



# IOWA UNDERGROUND STORAGE TANK

## *Financial Responsibility Program*

Susan E. Voss, *Chairperson*

Scott M. Scheidel, *Administrator*

Board Members: Michael L. Fitzgerald

Jeff W. Robinson

Eric W. Johnson

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, December 10, 2009. **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. RBCA Model Calibration Update
  - C. 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 October 29, 2009 Board Meeting
10. Other Issues as Presented
11. Correspondence and Attachments

## **Approval of Prior Board Minutes**



# IOWA UNDERGROUND STORAGE TANK FUND

*Susan E. Voss, Chairperson*

*Scott M. Scheidel, Administrator*

Board Members:

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

## **MINUTES IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND PROGRAM**

**October 29, 2009**

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

Angela Burke-Boston, sitting in for Chairperson Susan Voss, called the Iowa UST Board meeting to order at 10:04 A.M. A quorum was present. Roll call was taken with the following Board members present:

Doug Beech  
Tim Hall (for Patricia Boddy)  
Eric Johnson  
Jeff Robinson  
Stephen Larson (for Michael Fitzgerald)  
Nancy Lincoln (via telephone)  
Patricia Boddy (via telephone) (for Richard Leopold)

Also present were:

Tim Benton, Attorney General's Office  
Scott Scheidel, Administrator  
James Gastineau, Program Administrator's Office  
Brian Tormey, Iowa Department of Natural Resources

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

The minutes from the September 24, 2009 Board meeting were reviewed. Mr. Johnson moved to approve the minutes, and Mr. Hall seconded the motion, and by a vote of 4-0, 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. No closed session convened.

**PUBLIC COMMENT**

There was no public comment from anyone present.

*Ms. Lincoln joined the meeting by telephone at 10:07AM.*

**BOARD ISSUES**

**A. Attorney General’s Office Reimbursement Agreement**

Mr. Scheidel included in the Board packets a reimbursement agreement from the Attorney General’s Office for legal services to the UST Fund Board for fiscal year 2010. Mr. Johnson commented about the Duties section, paragraph 2.A., which noted that “the Attorney General shall make all assignments of attorneys to the Fund based on the available resources within the Department.” Mr. Johnson stated that it would benefit the Board to include language that would assure that UST Fund issues would be assigned to attorneys based on appropriate experience and qualifications.

In addition, he noted the Payment section, paragraph 1.A. referenced that the “Fund shall pay approximately \$65,000....” Mr. Scheidel stated that the payrolls reimbursed each year would not exceed the amount in the agreement, but would not necessarily reach \$65,000. Mr. Johnson said that an amount “not to exceed \$65,000” would be more appropriate than “approximately.” And lastly, Mr. Johnson directed the Board to paragraph 2.B. of the Payment section, suggesting that the Board set a limit on the amount of miscellaneous expenses charged to the Board without prior approval from the Board.

*Ms. Boddy joined the meeting by telephone at 10:09.*

Mr. Scheidel agreed that he would request alterations to the agreement. Mr. Johnson submitted a motion to approve the reimbursement agreement subject to the suggested changes, and Mr. Larson seconded the motion, which was approved by a vote of 5-0.

**B. RBCA Model Calibration Update**

Mr. Scheidel updated the Board regarding the re-calibration of the Risk Based Corrective Action (RBCA) Model and its effect on the assessments of leaking underground storage tank (LUST) sites. He noted that the Department of Natural Resources (DNR) staff had concerns about the use of the new model. After meeting, he stated the result was that the model would be used as intended and that LaDon Jones would collect data on sites which exhibited the characteristics which were of concern to DNR staff. The red-flag sites would then be further investigated by DNR staff. Mr. Scheidel said that Dr. Jones indicated that the model could be available the first two weeks of November.

T3  
Comp

**C. Contractor Selection for NFA Claims**

Mr. Scheidel presented the Board with a memo regarding contractor selection for no further action (NFA) claims services pursuant to a 28E agreement between the Board and the DNR. The contractors selected would be assigned to LUST sites that had been previously closed pursuant to NFA certificates from DNR and were subsequently found to have a new or increased risk due to a change in site conditions. The activities performed under contract would include assessments, receptor evaluations, and corrective action, if necessary.

Mr. Scheidel recommended the top two firms based on the proposal reviews of Administrator and DNR staff. The total scores were based 80% on technical scores and 20% on costs proposed for an example NFA site project, presented in the request for proposal (RFP). The top two scores went to Seneca Environmental Services, Inc. and Geode Environmental, LLC.

Mr. Beech asked how each NFA site would be allocated between the selected contractors. Mr. Scheidel responded that the Board would select a contractor based on the best interest of the Board, and that had been specifically stated in the RFP. Mr. Larson inquired about the range of costs expected to pay out for NFA sites. Mr. Scheidel stated that the budget for the current fiscal year was set at \$500,000, and that was a strictly a place-holder, as the number of NFA sites, to be identified by the DNR as requiring additional assessment, was not known.

Mr. Beech submitted a motion to award contracts to the top two scoring firms, Seneca Environmental and Geode Environmental, for the completion of work required at NFA sites pursuant to the 28E agreement between the Board and DNR. Mr. Johnson seconded the motion, which was passed by a vote of 5-0.

**D. DNR Update**

Elaine Douskey of the DNR reported that the LUST Section had selected four groundwater professional firms to complete work on projects subject to the American Reinvestment Recovery Act. She noted that eight proposals had been received, and contracts were awarded to GeoTek Engineering & Testing, MPS Engineers, Seneca Environmental, and Terracon.

She noted that the first underground storage tank (UST) removers' training course was held in October with 7 attendees. ~ 70

**PROGRAM BILLINGS**

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

1. Aon Risk Services .....\$127,219.00  
Consulting Services – November 2009 (\$70,639.00)  
Claims Processing Services – November 2009 (\$56,580.00)
2. Iowa Department of Revenue .....\$1,310.37  
Environmental Protection Charge collections – July – September 2009

In a motion by Mr. Larson and a second by Mr. Johnson, all billings were approved by a vote of 5-0.

### **MONTHLY ACTIVITY REPORT**

Mr. Scheidel noted that the September activity report and financial reports were provided for the Board members to review. Mr. Scheidel noted that a recent increase in remediation at sites should show up in the November and December activity reports.

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

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

### **CLAIM AUTHORITY**

Mr. Gastineau presented the following claim authority requests:

1. **Site Registration 8605344 – Den Rhon LLC, Sioux City**

This site was classified no further action with free product in 2001. One well continued to have more than one inch of product, recovered by monthly hand bailing. This site was a currently operating facility. Previous authority to \$75,000 had been granted, and \$79,228.34 was incurred to date. Additional authority to \$110,000 was requested for continued free product recovery.

