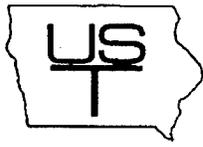


Elaine Douskey



# 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

### 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, March 27, 2008. **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. Legislative Update
  - B. Request for Information (RFI) Update
  - C. SIC Model (RBCA) Rule Status
  - D. 28E – DNR Attorney Position
  - E. 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 February 29, 2008 Board Meeting
10. Other Issues as Presented
11. Correspondence and Attachments

*Next meeting April 25<sup>th</sup>*

## **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

February 29, 2008

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

Angela Burke-Boston, chairing for the absent Susan Voss, called the Iowa UST Board meeting to order at 10:06 A.M. A quorum was present. Roll call was taken with the following Board members present:

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

Also present were:

David Steward, Attorney General's Office  
Scott Scheidel, Program Administrator  
James Gastineau, Program Administrator's Office  
Elaine Douskey, Iowa Department of Natural Resources  
Brian Tormey, Iowa Department of Natural Resources  
Dave Wornson, Iowa Department of Natural Resources

#### APPROVAL OF PRIOR BOARD MINUTES

The minutes from the January 25, 2008 Board meeting were reviewed. Ms. Christiansen moved to approve the minutes, Mr. Holcomb seconded the motion, and by a vote of 5-0, the minutes were approved.

#### CLOSED SESSION

Ms. Burke-Boston noted there were no matters dealing with litigation for discussion in closed session pursuant to Iowa Code Chapter 21.

## **PUBLIC COMMENT**

Ms. Burke-Boston requested any comments from the public present. There were no public comments made at this time.

## **BOARD ISSUES**

### **A. Legislative Update**

Mr. Scheidel discussed the activities at the State Capitol. He noted the following bills had been very recently introduced and he provided copies of each to Board members:

#### 1) House Study Bill (HSB) 714

The main intent of this bill was to constitutionally protect monies collected for road use. The drafted bill created two problems for the Iowa UST Fund. First, the change would allow for the environmental protection charge (EPC) collections to be deposited directly into the Iowa UST Fund. This would violate the state Constitution because the EPC is a gas tax required to be used for road use. Second, the drafted bill would change the pool of money from which the Iowa UST Fund is paid, altering the security behind the bonds issued by the Board. The change in security could create dissatisfied bondholders, change the rating of the bonds, and changes in the secondary market and lawsuits may result. These problems were discussed with subcommittee members, and Mr. Scheidel stated he was directed to find solutions, because the bill was a priority and the subcommittee planned to push forward with it. Mr. Robinson had suggested that the bond repayment balance be saved in an escrow account, so that bondholders would be assured their stream of bond repayments would continue on schedule. Board members were given a copy of the bond repayment schedule for review. The remaining balance of bond repayments was \$36,285,471.89. Mr. Scheidel inquired if the Board would be agreeable to setting up an escrow account for the bonds. Then a few changes to the wording of the bill and continuing to deposit the EPC collections into the road use fund would resolve the constitutionality issue.

Mr. Larson inquired about how to set up the escrow account. He noted that a change in the bond covenant of a debt after that debt is issued to the State of Iowa could affect the State's credit rating on future issuances. He stated such an effect is a possibility. Mr. Scheidel confirmed that he would involve Mr. Larson in the process to protect the State from such effects. No other concerns from Board members were noted.

#### 2) HSB 746/Senate Study Bill (SSB) 3198

Mr. Scheidel stated these bills would make several changes to the renewable fuel infrastructure laws, including the Renewable Fuels Infrastructure Board (RFIB). The change that would affect the Board in both of these bills was the removal of the UST Fund Board's authority to require that applications to the RFIB be forwarded to the UST Fund Board for review and recommendation. He reminded the Board that the RFIB's grant program had been partially funded with Iowa UST Fund appropriations. Also, he noted that the Board had not used their authority of oversight to review applications to date. Mr. Holcomb asked if Mr. Scheidel had a recommendation. Mr. Scheidel stated that having the authority wouldn't hurt, and he also

mentioned that Board member Doug Beech, who was not in attendance, had expressed his opinion that the Board should try to maintain its authority based on the Board's funding (\$7M) of the grant program. The Board agreed with Mr. Beech's comment, and Mr. Scheidel noted that he would register against the bills on behalf of the Board for that reason.

Ms. Christiansen inquired if anyone at the Capitol had indicated an interest in appropriating funds from the Iowa UST Fund. Mr. Scheidel responded that those interests were rarely indicated early on during Session.

**B. Loss Portfolio Transfer Discussion - RFI**

Mr. Scheidel presented to the Board a draft request for information (RFI) on a loss portfolio transfer (LPT) for the Board. He explained that the draft laid out the Board's goals for seeking information, that they may or may not use, to issue a request for proposal (RFP) or negotiate with interested parties and defines the Board's basic parameters under an RFI. The draft also included sample documents, similar to what had been used in the previous LPT. Mr. Scheidel allowed the Board to discuss the draft and the timeline for the RFI and where they would like post it. He noted that Doug Beech had submitted comment on the draft previously saying that he had concerns about stretching out the timeline just long enough so that interested parties would have sufficient time to acquaint themselves with the UST Program. He also had suggested that if the Board did enter into a new LPT, there should be some agreement in the negotiations that an attempt would not be made to circumvent the process either through the Iowa Legislature or the Administrative Rules process.

Mr. Holcomb expressed that he liked the idea of the RFI. Mr. Larson suggested that once the RFI is issued, the Board should allow three weeks generally for questions from interested parties, then an additional two weeks for the Board to answer those questions, another week for vendor responses, with another two weeks for scheduling and receiving presentations to the Board. Mr. Steward noted that information about the UST Program would have to be available to vendors for review during the RFI process.

Mr. Scheidel asked Board members where they would like the RFI to be posted. He suggested Business Insurance or National Underwriter publications to reach the insurance industry, as well as, environmental trade organization publications. Mr. Holcomb suggested that Mr. Scheidel select the publications and gather information from those to estimate a date of issuance for the RFI. Mr. Scheidel agreed.

Mr. Larson noted that the language in section 1.2 of the draft "negotiate with" was a concern, and Mr. Scheidel stated he would remove that phrase.

**C. UST Removal Rule Status**

Mr. Scheidel presented a copy of the Notice regarding the removal of underground storage tanks (UST's), which was noticed to the Administrative Rules Review Committee previously for publication March 4, 2008. Also, he included in the Board packet a copy of the same rule, before the noticed changes were requested, that is being used currently. Lastly, he included a

table explaining the differences between the old and new rule language. He noted that one change would allow the current claimant at a site to be eligible for UST removal if ever an eligible claim had been filed, rather than restricting UST removal eligibility to those who had never lost UST Fund eligibility due to a lapse in the financial responsibility of a claim or for any other reason. He noted the work deadline for UST removal remained the same as "after July 1, 2007." He explained that the cost control of any UST removal must have pre-approval in both versions of the rule, but the new rule added a cap to the costs not to exceed what would be incurred using any Board-contracted vendor that may be in place. He also explained that the claimant for UST removal benefits must be the same as the UST owner in the current rule, which had proved problematic; therefore the proposed rule allows the UST owner to be reimbursed after the invoices for UST removal have been paid and written consent from both parties for the work completed and claimed has been secured.

Lastly, Mr. Scheidel explained that the current rule did not reference ineligible sites. The proposed rule would allow for the Board to contract for the removal of UST's at ineligible sites, with the option to enforce cost recovery. He noted this practice was already available under the current closure contract special project claims pursuant to a 28E agreement with the DNR.

#### **D. SIC Model (RBCA) Rule Status**

Mr. Scheidel explained that the DNR had noticed their rule regarding the change to the risk based corrective action (RBCA) model to the Administrative Rules Review Committee, and he reminded the Board of previous discussions explaining that many stakeholders and member of the software investigation committee (SIC) were unhappy with all of the language in the proposed rule. He stated the DNR was accepting public comment at three meetings to be held the following week in different regions of the state, and the Administrative Rules Committee hearing was to be held the following Friday. After meeting with SIC members, he explained that he would attend those public meetings to offer comments requesting that only SIC recommendations be included in the rule, and the additional blanket authority to require a Tier III assessment at sites with public water supplies. (He requested Board direction to modify or clarify its position regarding comment.

*Liz requested.*

After reviewing the creation and purpose of the SIC, as well as, the history of the DNR-drafted administrative rule through the ARC process, Ms. Christiansen asked Mr. Scheidel about the effect of the DNR-drafted rule on the Iowa UST Board. He explained that the DNR currently had exception authority to require additional assessment, including Tier III reports, at a leaking underground storage tank (LUST) site. And he stated the new rule would make these additional assessments the rule rather than the exception due to the fact that most open LUST sites would fall into that category. The actual cost to the Board would be dependant upon how the DNR project manager chooses to implement the rule, as due diligence for evidencing the need for further assessment would no longer be required. Mr. Scheidel estimated that the Board would pay additional tens of thousands of dollars per LUST site required to complete the additional assessment. He couldn't say how much in total, as it could range from hundreds of thousands to millions of dollars of total impact to the Board. Additionally, he stated he felt that the old RBCA model, which had proved to be more than 8 times over-predictive of modeled contaminant

plumes since 1995, surely cost the Board millions of dollars since it had never been calibrated since its inception.

Dave Wornson, DNR Legal Counsel, addressed the Board stating that the 1995 rule regarding RBCA had recognized that the RBCA model did not address the vertical component of petroleum contamination, most especially in regard to water supply well receptors. To that end the 1995 rule had given groundwater professional consulting firms the expressed authority to complete additional assessment activities (i.e. RBCA Tier III) at a LUST site, if they felt the current RBCA model had not captured the risk to a vertical component receptor. There was no expressed authority in the rule to allow DNR staff to require the completion of the additional assessment. Therefore, Mr. Wornson explained that the intent of the proposed rule was to give DNR discretion to exercise on a case-by-case basis its authority to require additional assessment where it considers the current model to fall short of addressing a pumping water well receptor. He stated that Mr. Scheidel's statement that the proposed rule changes DNR's authority from exception authority to the rule was not true. Also, he explained that the stakeholders agreed to use the new RBCA model for all pathways and groundwater ingestion pathways for all receptors except the public water wells that fell into the definition of a sensitive area in the rule. And the old RBCA model was to be used for those specific water well receptors; therefore he stated that Mr. Scheidel's statement that the old RBCA model had resulted in millions of excess dollars from the Board was unfair. He said that site owners had always been allowed to use the Tier III option to disprove the old RBCA model to DNR, which would prevent the expense of millions of dollars of corrective action.

Mr. Scheidel agreed that the option of a Tier III had prevented the greater expense of corrective action at a site that had been assessed under the 8-times over-predictive model, however the proposed model was only 2-3 times over-predictive, and that in itself would prevent the greater expense of unnecessary corrective action. The proposed rule added a new expense of Tier III to a large number of open LUST sites thus adding back in a burden on the claimant to prove that a water supply well receptor outside of the simulated plume is not at risk. Also, the proposed rule pulls back into play the 8-times over-predictive model in those cases, therefore adding back in the greater expense of corrective action that may not be necessary. He discussed DNR's reference to "high-volume pumping [water] wells" as receptors, however stated the blanket authority in the rule could apply to any public water supply well regardless of the volume pumped.

Mr. Wornson stated that DNR used the term public wells in the rule because they could use their "source water data" to roughly define the potential impact on public water wells, and he felt it made sense to use that data to evaluate a well. Based on that data, the DNR felt they should have the authority to challenge the RBCA model, when they feel it is under-predictive of the simulated plume with regard to a public water well and require a Tier III. Currently, he said the groundwater professional can challenge the model, if he feels it is being over-predictive and prove it with a Tier III. He explained that this had been a problem, which could be fixed by the language in the current rule by allowing DNR authority to go with a Tier III. And he stated DNR was considering adding guidelines to the rule to outline when DNR staff would exercise their authority to require a Tier III.

Ms. Burke-Boston noted the comments that Mr. Scheidel planned to issue at the upcoming public meetings, as a SIC member, and asked the Board members if they had additional or alternative directives for him on this issue.

Mr. Steward offered to the Board that he heard both parties indicating the same intentions for the rule – that the Tier III option would be an exception rather than the rule; however Mr. Scheidel stated that the way the rule was written the opposite was indicated. Ms. Christiansen pushed for compromise because both entities have the same ultimate goals. Mr. Wornson stated that the DNR and the Board had common objectives and must work together by statute to meet those objectives, however he said that the Board was not a regulatory body and it should consider a limit on taking a public position on regulatory matters. But since the Board was the funding mechanism to ensure compliance with those regulations, Board members indicated they had cause to discuss it. Mr. Wornson continued to emphasize that the proposed rule would not cost the Board more, and would in many cases maintain the status quo. Mr. Scheidel noted that the status quo was the reason for the creation of the SIC and the commissioning of LaDon Jones to recalibrate the model to save the Board some expense into the future.

