

December 14, 2023

Board of Directors

**Iowa Comprehensive Petroleum
UST Fund Board**



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

NOTICE OF PUBLIC MEETING (Amended December 11, 2023)

The Iowa Comprehensive Petroleum Underground Storage Tank Fund Board will hold a meeting at 10:00 a.m., on Thursday, December 14, 2023. The meeting will be held at the Iowa State Capitol Building, Room G15 (Legislative Dining Room), 1007 E. Grand, Des Moines, IA and may be attended electronically. To call in, participants must dial (754) 900-4617 prior to the meeting. When prompted, enter conference code PIN 978 292 965, followed by the # key.

The tentative agenda for the meeting is as follows:

10:00 a.m. Call to Order

1. Approval of Prior Board Minutes

- (a) Minutes for September 15, 2023 meeting
- (b) Minutes for November 9, 2023 meeting

2. Closed Session Discussion of Pending and Imminent Litigation (To adjourn by 10:30 am)

3. Public Comment Period

4. Board Issues

- A. UST Fund Program, Options
- B. Claim Review: Dittmer's Service, Davenport
- C. Claim Review: Westside Petro, Kalona
- D. Fund Lien, Wunshel Property: Petition to transfer property
- E. RFP, RBCA 2310-01, Contract Award
- F. UST Operator Training, Vendor Agreements
- G. DNR Update

5. Approval of Program Billings

6. Monthly Activity Report and Financials Reviewed

7. Attorney General's Report

8. Claim Payment Approval

9. Contracts Entered Into Since September 15, 2023 Board Meeting

10. Other Issues as Presented

11. Correspondence and Attachments

The Iowa Department of Natural Resources (DNR) does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, English-language proficiency, disability, or age in the administration of its programs or activities in accordance with applicable laws and regulations. DNR will not tolerate discrimination, intimidation, threats, coercion, or retaliation against any individual or group because they have exercised their rights protected by federal or state law.

Any person with special requirements such as those related to mobility or hearing impairments who wishes to participate in the public meeting should promptly contact the DNR or ADA Coordinator at 515-725-8200, Relay Iowa TTY Service 800-735-7942, or Webmaster@dnr.iowa.gov to advise of specific needs.

Approval of Prior Board Minutes
September 15, 2023 Meeting



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
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Joseph D. Barry
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Kayla Lyons
John Maynes

MINUTES

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND PROGRAM

September 15, 2023

Mr. Doug Beech called the Iowa UST Fund Board meeting to order at 10:00 am. A quorum was present, with the following Board members present:

Joseph Barry
Patricia Beck
Austin Brinks
Lisa Coffelt
Tim Hall (for Kayla Lyon)
John Maynes
Dustin McNulty (for Roby Smith)

Also present were:

Eric Durst, Attorney General's Office
James Gastineau, Administrator
Angie Clark, Iowa DNR
Leslie Nagel, Seneca Companies

APPROVAL OF PRIOR BOARD MINUTES

Motion was made by Ms. Beck to approve the June 22, 2023 minutes as presented. Seconded by Ms. Coffelt. Motion carries unanimously.

CLOSED SESSION DISCUSSION OF PENDING AND IMMINENT LITIGATION

No closed session items were presented.

GENERAL PUBLIC COMMENT

There were no public comments.

BOARD ISSUES

A. Boards & Commissions Review

Senate Bill 514, passed in the 2023 legislative session, provided the avenue for a re-alignment of State government. Included in the bill, in Section 2803, a review committee was created to study the effectiveness of each board, council, commission, or other similar entity. The committee is tasked to evaluate if the goals and objectives of the entities are being met and then to make recommendations for the continuation, elimination, consolidation, or reorganization of the entities as needed.

In preparation for the review, a battery of questions was presented and with the assistance of Mr. Tim Hall and legal counsel, responses were formulated and delivered as requested.

Based on the committee's ongoing review, a [preliminary report](#) was issued recommending several changes to a number of boards, councils and commissions, including the elimination of the Iowa Comprehensive Petroleum UST Fund Board. A final report from the committee is to be submitted to the governor and the general assembly by September 30, 2023.

Once the final report is issued, additional information for the future of the UST Fund Program may be available, such as a projected timeline for ending the program and what may become of the remaining funding. We will continue to monitor the matter and will provide updates as more information is made known.

The Board asked Mr. Durst if he knew what the process was going forward, whether the Governor's Office was going to proposed legislation and whether the Board would have input. Mr. Durst stated that these are just recommendations and that it is not the law being changed.

The board had discussion regarding their concerns with the lack of clarify on what the Review Committee is proposing. The would like clarify on where the funds would go and what does sunseting mean.

A question was raised as to how the Board would like to proceed with the recommendations. The Board has a legislative proposal that has been presented in the past. The Board would need to work with DNR on the concerns they have had in the past with taking on the program. If the DNR is still averse to taking on the program, then the Board may need to go in a different direction regarding legislation. Mr. Hall stated he would have some discussions with DNR and try to get their stance. Mr. Gastineau also stated he would check in with Mr. Steward on the previous legislation. The Board is hopeful that DNR will be in alignment but if not, the Board will need to decide how it wants to proceed.

B. Program Administration, Records & Data Management

The Iowa UST Fund Board (Board) and the Department of Natural Resources (Department) entered a 28E agreement in June 2018 to establish terms for the administration of the Fund Program. The agreement, as amended in 2022, provides that funds may be used for claim administration, database management, and program operations. Funding is limited to no more than \$19,250 per month (\$231,00 annually) based on actual incurred costs through the end of 2024.

In the last 3 years, program administration costs have been held to a minimum generally under \$75,000 per year. Due to the anticipated work to update the tanks database, which is used extensively by the Department and for the Fund operations, additional expenditures are likely to be seen in the upcoming year. Expenditures will however remain within the limit established by the Board and the DNR per the existing agreement.

In an effort to continue Board operations and limit offsite storage, a change in the current record retention schedule is recommended. Currently, claim files are held for 10.5 years from closure before final destruction. State financial records have a retention time of no more than 7 years,

therefore it is recommended the Board authorize a change in the claim file retention time to 7 years. Final approval will be subject to approval from the State Records Commission.

The Board had concerns related to the shortening of the retention schedule as it relates to the Statute of Limitations and the settlement claims. Mr. Gastineau stated he would confirm with Mr. Steward prior to making any changes.

