims	#
New	0
Reopened	0
Closed	6

PROJ Clms	#
New	0
Reopened	0
Closed	0

Invoice Type Totals	September	FYTD	Program to Date
American Soils	0.00	0.00	\$5,678,423
AST Removal	0.00	0.00	\$2,121,490
AST Upgrade	0.00	0.00	\$5,460,479
CADR Charges	(259,926.72)	(253,441.07)	\$4,034,653
Corrective Action	1,132,748.53	1,307,433.13	\$49,868,986
Free Prod Recover	43,178.16	202,614.47	\$6,767,003
Monitoring	121,124.28	390,724.61	\$17,458,125
New UST Pull 2004	47,167.66	47,167.66	\$647,589
Operations/Maint	(48,425.03)	59,987.74	\$6,113,474
Over-excavation	271,814.82	639,092.64	\$20,440,299
Plastic Water Lines	42,405.46	69,667.65	\$1,405,896
Post RBCA Evals	1,858.12	5,790.04	\$107,420
RBCA	42,516.47	103,953.75	\$24,401,968
Remed Imp/Const.	(524,474.83)	(411,814.17)	\$21,384,685
SCR Charges	0.00	90.00	\$54,138,906
Site Check	0.00	0.00	\$121,816
Soil Disposal	0.00	0.00	\$607,332
Tank (UST) Pull	9,480.50	15,983.08	\$4,876,341
Tank (UST) Upgrade	0.00	0.00	\$5,883,408
Tier III	2,676.19	9,781.73	\$1,063,397
Utilities	32,737.66	75,469.01	\$636,723
Well Closure	24,172.53	68,026.51	\$2,266,613
<b>Total Invoice Types</b>	<b>939,053.80</b>	<b>2,330,526.78</b>	<b>\$235,485,026</b>

Budgets Approved to Date		
September	3	\$165,575
Trailing 12 mos	59	\$3,126,577
Prev Trail 12 mos	114	\$5,915,607
Total Since Jan 2003	872	\$31,722,266

Project Claims	Open	Closed	Pending
CRP's	30	63	0
Tank Closure	2	3	0
Plastic Water Line	2	0	0

## **B. September Financial Report**

**C. Year-to-Date Financial Report  
as of September 30, 2007**

## **D. September Opt-In Report**

**OPT-IN PROGRAM SUMMARY REPORT**  
**October 25, 2007**  
**For the Period September 1 to September 30, 2007**

**GENERAL PROGRAM SUMMARY:**

Notices to potential claimants:	3
Eligible claims referred to GAB this period:	2
Number of 90-Day Notices sent this period:	3
Settlement Agreements outstanding at major oil company for execution:	1
Settlement Agreements forwarded to GAB for processing warrants or co-payment credit:	2
Number of claimants receiving warrants or co-payment credit this period:	14
Number of 1st Party Affidavits received in lieu of supporting docs (# this month/# Total to date):	0/88

**WARRANTS MAILED THIS PERIOD SUMMARY:**

	Number		Total
First Warrant	4	\$	23,601.77
Additional Warrants	10	\$	6,901.55
Co-Payment Credit	0	\$	-
<b>TOTALS:</b>	<b>14</b>	<b>\$</b>	<b>30,503.32</b>

**PROGRAM PAYMENT DISBURSEMENT TO DATE:**

Oil Company	Total Claims to Date	New Claims this Period	Payments Made to Date	Payments Made this Period
ARCO	55	0	\$ 410,368.42	\$ -
PHILLIPS	262	0	\$ 1,715,576.48	\$ 4,519.90
AMOCO	306	0	\$ 2,249,379.35	\$ 1,056.51
CONOCO	110	0	\$ 686,812.15	\$ 241.77
SOUTHLAND	18	0	\$ 89,796.04	\$ -
FINA	14	2	\$ 108,454.76	\$ 11,311.67
SUN/SUNOCO	179	0	\$ 1,213,693.57	\$ 523.35
TEXACO	156	2	\$ 1,062,004.84	\$ 12,290.10
CHAMPLIN	23	0	\$ 124,016.74	\$ -
KERR-McGEE	78	0	\$ 526,618.74	\$ 172.12
CHEVRON	24	0	\$ 165,855.64	\$ -
OXY	0	0	\$ -	\$ -
T.P.I. INC.	15	0	\$ 130,309.06	\$ 387.90
<b>TOTAL:</b>	<b>1240</b>	<b>4</b>	<b>\$ 8,482,885.79</b>	<b>\$ 30,503.32</b>