Mr. Larson submitted a motion to approve the claim authority, and Ms. Boddy seconded the motion. Mr. Gastineau clarified that free product recovery activities would continue to cost approximately \$2,000.00/year; therefore the authority requested would be sufficient for several years. Approved 5-0.

2. **Site Registration 8610191 – J.P. Scherrman, Inc., Farley**

This was a second Board report for a high risk site where the contaminant plume had merged with that of an adjacent site, and some of the remediation costs were shared. The remediation system had not yet reduced contaminant levels to achieve site specific target levels (SSTLs); however a recent modification to the system should improve the results. Previous authority to \$150,000 had been granted, and \$160,378.81 was incurred to date. Additional authority to \$275,000 was requested for operation and maintenance, including utilities, for the system, as well as free product recovery and site monitoring.

Mr. Beech submitted a motion to approve the claim authority, and Mr. Larson seconded the motion. Approved 5-0.

**CONTRACTS ENTERED INTO SINCE THE SEPTEMBER 24, 2009 BOARD MEETING**

Mr. Scheidel noted that the Board had not entered into any new contracts or agreements since the previous Board meeting.

**OTHER ISSUES**

Mr. Scheidel stated that a meeting was held in September regarding Mr. Hall's previous observations regarding the cooperative efforts between the Fund and DNR, and he said that he was awaiting data to consolidate and send out to the focus group for a follow up. Mr. Scheidel reported that the next meeting of the Board was set for Thursday, December 10, 2009 at 10 A.M. at the Iowa Insurance Division.

Ms. Lincoln stated that she would not be able to attend the meeting in December.

**CORRESPONDENCE AND ATTACHMENTS**

Mr. Scheidel referenced the article in the Board packets regarding Leona Westphal's site and the closing out of her UST claim.

Ms. Burke-Boston asked if there was any further business, and there being none, Mr. Johnson moved to adjourn, and Ms. Lincoln seconded the motion. By a vote of 5-0, the Board adjourned at 10:33 P.M.

Respectfully Submitted,



Scott M. Scheidel  
Administrator

## **Closed Session**

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

## **Public Comment**

## **Board Issues**

## **A. Legislative Update**



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### MEMORANDUM

TO: UST Board Members  
FROM: Scott Scheidel  
DATE: December 3, 2009  
SUBJECT: Legislative Bill Request Language

At the July meeting the Board discussed Legislative issues that they wanted to be considered during the upcoming session. While the discussion acknowledged that the primary issue, that of funding or diversion of funding, would be driven by the Legislature's appropriation process for the current and subsequent fiscal years, there were two policy issues upon which the Board was in agreement.

The first was the extension of Board authority contained in Code Section 455G.6 and 455G.7. The sections of the code were set to expire on June 30, 2009. The Legislature passed a one year extension until June 30, 2010, last year.

The second measure was to amend the Board's authority in Code Section 455G.9, paragraph 7. to allow the Board to reimburse costs beyond monitoring on Low Risk sites, when it made economic sense. The language to accomplish both is as follows:

Iowa Code Section 455G.9, paragraph 7 is amended to read  
*7. Expenses of cleanup not required.* When an owner or operator who is eligible for benefits under this chapter is allowed by the department of natural resources to monitor in place, the expenses incurred for cleanup beyond the level required by the department of natural resources may only be covered under any of the accounts established under the fund, if deemed by the Board to be cost effective relative the department-accepted monitoring plan. Any cleanup expenses incurred for work completed beyond what is approved pursuant to this paragraph is the responsibility of the person contracting for the excess cleanup.

1989 Iowa Acts, chapter 131, section 63 is repealed.

This language was submitted to be drafted as a Study Bill for the upcoming session. Other items may be pursued by the Board as session moves forward, with a Legislative sponsor.

## **B. RBCA Model Calibration Update**

## C. DNR Update

## **Approval of Program Billings**



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## Financial Responsibility Program

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Douglas M. Beech

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### MEMORANDUM

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TO: UST Board Members  
FROM: Scott Scheidel  
DATE: December 3, 2009  
SUBJECT: Summary of Bills for Payment

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#### \*NOTICE\*

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

1. Aon Risk Services .....\$127,219.00  
Consulting Services December 2009 -- \$70,639.00  
Claims Processing Services December 2009 -- \$56,580.00
2. Iowa Attorney General's Office .....\$20,942.95  
Services provided for Underground Storage Tank Program  
July – October 2009 Billing

**Iowa Comprehensive Petroleum**

Invoice No. 9500000077945

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

 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	Account Executive
10756349	Nov-02-2009	US DOLLAR	Scott Scheidel

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2009 - Jan-01-2010	Dec-01-2009	Renewal - Service Fee  Service Fee	70,639.00
<b>Comments</b> Installment 12 of 12				
<b>TOTAL INVOICE AMOUNT DUE</b>				<b>70,639.00</b>

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

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	9500000077945	Nov-02-2009	US DOLLAR	70,639.00

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

**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. 9500000077946

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

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	Account Executive
10756349	Nov-02-2009	US DOLLAR	Scott Scheidel

Named Insured	Service Term	Trans. Eff. Date	Description	Amount
Iowa Comprehensive Petroleum	Jan-01-2009 - Jan-01-2010	Dec-01-2009	Renewal - Service Fee	
			Service Fee	0.00
<b>Comments</b>			Consulting Expense	56,580.00
Installment 12 of 12				
			<b>TOTAL INVOICE AMOUNT DUE</b>	<b>56,580.00</b>

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10756349	9500000077946	Nov-02-2009	US DOLLAR	56,580.00

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

**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:** 11/03/09

**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:** **July - October FY2010**

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

Document Number	Account Coding				Description	Amount
	Fund	Agency	Org	Sub Org		
112AG110309027	0001	112	2301		0285	\$ 20,942.95

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

Iowa Attorney General's Office  
Invoiced Services

Billing Period:	July
Billing Total:	<b>\$20,942.95</b>
DSS @ 33%	\$1,561.12
TDB @ 25%	\$1,182.66
RCH @15%	\$407.63
CLJ @25%	\$535.99
Payroll: 7/9/09	\$3,687.40
Less FY09	(\$1,106.10)
	\$2,581.30
DSS @ 22%	\$1,037.41
TDB @ 18%	\$848.79
RCH @10%	\$241.08
CLJ @12%	\$255.66
Payroll: 7/23/09	\$2,382.94
DSS @ 22%	\$1,210.42
TDB @ 18%	\$974.18
RCH @10%	\$368.50
CLJ @12%	\$368.52
Payroll: 08/06/09	\$2,921.62
	\$7,885.86
Subtotal:	<b>\$7,885.86</b>

1 of 2

Billing Period:	August
Billing Total:	<b>\$20,942.95</b>
DSS @ 22%	\$985.23
TDB @ 18%	\$848.53
RCH @10%	\$269.31
CLJ @12%	\$255.66
Payroll: 08/20/09	\$2,358.73
DSS @ 22%	\$1,210.42
TDB @ 18%	\$889.31
RCH @10%	\$325.96
CLJ @12%	\$381.30
Payroll: 09/03/09	\$2,806.99
	\$5,165.72
Subtotal:	<b>\$13,051.58</b>

**DSS = David Steward** 22%

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** 18%

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** 10%

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** 12%

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.