Motion was made by Mr. Barry to approve the records retention schedules as recommended as long as the Attorney General's Office agrees that it is Legal to do so. Seconded by Ms. Beck. Motion carries unanimously.

C. FY 2024 Meetings

The Board approved a quarterly meeting schedule for FY 2024, with the option for additional meetings as needed. Due to the recommendation of the Boards & Commissions review, additional meetings may be needed. Suggested dates are noted below (previously approved quarterly meetings are shown in bold print):

- Thursday, October 26, 2023
- **Thursday, December 14, 2023**
- Friday, January 26, 2024
- Friday, February 23, 2024
- **Friday, March 22, 2024**
- Friday, April 26, 2024
- Thursday, May 23, 2024
- **Thursday, June 20, 2024**

D. FY 2024 Department of Justice Agreement

The Board and the Iowa Department of Justice have entered into a series of agreements to provide legal services to the Board for management of the Fund program. The attached proposal is for services in FY 2024. The proposed services agreement mirrors past agreement, but includes a three percent increase to correspond to the salary adjustment provided to all State employees for the current fiscal year.

It is the Administrator's recommendation that the Board approve the agreement for services in FY 2024.

Motion was made by Mr. Barry to approve the Department of Justice agreement as presented. Seconded by Ms. Coffelt. Motion carries unanimously.

E. USTCA Closure Contract Project

Background

Since the late 1990's, the Board and DNR have utilized a series of 28E agreements to conduct UST closures, RBCA evaluations and emergency activities at sites where DNR has determined action is needed and there is no responsible party able to pay. In order to provide the services contemplated, in 2018 the Board retained the services of Seneca Companies and Terracon

Consultants. In October 2021, Terracon withdraw leaving Seneca Companies to continue as the sole project contractor.

In June 2023, the Board authorized the final 12-month contract extension to allow work to continue to October 14, 2024. A final agreement has not been signed as contract negotiations with Seneca Companies continue due to their request for an additional rate increase.

Discussion

In the past two years, the Board has approved significant rate increases over the original contract rates due to the inflation seen in many economic sectors of our economy. Seneca is again requesting a rate increase for the final year of the project. A table showing Seneca's original (2018) contract rates, the current unit rates, and requested unit rates is attached for reference. Seneca requests an increase of approximately 13% for the final 12 month period of the project. In discussing this with Seneca Company manager, it is understood this is largely driven by subcontractor costs.

While all Iowan's have seen an increase in costs due to the changing economic factors, very few have been granted increases in pay or other benefits that correspond to that granted in this project. As a comparison, State of Iowa employees received a 1.1% salary adjustment in 2022 and a 3% in 2023. As a nation, the consumer price index for the 12 month period through August 2023 was 4.3%.

Due to the decreasing Fund balance, it is anticipated that the State Lead Contract will not be rebid or otherwise extended beyond October 2024 as funding should be focused to claimant driven projects, and other fund eligible claims (i.e., tank closures, NFA re-opened projects, operator training).

Motion was made by Ms. Beck to approve a thirteen percent rate increase as presented. Seconded by Mr. Hall. Motion carries unanimously.

F. RFP 2109-09, Environmental Support Services Contract

Background

In accordance with 2010 legislation, the Board and Department of Natural Resources (DNR) signed an agreement to allow payment of expenses for certain assessment and corrective action costs to be incurred for sites re-opened after issuance of a No Further Action certificate. To provide the needed services, the Board retained two contractors, Seneca Companies and Evora Consulting. Earlier this year, Evora Consulting ceased operations leaving Seneca Companies as the sole contractor. The current agreement with Seneca, built on a 2 year term, will expire January 2024.

Status

Currently, work is ongoing at 18 reopened sites. Since January 2022, \$288,641 has been paid for completed work on reopened sites and estimated reserves for the projects is \$637,547. New sites are continually identified by the Iowa DNR; on average, 8 new sites are added each year.

Recommendation

In order to provide the necessary services for the 28E agreement, the Board originally retained the services of two contractors in order to balance work and not rely solely on one contractor. Due to

significant changes in economic conditions since the original bid (e.g., consumer price index up near 12 percent), contractor rates have been a point of concern for this project and other State projects. For the proposed continuation of this project, Seneca Companies has requested an increase in unit rates ranging from zero to fifty percent, with an overall increase near 16 percent.

In an effort to return to the point of having two contractors available, it is the Administrator's recommendation that the current contractor agreement be allowed to expire in January 2024. In its place, it is requested that the Board authorize the issuance of RFP to solicit bids to retain the services of two contractors on a new 2 year contract.

Motion was made by Mr. Hall to approve recommendation for the current contract to expire and issue a new RFP as presented. Seconded by Mr. McNulty. Motion carries unanimously.

G. DNR Update

Mr. Hall gave the DNR Update for Mr. Wilken. He reported that the Biofuels rule was presented and approved at ARRC on September 5 and will be effective on September 27.

He also reported that the section will be utilizing some carryover grant funding to integrate the certification database with the existing payment portal. This will allow companies and individuals to renew and pay for their certifications online.

He reported there is no new update regarding the State Program Approval (SPA) application. As previously reported, EPA has reviewed and has declared it complete. EPA is still working through their 180 day statutory review period.

APPROVAL OF PROGRAM BILLINGS

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

1. Iowa Attorney General's Office (FY 2023) \$3,353.01
June 2023 (FY 2023)
2. Iowa Department of Natural Resources (FY 2023) \$13,050.00
4th Quarter FY 2023
3. Iowa Attorney General's Office (FY 2023) \$1,279.62
July 2023 (FY 2023)
4. Iowa Department of Natural Resources (FY 2023) \$166.00
4th Quarter FY 2023 (supplemental)
5. Office of the Auditor of State (FY 2023) \$2,502.50
4th Quarter (FY 2023)

Motion was made by Ms. Beck to approve the program billings as presented. Seconded by Mr. Barry. Motion carries unanimously.

MONTHLY ACTIVITY REPORT AND FINANCIALS REVIEWED

Mr. Gastineau noted the June, July and August 2023 activity and financial reports were presented in the Board packet. He reported that tank closures have been rolling in pretty fast.