**ADDITIONAL WARRANT SUMMARY:**

Arco	\$ -	Sunoco	\$ 523.35
Phillips	\$ 4,519.90	Texaco	\$ -
Amoco	\$ 1,056.51	Champlin	\$ -
Conoco	\$ 241.77	Chevron	\$ -
Southland	\$ -	Kerr-McGee	\$ 172.12
Fina	\$ -	TPI, Inc.	\$ 387.90

## **Attorney General's Report**

## **Claim Payment Approval**

Claim Payment Authority Reports

Site #	Site Name	1st Bd Rpt	2nd Bd Rpt	3rd Bd Rpt	4th Bd Rpt	Paid to Date	Recommended Authority	Approved Authority	Pd Since Last Bd Report	Comments
1	8600894 Casey's Marketing Co	08/23/07				\$76,963	\$200,000	\$200,000		
2	9016721 Kutcher Welding	08/23/07				\$88,191	\$120,000	\$120,000		
3	8604079 Bluff Service Center	08/23/07				\$74,357	\$210,000	\$210,000		
4	8607462 Daniel Grothus	08/23/07				\$84,481	\$150,000	\$150,000		dww in Scott Cty
5	8603249 Al's Corner Oil Co	08/23/07				\$82,813	\$75,500	\$75,500		
6	8607406 Messer Oil Co	08/23/07				\$82,763	\$130,000	\$130,000		
7	8608909 Jerry Roney	08/23/07				\$83,068	\$225,000	\$225,000		potential PGS
8	8811292 Robert E Cummings	09/26/07				\$46,834	\$275,000	\$275,000		
9	8606587 Casey's General Store	09/26/07				\$84,451	\$104,000	\$104,000		
10	8601125 Seeley Oil Co	09/26/07				\$74,313	\$350,000	\$350,000		
11	8603897 James Oil Co	01/20/06	09/26/07			\$156,410	\$360,000	\$360,000	\$83,837	2 dww and PGS
12	8609543 Madrid Body Shop	03/22/05	10/25/07			\$78,591	\$221,000		\$10,120	
13	8600044 Krause Gentle Corp	04/06/00	10/25/07			\$319,228	\$700,000		\$254,851	
14	8609078 Wood Oil Co	10/25/07				\$85,216	\$125,000			PGS
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										

dww=drinking water well  
ndww=non-drinking water well  
PGS=protected groundwater source  
SOL=state-owned lake





**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 OCTOBER 16, 2007  
 WOOD OIL CO.  
 HWY 64  
 MONMOUTH  
 SITE REGISTRATION NUMBER: 8609078  
 LUST NUMBER: 7LTV87**

**RISK CLASSIFICATION:**

HIGH

LOW

UNDETERMINED

**PRESENT CLAIM RESERVE:**

\$ 100,000.00

**ELIGIBILITY:** The contamination was discovered with September 26, 1990, closure of all tanks on site. The claim was filed prior to October 26, 1990. This is an eligible remedial claim.

**COST INCURRED TO DATE:**

1. Tank pull	\$ 1,107.30
2. Site assessment and clean-up reports	26,029.01
3. Pre-RBCA CADR	5,327.50
4. Site monitoring reports	14,925.50
4. RBCA Tier II report	7,324.60
5. Drinking well abandonment	4,400.00
6. PVC replacement	<u>25,101.85</u>
TOTAL COSTS INCURRED TO DATE:	\$ 85,215.76