Mr. Wornson discussed the risk from sites calibrated under the new model, as 3-times over-predictive was only an average, and some sites' assessments might not model a large enough plume. Mr. Scheidel agreed stating that there would always be exceptions, and he had always supported DNR exception authority. He noted that the new model was calibrated with 95% confidence that sites would be accurately assessed, and the new rule simply applied the basis for additional assessment of the remaining 5% over the whole.

After additional discussion, Elaine Douskey of DNR questioned the Board's mission. She noted that DNR's Water Supply Department had reports of over 1,400 water supply well samples with BTEX hits. With 6,000 LUST sites in Iowa and BTEX being a component of gasoline, it would seem prudent that DNR should react in such a way as to prevent future contamination in water wells. She explained that the SIC recommended a change to the RBCA model, and that change was included in the rule. She added that the number of stakeholders in this issue had grown to include water supply companies and municipalities. To incorporate the interests of all the additional language with regard to public water supply receptors was added to the rule. At the last stakeholder meeting, she had the impression that all were in agreement to the compromise.

Mr. Steward pointed out to the Board members the language within the rule (handed out at the meeting), which was under discussion involved Item 1, defining "sensitive area" and Item 4.b. discussing receptor evaluation. He noted the language under receptor evaluation stated that sites with certain conditions had to be evaluated under the old RBCA model, indicating that the procedure was the rule rather than a discretionary directive. Also, he explained that Item 2 stated that if DNR staff felt that a site had not been sufficiently assessed by the RBCA model, they could require a RBCA Tier III.

Mr. Scheidel pointed out that the language indicated that DNR could require a Tier III without substantiating the reasons why. He also noted that groundwater professionals were the scientists on-site for the evaluation, and they already had the authority to complete a Tier III if they felt a receptor was not properly addressed by the RBCA; therefore why not trust the scientists on-site?

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77 Mr. Scheidel explained that DNR had every opportunity to challenge a groundwater professional's recommendation to complete or not to complete additional assessment, but they currently had to support their reasons for the exception, and the new rule would eliminate the "exception" element thus eliminating the reasoning.

Ms. Burke-Boston stated that Board members did not appear to be altogether comfortable with Mr. Scheidel making public comment at the ARC. Mr. Steward reminded the Board of Ms. Douskey's question regarding the Board's mission. He asked if it was its mission to spend money to protect the environment or was its mission to spend money wisely to protect the environment. Ms. Christiansen suggested the Board wait to see what additional terms the DNR might add to the rule to define how or when DNR would use their Tier III authority. Mr. Steward advised the Board that they could allow for comments at the ARC, if that was the will of the Board. And Mr. Scheidel offered to forward his public comments in writing to Board members electronically by the end of the day.

**E. DNR Update**

Elaine Douskey updated the Board that DNR had hired a new LUST section staff member to replace Karen Lodden. She also explained that the UST/LUST Section had been designated as part of the Land Quality Bureau now, with their Bureau Chief being Brian Torney.

**PROGRAM BILLINGS**

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

1. Aon Risk Services .....\$122,726.00  
Consulting Services – March 2008 (\$57,513.00)  
Claims Processing Services – March 2008 (\$55,213.00)
2. Attorney General's Office .....\$9,896.22  
Services provided for January 2007
3. Nancy Lincoln .....\$112.32  
Mileage reimbursement for travel from Glenwood to Des Moines  
For January 25, 2008 Board meeting

No additional billings for outside cost recovery counsel were presented by the Attorney General's office for this meeting. On a motion by Mr. Larson and a second by Mr. Holcomb, the billings were approved by a vote of 5-0.

**MONTHLY ACTIVITY REPORT**

Mr. Scheidel noted that the January activity report was in the Board packets for the Board members to review. He also stated that the Administrator's Office was trying to track how many sites were pending risk classification changes noting slower outflow of reports and fewer

corrective action meetings over the last several months. He wanted to track the corrective action meeting agreements to see if they had led to positive results in terms actual classification changes. Ms. Douskey mentioned that she had checked their list of corrective action sites and identified approximately 50 sites that required follow up with the groundwater professionals, and they hoped to prod those sites' activities along as a result.

### **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 8606584 – Casey's General Store, Creston**

This site was high risk for a plastic water line for both groundwater and soil leaching pathways. The site was low risk for soil leaching to groundwater vapor and soil vapor. Mr. Gastineau stated that a budget for an excavation had been submitted, and the work was on hold pending decisions regarding the threat of poly-vinyl chloride (PVC) water lines as a receptor, as well as, pending decisions on when to close the store. Previous authority to \$75,000 had been granted, and \$32,457.63 was incurred to date. Additional authority to \$150,000 was requested for a tank pull and upgrade and implementation of the excavation.

A motion to approve the claim authority was submitted by Ms. Christiansen and seconded by Ms. Lincoln. Approved 5-0.

#### **2. Site Registration 8606630 – West Branch Oil Co., Inc., West Branch**

This was the second Board report for this site, which was classified high risk for the groundwater to plastic water line pathway for two plastic water line receptors. The receptors were outside of the actual plume. Additional monitoring might clear the high risk pathway allowing site reclassification to no action required. Free product inspections were taking place, and it no free product would be observed through April 2008, all free product activities may cease. No free product had been observed since April 2006. Previous authority to \$135,000 had been granted, and \$145,934.02 was incurred to date. Additional authority to \$185,000 was requested for a site monitoring report (SMR) and a free product recovery report (FPR).

Mr. Holcomb submitted a motion to approve the claim authority, and Ms. Christiansen seconded the motion. Approved 5-0.

#### **3. Site Registration 8610198 – Koch's 66, Dike**

This site was classified high risk for the groundwater ingestion pathway for four drinking water wells. The site was also low risk for the protected groundwater source pathway and potential enclosed space pathways. The site target levels were nearly met for the high risk pathways, and

expensive corrective action seemed unlikely; however monitoring would continue for many more years. Previous authority to \$75,000 had been granted, and \$85,037.45 was incurred to date. Additional authority to \$135,000 was requested for a SMR, corrective action design report (CADR) and implementation of the CADR.

Mr. Larson submitted a motion to approve the claim authority, and Ms. Christiansen seconded the motion, which was approved 5-0.

#### **4. CRPCA 0312-35 – Sexton & Wesley**

This state lead community remediation project was awarded in March 2004 to address contamination at two individual sites in the Kossuth County communities of Sexton and Wesley. The sites were originally assessed under the State Lead Closure Contract project.

The sites were each classified high risk for plastic water lines, vapor receptors, and nearby private water wells. Soil excavation and replacement of plastic water lines within the actual plumes were completed at each site. Plastic water lines within the simulated plumes are still considered at risk, and further evaluations were needed to determine the risk to water wells and vapor receptors. The current contract term was set to expire on April 20, 2008. The Administrator's Office requested the Board authorize a 3<sup>rd</sup> one-year extension to the contract agreement to allow continued activity on the project.

The original contract authority had been \$145,500.00, and the current authority was \$200,000.00. No additional funding authority was requested. Ms. Christiansen entered a motion to approve the extension, and Ms. Lincoln seconded the motion, which was approved by a vote of 5-0.

#### **5. CRPCA 0312-36 – College Springs & Coin**

This state lead community remediation project was awarded in March 2004 to address contamination at two individual sites in the Page County communities of College Springs and Coin. The sites were originally assessed under the State Lead Closure Contract project.

The sites were each classified high risk for plastic water lines, vapor receptors, and nearby water wells. Free product had also been observed at each site. Replacement of plastic water lines within the actual plumes was completed at each site, as well as, a soil excavation at the College Springs site. Plastic water lines within the simulated plumes are still considered at risk, and further monitoring would be needed to determine the risk to water wells and vapor receptors, along with continued free product recovery activities. The current contract term was set to expire on April 20, 2008. The Administrator's Office requested the Board authorize a 3<sup>rd</sup> one-year extension to the contract agreement to allow continued activity on the project.

The original contract authority had been \$84,669.96, and the current authority was \$300,000.00. No additional funding authority was requested. Mr. Holcomb entered a motion to approve the extension, and Mr. Larson seconded the motion, which was approved by a vote of 5-0.

## **6. Site Registration 8608590 – Ron’s Car Wash, Inc., Fort Dodge**

This site was issued a no action required classification on August 17, 1999. However, the basement sump, located outside the building, had gasoline contamination exceeding the discharge limits for the storm sewer to which it discharges. As a result, a filtration unit was installed on the discharge line to bring the contaminant levels into compliance with the DNR water quality section and the site’s NPDES permit. Monthly influent/effluent sampling had been completed by the site’s groundwater professional, and current influent levels indicated that treatment of the discharge may be necessary for another five to ten years. Previous authority to \$75,000 had been granted, and \$87,512.75 was incurred to date. Additional authority to \$150,000 was requested for continued operation and maintenance of the filtration unit, as well as influent/effluent sampling.

Mr. Scheidel noted the Board might want to consider paying the current invoices received, as they had been pre-approved charges. Mr. Gastineau noted that \$10,000 should cover those outstanding invoices. Ms. Christiansen submitted a motion to approve the claim authority for an additional \$10,000, and Ms. Lincoln seconded the motion, which was approved 5-0.

Next the Board considered their policy going forward to pay for the sampling of influent/effluent of waste water from a sump. Mr. Scheidel stated the Board could opt to continue to pay setting a precedent for payment for non-RBCA contamination, or they could offer a settlement payment to the site owner for his ongoing expense, or they could deny ongoing payments under the current statute. Ms. Christiansen submitted a motion to approve the additional authority to \$150,000 for ongoing maintenance of the filtration unit and influent/effluent sampling and to seek a settlement with a release. Mr. Larson seconded the motion. After brief discussion, Mr. Scheidel offered to draft a policy for the Board on how to address similar sites. Mr. Holcomb stated he would rather set policy before voting to move forward with these kinds of payments on a particular site. On that note, the motion was not passed by unanimous vote, 0-5.

### **CONTRACTS ENTERED INTO SINCE THE JANUARY 25, 2008 BOARD MEETING**

Mr. Scheidel noted that the Board had entered into a settlement agreement and release with Coastal Mart for a number of Coastal Mart sites, since the last Board meeting.

### **OTHER ISSUES**

Due to scheduling conflicts the next Board meeting, scheduled for Friday, March 28<sup>th</sup>, was re-scheduled for Thursday, March 27<sup>th</sup>, at 10 A.M.

**CORRESPONDENCE AND ATTACHMENTS**

Ms. Burke-Boston asked if there was any further business, and there being none, Ms. Christiansen moved to adjourn, and Ms. Lincoln seconded the motion. By a vote of 5-0, the Board adjourned at 12:01 P.M.

Respectfully Submitted,

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

Scott M. Scheidel  
Administrator

## **Closed Session**

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

## **Public Comment**

## **Board Issues**

## **A. Legislative Update**



*Carry-In*

# 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 Leopold  
Nancy A. Lincoln      Douglas M. Beech

### MEMO

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**TO:** Iowa UST Board

**FROM:** Scott Scheidel

**DATE:** March 26, 2008

**RE:** 2008 Legislative Session

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As we near the second funnel, a few bills of interest have been introduced at the Legislature.

#### Bills of Interest

HF 2561—This bill contains a provision that orders the Board to defease all bonds by June 30, 2008. The provision that orders this action has a contingency clause that strips that portion of the bill if the funding provisions contained in HF2562 or SF 2389 do not pass. *make void/quote*

HF 2562--This bill's main intent is to constitutionally protect monies collected for road use. The provisions discussed previously that would have directed the EPC collections directly into the UST Fund causing a potential constitutional issue were addressed. Now the UST Fund is paid \$4.25 million quarterly from a group of collections consisting mainly of drivers license fees, trailer registration fees and title fees. The EPC would continue to be deposited into the Road Use Tax Fund as it is today.

SF2391--This bill would make several changes to the renewable fuel infrastructure laws, including the Renewable Fuel Infrastructure Board. The change that would affect the Board in this bill is the removal of the UST Fund Board's authority to require that applications to the RFIB be forwarded to the UST Fund Board for review and recommendation. I registered against the bill, an amendment to remove that portion of the bill was promised by the Renewable Fuel Association.

#### Other Items

Susan Voss and I met with Senator Gronstal this week regarding the issue of diversion of funds. Senator Gronstal sought the amount that could be diverted from the UST Fund without affecting cash flows. The feedback provided him was three tiered. First if the defeasance contained in SF 2561 actually occurs then diversion of monies would not be prudent in any respect. Secondly, in the absence of any action that affected the Boards' current balances, while not consistent with the program funding and prudent with regard to long term liabilities the diversion of 2 to 3 million dollars would have minimal impact on the cash flows of the Board in their claim payments. Lastly, in response to the

Senators inquiry about how an LPT would affect funding and the amount of monies mentioned above, I communicated that the diversion of any monies would have a negative effect on the Boards' ability to enter into such transactions by removing current monies available for such a transaction, but would not eliminate it if a transferee were open to payments over time from future revenues.