Mr. Gastineau noted the overall fund balance is currently at \$6.77 million. Expenses are in line with what has been projected for this year. He stated that Closure Claims and Special Project claims have been going up.

Mr. Gastineau included an update to the list of liens held by the Board. The next lien up for renewal is in October 2023.

ATTORNEY GENERAL'S REPORT

Mr. Durst noted nothing new to report.

CLAIM PAYMENT APPROVAL

There were no claim payment approvals.

CONTRACTS ENTERED INTO SINCE JUNE 22, 2023 BOARD MEETING

There were no contracts entered into since the prior meeting.

OTHER ISSUES AS PRESENTED

Mr. Gastineau included in the packet the FY 2023, 4th Quarter Legislative Report.

CORRESPONDENCE AND ATTACHMENTS

There were no correspondence and attachments.

Meeting adjourned at 10:35 am

Respectfully Submitted by



James R. Gastineau
Administrator

Approval of Prior Board Minutes
November 9, 2023 Meeting



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia J. Beck

Kayla Lyons
John Maynes

MINUTES

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND PROGRAM

November 9, 2023

10:00 A.M.

TELEPHONIC BOARD MEETING

At 10:02 a.m., Mr. Doug Beech, Chair of the Iowa Underground Storage Tank Fund, called the meeting to order. Present on the conference call, were the following Board members:

Joseph Barry
Lisa Coffelt
Timothy Gartin
Tim Hall (for Kayla Lyon)
John Maynes
Dustin McNulty (for Roby Smith)

Also present were:

David Steward, Attorney General's Office
James Gastineau, Administrator
Angie Clark, Iowa DNR

BOARD ISSUES

Mr. Beech welcomed the members to the virtual meeting to discuss options for the Board in regard to the recent Findings and Recommendation report from the Iowa Boards and Commission's review.

Mr. Steward opened the conversation noting a recommendation presented in the report of the Boards and Commissions review is to eliminate the UST Fund Board by setting a sunset date and then spending the money as needed. He noted that as of July 1, 2023, the Fund balance was near \$7M and with projected expenses of \$2M annually, the Fund could be depleted by the start of calendar year 2027. Mr. Steward noted that it was his thought that the Committee's recommendation was to end the program earlier than 2027 and it is possible that the program could be eliminated within the next year, depending on future legislation. The Board's concern is should the program end, where will the remaining Fund dollars be placed.

Mr. Steward noted a conversation with the Fund Administrator and Tim Hall about options for exiting the program and noted the attached memo was prepared and given to the Board members for consideration. The memo outlines three options that include, doing nothing and allow the

legislative process to take place with little or no input from the Board; provide input to the legislative process seeking a transfer of the remaining UST Fund balances to the DNR upon sunset; or reintroduce legislation to transfer the UST Fund duties to the DNR.

In considering the options, the Board dismissed the first option. In considering the third option, it was noted that the Board has tried to implement legislation on three prior occasions and in each case, proposed legislation failed to pass both chambers of the legislature. In regard to this option, it was also noted that if implemented, delays may be created simply because of the time needed to draft, adopt, and implement a new set of rules. Mr. Steward also noted that the process of developing new rules might be contrary to the Governor's recent Executive Order which aims to simplify and reduce the number of rules by requiring government agencies to complete a thorough review of all existing rules and in many cases, rules will need to be rescinded and replaced.

Following a thoughtful discussion, the Board generally agreed with Mr. Steward's second option, which is to provide input to the legislative process for ending the program. For this option, Mr. Steward noted an idea to give input asking that the remaining funds be transferred to an existing account, known as the Storage Tank Management Account. He noted that this would not be a continuation of the Fund program, but instead that the money would be used at the discretion of the DNR UST Section for corrective action at UST sites where it was deemed necessary.

Mr. Gartin noted that the Board has performed well and has met the goals to provide financial assistance to Iowa's UST owners. The members agreed with this thought and with the idea that now may be a good time to wind down the program. Before doing so though, the members agreed that any remaining funds should continue to be used to meet the Board's established goals so as to ensure the remaining funds are not simply absorbed into the general fund.

In looking at the second option, it was the consensus that input be provided to the legislative branch to promote the idea of the described option with the effort aimed to promote good stewardship in the use of the remaining funds and to continue the Board's programs for funding of tank closures and for corrective action of sites reopened after being issued a NFA certificate.

Mr. Gartin made the motion that staff be directed to provide input on the option described. Mr. Beech asked the motion be amended to include an emphasis that the remaining funds be directed to the Board's goals for tank closures and NFA reopened sites. Following discussion, the motion passed.

In an effort to provide input, it noted that neither the Department or the Board Administrator could lobby for a particular approach. Mr. Beech and Mr. Maynes both noted that they would discuss the matter with their respective entities in an effort to provide the desired input on how any remaining funds might be used, perhaps using the examples provided by the language in Iowa Code 455E.11 for the Storage Tank Management Account or the Hazardous Waste Account.

In consideration of future action, questions were raised on what is needed to end the program. Mr. Gastineau noted he has been in contact with many of the consultants doing work on the existing claims and that efforts are ongoing at looking for ways to bring claims to a close and will be contacting the State Records Commission to determine what is needed to document the completion of a State Program.

For future planning, it was agreed more thought is needed on what steps need to be taken to bring the program to a close. Possible discussion may include assignment of liens and contracts, and developing a plan for record management, and any other matters that may be identified.

Meeting adjourned at 11:04 am

Respectfully Submitted by

A handwritten signature in blue ink, appearing to read 'J. R. Gastineau', with a long horizontal flourish extending to the right.

James R. Gastineau
Administrator

Closed Session

Discussion of Pending and Imminent Litigation

Public Comment

Board Issues

A. UST Fund Program, Options



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia J. Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Fund Board Members
FROM: James R. Gastineau
DATE: December 6, 2023
SUBJECT: UST Fund Program, Options

The Board last met on November 9, 2023 to discuss options for bringing the program to a close with respect to the recent [Findings and Recommendations Report](#) from the Iowa Boards and Commissions review committee. In the report, a recommendation is made to end the UST Fund Board, with the additional note that no new funds should be added and existing funds should be spent, with a sunset date placed on the program. In consideration of possible options, the Board opted to provide input to the legislative branch in an effort to promote continued use of the remaining funds for the Board programs, to the extent possible while funding remains.