**Monthly Activity Report and Financials Reviewed**

## **A. October Activity Report**

Iowa UST Fund  
Monthly Activities Report

October 2009

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	September Ending	Monthly Net Changes	October Ending	Totals since Inception
<b>RETROACTIVE</b>				
number	62	(1)	61	444
reserve	\$2,765,436.03	(\$45,751.70)	\$2,719,684.33	\$2,719,684.33
paid	\$7,842,472.08	(\$50,248.30)	\$7,792,223.78	\$15,362,692.33
total	\$10,607,908.11	(\$96,000.00)	\$10,511,908.11	\$18,082,376.66
<b>REMEDIAL</b>				
number	753	(2)	751	4,447
reserve	\$37,520,495.61	(\$287,674.86)	\$37,232,820.75	\$37,232,820.75
paid	\$87,785,279.21	(\$12,116.41)	\$87,773,162.80	\$187,340,063.13
total	\$125,305,774.82	(\$299,791.27)	\$125,005,983.55	\$224,572,883.88
<b>INNOCENT LANDOWNER</b>				
number	217	(3)	214	1,065
reserve	\$8,205,028.46	(\$92,299.33)	\$8,112,729.13	\$8,112,729.13
paid	\$11,992,204.36	\$211,412.09	\$12,203,616.45	\$24,092,417.01
total	\$20,197,232.82	\$119,112.76	\$20,316,345.58	\$32,205,146.14
<b>GLOBAL OPT-IN</b>				
number	208	(1)	207	1,284
reserve	\$1,257,150.34	(\$10,091.64)	\$1,247,058.70	\$1,247,058.70
paid	\$1,607,542.48	\$1,091.64	\$1,608,634.12	\$9,170,003.10
total	\$2,864,692.82	(\$9,000.00)	\$2,855,692.82	\$10,417,061.80
<b>UNASSIGNED PROJECTS</b>				
number	17	0	17	186
reserve	\$162,852.85	(\$1,540.00)	\$161,312.85	\$161,312.85
paid	\$319,437.10	\$1,540.00	\$320,977.10	\$2,634,890.85
total	\$482,289.95	\$0.00	\$482,289.95	\$2,796,203.70

Corrective Action Meetings	
Scheduled:	
Completed:	
MOA's	

RT Claims	#
New	0
Reopened	0
Closed	0
<b>RM Claims</b>	
New	5
Reopened	1
Closed	8
<b>ILO Claims</b>	
New	1
Reopened	0
Closed	4
<b>GS Claims</b>	
New	0
Reopened	0
Closed	1
<b>PROJ Clms</b>	
New	0
Reopened	0
Closed	0

Invoice Type Totals	October	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	1,095.00	1,095.00	\$4,138,400
Corrective Action	10,341.64	98,733.59	\$50,327,882
Free Prod Recover	44,225.40	153,652.33	\$7,963,736
Monitoring	135,600.55	505,005.11	\$21,412,062
New UST Pull 2004	25,873.71	167,271.22	\$1,572,452
Operations/Maint	47,233.89	202,283.46	\$7,612,691
Over-excavation	224,259.89	674,231.94	\$23,447,857
Plastic Water Lines	28,300.69	34,905.73	\$1,650,624
Post RBCA Evals	1,000.00	1,858.75	\$141,211
RBCA	24,623.39	69,846.69	\$24,883,320
Remed Imp/Const.	35,717.06	303,497.29	\$23,334,610
SCR Charges	0.00	0.00	\$54,168,297
Site Check	0.00	0.00	\$125,396
Soil Disposal	0.00	0.00	\$656,364
Tank (UST) Pull	17,018.40	48,861.77	\$5,072,065
Tank (UST) Upgrade	0.00	0.00	\$5,880,860
Tier III	0.00	8,800.90	\$1,158,534
Utilities	17,580.00	71,121.72	\$1,126,639
Well Closure	8,230.90	38,299.75	\$2,626,711
<b>Total Invoice Types</b>	<b>621,100.52</b>	<b>2,379,465.25</b>	<b>\$250,560,101</b>

Budgets Approved to Date		
Trailing 12 mos		
Prev Trail 12 mos		
Total Since Jan 2003		

Project Contracts	Open	Closed	Pending
CRP's	19	23	0
Tank Closure	2	3	0
Plastic Water Line	0	2	0

## **B. November Activity Report**

Iowa UST Fund  
Monthly Activities Report

November 2009

	Open Claims	Open & Closed	Open Claims	Open & Closed
Claims	October Ending	Monthly Net Changes	November Ending	Totals since Inception
<b>RETROACTIVE</b>				
number	61	(1)	60	444
reserve	\$2,719,684.33	\$4,241.69	\$2,723,926.02	\$2,723,926.02
paid	\$7,792,223.78	(\$149,741.69)	\$7,642,482.09	\$15,378,530.07
total	\$10,511,908.11	(\$145,500.00)	\$10,366,408.11	\$18,102,456.09
<b>REMEDIAL</b>				
number	751	(5)	746	4,447
reserve	\$37,232,820.75	(\$426,847.20)	\$36,805,973.55	\$36,805,973.55
paid	\$87,773,162.80	\$263,492.83	\$88,036,655.63	\$188,329,277.35
total	\$125,005,983.55	(\$163,354.37)	\$124,842,629.18	\$225,135,250.90
<b>INNOCENT LANDOWNER</b>				
number	214	1	215	1,068
reserve	\$8,112,729.13	(\$84,783.79)	\$8,027,945.34	\$8,027,945.34
paid	\$12,203,616.45	\$28,785.79	\$12,232,402.24	\$24,161,356.85
total	\$20,316,345.58	(\$55,998.00)	\$20,260,347.58	\$32,189,302.19
<b>GLOBAL OPT-IN</b>				
number	207	(1)	206	1,284
reserve	\$1,247,058.70	(\$4,710.67)	\$1,242,348.03	\$1,242,348.03
paid	\$1,608,634.12	(\$9,289.33)	\$1,599,344.79	\$9,177,226.61
total	\$2,855,692.82	(\$14,000.00)	\$2,841,692.82	\$10,419,574.64
<b>UNASSIGNED PROJECTS</b>				
number	17	0	17	186
reserve	\$161,312.85	\$16,013.00	\$177,325.85	\$177,325.85
paid	\$320,977.10	(\$16,013.00)	\$304,964.10	\$2,584,172.35
total	\$482,289.95	\$0.00	\$482,289.95	\$2,761,498.20