**PROJECTED COSTS:**

<input type="checkbox"/>	Risk Based Corrective Action Tier I & II Report	<input type="checkbox"/>	Tank Pull/Up-Grade.
<input checked="" type="checkbox"/>	Site Monitoring Reports (SMR)	<input type="checkbox"/>	Free Product Recovery (FPR)
<input type="checkbox"/>	Corrective Action Design Report (CADR)	<input type="checkbox"/>	Implementation of CADR

**TOTAL PROJECTED COSTS:**

\$ 20,000 to 50,000.00 +

**TOTAL AUTHORITY RECOMMENDED:**

**COMMENTS:** Significant PVC within modeled plume. We have replaced what was required in post-RBCA conference that is significantly less than modeled. Continued monitoring required to establish stable plume and for low-risk protected groundwater source plume. ✓

**IOWA UNDERGROUND STORAGE TANK PROGRAM**  
**SECOND BOARD REPORT**  
**OCTOBER 23, 2007**  
**POTTAWATTAMIE COUNTY DEVELOPMENT CORP**  
**2417 W BROADWAY**  
**COUNCIL BLUFFS**  
**SITE REGISTRATION NUMBER: 8605033**  
**LUST NUMBER: 8LTC26**

Cost Reported  
 10/5/90

**RISK CLASSIFICATION:**

**HIGH**     
  **LOW**     
  **UNDETERMINED**

**PRESENT CLAIM RESERVE:**      \$ 375,000.00

**PREVIOUS BOARD APPROVAL:**      328,813.11  
 Number and Date of each previous Board Report: At: February 13, 2001

**PREVIOUS COSTS INCURRED:**      \$ 28,813.11

**COSTS INCURRED SINCE LAST BOARD APPROVAL:**

- |                                    |                 |
|------------------------------------|-----------------|
| 1. RBCA Tier II report             | 1,200.00        |
| 2. Corrective action design report | 8,150.00        |
| 3. Site monitoring reports         | 28,376.80       |
| 4. Over-excavation                 | 61,140.95       |
| 5. Post-RBCA evaluation conference | <u>1,000.00</u> |

**TOTAL COSTS INCURRED TO DATE:**      \$ 128,680.86

**PROJECTED COSTS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Complete RBCA Tier II Report            | <input type="checkbox"/> Tank Pull/Up-Grade.                          |
| <input checked="" type="checkbox"/> Site Monitoring Report (SMR) | <input type="checkbox"/> Free Product Recovery (FPR)                  |
| <input type="checkbox"/> Corrective Action Design Report (CADR)  | <input checked="" type="checkbox"/> Implementation of over-excavation |

**TOTAL PROJECTED COSTS:**      \$ 225,000.00 to 350,000.00

**ADDITIONAL AUTHORITY RECOMMENDED:**      \$ 90,000.00

**TOTAL AUTHORITY:\***      \$ 418,813.11

**COMMENTS:** ~~The site is high risk for at least one actual residential sewer.~~ The site will be developed in the Spring, and at least two more residential sewer connections will be added. Soil vapor sampling has failed. A large excavation is proposed to address the contamination prior to site development.

\*Previous approval + additional recommended

IOWA UNDERGROUND STORAGE TANK PROGRAM  
SECOND BOARD REPORT

OCTOBER 23, 2007

SPRATT OIL SALES, INC

MAIN & LINN STREETS

LETT'S

SITE REGISTRATION NUMBER: 8609040

LUST NUMBER: 8LTP52

Cont. Rpt  
MARCH  
1991

RISK CLASSIFICATION:

HIGH

LOW

UNDETERMINED

PRESENT CLAIM RESERVE:

\$ 450,000.00

PREVIOUS BOARD APPROVAL:

\$ 360,000.00

Number and Date of each previous Board Report: 1st: May 8, 2002

PREVIOUS COSTS INCURRED:

\$ 41,011.29

COSTS INCURRED SINCE LAST BOARD APPROVAL:

1. RBCA Tier II report & Tier III report	12,056.25
2. Post RBCA evaluation conference	1,000.00
3. Corrective action design report	15,016.07
4. Remediation construction & over-excavation	223,435.00
5. Operation & maintenance & utilities	37,452.07
6. Site monitoring reports	<u>36,776.38</u>

TOTAL COSTS INCURRED TO DATE:

\$ 366,747.06

PROJECTED COSTS:

Complete RBCA  
Tier II Report

Tank Pull/Up-Grade.