The Board also recommended further discussion on what may be needed to bring the program to a closure, including a review of 28E agreements, possible assignment of liens and contracts, and determining an approach for records management, and any other items that may be brought forth.

To assist with the conversation on these topics, the following information is noted:

28E agreements

The Board maintains a series of 28E agreements that have been adopted to facilitate the program operations. A current listing of the agreements is attached for reference.

Liens

The Board maintains nine liens; eight were originally filed between 2004 and 2007 and each has been renewed for a second 10 year term. The most recent lien was filed in 2020. All liens will remain until the current 10 year expiration date is met or until otherwise extended or released.

Contracts

The Board currently holds two contracts with Seneca Companies for work on selected UST / LUST sites for the purpose of completing assessments, monitoring and where needed, corrective action. The contracts will expire in January 2024 for the NFA re-opener project and in October 2024 for the State Lead Closure Contract project, unless terminated earlier in accordance with the contract terms.

In addition, the Board has an [Agreement](#) in place with Petroleum Marketers Management Insurance Company that is the basis of the 2017 loss portfolio transfer. Under the terms of the Agreement, PMMIC may not assign or transfer the agreement to another party, without the prior written

consent of the Board. However, the Board may assign the Agreement to any State agency or department.

Records Management

The Board has been in place since 1990 and with more than 6000 claims created, a large number of records have been created. While the number of records have been reduced by following the approved record retention policy, a significant number remains. The Board also maintains records that include Board meeting minutes and financial records. A determination of what records to keep will be determined by the State Records Commission. It is anticipated that long-term storage costs of the estimated 600 storage boxes will be borne by the State upon termination of the UST Fund Board.

BRENNA BIRD
ATTORNEY GENERAL

DAVID S. STEWARD
ASSISTANT ATTORNEY GENERAL



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IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

TO: UST FUND BOARD

FROM: DAVID S. STEWARD
Assistant Attorney General

DATE: October 31, 2023

RE: Recommendation to Eliminate the UST Fund Board

Issue: Elimination of the UST Fund Board.

On September 26, 2023, the Iowa Boards & Commissions Review Committee delivered its “Final Report with Findings & Recommendations” concerning its comprehensive review of Iowa’s boards and commissions to the Iowa Governor and Iowa General Assembly. Among the report’s numerous recommendations, it recommended the elimination of the Iowa UST Fund Board as follows:

Iowa Comprehensive Petroleum Underground Storage Tank Fund Board. This Board should be eliminated as there are fewer underground petroleum facilities statewide. No new funds should be assigned to the program and existing funds should be spent down, with a program sunset.

Final Report at p. 43.

It is anticipated the Governor will accept the recommendation to eliminate the UST Fund Board and will propose legislation during the next legislative session to sunset the Board within a short period of time (possibly as early as 2025). This raises a question of what will be done with any funds remaining in the UST Fund when the program sunsets. See the following chart:

Current Financial Status of the UST Fund

Total Fund Balance (7/1/2023)	\$ 6,922,328
FY24 Budget	\$ 2,000,000
Approximate Time Remaining till zero balance	3.5 years (Jan. 2027)

Options: Does the Board Become Involved in the Legislative Process?

With the recommended sunset of the UST Fund Board to the Governor’s office and the Iowa General Assembly, the Board may or may not want to become involved in the legislative

process to eliminate the Board. While there may be more options available to the Board under the circumstances, the Board may initially want to consider the following three options:

Option 1: Allow for the legislative process to take place with little to no input from the Board.

The outcome from this option is unclear, but could include a simple elimination of the Board and a “sweeping” of fund balances into any number of accounts, including the General Fund. The risk associated with this option is that existing claims may be closed with no further funds available for any new work. It is unclear what would happen with any new claims that are brought to the DNR, since there would be no funding to pay for any new claims. In addition, there would no longer be any funding to pay for ongoing work on existing claims.

Option 2: Transfer remaining UST Fund balances to the DNR upon sunset. A middle-ground option would be to sunset the Board in a relatively short period of time, and request the remaining UST Fund balances be transferred into the DNR’s existing “storage tank management account” established in Iowa Code section 455E.11 of the Groundwater Protection Act. That section reads as follows:

455E.11 Groundwater protection fund established — appropriations.

...

2. The following accounts are created within the groundwater protection fund:

...

d. A storage tank management account. . . . Moneys deposited in the account shall be expended for the following purposes:

...

(2) The moneys remaining in the account . . . are appropriated from the storage tank management account to the department of natural resources for the administration of a state storage tank program pursuant to chapter 455B, subchapter IV, part 8, and for programs which reduce the potential for harm to the environment and the public health from storage tanks.

While this option does not require the DNR to use the remaining funds consistent with the with the purposes of the UST Fund program as it currently exists, it does ensure the remaining funds are dedicated to the DNR’s storage tank programs.

Option 3: Reintroduce legislation transferring UST Fund Board duties to the DNR. This option results in a program mirroring the current UST Fund program within the DNR. The Board would have to continue to function while the EPC adopted new rules. The Board has tried this option on three prior occasions without success. This option would require comprehensive legislation to transfer the Board duties to the DNR. Furthermore, it requires administrative rules be developed, drafted, adopted and implemented before the remaining funds are exhausted. Also, this option seems inconsistent with the intent of the Governor’s Executive Order 10 to eliminate and simplify administrative rules.