Corrective Action Meetings	
Scheduled:	106
Completed:	928
MOA's	457

RT Claims	#
New	0
Reopened	0
Closed	1
<b>RM Claims</b>	
New	0
Reopened	2
Closed	7
<b>ILO Claims</b>	
New	3
Reopened	1
Closed	3
<b>GS Claims</b>	
New	0
Reopened	2
Closed	3
<b>PROJ Cims</b>	
New	0
Reopened	3
Closed	3

Invoice Type Totals	November	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	0.00	1,095.00	\$4,138,400
Corrective Action	257,444.76	356,178.35	\$50,561,102
Free Prod Recover	40,424.45	194,076.78	\$8,001,346
Monitoring	245,034.03	750,039.14	\$21,657,096
New UST Pull 2004	787.52	168,058.74	\$1,573,239
Operations/Maint	78,824.49	281,107.95	\$7,691,515
Over-excavation	248,575.27	922,807.21	\$23,696,432
Plastic Water Lines	2,638.30	37,544.03	\$1,653,262
Post RBCA Evals	0.00	1,858.75	\$141,211
RBCA	5,740.00	75,586.69	\$24,888,245
Remed Imp/Const.	102,255.32	405,752.61	\$23,436,865
SCR Charges	0.00	0.00	\$54,168,297
Site Check	0.00	0.00	\$125,396
Soil Disposal	0.00	0.00	\$656,364
Tank (UST) Pull	6,246.50	55,108.27	\$5,106,166
Tank (UST) Upgrade	0.00	0.00	\$5,880,860
Tier III	750.00	9,550.90	\$1,159,284
Utilities	17,571.19	88,692.91	\$1,144,210
Well Closure	24,204.98	62,504.73	\$2,650,916
<b>Total Invoice Types</b>	<b>1,030,496.81</b>	<b>3,409,962.06</b>	<b>\$251,590,598</b>

Budgets Approved to Date		
November	4	\$236,221
Trailing 12 mos	47	\$2,468,372
Prev Trail 12 mos	28	\$1,083,185
<b>Total Since Jan 2003</b>	<b>952</b>	<b>\$35,912,427</b>

Project Contracts	Open	Closed	Pending
CRP's	19	23	0
Tank Closure	2	3	0
Plastic Water Line	0	2	0

## **C. October Financial Report**

**D. Year-to-Date Financials as of October 31, 2009**

## **Attorney General's Report**

**Claim Payment Approval**

	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	WW Comments
1	7910104	City of Muscatine	07/16/09				\$75,761	\$95,000	\$95,000		PGS
2	8912094	Myers Service	8/12/2003	7/16/2009			\$378,998	\$565,000	\$565,000	\$335,651	
3	8609090	Griffith Oil Corp	10/29/2001	11/18/2004	7/16/2009		\$601,692	\$1,000,000	\$1,000,000	\$182,194	16 dww
4	7910533	James Martin Jr	8/5/2009				\$20,484	\$150,000	\$150,000		4 dww
5	8710742	Ubben Oil Co.	11/18/2004	8/14/2009			\$271,592	\$310,000	\$310,000	\$212,721	
6	8609091	Griffith Oil Corp	6/17/2003	8/20/2009			\$385,398	\$455,000	\$455,000	\$301,531	ndww
7	8606954	Agriland FS Inc.	9/18/2009				\$83,703	\$225,000	\$225,000		
8	8602882	City of Waukon	9/22/2009				\$11,620	\$230,000	\$230,000		
9	8604780	Mulgrew Oil Co	10/11/2006	9/21/2009			\$127,577	\$300,000	\$300,000	\$61,002	PGS
10	8810972	Seven Kids Corp	9/21/2009				\$55,743	\$300,000	\$300,000		PGS
11	8601925	MRP Properties Co	9/23/2009				\$54,539	\$200,000	\$200,000		
12	8605344	Den Rhon LLC	10/14/2009				\$79,228	\$110,000	\$110,000		
13	8610191	JP Scherrman Inc.	4/15/2003	10/12/2009			\$160,379	\$275,000	\$275,000	\$137,629	
14	8811618	Woodbury Central	7/26/1995	12/2/2009			\$538,704	\$565,000		\$481,375	multiple dww
15	9217516	Pat Benjamin	12/2/2009				\$440,645	\$465,000			multiple dww
16											
17											
18											
19											
20											

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

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 SECOND BOARD REPORT  
 DECEMBER 2, 2009  
 WOODBURY CENTRAL COMMUNITY SCHOOL  
 79 HWY. D54 W  
 CLIMBING HILL  
 SITE REGISTRATION NUMBER: 8811618  
 LUST NUMBER: 7LTV89**

RISK CLASSIFICATION:

HIGH

LOW

UNDETERMINED

PRESENT CLAIM RESERVE:

\$ 565,000.00

PREVIOUS BOARD APPROVAL:

\$ 97,329.06

Number and Date of each previous Board Report: 1st: July 26, 1995

Plus Board Approval for Special Project CRPCA9703-02, costs:

\$ 440,645.21

PREVIOUS COSTS INCURRED:

\$ 57,329.06

COSTS INCURRED SINCE LAST BOARD APPROVAL:

- |                                    |                   |
|------------------------------------|-------------------|
| 1. Over-excavation                 | 20,504.93         |
| 2. Site monitoring reports         | 8,660.00          |
| 3. RBCA Tier II report             | 11,565.00         |
| 4. Drinking water well replacement | <u>440,645.21</u> |

TOTAL COSTS INCURRED TO DATE:

\$ 538,704.20

PROJECTED COSTS:

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

TOTAL PROJECTED COSTS:

\$ 25,000.00

ADDITIONAL AUTHORITY RECOMMENDED:

\$ 27,025.73

TOTAL AUTHORITY:\*

\$ 565,000.00

COMMENTS: This site was in the Climbing Hill special project for replacement of drinking water well. The IUST Program Fund has reimbursed costs to install association wells and hook up the affected well owners. Site is still high risk and monitoring will continue until the at-risk drinking water wells are plugged.