It appeared clear that some monies would likely be considered for diversion. It was unclear how much weight would be given to our assessment.

## **B. Request for Information (RFI) Update**

- Waiting to see what happens with funding this session.

### C. SIC Model (RBCA) Rule Status

- Group made comments to ARRC
- SS - brought up his idea of 'trial period'
  - o DNR to operate 'behind the scenes' as if we were going forward w/ rules as is
  - o 28E possibility

**D. DNR 28E for Attorney Position**



"Steward, David [AG]"  
<DSTEWAR@ag.state.ia.us>

03/26/2008 01:51 PM

To: "Scott Scheidel" <Scott\_Scheidel@ars.aon.com>  
cc: "Lacey Skalicky" <Lacey\_Skalicky@ars.aon.com>, "Tormey, Ed [DNR]" <Ed.Tormey@dnr.iowa.gov>  
Subject: 28E for DNR Attorney Position [Virus Checked]

Scott,

Pursuant to a telephone call from Ed, attached is a revised 28E changing the reference in section III to drop the Geological Survey Bureau (it now refers only to Land Quality Bureau), and I dropped the reference in section X from Tim Hall to Brian Tormey.

David

DAVID S. STEWARD  
Assistant Attorney General  
Iowa Department of Justice  
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Des Moines, IA 50319  
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Fax: (515) 242-6072  
E-mail: dstewar@ag.state.ia.us



UST-DNR-Attorney 28E Agreement 032008.doc

Carry-In

Approved

Preparer: David S. Steward, Assistant Attorney General PH: 515-281-5351 FAX: 515-242-6072  
IOWA DEPARTMENT of JUSTICE, State Capitol Complex, Des Moines, IA 50319 March 20, 2008

**28E AGREEMENT**  
**BETWEEN the IOWA COMPREHENSIVE PETROLEUM UNDERGROUND**  
**STORAGE TANK FUND BOARD, AND THE IOWA DEPARTMENT OF NATURAL**  
**RESOURCES for FUNDING OF AN ATTORNEY STAFF POSITION WITH THE IOWA**  
**DEPARTMENT OF NATURAL RESOURCES**

This Agreement is entered into by and between the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board (hereinafter "Board"), with its Administrator's office located at 2700 Westown Parkway, Suite 320, W. Des Moines, Iowa 50266, and the Iowa Department of Natural Resources (hereinafter "DNR"), located at 502 E. 9th Street, Des Moines, IA 50319. This Agreement is entered into pursuant to Iowa Code chapter 28E and Iowa Code sections 455G.5 and 455G.6(15), and is effective as of the date it is fully executed by all parties.

**I. PURPOSE**

The purpose of this Agreement is to establish the terms and conditions under which the Board will provide supplemental funding to the DNR to hire and retain a full-time attorney position when alternative sources of funding are unavailable. It is the intent of the Board and the DNR that this attorney position will, in part, serve the joint interest of the Board and DNR by providing legal services designed to assist in the regulatory closure of leaking underground storage tank (LUST) sites which are or may be eligible for benefits under programs administered by the Board under Iowa Code Chapter 455G ("UST Fund eligible sites"), and other non-UST Fund eligible sites which may influence the closure of UST Fund eligible sites. The Board and the DNR acknowledge that the funding under this Agreement is supplemental, and the Board will provide funding for the attorney position only in the event the DNR cannot obtain funding from other sources. The Board acknowledges the attorney will perform other duties for the DNR in addition to the scope of work identified in this Agreement.

## **II. TERM**

Unless otherwise terminated in accordance with the terms of this Agreement, the Agreement shall be in effect as of its effective date to June 30, 2012, with an option to renew the Agreement for an additional five years (i.e., June 30, 2017) based on the mutual agreement of both the DNR and the Board.

## **III. ADMINISTRATION**

The hiring, retention and supervision of this attorney position shall be administered by the DNR, its Director and other delegated management personnel including but not limited to the Chief of the Iowa Land Quality Bureau, the underground storage tank ("UST") section supervisor and the Chief of the Legal Services Bureau in consultation with the Board and its Administrator. It is the intent of the Board and the DNR that they meet on a regular basis to review the work of the attorney, establish goals and objectives, prioritize work efforts and other matters related to the funding and administration of this position consistent with the terms and conditions specified herein.

## **IV. ACQUIRING AND HOLDING OF PROPERTY UNDER THIS AGREEMENT**

All real and personal property used or acquired under the terms of this Agreement shall be held in the name of the DNR.

## **V. AGREEMENT:**

The Board and the DNR agree that the work activities of this position shall be administered consistent with the scope of work outlined as follows:

The primary job responsibility for one-half of the time for this position is to conduct legal work on matters related to the regulation of LUST sites and the objective of moving sites to regulatory closure and a no-further-action classification. It is the intent that this legal work not be directly related to the operation and maintenance regulations applicable to underground storage tanks except to the extent those provisions help to meet the primary objective of closing LUST sites. Specific duties will include:

- Draft legal opinions, letters, memoranda and other related documents related to LUST laws for use in the preparation of opinions, legislative reports, briefs, contracts and other related papers or legal documents.
- Provide both written and verbal opinions to the DNR Director and staff, and the Environmental Protection Commission relating regarding regulation of LUST sites.
- Respond to inquiries from the general public regarding Iowa's LUST laws.

- Assist staff in potential responsible party searches, including site ownership and historical record searches, and access agreements. The duties will attempt to target sites that are or may be eligible for benefits under the Board's remedial program.
- Work with Board staff, DNR LUST staff and private insurance companies to resolve issues of allocation of liability between UST Fund eligible releases and new releases potentially covered under a financial assurance mechanism.
- Help to design and implement DNR compliance, tracking and enforcement plans consistent with DNR enforcement priorities with the objective of expediting completion of corrective action and regulatory closure with an emphasis on sites that are or potentially are UST Fund eligible. This includes setting up an internal procedure for tracking sites that are out of compliance with regulatory deadlines for assessment, free product recovery and further corrective action and developing an enforcement referral process.
- Work with Board staff and potentially UST Fund eligible claimants to collect data and facts relevant to claim eligibility.
- Provide advice, education and training to DNR staff on issues related to UST Fund claim eligibility.
- Provide information on funding programs, including innocent land owner benefits, liability issues, the global settlement and remedial benefits programs, especially targeting priority and/or UST Fund eligible sites. Act as a liaison with Board staff in researching status of potential claims and claimants.
- Review and track and provide consultation to staff regarding environmental covenants and institutional controls as submitted to the DNR, including institutional control mechanisms for preventing plastic water lines from being installed.
- Conduct investigations of a limited scope to obtain facts, study legal precedents and prepare recommendations in enforcement cases, including drafting enforcement referrals, administrative orders, and litigation reports for non-compliant LUST sites.
- Implement and maintain an enforcement and compliance tracking system between DNR field offices and central office, including, but not limited to, sending and tracking overdue compliance letters, institutional controls, environmental covenants and memoranda of agreements, especially focusing on priority and/or UST Fund eligible sites.

- Implement, monitor and update targeted enforcement priorities, including, but not limited to, public service announcements for overdue Tier 1/Tier 2 reports, free product assessment and memoranda of agreement for completion of corrective action.

The Board Administrator and DNR management and legal staff agree to meet no less than quarterly to review and prioritize work activities, establish goals and objectives, and provide consultation to assure mutual satisfaction with the terms of this Agreement.

## VI. FINANCING

The DNR will seek funding from all available opportunities for funding from the US Environmental Protection Agency (EPA) for this position. In the event that EPA funding is not available, the DNR will seek alternative sources of funding for the attorney position prior to seeking funds from the Board. In the event no alternative funding sources are available, the DNR will utilize other funding for one-half of the position costs, and the Board will fund the other one-half of the position costs. It is estimated that the total cost for this position will be as follows:

State Fiscal Year 2008: \$46,000.00 (10 months)  
 State Fiscal Year 2009: \$57,000.00  
 State Fiscal Year 2010: \$70,000.00  
 State Fiscal Year 2011: \$77,000.00  
 State Fiscal Year 2012: \$82,000.00

*DB: why the jump in scale?  
 A: - Atty 1 to Atty 2 jump in salary*

When paying for one-half of the position, the Board shall deposit one-half of the costs for this position in an account specified by DNR by July 15<sup>th</sup> of that fiscal year.

## VII. AMENDMENT

This Agreement may be amended from time to time by written agreement of the Parties.

## VIII. TERMINATION

**A. Termination Upon Mutual Consent.** This Agreement may be terminated upon the mutual written consent of the Parties.

**B. Termination by the Board Prior to an Expiration Date.** Notwithstanding anything in this Agreement to the contrary, and subject to the limitations, conditions, and procedures set forth below, the Board shall have the right to terminate this Agreement without penalty by giving sixty (60) days' written notice to the DNR as a result of any of the following:

1. There are insufficient funds available to continue funding as provided in this Agreement;

2. A change in the law prevents or substantially impairs the Board's ability to participate in this Agreement; or
3. The attorney position fails to perform duties described in this Agreement at a quality or quantity that can be reasonably expected by the Board.

**C. Termination by the DNR Prior to an Expiration Date.** The DNR may choose to terminate this Agreement for any reason at the end of a fiscal year in which the Board is providing funding by giving written notice to the Board's Administrator at least 60 days prior to the end of the fiscal year. If the Board is not providing funding during a fiscal year, the DNR may choose to terminate the Agreement upon 30 days written notice to the Administrator.

#### **IX. RENEWAL**

The Board and the DNR may exercise the option to renew this Agreement for an additional five year period by mutual agreement.

#### **X. NOTICES**

Whenever notices and correspondence are to be given under this Agreement, the notices shall be given by personal delivery to the other party, or sent by mail, postage prepaid, to the other party as follows:

To the Board

Iowa UST Fund Board  
Attn. Scott Scheidel  
2700 Westown Parkway, Suite 320  
West Des Moines, Iowa 50266

To the DNR

Iowa Department of Natural Resources  
Attn. Ed Tormey and Brian Tormey  
Wallace State Office Building  
Des Moines, IA 50319

#### **XI. APPLICABLE LAW**

This Agreement is to be governed by the laws of the State of Iowa.

#### **XII. FILING AND RECORDING**

It is agreed the DNR will electronically file this Agreement with the Secretary of State, and electronically file any amendment, modification, or notice of termination of this Agreement within thirty days as provided in Iowa Code section 28E.8 as amended by 2007 Iowa Acts, HF 808.

**IN WITNESS WHEREOF**, and in consideration of the mutual covenants set forth herein and for other good and valuable consideration, the receipt, adequacy, and legal sufficiency of which are hereby acknowledged, the Parties have entered into this 28E Agreement and have caused their duly authorized representatives to execute this 28E Agreement.

**IOWA COMPREHENSIVE PETROLEUM  
UNDERGROUND STORAGE TANK  
FUND BOARD**

**IOWA DEPARTMENT OF NATURAL  
RESOURCES**

BY: \_\_\_\_\_  
Susan Voss, Chair

BY: \_\_\_\_\_  
Richard A. Leopold, Director

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

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

*Replaced (Carry-In)*

Preparer: David S. Steward, Assistant Attorney General PH: 515-281-5351 FAX: 515-242-6072  
IOWA DEPARTMENT of JUSTICE, State Capitol Complex, Des Moines, IA 50319 March 20, 2008

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**IOWA COMPREHENSIVE PETROLEUM  
UNDERGROUND STORAGE TANK  
FUND BOARD**

**IOWA DEPARTMENT OF NATURAL  
RESOURCES**

BY: \_\_\_\_\_  
Susan Voss, Chair

BY: \_\_\_\_\_  
Richard A. Leopold, Director

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

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

## **E. DNR Update**

# DNR Report to UST Fund Board

Meeting 3/27/08

## **Misc.**

National Tanks Conference/Atlanta – Good sessions on ideas owner/operator training, and on LUST issues regarding public and non-transient water supplies. Iowa's Climbing Hill site was show cased in one of the sessions.