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Board Members
FROM: James Gastineau
DATE: December 6, 2023
SUBJECT: Summary of 28E Agreements

The Board has entered into a total of (29) 28E agreements since the inception of the Program. They are as follows (as of 6/30/2023):

28E AGREEMENT

FY 2023 EXPENDITURES

1. Department of Revenue – fee for EPC collections	\$ 0.00
2. DNR – registration of groundwater professionals	\$ 0.00
3. DNR – site mapping project with Iowa State University	\$ 0.00
4. DNR – SCR technical review assistance	\$ 0.00
5. DNR – LUST trust funds – Shenandoah/Council Bluffs	\$ 0.00
6. DNR – automation of ability to pay system	\$ 0.00
7. DNR – EPA flood impact study	\$ 0.00
8. DNR – part time staffing for computer system development & input	\$ 0.00
9. Attorney General's Office – Board & Cost Recovery Counsel	\$ 0.00
10. DNR – RBCA implementation assistance & staff training	\$ 0.00
*11. DNR – UST State Lead Closure Contract	\$253,403.04
12. DNR – Database integration	\$ 0.00
13. DNR – assistance in administering RBCA processes	\$ 0.00
*14. Attorney General's Office – Board & Cost Recovery Counsel	\$50,057.00
15. DNR – assistance for UST Section (FY05)	\$ 0.00
16. DNR – assistance for UST Section (FY06)	\$ 0.00
17. DNR – Double Circle FS CRP for 2 LUST sites	\$ 0.00
18. DNR – City of Sioux City agreement (payment to City of \$1.75M)	\$ 0.00
19. DNR – Temporary FTE for report reviews (Jan-Jun 2006)	\$ 0.00
20. DNR – assistance for UST Section (FY07)	\$ 0.00
21. DNR – Limited NFA for 3 Sites	\$ 0.00
22. DNR – FY08 UST Section Funding	\$ 0.00
*23. DNR – NFA Agreement (455G.9(1)(k))	\$214,515.52
24. DNR – FY09 UST Section Funding	\$ 0.00
25. DNR – Plume Study Agreement	\$ 0.00
26. DNR – Legal Staff Position Funding	\$ 0.00
27. DNR – FY10 (multi-year) UST Section Funding	\$ 0.00
28. ISU – UST Operator Data Management System	\$ 0.00
29. DNR – RBCA Software revision	\$ 0.00

* Denotes ongoing agreements; all other agreements have been completed.

Large Loss Portfolio Transfer
Status as of 09/30/2023

On transfer (199 remedial, retro, and innocent landowner claims):

LPT Reserve Balances	9,847,991.47
Risk Premium (20% of line 1)	1,969,598.29
GS / Opt-In Claims Reserve Balance	72,431.03
Administration Charge (7.75% of lines 1, 2, 5)	921,476.61
Insurance	250,000.00
TOTAL Transfer Amount	<u><u>\$13,061,497.41</u></u>

PMMIC Payments

2017 -2022 (5 yrs) Payments, fees, ins., reserve changes	7,922,375.92
2023 Payments, admin fee, insurance	512,161.01
Total Payments	<u><u>-8,434,536.93</u></u>

Closed claims, remaining reserves

2017-2022 (5 yrs (126 claims closed)	
CY 2023 (17 claims)	418,667.66
Total, Reserve Balance of Closed Claims	<u><u>-418,667.66</u></u>

Open claims, PMMIC increased reserves

Total reserves increased	100,000.00
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Remaining Reserve Transfer Balance (OPEN CLAIMS)	<u><u>\$4,308,292.82</u></u>
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Remaining Claims: 67

Closed: 115

Iowa Underground Storage Tank Fund Liens Filed										
				Updated 12/06/2023						
Lien #	County	Site #	Claim #	Site Address	Property Owner	Cost Recovery Letter	Lien Amount	Lien Filed Date	Book & Page	Expiration for 10 Yr Lien Period
0404009	Butler	8608131	12039	12682 Hwy 3, Dumont	D Dohlman	1/20/2004	\$13,650.00	4/14/2004; renewed 3/17/2014	2014-1057	03/2024
0404010	Ida	8710293	73001 / 73013	Hwy 175, Ida Grove	Robin Hill Trust		\$330,131.40	4/30/2004; renewed 6/24/14	6-349	06/2024
0605012	Keokuk	8609694	73040 / 11003	407 Barnes, What Cheer	M & K Foubert	2/2/2006	\$82,373.75	5/16/2006; renewed 5/16/2016	2006-0962	05/2026
0610017	Jefferson	8601629	11023 / 14009	206 West Main St, Lockridge	R & C Richardson	7/13/2006	\$35,202.00	10/25/2006; renewed 10/05/16	Bk 4 - pg 258	10/2026
0701022	Van Buren	8600890	11032 / 14002	Hwy. 1 & 180th St., Keosauqua	Henry Robbins	10/20/2006	\$32,980.90	1/19/2007; renewed 11/7/2016	2016 - 1395	11/2026
0702023	Montgomery	8607574	15013	Tenville IA	Marvin G. Shipley	10/30/2006	\$2,795.00	2/16/2007; renewed 1/9/2017	Book 6, Pg 275-6	01/2027
0704025	Tama	9017159	14005	100 Jacobs St., Chelsea	T & C Jacobi	12/7/2006	\$17,839.00	5/17/2007; renewed 4/28/2017	Book 2017 - 1371	04/2027
0706029	Woodbury	9217516	73002	29 Deer Run, Climbing Hill	P Benjamin	3/27/2007	\$14,400.00	8/7/2007; renewed 8/4/2017	Roll 754, Image 1063-64	08/2027
200916	Black Hawk	8608488	18533	1104 Washington, Waterloo	Star Real Estate Holdings LLC	7/28/2020	\$29,028.70	10/8/2020	2021-00007519	10/2030
LIEN REFERENCE: SECTION 424.11, CODE 2016 (www.legis.iowa.gov/docs/code/2016/424.11.pdf)										

B. Claim Review, Dittmer's Service



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Board Members
FROM: James Gastineau
DATE: December 4, 2023
SUBJECT: UST Closure Claim – Dittmer's Service (UST # 8603305)

The Iowa UST Fund Board provides up to \$15,000 in financial assistance to assist tank owners with the costs of permanently closing underground storage tank systems. Since July 2010, more than 900 claims have been filed. In accordance with Iowa Code 455G.9, tank closure claims are subject to verification of eligibility and prior budget approval.

In October 2023, the Administrator's office received a UST Fund claim with the supporting documentation for the Dittmer's Service facility in Davenport, IA. Upon review, it was determined a claim had not yet been submitted and prior budget approval had not been obtained. Following receipt of a claim form from the site owner, a letter was issued denying the claim for failure to comply with the budget approval requirements in accordance with Iowa Code 455G.

In his appeal notice, the claimant acknowledged he had relied on his contractor to complete the work to establish the claim. In speaking with the contractor, they also noted the error and ask for reconsideration of the claim.

It should be noted that if the prior budget approval had been requested, approval would have been granted for the maximum amount at \$15,000 per site.