\*Previous approval + additional recommended

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 DECEMBER 2, 2009  
 PAT BENJAMIN  
 29 DEER RUN TRAIL  
 CLIMBING HILL  
 SITE REGISTRATION NUMBER: 9217516  
 LUST NUMBER: 8LTU14**

**RISK CLASSIFICATION:**

HIGH       LOW       NFA

**PRESENT CLAIM RESERVE:**      \$ 460,000.00

**ELIGIBILITY:** This site was part of the Climbing Hill project CRPCA9703-02. The underground storage tanks were removed prior to October 26, 1990, and prior to the property acquisition. This is an eligible innocent landowner claim.

**COST INCURRED TO DATE:**

1. Drinking water well replacement	\$ 440,645.20
TOTAL COST TODATE	\$ 440,645.20

**PROJECTED COSTS:**

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

**TOTAL PROJECTED COSTS:**      \$ 25,000.00

**TOTAL AUTHORITY RECOMMENDED:**

\$ 465,000.00

**COMMENTS:** The site is high risk for several drinking water wells, some of which have been impacted. The IUST Program Fund has reimbursed costs to install association wells and hook-up the affected well owners. Monitoring will continue until the at-risk drinking water wells are plugged.



# IOWA UNDERGROUND STORAGE TANK

## Financial Responsibility Program

Susan E. Voss, *Chairperson*

Scott M. Scheidel, *Administrator*

*Board Members:*

Michael L. Fitzgerald

Jeff W. Robinson

Eric W. Johnson

Richard A. Leopold

Nancy A. Lincoln

Douglas M. Beech

TO: UST BOARD

FROM: SCOTT M. SCHEIDEL

SUBJECT: CONTRACT NO. CRPCA 9710-07: AKRON, IOWA  
CHANGE ORDER REQUEST

DATE: December 2, 2009

This state lead project was originally contracted to Seneca Environmental Services, Inc. in November 1997 to address a commingled plume involving 2 LUST sites in Akron, IA. The RBCA evaluation was completed in 1999 then revised in 2002. The sites were classified high-risk due to proximity of contamination to the 3 municipal drinking water wells. Contaminants are primarily related to diesel and waste oil, and to a lesser degree, to gasoline constituents. Due to the presence of semi-volatile compounds and a very large area of presumed contamination, a CADR was developed to address source removal to be followed by a period of monitoring.

In 2004, the Board entered into a subsequent contract with Seneca Environmental Services for implementation of the remedial plan. A remedial system operated for 2 years and successfully reduced volatile contaminant levels across the sites. Subsequent monitoring indicated diesel and waste oil contaminants remain a concern due to proximity to the municipal well field. DNR is requiring further corrective action to reduce the risk presented by these contaminants. Use of an ozone injection system has been recommended by Seneca and agreed upon by all parties. Use of the system is expected to be necessary for 1 or more years, monitoring may be required for a longer time.

In order to provide funding for the proposed remediation, the following change order is recommended:

Projected costs for Ozone System:

Ozone System – Purchase / Installation	\$43,000.00
Operation & Maintenance (1 year)	\$8,500.00
System & Site Monitoring (1 year)	\$16,000.00
Total:	\$67,500.00

Original Contract (1997)	\$23,484.94
Change Contract Authorization to Contractor	\$485,284.29
Current Board Authorization (2004)	\$500,000.00

Additional Authority Requested	\$90,000.00
<b>TOTAL AUTHORITY REQUESTED:</b>	<b>\$590,000.00</b>

SMS: jrg

c: Sandi Porter, GAB



# IOWA UNDERGROUND STORAGE TANK Financial Responsibility Program

Susan E. Voss, Chairperson

Scott M. Scheidel, Administrator

Board Members:

Michael L. Fitzgerald

Jeff W. Robinson

Eric W. Johnson

Richard A. Leopold

Nancy A. Lincoln

Douglas M. Beech

TO: UST BOARD

FROM: SCOTT M. SCHEIDEL

SUBJECT: CONTRACT CRPCA 011-26: COUNCIL BLUFFS

DATE: December 2, 2009

This State Lead contract was awarded to Barker Lemar Engineering Consultants in 2001 to address a perceived commingled contaminant plume involving four (4) separate LUST sites. Two sites have been reclassified as No Action Required while two are high risk.

Former Rite Way Oil facility: a corrective action plan was implemented for this site in 2003 to address vapor receptors. Some progress has been made in reducing free product and contaminant levels however continued operation is necessary to achieve the site closure goals. The contractor is also evaluating options to augment the system using a surfactant to flush the soil or adding high-vacuum extraction events at selected locations. Projected costs for the enhancement may be presented at a later date; current authority is requested for continued operation of the remedial system.

Former Fran Oil site: Originally classified low risk, monitoring activities have been completed since 2002. Following the tank removal and discovery of significant soil contamination in 2005, additional investigation has been completed and a recommendation to excavate the site was presented. The excavation included placement of shoring to protect the onsite structure and an adjacent highway. During the excavation, unforeseen conditions were encountered which resulted in the need to leave a significant portion of the shoring in place, thus, incurring additional costs. Future monitoring activities will likely be necessary due to the discovery of a new receptor in the contaminant area and to address the remaining contaminants.

In order to provide funding for the proposed work at the two sites, the following change order is recommended:

<u>Rite Way Oil</u>	
Operation, maintenance & reporting (\$20,000/ year x 3 yrs)	\$60,000.00
Additional authority	\$15,000.00
Projected costs	\$75,000.00
<u>Fran Oil site (excavation &amp; monitoring):</u>	
Future monitoring activities (projected)	\$50,000.00
<b>TOTAL REQUESTED:</b>	<b>\$135,000.00</b>
Initial Contract Authorization (3/18/02)	\$46,998.00
Current Authorization (as of 12/01/09)	\$1,015,572.92
Current Authority	\$1,045,000.00
<b>Revised Authority</b>	<b>\$1,180,000.00</b>

c: Sandi Porter, GAB  
Elaine Douskey, DNR

**Contracts Entered Into  
Since October 29, 2009 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

Eric W. Johnson

Richard A. Leopold

Nancy A. Lincoln

Douglas M. Beech

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### Φ Φ Φ *MEMO* Φ Φ Φ

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**TO:** UST Board

**FROM:** Scott Scheidel

**DATE:** December 3, 2009

**RE:** Contracts Entered Into Since October 29, 2009

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The Board has entered into a contract agreement addendum with Aon Risk Services Central, Inc. for the administration of the Iowa UST Program for calendar year 2010.