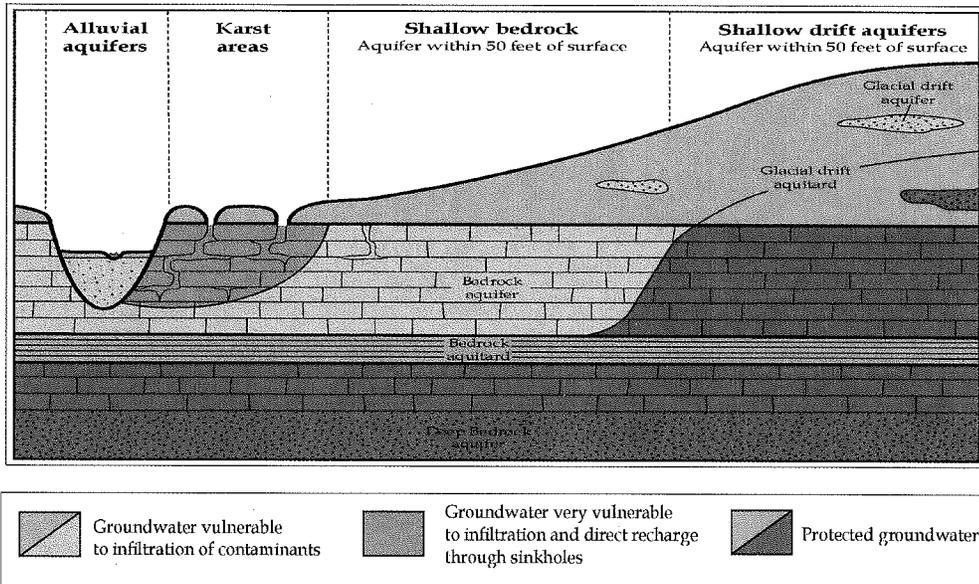
News Article: Speaks to the point of the legal difficulties in getting 'RPs' to move forward with UST closures and LUST work. (Benefit of having dedicated legal personnel to track these down)

## **UST**

- Began internal discussions of potential rule changes RE: installer / UST remover certification programs; owner/operator training. One staff person went to Kansas this week to sit in on their O/O training session.
- Compliance (3<sup>rd</sup>-party) Inspection program: 2007 was the first full year of implementation. Approx. 2,700 sites were inspected. DNR is implementing enforcement on the non-compliant sites, and followup on suspected new releases, sites that failed to get inspection completed.
- In the process of contracting with a company to conduct the inspector training course for permanent certification & refresher course for licensed UST installers. Anticipate the courses with be held mid-June.

## **LUST**

- RBCA Rules
  - Update on outcome of ARRC – work together / informal regulatory analysis
  - Objective of the meetings: The issue/ goals: 1) want to make a new model available for use, while 2) ensuring adequate protection of drinking water supplies.
  - Plan for moving forward with stakeholders /pre planning meeting 3/26/08  
Stakeholder input – core group, with initial solicitation for input  
Ideas from attendees (e.g., Scott offered supported to fund a study of the impact to pumping water wells)
  - How would you prefer to stay informed on this process and how this progresses?
- Corrective Action mtgs: From implementation thru February 2008 – 409 MOAs / 805 mtgs.
- NARs granted in FFY08 = 51



*Iowans get approx. 85% of their drinking water from groundwater resources.*

## Amending Chapter 135 – Risk-Based Corrective Action (RBCA)

### PROCESS

- Series of meetings in April
- Representative stakeholder group – core team members
- Solicit input from experts – draw on experience

### OBJECTIVES

- Protect drinking water supplies
- Implement new model built on real-life data and experience
- Identify appropriate tools / criteria for evaluating risk based on geologic principals and real-life experience
- Define what is acceptable or unreasonable level of risk – what is meant by 'likely' to become impacted, 'adequate' protection / prevention
- Determine / estimate universe of wells (PWS), LUST sites potentially under consideration

Provide INPUT - Get More INFORMATION

[elaine.douskey@dnr.iowa.gov](mailto:elaine.douskey@dnr.iowa.gov) or 515.281.8011

<http://www.iowadnr.gov/land/ust/index.html>



# Ill. men charged with \$4M convenience store fraud in Iowa

By Ann McGlynn | Thursday, March 13, 2008

advertisement

Easter Egg-citement!

Hop in for holiday savings... now thru March 23rd!

*Isabel Bloom*  
REMEMBERED

**A tisket, a tasket, time to fill up the Easter Basket!**

[Hide this ad](#)

Two men used convenience stores throughout Iowa to bilk the Small Business Administration and a private lender of \$4 million, federal authorities say.

Sukhdev "Sam" Singh and Surinder "Sam" Pal Singh Multani were arrested after a multiple-year grand jury investigation that resulted in 300 subpoenas and more than 200,000 documents that take up 70 feet of shelving, officials said.

Singh and Multani are accused of creating shell companies fronted by family members to purchase several convenience stores, submitting false loan applications and then depositing the proceeds from those loans into their bank accounts.

Singh, of Naperville, Ill., made his first appearance in U.S. District Court in Davenport on Thursday. He was arrested last month in Indiana. Multani, of Schaumburg, Ill., made his initial appearance in November.

Singh operated businesses under the name RPS Petroleum and U.S. Petro Inc., which listed Singh with a Davenport address. Multani operated businesses named Abacus Finance and Cal Park Marathon.

At least three shell companies were formed. They included AG Food and Gas Mart II, with Amarjit Singh of Bondurant, Iowa, as president; AG Food and Gas Mart III, also listing Amarjit Singh as president; and MKKS LLC of Cedar Falls, listing Mohammad Anwar and Davinder Khokhar as members.

AG II purchased stores in Harlan and Sioux City. AG III purchased stores in Des Moines. MKKS purchased stores in Des Moines, Pleasant Hill, Urbandale and Waterloo.

A fourth company, SSJG Petroleum, led by Singh, purchased convenience stores in Davenport, Bettendorf and Muscatine, according to the original indictment in the case. A superseding indictment does not list that company or the convenience stores.

According to court documents:

## **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

---

### MEMORANDUM

---

TO: UST Board Members  
FROM: Scott Scheidel  
DATE: March 20, 2008  
SUBJECT: Summary of Bills for Payment

---

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

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

1. Aon Risk Services..... \$122,726.00  
Consulting Services April 2008 - \$67,513.00  
Claim Processing Services April 2008 - \$55,213.00
2. Attorney General's Office..... \$8,819.10  
Services provided for the Iowa Underground Storage Tank Program  
February 2008
3. Nancy Lincoln..... \$112.32  
Mileage reimbursement for travel from Glenwood to Des Moines for  
February 29, 2008 UST Fund Board meeting
4. Iowa Department of Administrative Services ..... \$78.41  
State Accounting Enterprise; 1099 postage charges for Iowa UST Fund

## Iowa Comprehensive Petroleum

Invoice No. 9500000063306

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

Aon Risk Services Central, Inc.  
fka 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	Mar-03-2008	US DOLLAR	Scott Scheidel

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2008 - Jan-01-2009	Apr-01-2008	Renewal - Service Fee	
<b>Comments</b> Installment 4 of 12			Service Fee	62,513.00
			Consulting Expense	5,000.00
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>67,513.00</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	9500000063306	Mar-03-2008	US DOLLAR	67,513.00

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

## Send remittance 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. 9500000063307

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

Aon Risk Services Central, Inc.  
fka Aon Risk Services, Inc. of Nebraska  
Insurance Services CA License No OE16975  
2700 Westown Parkway  
Suite 320  
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(515) 267-9101 FAX (515) 267-9045

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<b>Comments</b> Installment 4 of 12			Service Fee	0.00
			Consulting Expense	55,213.00
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>55,213.00</b>

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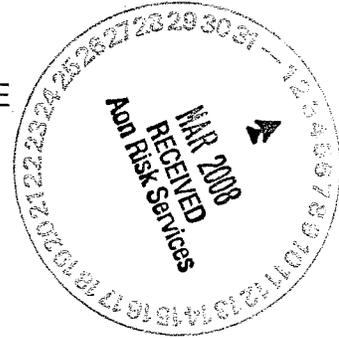
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## Send remittance to:

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

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



Invoice Date: 02/28/08

**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: February

---

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

Document Number	Account Coding				Rev Source	Description Amount
	Fund	Agency	Org	Sub Org		
112AG059027	0001	112	2301		0285	\$ 8,819.10

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

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

Billing Period:	<b>February</b>
Billing Total:	<b>\$8,819.10</b>
DSS @ 33%	\$1,500.17
TDB @ 25%	\$1,127.11
RCH @25%	\$677.24
CLJ @50%	\$1,036.60
Payroll 2/7/08:	\$4,341.12
DSS @ 33%	\$1,482.80
TDB @ 25%	\$1,123.33
RCH @25%	\$671.50
CLJ @50%	\$1,011.45
Payroll 2/21/08:	\$4,289.08
Workers' Comp FY2008	\$188.90
Total Misc:	\$188.90
	<b>\$8,819.10</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.

Attach supporting documentation to the back of this form

# STATE OF IOWA

**GAX (NON-EMP)**

OFFICIAL DOMICILE		<b>NON-EMPLOYEE EXPENSES</b>				DOCUMENT NUMBER									
PURPOSE OF TRAVEL		<input type="checkbox"/> NORMAL JOB DUTIES <input checked="" type="checkbox"/> MEETING <input type="checkbox"/> TRAINING		<input type="checkbox"/> CONFERENCE/SEMINAR <input type="checkbox"/> STAFF DEVELOPMENT <input type="checkbox"/> REQUIRED BY FEDERAL GOVERNMENT		<input checked="" type="checkbox"/> OTHER (SPECIFY) Iowa UST Board Meeting									
NAME AND HOME ADDRESS Nancy Lincoln		ALTERNATE ADDRESS (send warrant to)		ACCOUNTING USE ONLY - REFERENCE ALL OTHER RELATED DOCUMENTS											
				DOC #		DATE PAID		DOC #		DATE PAID					
YEAR 2008	TIME		TRAVEL		STATE VEHICLE		MEALS		LODGING		TRANSPORTATION AND OTHER EXPENSES				
					<input checked="" type="checkbox"/> PERSONAL VEHICLE										
DATE	LEFT	RETURNED	FROM	TO	MILES	RATE	CHARGE	BREAKFAST	LUNCH	DINNER	TOTAL	REIMB. TOTAL	ACTUAL TOTAL	REIMB. TOTAL	AMOUNT
2/29	7:00 AM	3:00pm	Glenwood Iowa	Des Moines Iowa	288	.39	112.32								
<b>TOTALS</b>					288		112.32								
TRANS/OTHER EXPENSE	A-AIR B-BUS/CAB D-LD PHONE	F-LOCAL PHONE L-LAUNDRY P-PARKING	R-REGISTRATION S-SUPPLIES T-TOLLS	O-OTHER SPECIFY HERE		DOCUMENT TOTAL				112.32					
ROUTINE USES OF THIS FORM ARE TO FULFILL IRS REQUIREMENTS, IDENTIFY INDIVIDUAL CLAIMS FOR PUBLIC INSPECTION, PROVIDE THE STATE VEHICLE DISPATCHER INFORMATION, AND TO PREPARE ANNUAL SALARY BOOK						LESS ADVANCES									
						REIMBURSEMENT REQUESTED				112.32					
<b>CLAIMANT'S CERTIFICATION</b>						<b>DEPARTMENT CERTIFICATION</b>									
I CERTIFY THAT THE ITEMS FOR WHICH PAYMENT/REIMBURSEMENT IS CLAIMED WERE FURNISHED FOR STATE BUSINESS UNDER THE AUTHORITY OF THE LAW AND THAT THE CHARGES ARE REASONABLE, PROPER, AND CORRECT, AND NO PART OF THIS CLAIM HAS BEEN REIMBURSED OR PAID BY THE STATE, EXCEPT ADVANCES SHOWN, AND I UNDERSTAND THE ROUTINE USES OF THIS FORM.						I CERTIFY THAT THE ABOVE EXPENSES WERE INCURRED AND THE AMOUNTS ARE CORRECT AND SHOULD BE PAID FROM THE FUNDS APPROPRIATED BY: <b>CODE OR CHAPTER SECTIONS(S)</b>									
COMMUTING MILES EXCLUDED? <input type="checkbox"/> Y <input type="checkbox"/> N		TRAVEL INCLUDES VICINITY MILES? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		DIRECT DEPOSIT? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		WARRANT TO ALT ADDR? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		TRAVEL AUTHORITY # / BLANKET TRAVEL #							
TITLE		DEPARTMENT TO BE CHARGED				TRAVEL APPROVAL (SUPERVISOR'S SIGNATURE)									
Board Member		Iowa UST Fund (Agency 656) Fund 0450													
VENDOR #															
CLAIMANT'S SIGNATURE		DATE													
<i>Nancy Lincoln</i>		3/10/08													
<b>DOCUMENT TOTAL</b>										<b>112.32</b>					

**GAX (NON-EMP)**

WARRANT #

PAID DATE



# IOWA UNDERGROUND STORAGE TANK

## *Financial Responsibility Program*

Susan E. Voss, Chairperson

Scott M. Scheidel, Administrator

Board Members:

Michael L. Fitzgerald

Jeff W. Robinson

Nancy A. Lincoln

James M. Holcomb

Richard Leopold

Jacqueline A. Johnson

Douglas M. Beech

March 14, 2008

Ms. Sherri Morano  
State Treasurer's Office  
Lucas Building, 1<sup>st</sup> Floor  
321 East 12<sup>th</sup> Street  
Des Moines IA 50319

RE: UST Board Expenses – DAS Reimbursement for 1099 Postage

Dear Sherri:

Please issue reimbursement for the following Board expense from the Unassigned Revenue Fund (0450).