Cartee Law Firm, P.C.
Attorneys At Law

Catherine Zamora Cartee
carteec@carteelaw.com

125 Kirkwood Boulevard
Davenport, Iowa 52803

Chase Cartee
carteechase@carteelaw.com

Telephone: (563) 323-2500

November 21, 2023

James Gastineau
Attention Administrator, Iowa UST Fund Program
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319

**Re: Dittmer's Service Inc. 1356 West Locust Street, Davenport, Iowa
52804. Claim Number 22954**

Dear Mr. Gastineau,

My client's name is William Dittmer. He has contacted me to appeal the above claim number. He is specifically appealing the decision to not allow him the closure benefits available to him. He seeks an appeal on the decision that since he did not obtain prior budget approval for the removal of his tanks, he is therefore denied the benefits.

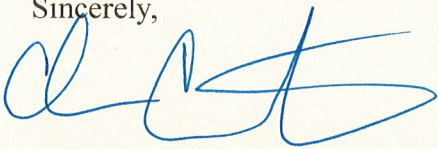
Mr. Dittmer's reasoning for not obtaining prior budget approval was that he was under the impression that this had already been done. Mr. Dittmer hired a company by the name of Evora to handle the removal of his tanks. Evora told Mr. Dittmer that they would handle all necessary paperwork for removal of the tanks and they would secure all closure benefits available to Mr. Dittmer. Evora has been in the business for many years and has worked closely with the DNR and have certain expertise with the closure benefit program. Mr. Dittmer trusted that Evora would do everything necessary to ensure that all paperwork was submitted in a timely manner to your office. Evora did not get a pre-approval letter to your office before they removed the tanks on the 16th and 17th of October. On the 18th of October, Mr. Dittmer was notified that you did not receive a pre-approval letter and therefore the

November 21, 2023

benefits were denied. This was a mistake on Evora's part, not Mr. Dittmer's. I have attached emails from Evora stating that this was their mistake.

I ask that this matter be set for a hearing so it may be heard on the merits.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chase A. Cartee', with a stylized, looping flourish at the end.

Chase A. Cartee, Attorney at Law
Cartee Law Firm, P.C

CAC
Enclosure



EVORA
ENERGY

October 30, 2023

Mr. James Gastineau
Environmental Specialist Senior
Iowa Department of Natural Resources
502 E 9th Street
Des Moines, IA 50319

Re: Tank Closure
Registration #198603305
Dittmer's Service
1356 W Locust Street
Davenport, IA 52806

Dear James,

Recently Evora Energy completed a tank closure for Dittmer's Service in Davenport, IA. During the course of the administrative work, it was discovered pre-approval of the quote had not been received from the Iowa DNR. Further investigation determined that Evora Energy had not provided the necessary documentation per department regulations. This issue was due in part to our recent corporate merger and an assumption made by me about who has now been assigned the responsibility of ensuring that these items are submitted, per regulation.

Per your request, please find the following timeline of events for this project:

June 15, 2023 – Quote was presented to Billy Dittmer for the removal of his site's UST system.
June 15, 2023 – Billy was advised by Roger Anderson the state of Iowa offers assistance in removing UST systems up to \$ 15,000.00
July 13, 2023 – Billy Dittmer signed the agreement to remove his UST system
July 25, 2023 – The Iowa DNR Closure notice was received by Evora Energy, LLC
August 10, 2023 – The project was scheduled to begin on October 16, 2023
October 18th, 2023. -The tanks and product lines were removed by end of day
October 17th, 2023 – It was determined the request was not made to the Iowa DNR for the grant to remove the tanks and product lines
October 18th, 2023 – James Gastineau was contacted to determine if there is a recourse for grant approval

Evora Energy, LLC is respectfully requesting the Department of Natural Resources consider allowing the grant to Dittmer's Service for this work. Undue hardship will be placed on the proprietor if the grant is not available. I have attached a copy of the quote for the work for your review, in the event the Department allows it.

Please contact me with additional questions or further clarification that may be required.

Sincerely yours,

Roger A Anderson
Evora Energy, LLC

Cc: Mary Thomsen



EVORA
ENERGY

4405 SE Beisser Dr., Suite 108
Grimes, IA 50111
(515) 256-8814 office

June 15, 2023

Estimate:	1870
-----------	------

Dittmers Service
1356 W Locust Street
Davenport, IA 52804

Re: Tank & Line Removal

Dear Billy,

Evora Energy is pleased to propose the following:

JOB SCOPE

Remove three tanks, product lines, and islands.

QUANTITY		DESCRIPTION	UNIT	TOTAL
----------	--	-------------	------	-------

Per the Iowa DNR the following is broken down for ease in applying for grant funding:

1	Excavator and trucking	\$13,805.75	\$	13,805.75
1	Electrical disconnect	\$902.75	\$	902.75
1	Environmental testing	\$6,123.75	\$	6,123.75
1	Tank Cleaning*	\$4,945.00	\$	4,945.00
1	Fill Material	\$3,022.14	\$	3,022.14
1	Labor to saw cut and remove concrete, islands, product lines and tanks	\$8,117.31	\$	8,117.31
1	Support Equipment	\$809.48	\$	809.48

TOTAL REMOVAL COST LESS APPLICABLE TAXES \$ 37,726.18

*Removal and disposal of rinsate will be charged at \$1.94/gallon

INSTALLATION

Labor to:

Remove dispensers from islands
Saw cut concrete around tanks
Breakout and remove tanks
Saw cut concrete to remove product lines
Remove islands and concrete over trench
Remove product lines
Test soil for contamination under tanks and along product lines
Clean tanks and haul to scrap yard
Haul concrete to recycle
Replace backfill in trenches and tank holes
Add additional lime screenings to bring to subgrade

60 DAYS

C. Claim Review, Westside Petro



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Board Members
FROM: James Gastineau
DATE: December 4, 2023
SUBJECT: UST Closure Claim – Westside Petro, Kalona

The Iowa UST Fund Board provides up to \$15,000 in financial assistance to assist tank owners with the costs of permanently closing underground storage tank systems. Since July 2010, more than 900 claims have been filed. In accordance with Iowa Code 455G.9, tank closure claims are subject to verification of eligibility and prior budget approval.

In October 2023, the Administrator's office received a UST Fund claim with the supporting documentation for the Westside Petro facility in Kalona, IA. Upon review, it was determined a claim had not yet been submitted and prior budget approval had not been obtained. Following receipt of a claim form from the site owner, a letter was issued denying the claim for failure to comply with the budget approval requirements in accordance with Iowa Code 455G.