## **Other Issues as Presented**

## **Correspondence and Attachments**



**IOWAPOLITICS.COM**

**IowaPolitics.com Press Releases**

**Iowa Democratic Party: Branstad's words contradict his borrowing past**  
11/9/2009

Contact: Norm Sterzenbach 515-244-7292

DES MOINES, IA – Terry Branstad's rhetoric attacking the I-JOBS program stands in sharp contrast to his actions as Governor, when he put the state in an even deeper debt hole, Iowa Democratic Party Chairman Michael Kiernan said Monday.

"Branstad's attacks on the I-JOBS program ring awfully hollow given that Branstad's borrowing exceeded anything that's going on right now," Kiernan said.

At a Republican Party of Iowa fundraiser in Des Moines Saturday, Branstad took a swipe at Governor Culver's \$830 million stimulus package. "...Too much debt is bad and those that create it should be thrown out of office," Branstad said, "We know that it doesn't have to be this way."

[<http://okhenderson.com/2009/11/07/2010-iowa-gop-gubernatorial-candidates-take-stage/#more-2005>]

In fact, the Branstad Administration used public bonding, the same kind of debt Branstad now decries, to fund more than \$613 million in projects between 1989 and 1994. Those projects included a state prison at Clarinda (\$22.6 million); the Iowa Communications Network (\$115 million) and the Underground Storage Tank cleanup program (\$141 million). Details and source material may be found at <http://www.iowaknowsbetter.com>.

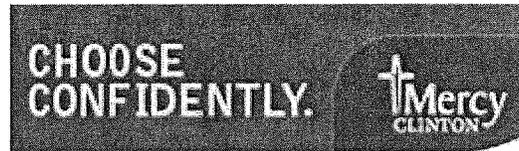
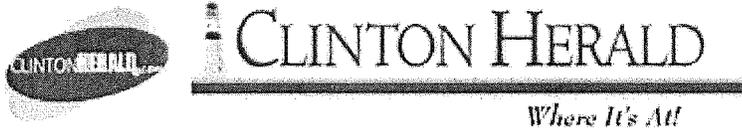
Adjusted for inflation, Branstad's borrowing totals nearly a billion dollars (\$994.48 million), without including any of the interest Iowans were forced to pay on the four separate instances of major bonding Branstad conducted.

"To now hear Branstad attack I-JOBS is ironic to say the least," Kiernan said.

The I-JOBS program is a critical tool in helping Iowa endure the biggest economic downturn since the Great Depression, by creating jobs, rebuilding our state's aging infrastructure and helping Iowans recover from the devastating floods, storms and tornadoes of 2008, Kiernan said.

"Branstad appears to be joining the chorus of Republicans who would have done nothing to help our state through this recession," Kiernan said. "And in Branstad's case, that's not only wrong, it's disingenuous given his past decisions."

###



## Welton lands \$80,000 for well-capping costs

By **Mary Lou Hinrichsen**  
Herald Staff Writer

November 13, 2009 09:58 am

— WELTON — A Welton city council action that was strongly protested by several residents has now brought the city almost \$80,000 from the Iowa Underground Storage Tank Fund. The issue was rooted in the contamination of several private wells by benzene from underground storage tanks at the site of a long-ago service station. The city received a \$250,000 grant from the state fund toward the cost of developing a municipal water system, which was recently completed. As part of the city's agreement to accept that money, it had to agree to cap all private wells. Some residents argued they should be able to keep their private wells to water their lawn, wash vehicles, etc. Some hired an environmental testing company, which reported that the contamination appears to have dissipated. A representative of an agricultural spraying company argued that the many hundreds of gallons of water from that private well should be an exception from the rule. But state authorities insisted that the 10-year-old map of the contamination had to be used. After many discussions with the residents, the county environmental officer and the city attorney, the council adopted an amendment to the rule that provided for an exception under strict conditions — including proof that the well in question was outside the area of contamination as shown on the 1999 map. This week the engineer from MSA, Mat Saur, told the council that officials of the fund decided the requirements of the rules adopted by the city were sufficient to protect the citizens, and awarded the city a nearly \$80,000 reimbursement for the cost of capping the wells.

### More good news

Julian and Cathy Stahl, doing business as Welton, LLC, applied for, and were granted, a building permit to construct a \$125,000 building to house a mail order catalog business. Construction is expected to start immediately and be completed by May 1, 2010. In other business, Saur presented the final paperwork for the construction of the municipal water system by Anstoetter Construction Co. Final change orders included \$22,998 in deductions and \$43,672 in additions. The net change order price of \$20,674 brought the total cost of the contract to \$873,630.76, compared to the original bid price of \$852,956.39.

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**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING OCTOBER 31, 2009**

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

<b>Balance of Fund, October 1, 2009</b>		\$4,652,405.00
<b>Receipts:</b>		
Tank Management Fees	\$0.00	
Motor Vehicle Use Tax (IDOT - vehicle registration)	\$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	
EPC Charges	\$0.00	
Transfer to General Fund	\$0.00	
Transfer to Unassigned Revenue Fund	\$0.00	
Transfer to Innocent Landowner Fund	\$0.00	
Transfer to Remedial Non-Bonding Fund	\$0.00	
		\$0.00
<b>Balance of Fund, October 31, 2009</b>		<b>\$4,652,405.00</b>

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

<b>Balance of Fund, October 1, 2009</b>		\$2,451,333.23
<b>Receipts:</b>		
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	\$0.00	
Compensation for Pooled Money Investments	\$0.00	
Amort / Accretion	\$0.00	
Buys/ Sells	\$0.00	
Interest Income	\$1,296.65	
		\$1,296.65
<b>Disbursements:</b>		
UST Administrator's Fees	\$127,219.00	
Attorney General's Fees	\$0.00	
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$0.00	
Bond Trustee Fees - Bankers Trust	\$0.00	
Claim Settlement	\$0.00	
Custodial Fees - BONY	\$0.00	
Department of Revenue EPC Collection Fees	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING OCTOBER 31, 2009**