Department of Administrative Services  
State Accounting Enterprise  
Reason: 1099 postage charges

**\$78.41**

Fund 0450/ Unit 450A/Agency 656

If you have any questions, feel free to contact me at 440-7011.

Sincerely,  
**IOWA UST PROGRAM**

Lacey Skalicky, CISR  
Account Specialist

Attachment



Lacey Skalicky  
03/14/2008 04:12 PM

To: "Morano, Sherri [TOS]" <Sherri.Morano@iowa.gov>  
cc: "Lacey Skalicky (E-mail)" <Lacey\_Skalicky@ars.aon.com>  
Subject: Re: FW: Request to be reimbursed for 1099 postage [Virus Checked]

I've attached my request for payment for this deal.



1099s.doc

Lacey Skalicky, CISR | Aon Risk Services Central, Inc.  
Account Specialist  
2700 Westown Parkway, Suite 320, West Des Moines, Iowa 50266-1411  
P: 800-798-5050 F: 515-267-9045  
lacey\_skalicky@ars.aon.com

Named "Best Retail Agent/Broker" by the readers of *Business Insurance*  
"Morano, Sherri [TOS]" <Sherri.Morano@iowa.gov>



"Morano, Sherri [TOS]"  
<Sherri.Morano@iowa.gov>  
ov>  
02/26/2008 09:04 AM

To: "Lacey Skalicky (E-mail)" <Lacey\_Skalicky@ars.aon.com>  
cc:  
Subject: FW: Request to be reimbursed for 1099 postage [Virus Checked]

-----Original Message-----

From: Devin, Stefanie [TOS]  
Sent: Tuesday, February 26, 2008 8:53 AM  
To: Morano, Sherri [TOS]  
Subject: FW: Request to be reimbursed for 1099 postage

Please send bill to Lacey.

---

From: Clark, Larry [DAS]  
Sent: Monday, February 25, 2008 3:31 PM  
To: McKern, Jeff [IDOM]; Coulter, Matthew [DVRs]; Devin, Stefanie [TOS];  
Stirler, Roger [ED]; Houston, Kris [IPTV]; Redmond, Karen [AG];  
Christoffersen, Shirley [DNR]; Lindsay, Heather [DIA]; Flug, Ron [DHS];  
Sprouse, Erinn [IDALS]  
Cc: Easley, Brenda [DAS]  
Subject: Request to be reimbursed for 1099 postage

TO: Financial Contacts

FR: Larry Clark, (1-6127)

SUBJ: 1099 Postage

DATE: 2-25-08

DAS-SAE mailed 1099's to vendors on behalf of I/3 users. SAE was charged for postage on IET DAS200807000600001 posted as final on I/3 on 2/22/08.

I've attached an Excel worksheet with the prorated cost of postage to mail out 1099's in January of this year. Rather than include this amount in the eDAS billing with default accounting codes, we are requesting that you process a manual JV1 (or CDE) using our accounting codes shown below. Please find your dept. number on the attachment and read across to the column "prorated postage" to find the amount to reimburse.

FUND 0001

AGCY 005

ORGN 4100

SORG 20

OBJT 2212

If you are not the person that this should have been sent to, let me know. Please have someone send me an email with the document number when the JV1 (or CDE) is ready to process. larry.clark@iowa.gov Thank you.



2007 1099 postage billed to dept.xls

<b>agency</b>	<b>contact</b>	<b>count</b>	<b>mailing rate</b>	<b>prorated postage</b>
009	Erinn Sprouse	2,174	0.363 \$	789.16
112	Karen Redmond	443	0.363 \$	160.81
282	Roger Stirlor	1,004	0.363 \$	364.45
283	Matt Coulter	268	0.363 \$	97.28
285	Kris Houston	75	0.363 \$	27.23
413	Ron Flug	5,979	0.363 \$	2,170.38
428	Heather Lindsay	1,016	0.363 \$	368.81
532	Jeff McKern	104	0.363 \$	37.75
542	Shirley Christoffersen	181	0.363 \$	65.70
656	Stefanie Devin	216	0.363 \$	78.41

**Monthly Activity Report and Financials Reviewed**

## **A. February Activity Report**

Iowa UST Fund  
Monthly Activities Report

February 2008

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	January Ending	Monthly Net Changes	February Ending	Totals since Inception
<b>RETROACTIVE</b>				
number	71	0	71	443
reserve	\$3,067,238.01	\$13,797.47	\$3,081,035.48	\$3,081,035.48
paid	\$7,999,724.08	\$36,202.53	\$8,035,926.61	\$14,451,036.70
total	\$11,066,962.09	\$50,000.00	\$11,116,962.09	\$17,532,072.18

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	January Ending	Monthly Net Changes	February Ending	Totals since Inception
<b>REMEDIAL</b>				
number	902	1	903	4,436
reserve	\$47,165,277.74	(\$95,035.52)	\$47,070,242.22	\$47,070,242.22
paid	\$92,456,517.05	\$392,214.56	\$92,848,731.61	\$178,288,393.41
total	\$139,621,794.79	\$297,179.04	\$139,918,973.83	\$225,358,635.63

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	January Ending	Monthly Net Changes	February Ending	Totals since Inception
<b>INNOCENT LANDOWNER</b>				
number	245	1	246	1,047
reserve	\$8,882,813.83	\$114,124.66	\$8,996,938.49	\$8,996,938.49
paid	\$12,080,753.49	(\$20,624.66)	\$12,060,128.83	\$21,738,279.37
total	\$20,963,567.32	\$93,500.00	\$21,057,067.32	\$30,735,217.86

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	January Ending	Monthly Net Changes	February Ending	Totals since Inception
<b>GLOBAL OPT-IN</b>				
number	251	1	252	1,256
reserve	\$1,497,232.33	\$14,919.48	\$1,512,151.81	\$1,520,358.75
paid	\$1,983,965.47	(\$919.48)	\$1,983,045.99	\$8,794,648.52
total	\$3,481,197.80	\$14,000.00	\$3,495,197.80	\$10,315,007.27

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	January Ending	Monthly Net Changes	February Ending	Totals since Inception
<b>UNASSIGNED PROJECTS</b>				
number	22	0	22	178
reserve	\$212,309.80	(\$3,333.60)	\$208,976.20	\$208,976.20
paid	\$367,690.20	\$8,333.60	\$376,023.80	\$2,615,616.53
total	\$580,000.00	\$5,000.00	\$585,000.00	\$2,824,592.73

RT Claims	#
New	0
Reopened	0
Closed	0

RM Claims	#
New	1
Reopened	1
Closed	1

ILO Claims	#
New	3
Reopened	1
Closed	3

GS Claims	#
New	1
Reopened	2
Closed	2

PROJ Clms	#
New	0
Reopened	0
Closed	0

Corrective Action Meetings	
Scheduled:	89
Completed:	805
MOA's	409

Invoice Type Totals	February	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	14,347.15	(197,430.82)	\$4,083,487
Corrective Action	23,379.45	1,473,969.09	\$49,994,122
Free Prod Recover	60,005.95	425,448.07	\$7,035,207
Monitoring	174,545.68	1,522,734.29	\$18,441,659
New UST Pull 2004	33,094.96	279,128.18	\$797,615
Operations/Maint	36,914.23	358,206.15	\$6,391,367
Over-excavation	22,107.00	1,358,215.26	\$21,019,999
Plastic Water Lines	988.19	143,218.48	\$1,474,415
Post RBCA Evals	3,814.55	15,419.59	\$114,909
RBCA	19,877.61	150,882.06	\$24,497,488
Remed Imp/Const.	150,039.19	122,630.48	\$21,909,172
SCR Charges	0.00	90.00	\$54,138,906
Site Check	0.00	0.00	\$122,809
Soil Disposal	0.00	0.00	\$607,332
Tank (UST) Pull	1,998.76	21,765.84	\$4,903,961
Tank (UST) Upgrade	0.00	0.00	\$5,883,408
Tier III	1,640.00	15,149.78	\$1,072,444
Utilities	12,958.22	159,869.46	\$726,413
Well Closure	3,895.00	130,297.60	\$2,329,271
<b>Total Invoice Types</b>	<b>559,605.94</b>	<b>5,979,593.51</b>	<b>\$238,804,375</b>

Budgets Approved to Date		
February	1	\$17,610
Trailing 12 mos	41	\$2,112,000
Prev Trail 12 mos	101	\$5,623,987
Total Since Jan 2003	887	\$32,727,654

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

## **B. January Financial Report**

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND**

**STATEMENT OF FUND BALANCES**

**FOR THE MONTH ENDING JANUARY 31, 2008**

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

<b>Balance of Fund, January 1, 2008</b>		\$7,726,384.37
<b>Receipts:</b>		
Tank Management Fees	\$0.00	
Motor Vehicle Use Tax	\$4,250,000.00	
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$0.00	
Interest Income - Capital Reserve Fund	\$0.00	
	<hr/>	\$4,250,000.00
<b>Disbursements:</b>		
Bond Interest Payment	\$0.00	
Bond Principal Payment	\$0.00	
Transfer to Unassigned Revenue Fund	\$7,726,384.37	
	<hr/>	\$7,726,384.37
<b>Balance of Fund, January 31, 2008</b>		<hr/> <b>\$4,250,000.00</b> <hr/>

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

<b>Balance of Fund, January 1, 2008</b>		\$18,128,747.16
<b>Receipts:</b>		
Installer's License Fees	\$0.00	
Request for Proposal Fees	\$0.00	
Copying/Filing Fees	\$0.00	
Fines & Penalties	\$0.00	
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund	\$7,726,384.37	
Intra State Fund Transfers Received - DNR	\$0.00	
Compensation for Pooled Money Investments	\$0.00	
Amort / Accretion	\$1,741.03	
Buys/ Sells	\$0.00	
Interest Income	\$367,513.47	
	<hr/>	\$8,095,638.87
<b>Disbursements:</b>		
UST Administrator's Fees	\$362,572.00	
Attorney General's Fees	\$34,008.22	
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (Lien Filing)	\$12.00	
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$0.00	
Bond Trustee Fees - Bankers Trust	\$0.00	
Custodial Fees - BONY	\$0.00	
Department of Revenue EPC Collection Fees	\$988.38	
Environmental Protection Charge Refunds	\$0.00	
Inspection & Appeals Service Fees	\$2,175.88	
Installers/Inspectors/ Testers Licensing Refunds	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING JANUARY 31, 2008**

Legal and Professional Fees	\$0.00	
Postage / Printing / Miscellaneous	\$0.00	
Professional Administrative Services (Investments)	\$0.00	
Rebate	\$0.00	
Tank Closure Claims & Plastic Waterline Claims	\$3,300.00	
Travel Expenses-UST Board Members	\$0.00	
Warrant Float Expense	\$1,350.83	
Transfer to Remedial Non-Bonding Fund	\$5,000,000.00	
Transfer to Innocent Landowner Fund	\$0.00	
28E Agreement - RBCA (DNR Staff Training & Development)	\$0.00	
28E Agreement - DNR UST Section Funding - FY06	\$0.00	
28E Agreement - DNR 4 Temporary FTE's - FY06 & FY07	\$0.00	
28E Agreement - DNR UST Section Funding - FY07	\$0.00	
Statutory Transfer to DNR - FY07	\$0.00	
Statutory Transfer to DED - FY07	\$0.00	
		\$5,404,407.31
<b>Balance of Fund, January 31, 2008</b>		<b>\$20,819,978.72</b>

**0208 - UST REMEDIAL NON-BONDING FUND**

<b>Balance of Fund, January 1, 2008</b>		\$3,650,206.75
<b>Receipts:</b>		
Remedial Refunds	\$2,193.50	
Misc. Income (i.e. eligibility settlements)	\$0.00	
Interest Income	\$0.00	
Transfer Received from Unassigned Revenue Fund	\$5,000,000.00	
		\$5,002,193.50
<b>Disbursements:</b>		
Retroactive Claims	\$42,435.45	
Remedial Claims	\$499,205.84	
Balance of Outdated Warrants	(\$5,144.56)	
		\$536,496.73
<b>Balance of Fund, January 31, 2008</b>		<b>\$8,115,903.52</b>

**0478 - UST MARKETABILITY FUND**

<b>Balance of Fund, January 1, 2008</b>		\$2,972,358.37
<b>Receipts:</b>		
Interest	\$118,692.72	
Use Tax	\$0.00	
		\$118,692.72
<b>Disbursements:</b>		
Transfer to Aboveground Storage Tank Fund	\$0.00	
		\$0.00
<b>Balance of Fund, January 31, 2008</b>		<b>\$3,091,051.09</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING JANUARY 31, 2008**