In his appeal notice, the claimant acknowledged he had relied on his contractor to complete the work. The contractor also noted the error in a letter and asks for reconsideration of the claim. In addition, the contractor also notes this site has qualified for a USDA high blend infrastructure grant and an Iowa E-15 grant for the new equipment being installed at the site.

It should be noted that if the prior budget approval had been requested, approval would have been granted for the maximum amount at \$15,000.

November 28, 2023

Claim # 22955

Administrator, Iowa UST Fund Program
502 E. 9th St.
Des Moines, IA 50319

The purpose of this letter is regarding the denial letter that was issued on November 14, 2023. The claim for Westside Petro (Dipesh Gautam) 103 1st St. Kalona, IA 52247. I would like to appeal your decision to deny the claim due to failure to receive prior approval. While working through the bidding process with Art form Pipeco, he mentions the fund for the tank removal. He said that he would work on that. After signing the proposal with Pipeco, Art retired due to his wife's health. At that point I started to work with Ben at Pipeco. We got the job completed and started to work on the reimbursement. This is when he reached out to Art for assistance in filing the claim. I was unaware that this needed approval prior to starting the job. The reason for appealing your decision is our financing and moving forward with the project was based on all the grants that we are eligible for be granted.

Thanks for your consideration,

WESTSIDE PETRO
DNS LLC (DIPESH GAUTAM)
103 1ST STREET
KALONA IA 52247
UST Registration # 198608876

RECEIVED

DEC 01 2023



**PARTNERS IN PETROLEUM EQUIPMENT CO.
610 29TH Street * Bettendorf, Iowa 52722 * Phone (563) 344-0700**

October 26, 2023

DNR
Attn. James Gastineau
Underground Storage Tank Division
502 East 9th Street
Des Moines, Iowa 50319

Re: Tank Removal Grant

Dear James,

My name is Ben Gebhart and I have been a service technician at PIPECO for 12 years. When Art announced his retirement, I began working with him on a limited basis while providing service at the same time. His wife's ALS diagnosis and rapid decline accelerated his need to retire earlier than expected, so that he could be home to care for her. Due to this early departure, there was no time for training on all aspects of the grant request process. As a result, some items were missed or not addressed at the onset of Westside Petroleum's project.

When Art first spoke to Depish and his partner, state funding and grants were discussed to assist them in the removal of their tanks. In the interim, Depish was able to secure funding from the HBIPP and Iowa E15 grant. No further discussions on the process of applying for the UST removal grant submission were provided to Depish which resulted in him not sending you the budget for approval. As you stated in your email, PIPECO has provided this service to customers for many years. While we understand that it is not typical to approve a grant after the fact, our hope is that you can see there were mitigating circumstances that were out of the owners hands. The amount budgeted for this project was based on the acceptance of these grants. At this time, the project has been completed.

Art is scheduled to speak with Depish on Monday to let him know that the paperwork was not properly submitted prior to installation. This is certainly not the way PIPECO operates regularly. I am hoping that you will allow his application to be submitted and grants released to help things move forward.

Please let me know if there is anything else that you need in regards to this project.

Sincerely,

Ben Gebhart

D. RFP, RBCA 2301-01 Contract Award



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Fund Board Members
FROM: James R. Gastineau
DATE: December 4, 2023
SUBJECT: RFP 2310-01 Environmental Support Services

Background

The Underground Storage Tank Fund Board (Board) in conjunction with the Iowa Department of Natural Resources (DNR) entered a 28E agreement in 2008 to fulfill the authority provided in legislation in regard to sites re-opened after issuance of a No Further Action certificate. The agreement requires the Board retain contractors through a bid process to perform the DNR required work on the re-opened LUST sites. Work may include limited assessments, RBCA investigations and may extend into corrective action activities where warranted, subject to Board approval.

A Request for Proposal (RFP) was issued in October 2023 to solicit bids from environmental contractors interested in performing the corrective action services at the re-opened sites. In response to the RFP, one bid was submitted. In accordance with instructions provided, the bid was reviewed, deemed responsive and given a pass rating.

Recommendation

Based on a review of the technical merit and costs, we recommend a contract be awarded to Seneca Companies for work to commence in January 2024. The contract will provide for services for a 24 month period, and may be extended at the will of the Board for up to 4 additional one year terms.

E. UST Operator Training Reimbursements



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Board Members
FROM: James Gastineau
DATE: December 6, 2023
SUBJECT: UST Operator Training Reimbursement, Re-authorization

Since 2010, the Board has administered a program to assist UST owners and operators to meet the Department requirements for having trained operators for their petroleum operations. Assistance is provided through a reimbursement process available to the State approved vendors that provide training directly to UST operators. Reimbursement agreements are now in place with 5 vendors:

- R&A Risk Professionals
- UST Training Services
- Iowa State University
- Antea Group US
- Practical American Safety Solutions (PASS)

Since the program inception, \$404,320 has been provided for the training of individuals as a Class A and/or B UST Operator; this is an increase of \$17,500 (175 persons) since September 30, 2022.

Status

Department regulations require UST facilities to have trained operators in place before commencing operations. Training is only required once, unless an owner is required to take a refresher class. The Board's reimbursement follows DNR requirements to provide training once per person; refresher training is not reimbursable.

Recommendation

It is requested the Board authorize an additional one year extension of the reimbursement agreements for the training of Class A and B UST Operators at the current reimbursement rate of \$100 for a person trained as both a Class A and B Operator. This will allow training through December 31, 2024.