Environmental Protection Charge Refunds	\$0.00	
Innovative Technology	\$0.00	
Inspection & Appeals Service Fees	\$0.00	
Iowa Finance Authority Expenses	\$0.00	
Legal and Professional Fees	\$0.00	
Legal and Professional Fees	\$0.00	
Postage / Printing / Miscellaneous	\$0.00	
Professional Administrative Services (Investments, etc.)	\$0.00	
Rebate	\$0.00	
Tank Closure Claims & Plastic Waterline Claims	(\$20,905.00)	
Travel Expenses-UST Board Members	\$112.32	
Warrant Float Expense	\$0.00	
28E Agreement - DNR Plume Study	\$0.00	
28E Agreement - NFA Claims	\$0.00	
28E Agreement - RBCA (DNR Staff Training & Development)	\$0.00	
28E Agreement - DNR UST Section Funding - FY09	\$0.00	
28E Agreement - DNR UST Section Funding - FY10	\$0.00	
Statutory Transfer to DNR - FY10	\$0.00	
Statutory Transfer to General Fund	\$0.00	\$106,426.32
<hr/>		
<b>Balance of Fund, October 31, 2009</b>		<b>\$2,346,203.56</b>

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

<b>Balance of Fund, October 1, 2009</b>		<b>\$2,997,344.22</b>
<b>Receipts:</b>		
Remedial Refunds	\$0.00	
Misc. Income (i.e. eligibility settlements)	\$0.00	
Interest Income	\$0.00	
Transfer Received from Revenue Fund	\$0.00	\$0.00
<b>Disbursements:</b>		
Retroactive Claims	\$15,950.00	
Remedial Claims	\$164,824.18	
Balance of Outdated Warrants	\$0.00	
<hr/>		\$180,774.18
<b>Balance of Fund, October 31, 2009</b>		<b>\$2,816,570.04</b>

**0478 - UST MARKETABILITY FUND**

<b>Balance of Fund, October 1, 2009</b>		<b>\$572,346.26</b>
<b>Receipts:</b>		
Interest	\$10,117.21	
Use Tax	\$0.00	
<hr/>		\$10,117.21
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
		\$0.00
<b>Balance of Fund, October 31, 2009</b>		<b>\$582,463.47</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FOR THE MONTH ENDING OCTOBER 31, 2009**

**0485 - UST INNOCENT LANDOWNERS FUND**

<b>Balance of Fund, October 1, 2009</b>		\$16,356,821.25
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	
ILO Refunds	\$0.00	
Transfer Received from Revenue Fund	\$0.00	
Miscellaneous Income	\$0.00	
		\$0.00
<b>Disbursements:</b>		
Other Contractual Services	\$0.00	
Global Settlement Claims	\$21,791.64	
Innocent Landowner Claims	\$439,439.70	
Balance of Outdated Warrants	\$0.00	
		\$461,231.34
<b>Balance of Fund, October 31, 2009</b>		<b>\$15,895,589.91</b>

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

<b>Balance of Fund, October 1, 2009</b>		\$274,024.15
<b>Receipts:</b>		
Interest Income	\$235.56	
		\$235.56
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
Payments on Loan Losses	\$0.00	
		\$0.00
<b>Balance of Fund, October 31, 2009</b>		<b>\$274,259.71</b>

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

<b>Balance of Fund, October 31, 2009</b>		\$0.00
<b>Combined UST Capital Reserve Fund Balances, October 31, 2009</b>		<b>\$0.00</b>
<b>TOTAL FUND BALANCES, October 31, 2009</b>		<b>\$26,567,491.69</b>

**FOOTNOTES:**

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



**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING OCTOBER 31, 2009**

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

<b>Balance of Fund, July 1, 2009</b>		\$11,729,152.76
<b>Receipts:</b>		
Tank Management Fees	\$0.00	
Motor Vehicle Use Tax (IDOT - vehicle registration)	\$4,250,000.00	
Intra State Fund Transfers Received	\$402,405.00	
Interest Income	\$0.00	
Interest Income - Capital Reserve Fund	\$0.00	
	\$4,652,405.00	\$4,652,405.00
<b>Disbursements:</b>		
Bond Interest Payment	\$0.00	
Bond Principal Payment	\$0.00	
EPC Charges	\$0.00	
Transfer to General Fund	\$0.00	
Transfer to Unassigned Revenue Fund	\$0.00	
Transfer to Innocent Landowner Fund	\$7,479,152.76	
Transfer to Remedial Non-Bonding Fund	\$4,250,000.00	
	\$11,729,152.76	\$11,729,152.76
<b>Balance of Fund, August 31, 2009</b>		\$4,652,405.00

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

<b>Balance of Fund, July 1, 2009</b>		\$3,074,133.22
<b>Receipts:</b>		
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	\$0.00	
Compensation for Pooled Money Investments	\$0.00	
Amort / Accretion	\$0.00	
Buys/ Sells	\$0.00	
Interest Income	\$6,311.44	
	\$6,311.44	\$6,311.44
<b>Disbursements:</b>		
UST Administrator's Fees	\$509,603.77	
Attorney General's Fees	\$20,753.77	
Attorney's Fees: Cost-Recovery Administration	\$0.00	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$9.00	
Actuarial Fees	\$0.00	
Auditor of the State Fees	\$5,079.39	
Bond Trustee's Fees - Bankers Trust	\$0.00	
Claim Settlement	\$0.00	
Custodial Fees - BONY	\$675.03	
Department of Revenue EPC Collection Fees	\$1,566.14	
Environmental Protection Charge Refunds	\$3,585.11	
Innovative Technology	\$0.00	

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING OCTOBER 31, 2009**

Inspection & Appeals Service Fees	\$0.00	
Legal and Professional Fees	\$0.00	
Postage / Printing / Miscellaneous	\$0.00	
Professional Admin Services (Investments)	\$0.00	
Rebate	\$0.00	
Tank Closure Claims and Plastic Waterline Claims	\$150.65	
Travel Expenses-UST Board Members	\$318.24	
Warrant Float Expense	\$0.00	
28E Agreement - DNR Plume Study	\$0.00	
28E Agreement - NFA Claims	\$0.00	
28E Agreement - RBCA (DNR Staff Training & Development)	\$0.00	
28E Agreement - DNR UST Section Funding - FY09	\$192,500.00	
28E Agreement - DNR UST Section Funding - FY10	\$0.00	
Statutory Transfer to DNR	\$0.00	
Statutory Transfer to General Fund	\$0.00	
		\$734,241.10
<b>Balance of Fund, August 31, 2009</b>		<b>\$2,346,203.56</b>