**0485 - UST INNOCENT LANDOWNERS FUND**

<b>Balance of Fund, January 1, 2008</b>		\$20,052,464.15
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	
ILO Refunds	\$0.00	
Intra State Fund Transfers Received	\$0.00	
Miscellaneous Income	\$0.00	
		\$0.00
<b>Disbursements:</b>		
Other Contractual Services	\$0.00	
Global Settlement Claims	\$12,028.55	
Innocent Landowner Claims	\$56,162.59	
Balance of Outdated Warrants	(\$173.52)	
		\$68,017.62
<b>Balance of Fund, January 31, 2008</b>		<b>\$19,984,446.53</b>

**0455 - ABOVEGROUND STORAGE TANK FUND**

<b>Balance of Fund January 1, 2008</b>		\$0.00
<b>Receipts:</b>		
Interest Income	\$0.00	
Canceled Warrants/ Corrected Warrants	\$0.00	
Transfer from Marketability Fund	\$0.00	
Transfer from Unassigned Revenue Fund	\$0.00	
		\$0.00
<b>Disbursements:</b>		
Transfer to Revenue Fund (0471)	\$0.00	
		\$0.00
<b>Balance of Fund on January 31, 2008</b>		<b>\$0.00</b>

**0238 - UST LOAN GUARANTEE FUND (Non-Bonding)**

<b>Balance of Fund, January 1, 2008</b>		\$1,265,660.57
<b>Receipts:</b>		
Interest Income	\$6,386.05	
		\$6,386.05
<b>Disbursements:</b>		
Payments on Loan Losses	\$0.00	
		\$0.00
<b>Balance of Fund, January 31, 2008</b>		<b>\$1,272,046.62</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING JANUARY 31, 2008**

**UST BOND FUND (Bonding)**

**Series 1997 A Revenue Refunding Bonds**

**Balance of Fund, January 1, 2008** \$0.00

**Receipts:**

Transfer From/(To) UST Revenue Fund	\$0.00	
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
		\$0.00

**Disbursements:**

Principal Payments to Bondholders	\$0.00	
Interest Payments to Bondholders	\$0.00	
Trustee Fee to Bankers Trust	\$0.00	
		\$0.00

**Balance of Fund, January 31, 2008** \$0.00

**Series 2004 Cost of Issuance Bonds**

**Balance of Fund, January 1, 2008** \$0.00

**Receipts:**

Transfer From/(To) UST Revenue Fund	\$0.00	
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
		\$0.00

**Disbursements:**

Principal Payments to Bondholders	\$0.00	
Interest Payments to Bondholders	\$0.00	
Trustee Fee to Bankers Trust	\$0.00	
		\$0.00

**Balance of Fund, January 31, 2008** \$0.00

**Series 2004 A Revenue Refunding Bonds**

**Balance of Fund, January 1, 2008** \$0.00

**Receipts:**

Transfer From/(To) UST Revenue Fund	\$0.00	
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
		\$0.00

**Disbursements:**

Principal Payments to Bondholders	\$0.00	
Interest Payments to Bondholders	\$0.00	
Trustee Fee to Bankers Trust	\$0.00	
		\$0.00

**Balance of Fund, January 31, 2008** \$0.00

**Combined UST Bond Fund Balances, January 31, 2008** \$0.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING JANUARY 31, 2008**

**0614 - UST CAPITAL RESERVE FUNDS (Bonding)**

---

**Series 1990 A**

<b>Balance of Fund, January 1, 2008</b>	\$3,990,710.18
<b>Receipts:</b>	
Proceeds From Issuance of Bonds	\$0.00
<b>Disbursements:</b>	
Transfer Interest to Revenue Fund	\$0.00
<b>Balance of Fund, January 31, 2008</b>	\$3,990,710.18

**Series 1991 A**

<b>Balance of Fund, January 1, 2008</b>	\$2,641,220.03
<b>Receipts:</b>	
Proceeds From Issuance of Bonds	\$0.00
<b>Disbursements:</b>	
Transfer to Cost of Issuance Fund	\$0.00
<b>Balance of Fund, January 31, 2008</b>	\$2,641,220.03

**Series 1994 A**

<b>Balance of Fund, January 1, 2008</b>	(\$394,430.21)
<b>Receipts:</b>	
Proceeds From Issuance of Bonds	\$0.00
<b>Disbursements:</b>	
Debt Service for Issuance of Bonds	\$0.00
<b>Balance of Fund, January 31, 2008</b>	(\$394,430.21)

<b>Combined UST Capital Reserve Fund Balances, January 31, 2008</b>	\$6,237,500.00
---	----------------

<b>TOTAL FUND BALANCES, January 31, 2008</b>	\$63,770,926.48
--	-----------------

**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. February Financial Report**

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING FEBRUARY 29, 2008**

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

<b>Balance of Fund, February 1, 2008</b>		\$4,250,000.00
<b>Receipts:</b>		
Tank Management Fees	\$0.00	
Motor Vehicle Use Tax	\$0.00	
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$0.00	
Interest Income - Capital Reserve Fund	\$0.00	
		\$0.00
<b>Disbursements:</b>		
Bond Interest Payment	\$0.00	
Bond Principal Payment	\$0.00	
Transfer to Unassigned Revenue Fund	\$0.00	
		\$0.00
<b>Balance of Fund, February 29, 2008</b>		<b>\$4,250,000.00</b>

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

<b>Balance of Fund, February 1, 2008</b>		\$20,819,978.72
<b>Receipts:</b>		
Installer's License Fees	\$0.00	
Request for Proposal Fees	\$0.00	
Copying/Filing Fees	\$0.00	
Fines & Penalties	\$0.00	
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund	\$0.00	
Intra State Fund Transfers Received - DNR	\$0.00	
Compensation for Pooled Money Investments	\$0.00	
Amort / Accretion	\$1,491.22	
Buys/ Sells	\$4,305.44	
Interest Income	\$188,642.64	
		\$194,439.30
<b>Disbursements:</b>		
UST Administrator's Fees	\$0.00	
Attorney General's Fees	\$0.00	
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (Lien Filing)	\$0.00	
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$0.00	
Bond Trustee Fees - Bankers Trust	\$0.00	
Claim Settlement	\$1,050,000.00	
Custodial Fees - BONY	\$391.05	
Department of Revenue EPC Collection Fees	\$0.00	
Innovative Technology	\$0.00	
Inspection & Appeals Service Fees	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING FEBRUARY 29, 2008**

Iowa Finance Authority Expenses	\$0.00	
Licensing - Contractual Services	\$0.00	
Postage / Printing / Miscellaneous	\$0.00	
Professional Administrative Services (Investments)	\$9,405.49	
Rebate	\$0.00	
Tank Closure Claims & Plastic Waterline Claims	(\$34,057.90)	
Travel Expenses-UST Board Members	\$0.00	
Warrant Float Expense	(\$7,567.27)	
Transfer to Remedial Non-Bonding Fund	\$0.00	
Transfer to Innocent Landowner Fund	\$0.00	
28E Agreement - RBCA (DNR Staff Training & Development)	\$0.00	
28E Agreement - DNR UST Section Funding - FY07	\$0.00	
28E Agreement - DNR UST Section Funding - FY08	\$0.00	
Statutory Transfer to DNR - FY08	\$200,000.00	
Statutory Transfer to DED - FY08	\$0.00	
		\$1,218,171.37
<b>Balance of Fund, February 29, 2008</b>		<b>\$19,796,246.65</b>

**0208 - UST REMEDIAL NON-BONDING FUND**

<b>Balance of Fund, February 1, 2008</b>		\$8,115,903.52
<b>Receipts:</b>		
Remedial Refunds	\$0.00	
Misc. Income (i.e. eligibility settlements)	\$0.00	
Interest Income	\$0.00	
Transfer Received from Unassigned Revenue Fund	\$0.00	
		\$0.00
<b>Disbursements:</b>		
Retroactive Claims	\$36,202.53	
Remedial Claims	\$495,210.90	
Balance of Outdated Warrants	\$0.00	
		\$531,413.43
<b>Balance of Fund, February 29, 2008</b>		<b>\$7,584,490.09</b>

**0478 - UST MARKETABILITY FUND**

<b>Balance of Fund, February 1, 2008</b>		\$3,091,051.09
<b>Receipts:</b>		
Interest	\$99,359.83	
Use Tax	\$0.00	
		\$99,359.83
<b>Disbursements:</b>		
Transfer to Aboveground Storage Tank Fund	\$0.00	
		\$0.00
<b>Balance of Fund, February 29, 2008</b>		<b>\$3,190,410.92</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING FEBRUARY 29, 2008**

**0485 - UST INNOCENT LANDOWNERS FUND**

<b>Balance of Fund, February 1, 2008</b>		<b>\$19,984,446.53</b>
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	
ILO Refunds	\$0.00	
Intra State Fund Transfers Received	\$0.00	
Miscellaneous Income	\$0.00	
	<u>                    </u>	\$0.00
<b>Disbursements:</b>		
Other Contractual Services	\$0.00	
Global Settlement Claims	\$18,379.45	
Innocent Landowner Claims	\$44,280.96	
Balance of Outdated Warrants	(\$740.00)	
	<u>                    </u>	\$61,920.41
<b>Balance of Fund, February 29, 2008</b>		<u><u>\$19,922,526.12</u></u>

**0455 - ABOVEGROUND STORAGE TANK FUND**

<b>Balance of Fund February 1, 2008</b>		<b>\$0.00</b>
<b>Receipts:</b>		
Interest Income	\$0.00	
Canceled Warrants/ Corrected Warrants	\$0.00	
Transfer from Marketability Fund	\$0.00	
Transfer from Unassigned Revenue Fund	\$0.00	
	<u>                    </u>	\$0.00
<b>Disbursements:</b>		
Transfer to Revenue Fund (0471)	\$0.00	
	<u>                    </u>	\$0.00
<b>Balance of Fund on February 29, 2008</b>		<u><u>\$0.00</u></u>

**0238 - UST LOAN GUARANTEE FUND (Non-Bonding)**

<b>Balance of Fund, February 1, 2008</b>		<b>\$1,272,046.62</b>
<b>Receipts:</b>		
Interest Income	\$5,416.51	
	<u>                    </u>	\$5,416.51
<b>Disbursements:</b>		
Payments on Loan Losses	\$0.00	
	<u>                    </u>	\$0.00
<b>Balance of Fund, February 29, 2008</b>		<u><u>\$1,277,463.13</u></u>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING FEBRUARY 29, 2008**

**UST BOND FUND (Bonding)**

**Series 1997 A Revenue Refunding Bonds**

**Balance of Fund, February 1, 2008** \$0.00

**Receipts:**

Transfer From/(To) UST Revenue Fund	\$0.00	
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
	\$0.00	

\$0.00

**Disbursements:**

Principal Payments to Bondholders	\$0.00	
Interest Payments to Bondholders	\$0.00	
Trustee Fee to Bankers Trust	\$0.00	
	\$0.00	

\$0.00

**Balance of Fund, February 29, 2008**

\$0.00

**Series 2004 Cost of Issuance Bonds**

**Balance of Fund, February 1, 2008** \$0.00

**Receipts:**

Transfer From/(To) UST Revenue Fund	\$0.00	
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
	\$0.00	

\$0.00

**Disbursements:**

Principal Payments to Bondholders	\$0.00	
Interest Payments to Bondholders	\$0.00	
Trustee Fee to Bankers Trust	\$0.00	
	\$0.00	

\$0.00

**Balance of Fund, February 29, 2008**

\$0.00

**Series 2004 A Revenue Refunding Bonds**

**Balance of Fund, February 1, 2008** \$0.00

**Receipts:**

Transfer From/(To) UST Revenue Fund	\$0.00	
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
	\$0.00	

\$0.00

**Disbursements:**

Principal Payments to Bondholders	\$0.00	
Interest Payments to Bondholders	\$0.00	
Trustee Fee to Bankers Trust	\$0.00	
	\$0.00	

\$0.00

**Balance of Fund, February 29, 2008**

\$0.00

Combined UST Bond Fund Balances, February 29, 2008

\$0.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING FEBRUARY 29, 2008**

**0614 - UST CAPITAL RESERVE FUNDS (Bonding)**

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**Series 1990 A**

<b>Balance of Fund, February 1, 2008</b>	<b>\$3,990,710.18</b>
 <b>Receipts:</b>	
Proceeds From Issuance of Bonds	\$0.00
 <b>Disbursements:</b>	
Transfer Interest to Revenue Fund	\$0.00
<b>Balance of Fund, February 29, 2008</b>	<b>\$3,990,710.18</b>

**Series 1991 A**

<b>Balance of Fund, February 1, 2008</b>	<b>\$2,641,220.03</b>
 <b>Receipts:</b>	
Proceeds From Issuance of Bonds	\$0.00
 <b>Disbursements:</b>	
Transfer to Cost of Issuance Fund	\$0.00
<b>Balance of Fund, February 29, 2008</b>	<b>\$2,641,220.03</b>

**Series 1994 A**

<b>Balance of Fund, February 1, 2008</b>	<b>(\$394,430.21)</b>
 <b>Receipts:</b>	
Proceeds From Issuance of Bonds	\$0.00
 <b>Disbursements:</b>	
Debt Service for Issuance of Bonds	\$0.00
<b>Balance of Fund, February 29, 2008</b>	<b>(\$394,430.21)</b>

<b>Combined UST Capital Reserve Fund Balances, February 29, 2008</b>	<b>\$6,237,500.00</b>
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<b>TOTAL FUND BALANCES, February 29, 2008</b>	<b>\$62,258,636.91</b>
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**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.