Site Monitoring Reports  
(SMR)

Free Product Recovery  
(FPR)

Corrective Action Design Report  
(CADR)

Operation & Maintenance  
(O & M)

TOTAL PROJECTED COSTS:

\$ 25,000.00 to 100,000.00+

ADDITIONAL AUTHORITY RECOMMENDED:

\$ 90,000.00

TOTAL AUTHORITY:\*

\$ 450,000.00

COMMENTS: Site is high risk due for nearby drinking water wells. The wells are relatively close, so the site-specific target levels (SSTLs) are very low. The levels are almost at the target SSTLs, but it is very hard to get to low SSTL's and maintain it.

\*Previous approval + additional recommended

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 OCTOBER 24, 2007  
 MOORHEAD COOP  
 71 OAK STREET  
 MOORHEAD**

**SITE REGISTRATION NUMBER: 8609394  
 LUST NUMBER: BLTM81**

**RISK CLASSIFICATION:**

**HIGH**

**LOW**

**UNDETERMINED**

**PRESENT CLAIM RESERVE:**      \$ 300,000.00

**ELIGIBILITY:** The tanks were pulled in May of 1990. Proper closure sampling was not completed until April 11, 1991, and reported to the IDNR April 22, 1991. The remedial claim was filed September 11, 1992, and denied for failure to meet the deadline. The claim was re-filed as an innocent landowner July 31, 1995. This is an eligible innocent landowner claim.

**COST INCURRED TO DATE:**

1. Site clean-up report	\$ 27,682.50
2. Tank pull	2,135.18
3. Free product recovery	19,065.41
4. RBCA Tier II report	7,315.00
5. Site monitoring reports	26,584.12
6. Tier III work plan	600.00
7. City Council Presentation	1,255.95
8. Corrective action design report	<u>4,613.96</u>
<b>TOTAL COSTS INCURRED TO DATE:</b>	<b>\$ 89,252.12</b>

**PROJECTED COSTS:**

<input type="checkbox"/> Risked Based Corrective Action Tier I & II Report	<input type="checkbox"/> Tank Pull/Up-Grade.
<input checked="" type="checkbox"/> Site Monitoring Report (SMR)	<input checked="" type="checkbox"/> Free Product Recovery (FPR)
<input type="checkbox"/> Corrective Action Design Report (CADR)	<input type="checkbox"/> ? Implementation of CADR

**TOTAL PROJECTED COSTS:**      \$ 150,000 to 300,000.00

**TOTAL AUTHORITY RECOMMENDED:**

**COMMENTS:** The site is high risk for groundwater and soil leaching to groundwater ingestion. The City wells are located near the site and are relatively shallow. The City of Moorhead has twice voted against relocating their wells. Only free product recovery has been performed at the site since 2005. A site monitoring report was completed in October 2007 requesting a RBCA evaluation meeting to move this site along.

**Contracts Entered Into  
Since September 26, 2007 Board Meeting**



# IOWA UNDERGROUND STORAGE TANK

## *Financial Responsibility Program*

Susan E. Voss, *Chairperson*

Scott M. Scheidel, *Administrator*

*Board Members:* Michael L. Fitzgerald

Jeff W. Robinson

Jacqueline A. Johnson

James M. Holcomb

Richard A. Leopold

Nancy A. Lincoln

Douglas M. Beech

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### ☐☐☐ *MEMO* ☐☐☐

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**TO:** UST Board

**FROM:** Scott Scheidel

**DATE:** October 18, 2007

**RE:** Contracts Entered Into Since September 26, 2007

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Since the September 26, 2007 Board meeting, the Board has entered into the following contracts or agreements:

- 1) One-year contract extension for the Bentley (Neola) Community Remediation Project with Barker Lemar Engineering Consultants

## **Other Issues as Presented**

## **Correspondence and Attachments**