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

<b>Balance of Fund, July 1, 2009</b>		\$178,085.07
<b>Receipts:</b>		
Remedial Refunds	\$400.00	
Misc. Income (i.e. eligibility settlements)	\$0.00	
Interest Income	\$0.00	
Transfer Received from Revenue Fund	\$4,250,000.00	
		\$4,250,400.00
<b>Disbursements:</b>		
Retroactive Claims	\$105,941.02	
Remedial Claims	\$1,507,099.01	
Balance of Outdated Warrants	(\$1,125.00)	
		\$1,611,915.03
<b>Balance of Fund, August 31, 2009</b>		<b>\$2,816,570.04</b>

**0478 - UST MARKETABILITY FUND**

<b>Balance of Fund, July 1, 2009</b>		\$541,968.25
<b>Receipts:</b>		
Interest	\$40,495.22	
Use Tax	\$0.00	
		\$40,495.22
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
		\$0.00
<b>Balance of Fund, August 31, 2009</b>		<b>\$582,463.47</b>

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING OCTOBER 31, 2009**

<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<hr/>		
<b>Balance of Fund, July 1, 2009</b>		\$9,180,653.23
 <b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	
ILO Refunds	\$0.00	
Transfer Received from Revenue Fund	\$7,479,152.76	
Miscellaneous Income	\$0.00	
	<hr/>	\$7,479,152.76
 <b>Disbursements:</b>		
Other Contractual Services	\$0.00	
Global Settlement Claims	\$81,880.70	
Innocent Landowner Claims	\$690,293.14	
Balance of Outdated Warrants	(\$7,957.76)	
	<hr/>	\$764,216.08
 <b>Balance of Fund, August 31, 2009</b>		 <hr/> <b>\$15,895,589.91</b> <hr/>
 <b>0238 - UST LOAN GUARANTEE FUND (Non-Bonding)</b>		
<hr/>		
<b>Balance of Fund, July 1, 2009</b>		\$273,195.38
 <b>Receipts:</b>		
Interest Income	\$1,064.33	
	<hr/>	\$1,064.33
 <b>Disbursements:</b>		
Payments on Loan Losses	\$0.00	
Transfer to Unassigned Revenue Fund	\$0.00	
	<hr/>	\$0.00
 <b>Balance of Fund, August 31, 2009</b>		 <hr/> <b>\$274,259.71</b> <hr/>
 <b>0614 - UST CAPITAL RESERVE FUNDS (Bonding)</b>		
<hr/>		
<b>Combined UST Capital Reserve Fund Balances, August 31, 2009</b>		<hr/> <b>\$0.00</b> <hr/>
 <b>TOTAL FUND BALANCES, August 31, 2009</b>		 <hr/> <b>\$26,567,491.69</b> <hr/>

**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. All bond funds are \$0.00 8/31/08  
Funds labeled "Non-Bonding" are funds not restricted as to use by the Revenue Bond indenture.

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING OCTOBER 31, 2009**

<b>FISCAL 2010 BUDGET</b>
\$11,729,152.76
\$770,000.00 \$17,000,000.00
\$17,770,000.00
\$4,250,000.00 \$11,729,152.76 \$12,750,000.00
\$28,729,152.76
\$770,000.00
\$3,074,133.22
\$10,000.00
\$4,250,000.00
\$0.00 \$80,000.00 \$700,000.00
\$5,040,000.00
\$1,527,428.00 \$105,000.00
\$11.00
\$5,000.00 \$3,000.00 \$0.00
\$6,000.00

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING OCTOBER 31, 2009**

<b>FISCAL 2010 BUDGET</b>
\$0.00
\$5,000.00
\$100.00
\$10,000.00
\$150,000.00
\$700.00
\$700,000.00
\$500,000.00
\$207,500.00
\$400,000.00
\$200,000.00
\$0.00
\$3,819,739.00
\$4,294,394.22
\$178,085.07
\$0.00
\$12,750,000.00
\$12,750,000.00
\$1,000,000.00
\$5,000,000.00
\$6,000,000.00
\$6,928,085.07
\$541,968.25
\$450,000.00
\$450,000.00
\$0.00
\$991,968.25

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND  
STATEMENT OF FUND BALANCES  
FISCAL YEAR TO DATE ENDING OCTOBER 31, 2009**

<b>FISCAL 2010 BUDGET</b>
\$9,180,653.23
\$0.00
\$11,729,152.76
\$11,729,152.76
\$300,000.00
\$2,000,000.00
\$2,300,000.00
\$18,609,805.99
\$273,195.38
\$20,000.00
\$20,000.00
\$0.00
\$0.00
\$293,195.38
\$0.00
\$0.00
\$31,887,448.91

**IOWA UNDERGROUND STORAGE TANK PROGRAM  
 FIRST BOARD REPORT  
 DECEMBER 8, 2009  
 KUM & GO L.C.  
 421 N. MAIN  
 BURLINGTON  
 SITE REGISTRATION NUMBER: 8606336  
 LUST NUMBER: 9LTA69**

**RISK CLASSIFICATION:**

HIGH            LOW            NFA     

**PRESENT CLAIM RESERVE:**      \$ 90,000.00

**ELIGIBILITY:** The contamination was discovered with the community remediation project site check in 1994. Contamination was determined to be pre-October 26, 1990. This is an eligible remedial claim.

**COST INCURRED TO DATE:**

1. Site check and site clean-up report	\$ 28,796.76
2. Tank pull, disposal, and up-grade	25,697.16
3. RBCA Tier II report	11,677.68
4. Site monitoring reports	<u>19,428.69</u>
TOTAL COST TODATE	\$ 85,600.29

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

**TOTAL PROJECTED COSTS:**      \$ 5,000.00 to \$ 20,000.00

**TOTAL AUTHORITY RECOMMENDED:**

\$ 105,000.00

**COMMENTS:** The site is low risk for protected groundwater source only, two wells are above SSTLs.



FUND BOARD Mtg. 12/10/09

- LPT

Legislative Bill Request

- 455.66, 67 - extension of deadline to work w/ DNR

- Authority to cleanup at low risk sites when economic

Board Study Bill thr <sup>Energy &</sup> Env. ~~Rest.~~ Committee

DB - Gov'r study on cost savings (?)

SS - Errors → MO is separate; cost savings questioned

S.L. \$800,000 - where is this from? 1¢ gas 'tax'

Dec 18<sup>th</sup> - Est. model release date

### Claim Approval

Climbing Hill - monitoring - approved

Akron - ozone injection

Oct 2010 - Seneca contract expires

- will likely be re-bid.

- approved

Council Bluffs - \$135,000 ↑ - approved.

K&G, Burlington - low risk, two MW ↑ SSILs - approved.

Extended Contract w/ Aon thru calendar year 2010.

Jan 22, 2010 - Friday