**D. Year to Date Financial Report as of February 29, 2008**

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING FEBRUARY 29, 2008**

		<b>FISCAL 2008 BUDGET</b>
<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, July 1, 2007</b>		\$8,930,000.00
<b>Receipts:</b>		
Tank Management Fees	\$0.00	\$400,000.00
Motor Vehicle Use Tax	\$12,750,000.00	\$17,000,000.00
Intra State Fund Transfers Received	\$104,457.49	
Interest Income	\$0.00	
Interest Income - Capital Reserve Fund	\$0.00	
	<u>\$12,854,457.49</u>	\$17,400,000.00
<b>Disbursements:</b>		
Bond Interest Payment	\$1,698,403.76	\$1,698,403.75
Bond Principal Payment	\$7,245,000.00	\$7,245,000.00
Transfer to Unassigned Revenue Fund	\$8,591,053.73	\$8,456,596.25
	<u>\$17,534,457.49</u>	\$17,400,000.00
<b>Balance of Fund, February 29, 2008</b>		<u>\$4,250,000.00</u>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2007</b>		\$17,075,662.99
<b>Receipts:</b>		
Installer's License Fees	\$0.00	\$0.00
Request for Proposal Fees	\$0.00	
Copying/Filing Fees	\$0.00	
Fines & Penalties	\$2,475.00	\$10,000.00
Refund/Overpayment	\$0.00	\$815.52
Transfer From UST Revenue Fund	\$8,591,053.73	\$8,456,596.25
Intra State Fund Transfers Received	\$0.00	\$1,102,272.55
Compensation for Pooled Money Investments	\$0.00	
Amort / Accretion	\$31,655.23	(\$70,000.00)
Buys/ Sells	(\$33,805.01)	(\$75,000.00)
Interest Income	\$1,580,383.30	\$1,800,000.00
	<u>\$10,171,762.25</u>	\$11,224,684.32
<b>Disbursements:</b>		
UST Administrator's Fees	\$949,381.94	\$1,418,664.00
Attorney General's Fees	\$75,200.13	\$105,000.00
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (Lien Filing)	\$12.00	\$120.00
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$4,786.13	\$4,786.13
Bond Trustee's Fees - Bankers Trust	\$1,250.00	\$1,500.00
Claim Settlement	\$1,050,000.00	\$0.00
Custodial Fees - BONY	\$1,163.97	\$1,000.00
Department of Revenue EPC Collection Fees	\$3,013.31	\$8,800.00
Innovative Technology	\$0.00	
Inspection & Appeals Service Fees	\$3,177.88	\$2,000.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING FEBRUARY 29, 2008**

		<b>FISCAL 2008 BUDGET</b>
Legal and Professional Fees	\$0.00	\$5,000.00
Postage / Printing / Miscellaneous	\$12.00	
Professional Admin Services (Investments)	\$28,511.13	\$50,000.00
Rebate	\$0.00	
Tank Closure Claims and Plastic Waterline Claims	\$24,070.40	\$200,000.00
Travel Expenses-UST Board Members	\$459.68	\$500.00
Warrant Float Expense	\$10,140.02	
Transfer to Remedial Non-Bonding Fund	\$5,000,000.00	\$5,000,000.00
Transfer to Innocent Landowner Fund	\$0.00	
28E Agreement - RBCA (DNR Staff Training & Development)	\$0.00	
28E Agreement - DNR UST Section Funding - FY07	\$100,000.00	\$200,000.00
Statutory Transfer to DNR - FY08	\$200,000.00	\$200,000.00
Statutory Transfer to DED - FY08	\$0.00	\$3,500,000.00
Statutory Transfer to General Fund - FY08	\$0.00	\$3,000,000.00
	<b>\$7,451,178.59</b>	<b>\$13,698,870.13</b>
<b>Balance of Fund, February 29, 2008</b>	<b>\$19,796,246.65</b>	<b>\$14,601,477.18</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, July 1, 2007</b>	<b>\$6,753,532.72</b>	<b>\$6,753,532.72</b>
<b>Receipts:</b>		
Remedial Refunds	\$2,927.10	\$10,000.00
Misc. Income (i.e. eligibility settlements)	\$0.00	
Interest Income	\$0.00	
Transfer Received from Unassigned Revenue	\$5,000,000.00	\$5,000,000.00
	<b>\$5,002,927.10</b>	<b>\$5,010,000.00</b>
<b>Disbursements:</b>		
Retroactive Claims	\$457,853.22	\$600,000.00
Remedial Claims	\$3,726,646.27	\$11,000,000.00
Balance of Outdated Warrants	(\$12,529.76)	
	<b>\$4,171,969.73</b>	<b>\$11,600,000.00</b>
<b>Balance of Fund, February 29, 2008</b>	<b>\$7,584,490.09</b>	<b>\$163,532.72</b>
<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, July 1, 2007</b>	<b>\$2,246,390.04</b>	<b>\$2,246,390.04</b>
<b>Receipts:</b>		
Interest	\$944,020.88	\$1,500,000.00
Use Tax	\$0.00	
	<b>\$944,020.88</b>	<b>\$1,500,000.00</b>
<b>Disbursements:</b>		
Transfer to Aboveground Storage Tank Fund	\$0.00	
	<b>\$0.00</b>	<b>\$0.00</b>
<b>Balance of Fund, February 29, 2008</b>	<b>\$3,190,410.92</b>	<b>\$3,746,390.04</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING FEBRUARY 29, 2008**

		<b>FISCAL 2008 BUDGET</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, July 1, 2007</b>		\$21,354,512.83
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$13,538.57	\$10,000.00
ILO Refunds	\$1,100.40	
Intra State Fund Transfers Received	\$0.00	
Miscellaneous Income	\$0.00	
	<u>\$14,638.97</u>	<u>\$10,000.00</u>
<b>Disbursements:</b>		
Other Contractual Services	\$0.00	
Global Settlement Claims	\$214,749.47	\$500,000.00
Innocent Landowner Claims	\$1,232,789.73	\$2,000,000.00
Balance of Outdated Warrants	(\$913.52)	
	<u>\$1,446,625.68</u>	<u>\$2,500,000.00</u>
<b>Balance of Fund, February 29, 2008</b>		<b>\$19,922,526.12</b>
<b>0455 - ABOVEGROUND STORAGE TANK FUND</b>		
<b>Balance of Fund July 1, 2007</b>		\$102,443.17
<b>Receipts:</b>		
Interest Income	\$2,014.32	\$0.00
Canceled warrants/Corrected warrants	\$0.00	
Transfer from Marketability Fund	\$0.00	
Transfer from Unassigned Revenue Fund	\$0.00	
	<u>\$2,014.32</u>	<u>\$0.00</u>
<b>Disbursements:</b>		
Transfer to Revenue Fund (0471)	\$104,457.49	\$102,272.55
	<u>\$104,457.49</u>	<u>\$102,272.55</u>
<b>Balance of Fund on February 29, 2008</b>		<b>\$0.00</b>
<b>0238 - UST LOAN GUARANTEE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2007</b>		\$1,228,506.44
<b>Receipts:</b>		
Interest Income	\$48,956.69	\$60,000.00
	<u>\$48,956.69</u>	<u>\$60,000.00</u>
<b>Disbursements:</b>		
Payments on Loan Losses	\$0.00	
Transfer to Unassigned Revenue Fund	\$0.00	\$1,000,000.00
	<u>\$0.00</u>	<u>\$1,000,000.00</u>
<b>Balance of Fund, February 29, 2008</b>		<b>\$1,277,463.13</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING FEBRUARY 29, 2008**

		<b>FISCAL 2008 BUDGET</b>
<b>UST BOND FUND (Bonding)</b>		
<hr/>		
<b>Series 1997 A Revenue Refunding Bonds</b>		
<b>Balance of Fund, July 1, 2007</b>	\$0.00	\$0.00
<b>Receipts:</b>		
Transfer From/(To) UST Revenue Fund	\$6,546,416.26	\$6,545,916.25
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
	\$6,546,416.26	\$6,545,916.25
<b>Disbursements:</b>		
Principal Payments to Bondholders	\$5,510,000.00	\$5,510,000.00
Interest Payments to Bondholders	\$1,036,416.26	\$1,035,916.25
Trustee Fee to Bankers Trust	\$0.00	
	\$6,546,416.26	\$6,545,916.25
<b>Balance of Fund, February 29, 2008</b>	\$0.00	\$0.00
<b>Series 2004 Cost of Issuance Bonds</b>		
<b>Balance of Fund, July 1, 2007</b>	\$0.00	\$0.00
<b>Receipts:</b>		
Transfer From/(To) UST Revenue Fund	\$0.00	\$0.00
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
	\$0.00	\$0.00
<b>Disbursements:</b>		
Principal Payments to Bondholders	\$0.00	\$0.00
Interest Payments to Bondholders	\$0.00	\$0.00
Trustee Fee to Bankers Trust	\$0.00	
	\$0.00	\$0.00
<b>Balance of Fund, February 29, 2008</b>	\$0.00	\$0.00
<b>Series 2004 A Revenue Refunding Bonds</b>		
<b>Balance of Fund, July 1, 2007</b>	\$0.00	\$0.00
<b>Receipts:</b>		
Transfer From/(To) UST Revenue Fund	\$2,397,487.50	\$2,397,487.50
Transfer From/(To) UST Unassigned Revenue Fund	\$0.00	
Accrued Interest From Bonds	\$0.00	
Interest Income	\$0.00	
	\$2,397,487.50	\$2,397,487.50
<b>Disbursements:</b>		
Principal Payments to Bondholders	\$1,735,000.00	\$1,735,000.00
Interest Payments to Bondholders	\$662,487.50	\$662,487.50
Trustee Fee to Bankers Trust	\$0.00	
	\$2,397,487.50	\$2,397,487.50
<b>Balance of Fund, February 29, 2008</b>	\$0.00	\$0.00
<b>Combined UST Bond Fund Balances, February 29, 2008</b>	<b>\$0.00</b>	<b>\$0.00</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING FEBRUARY 29, 2008**

		<b>FISCAL 2008 BUDGET</b>
<b>0614 - UST CAPITAL RESERVE FUNDS (Bonding)</b>		
<b>Series 1990 A</b>		
Balance of Fund, July 1, 2007	\$3,990,710.18	\$3,990,710.18
<b>Receipts:</b>		
Proceeds From Issuance of Bonds	\$0.00	
<b>Disbursements:</b>		
Transfer Interest to Revenue Fund	\$0.00	
<b>Balance of Fund, February 29, 2008</b>	<b>\$3,990,710.18</b>	<b>\$3,990,710.18</b>
<b>Series 1991 A</b>		
Balance of Fund, July 1, 2007	\$2,641,220.03	\$2,641,220.03
<b>Receipts:</b>		
Proceeds From Issuance of Bonds	\$0.00	
<b>Disbursements:</b>		
Transfer to Cost of Issuance Fund	\$0.00	
<b>Balance of Fund, February 29, 2008</b>	<b>\$2,641,220.03</b>	<b>\$2,641,220.03</b>
<b>Series 1994 A</b>		
Balance of Fund, July 1, 2007	(\$394,430.21)	(\$394,430.21)
<b>Receipts:</b>		
Proceeds From Issuance of Bonds	\$0.00	
<b>Disbursements:</b>		
Debt Service for Issuance of Bonds	\$0.00	
<b>Balance of Fund, February 29, 2008</b>	<b>(\$394,430.21)</b>	<b>(\$394,430.21)</b>
<b>Combined UST Capital Reserve Fund Balances, February 29, 2008</b>	<b>\$6,237,500.00</b>	<b>\$6,237,500.00</b>
<b>TOTAL FUND BALANCES, February 29, 2008</b>	<b>\$62,258,636.91</b>	<b>\$52,832,089.83</b>

**FOOTNOTES:**

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

## **E. February Opt-In Report**

**OPT-IN PROGRAM SUMMARY REPORT**  
**March 27, 2008**  
**For the Period February 1 to February 29, 2008**

**GENERAL PROGRAM SUMMARY:**

Notices to potential claimants:	2
Eligible claims referred to GAB this period:	1
Number of 90-Day Notices sent this period:	2
Settlement Agreements outstanding at major oil company for execution:	1
Settlement Agreements forwarded to GAB for processing warrants or co-payment credit:	0
Number of claimants receiving warrants or co-payment credit this period:	10
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	0	\$ -
Additional Warrants	10	\$ 14,458.00
Co-Payment Credit	0	\$ -
<b>TOTALS:</b>	<b>10</b>	<b>\$ 14,458.00</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	56	0	\$ 425,913.87	\$ -
PHILLIPS	264	0	\$ 1,756,422.10	\$ 9,468.96
AMOCO	306	0	\$ 2,266,338.54	\$ 244.60
CONOCO	110	0	\$ 692,348.14	\$ 3,423.00
SOUTHLAND	18	0	\$ 89,901.25	\$ -
FINA	14	0	\$ 109,154.99	\$ -
SUN/SUNOCO	180	0	\$ 1,228,870.63	\$ 379.42
TEXACO	156	0	\$ 1,066,118.95	\$ -
CHAMPLIN	23	0	\$ 124,016.74	\$ -
KERR-McGEE	78	0	\$ 527,694.12	\$ 726.77
CHEVRON	24	0	\$ 166,305.64	\$ -
OXY	0	0	\$ -	\$ -
T.P.I. INC.	15	0	\$ 130,524.31	\$ 215.25
<b>TOTAL:</b>	<b>1244</b>	<b>0</b>	<b>\$ 8,583,609.28</b>	<b>\$ 14,458.00</b>

**ADDITIONAL WARRANT SUMMARY:**

Arco	\$ -	Sunoco	\$ 379.42
Phillips	\$ 9,468.96	Texaco	\$ -
Amoco	\$ 244.60	Champlin	\$ -
Conoco	\$ 3,423.00	Chevron	\$ -
Southland	\$ -	Kerr-McGee	\$ 726.77
Fina	\$ -	TPI, Inc.	\$ 215.25

## **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	\$221,000	\$10,120	
13	8600044	Krause Gentle Corp	04/06/00	10/25/07			\$319,228	\$700,000	\$700,000	\$254,851	
14	8609078	Wood Oil Co	10/25/07				\$85,216	\$125,000	\$125,000		PGS
15	8605033	Pottawattamie Cty Dev	02/13/01	10/25/07			\$128,681	\$418,813	\$418,813	\$99,868	
16	8609040	Spratt Oil Sales Inc	05/08/02	10/25/07			\$366,747	\$450,000	\$450,000	\$325,736	dww receptors
17	8609394	Moorhead Coop	10/25/07				\$89,252	\$360,000	\$360,000		City dww
18	8601178	Six W. Ampride Inc.	01/25/08				\$81,599	\$115,000	\$115,000		
19	8607914	Louisa County	09/16/03	01/05/06	1/25/2008		\$375,978	\$460,000	\$460,000	\$216,528	Repl City dww installed
20	8710744	Seaton's Jack & Jill	01/25/08				\$48,511	\$309,000	\$309,000		
21	8606584	Casey's General Store	02/29/08				\$32,458	\$150,000	\$150,000		
22	8606630	West Branch Oil Co., In	03/24/04	02/29/08			\$145,934	\$185,000	\$185,000	\$90,333	
23	8610198	Koch's 66	02/29/08				\$85,037	\$135,000	\$135,000		4 dww receptors
24	8600610	Casey's General Store	03/27/08				\$77,029	\$250,000			
25	8600268	Bluff View Cafe	03/27/08				\$89,149	\$240,000			several private dww receptors

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 MARCH 10, 2008  
 BLUFF VIEW CAFE  
 57902 190<sup>TH</sup> ST  
 PACIFIC JUNCTION  
 SITE REGISTRATION NUMBER: 8600268  
 LUST NUMBER: 7LTO50**

**RISK CLASSIFICATION:**

HIGH

LOW

UNDETERMINED

**PRESENT CLAIM RESERVE:**

\$ 225,000.00

**ELIGIBILITY:** The contamination was discovered during a site check on June 27, 1990, and reported to the IDNR on July 26, 1990 with a timely filed claim. This is an eligible remedial claim.

**COST INCURRED TO DATE:**

1. Site check and Site Clean-up report	\$ 14,250.10
2. Free product recovery	28,757.14
3. Tank pull	1,235.00
4. RBCA Tier II report	13,918.00
5. Site monitoring reports	14,851.00
6. Over-excavation	<u>16,137.60</u>
TOTAL COSTS INCURRED TO DATE:	\$ 89,148.84

**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 checked="" type="checkbox"/> Corrective Action Design Report (CADR)	<input checked="" type="checkbox"/> Implementation of CADR

TOTAL PROJECTED COSTS:

\$ 125,000.00 to 175,000.00

**TOTAL AUTHORITY RECOMMENDED:**

**COMMENTS:** The site is high risk for the groundwater and soil leaching to groundwater ingestion pathway for a number of private drinking water wells, and also high risk for the groundwater, soil leaching, and soil vapor pathways for several residential sewers. The site is low risk for the groundwater ingestion to protected groundwater pathway, and high risk for the soil leaching to protected groundwater pathway. Free product is also present at the site. The eligible LUST contamination is co-mingled with non-eligible contamination from on-site above ground storage tanks (AST's). There is not currently a plan for corrective action at the site, other than free product recovery by hand bailing.

*Approved*

*VBS*

*56 - Discussions w/ AST owner cost share*

*DB - asked about FP? How much? slot*

*Noted: No DNR action*

*Hand bailing*

*Steve*

*Reinders*

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 MARCH 10, 2008  
 CASEY'S GENERAL STORES  
 106 HWY 69 S  
 FOREST CITY  
 SITE REGISTRATION NUMBER: 8600610  
 LUST NUMBER: 7LTQ60**

**RISK CLASSIFICATION:**

HIGH  LOW  UNDETERMINED

**PRESENT CLAIM RESERVE:** \$ 250,000.00

**ELIGIBILITY:** The contamination was discovered during a site investigation on August 8, 1990, and reported to the IDNR August 9, 1990 with timely filed claim. This is an eligible remedial claim.

**COST INCURRED TO DATE:**

1. Site check and Site Clean-up report	\$ 28,476.66
2. Site monitoring reports (6 total)	27,911.67 - Required CADR in 3/2003
3. Tank-pull (old)	14,717.20
4. RBCA Tier II report	<u>5,923.17</u>
<b>TOTAL COSTS INCURRED TO DATE:</b>	<b>\$ 77,028.70</b>

*-/2004 - Seneca said reclass SMR to be sent.  
 No - 2004, 05, 06, 07 SMRs High Risk*

**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 type="checkbox"/> Free Product Recovery (FPR)
<input checked="" type="checkbox"/> Corrective Action Design Report (CADR)	<input checked="" type="checkbox"/> Implementation of OE & SUE/AS

**TOTAL PROJECTED COSTS:** \$ 175,000.00

*Approved*

**TOTAL AUTHORITY RECOMMENDED:**

\$ 250,000.00

**COMMENTS:** The site is high risk for groundwater and soil vapor for residential sewers and basements. Soil gas sampling failed at three locations around the former underground storage tank (UST) basin, located approximately 25 ft from a house with a basement. In a teleconference it was decided that the former UST basin should be excavated and an SVE/AS system will then be installed in the backfill.

*KM,*

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 MARCH 18, 2008  
 SIGOURNEY OIL INC  
 WEST MAIN ST  
 OLLIE  
 SITE REGISTRATION NUMBER: 8605366  
 LUST NUMBER: 8LTD89**

**RISK CLASSIFICATION:**

HIGH       LOW       UNDETERMINED

**PRESENT CLAIM RESERVE:**      \$ 125,000.00

**ELIGIBILITY:** The contamination was discovered on September 27, 1990, during a site investigation and was reported to the IDNR the next day with claim filed October 1, 1990. This is an eligible remedial claim.

**COST INCURRED TO DATE:**

1. Site check, Site clean-up report & tank pull	\$ 16,441.73
2. CADR	1,758.00
3. Site monitoring reports	33,960.81
4. RBCA Tier II report	7,896.03
5. RBCA Tier III work plan	1,972.05
6. Over-excavation	<u>28,643.54</u>
<b>TOTAL COSTS INCURRED TO DATE:</b>	<b>\$ 90,672.16</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 type="checkbox"/> Free Product Recovery (FPR)
<input type="checkbox"/> Corrective Action Design Report (CADR)	<input type="checkbox"/> Implementation of CADR

**TOTAL PROJECTED COSTS:**      \$ 15,000 to 55,000.00 +

*Approved*

**TOTAL AUTHORITY RECOMMENDED:**

**\$ 125,000.00**

**COMMENTS:** The site is high risk for the groundwater ingestion to drinking water well pathway and groundwater to plastic water line pathway. High risk monitoring is an accepted approach at this site, and SSTL's may be reached after several more years of monitoring. There is a chance that additional corrective action may be required.

*Tier 3 monitoring accepted including nested well.*

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 THIRD BOARD REPORT  
 MARCH 18, 2008  
 ASSOCIATED MILK PRODUCERS, INC  
 101 WEST 1<sup>ST</sup> ST  
 SANBORN  
 SITE REGISTRATION NUMBER: 8601874  
 LUST NUMBER: 7LTG31**

**RISK CLASSIFICATION:**

**HIGH**

**LOW**

**UNDETERMINED**

PRESENT CLAIM RESERVE:

\$ 300,000.00

PREVIOUS BOARD APPROVAL:

\$ 278,000.00

Number and Date of each previous Board Report: 1st: November 2, 1995; 2nd: February 19, 2004

PREVIOUS COSTS INCURRED:

\$ 128,137.62

COSTS INCURRED SINCE LAST BOARD APPROVAL:

- |                            |                  |
|----------------------------|------------------|
| 1. Site monitoring report  | 12,423.81        |
| 2. Post RBCA evaluation    | 1,000.00         |
| 3. Remediation improvement | <u>46,042.32</u> |

TOTAL COSTS INCURRED TO DATE:

\$ 187,603.75

PROJECTED COSTS:

Risked Based Corrective  
Action Tier II Report

Tank Pull/Up-Grade.

Site Monitoring Report  
(SMR)

Free Product Recovery  
(FPR)

Corrective Action Design Report  
(CADR)

Implementation of  
Over-excavation

TOTAL PROJECTED COSTS:

\$ 100,000.00 to 175,000.00

*approved*

ADDITIONAL AUTHORITY RECOMMENDED:

\$ 47,000.00

TOTAL AUTHORITY:\*\*

\$ 325,000.00

*Initial LUST report - Fumes in restaurant, '89.*

**COMMENTS:** The site is high risk for the groundwater to plastic water line pathway, soil leaching to groundwater to plastic water line pathway, and soil leaching to groundwater vapor to enclosed space pathway for residential sewers and basements. Soil excavation is recommended. *approved in MOA.*

\*\*Previous approval + additional recommended

*RC/JW*

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 MARCH 18, 2008  
 TOTAL PETROLEUM  
 584-7<sup>TH</sup> AVE  
 MARION  
 SITE REGISTRATION NUMBER: 8601923  
 LUST NUMBER: 8LTA54**

**RISK CLASSIFICATION:**

HIGH       LOW       UNDETERMINED

**PRESENT CLAIM RESERVE:**      \$ 255,000.00

**ELIGIBILITY:** The contamination was discovered during a site investigation on October 9, 1990 and reported to the IDNR October 10, 1990, and claim filed 10/26/90. This is an eligible remedial claim.

**COST INCURRED TO DATE:**

1. Site assessment and clean-up reports	\$ 32,352.76
2. American soils and tank pull	12,760.91
3. Site monitoring reports	10,560.00
4. RBCA Tier II report	9,515.00
5. CADR	5,734.00
6. Remediation implementation	<u>7,346.00</u>
TOTAL COSTS INCURRED TO DATE:	\$ 78,268.67

*Accepted CADR in 2004  
 5/04 GAB approved budget  
 SMR - 8/04, 1/04, 7/07*

**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 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:**      \$ 175,000 to 250,000.00 +

*Approved*

**TOTAL AUTHORITY RECOMMENDED:**

\$ 290,000.00

**COMMENTS:** The site is high risk for the soil leaching to groundwater vapor and soil vapor pathways for residential basements and sewers. Soil gas sampling has failed at three locations, and it is expected that a fairly large over-excavation may be necessary.

RC

**Contracts Entered Into  
Since February 29, 2008 Board Meeting**



# IOWA UNDERGROUND STORAGE TANK

## *Financial Responsibility Program*

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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

### Φ Φ Φ *MEMO* Φ Φ Φ

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**TO:** UST Board

**FROM:** Scott Scheidel

**DATE:** March 20, 2008

**RE:** Contracts Entered Into Since February 29, 2008

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Since the February 29, 2008 Board meeting, the Board has not entered into any new agreements or contracts.

## Other Issues as Presented

Next meeting  
April 25<sup>th</sup>

## **Correspondence and Attachments**