F. DNR Update

Approval of Program Billings



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Board Members
FROM: James R. Gastineau
DATE: December 6, 2023
SUBJECT: Summary of Bills for Payment

NOTICE

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

1. Iowa Attorney General's Office (FY 2024) \$6,438.25
July & August 2023 (FY 2024)
2. Iowa Attorney General's Office (FY 2024) \$3,859.15
September 2023 (FY 2024)
3. Iowa Attorney General's Office (FY 2024) \$5,985.66
October 2023 (FY 2024)
4. Iowa Department of Natural Resources (FY 2024) \$13,025.00
1st Quarter FY 2024

**** All invoices have already been submitted for payment.**

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

Invoice Date: 10/03/23

Buyer: Iowa UST Fund Program
502 E 9th St.
Des Moines, IA 50319
Attn: James Gastineau

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

Services For: Assistant Attorneys General
Period of Service: July & August SFY 24

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

Document Number	Account Coding				Description	Amount
	Fund	Agency	Unit	Sub Unit	Rev Source	
112AG100323043	0001	112	2301		0302	\$ 6,438.25

Please direct billing questions to Tina Palmer at 515-281-6362

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

Invoice Date: 10/11/23

Buyer: Iowa UST Fund Program
502 E 9th St.
Des Moines, IA 50319
Attn: James Gastineau

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

Services For: Assistant Attorneys General
Period of Service: September FY24

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

Document Number	Account Coding					Description	Amount
	Fund	Agency	Unit	Sub Unit	Rev Source		
112AG101123043	0001	112	2301		0302		\$ 3,859.15

Please direct billing questions to Tina Palmer at 515-281-6362

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

Invoice Date: 11/14/23

Buyer: Iowa UST Fund Program
502 E 9th St.
Des Moines, IA 50319
Attn: James Gastineau

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: October FY24

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

Document Number	Account Coding					Description	Amount
	Fund	Agency	Unit	Sub Unit	Rev Source		
112AG111423043	0001	112	2301		0302		\$ 5,985.66

Please direct billing questions to Tina Palmer at 515-281-6362

IOWA DEPARTMENT OF NATURAL RESOURCES
502 E. 9th Street
Des Moines, Iowa 50319-5005

Bill to:

Iowa Comprehensive Petroleum UST Fund Board
James Gastineau, Administrator
502 E. 9th Street
Des Moines, IA 50319-5005

INVOICE # DNR7538-20

Date: October 17, 2023

DESCRIPTION:

AMOUNT DUE:

Twentieth payment per 28E Agreement executed 06/20/18 for joint administration
of the Iowa Comprehensive Petroleum Underground Storage Tank Fund
for the period July 1, 2023 to September 30, 2023

\$ 13,025

SFY 2019 FINAL EXPENSE	\$	75,148
SFY 2020 FINAL EXPENSE	\$	107,844
SFY 2021 FINAL EXPENSE	\$	66,120
SFY 2022 FINAL EXPENSE	\$	48,755
SFY 2023 FINAL EXPENSE	\$	50,184
SFY 2024 EXPENSE		
Personnel - Jim Gastineau	\$	10,363
IDC @ 12.65%	\$	1,311
Travel	\$	492
Outside services	\$	835
Reimbursement to other state agencies	\$	24

SFY 2024 EXPENSE TO DATE \$ 13,025

TOTAL EXPENSE TO DATE \$ 361,076

less prior reimbursements (348,051)

AMOUNT DUE \$ 13,025

Revenue Accounting Line:

0001-542-7538-0304

I certify that all eligible costs for which reimbursement is requested have been paid
in full and are in substantial compliance with the terms of the funding agreement.
If needed, additional detail is available upon request.

Monthly Activity Report and Financials Reviewed

A. September 2023 Activities Report

IOWA UST FUND
ACTIVITIES REPORT
FOR MONTH ENDING
SEPTEMBER 30, 2023

Claims	Open Claims		Open Claims	Open & Closed
	Aug '23 Ending	Monthly Changes	Sep '23 Ending	Totals since
RETROACTIVE				
number	1	0	1	447
reserve	\$ 161,030.93	\$0.00	\$ 161,030.93	\$ 161,030.93
paid	\$ 738,969.07	\$0.00	\$ 738,969.07	\$ 18,458,595.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
REMEDIAL (RM)				
number	19	0	19	4,464
reserve	\$ 1,333,393.80	(\$1,845.00)	\$ 1,331,548.80	\$ 1,331,548.80
paid	\$ 6,866,839.87	\$1,845.00	\$ 6,868,684.87	\$ 224,329,404.42
total	\$8,200,233.67	\$0.00	\$8,200,233.67	\$225,660,953.22
INNOCENT LANDOWNER (ILO)				
number	11	0	11	1,161
reserve	\$ 1,324,578.04	(\$2,236.45)	\$ 1,322,341.59	\$ 1,322,341.59
paid	\$ 2,366,021.96	\$2,236.45	\$ 2,368,258.41	\$ 37,440,013.58
total	\$3,690,600.00	\$0.00	\$3,690,600.00	\$38,762,355.17
GLOBAL OPT-IN				
number	5	0	5	1,314
reserve	\$ 27,810.19	(\$130.05)	\$ 27,680.14	\$ 27,680.14
paid	\$ 42,189.81	\$130.05	\$ 42,319.86	\$ 9,998,444.59
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,124.73
UNASSIGNED REVENUE FUND PROJECTS				
number	19	0	19	413
reserve	\$ 395,134.39	(\$96,101.50)	\$ 299,032.89	\$ 299,032.89
paid	\$ 586,365.61	(\$14,127.00)	\$ 572,238.61	\$ 5,052,802.67
total	\$981,500.00	(\$110,228.50)	\$871,271.50	\$5,351,835.56
NFA RE-EVALUATIONS				
number	18	0	18	111
reserve	\$ 637,547.34	(\$5,076.69)	\$ 632,470.65	\$ 632,470.65
paid	\$ 397,452.66	\$5,076.69	\$ 402,529.35	\$ 2,884,108.27
total	\$1,035,000.00	\$0.00	\$1,035,000.00	\$3,516,578.92
TANK CLOSURE (TX)				
number	25	(3)	22	936
reserve	\$356,501.00	(\$60,000.00)	\$296,501.00	\$311,501.00
paid	\$0.00	\$15,000.00	\$15,000.00	\$ 11,395,684.38
total	\$356,501.00	(\$45,000.00)	\$311,501.00	\$11,707,185.38

Total Claims	(RT, RM, ILO, NFA)	49	(USTCA, TX)	41
Reserves	(RT,RM,ILO,GS,NFA)	\$ 3,475,072.11		\$ 595,533.89
Total Reserves	(all claim types)	\$ 4,070,606.00		

Operator Training			
A/B (all)	4,041	A/B (FY2011-24)	\$402,220

RT	#
New	0
Reopene	0
Closed	0
RM	#
New	0
Reopene	0
Closed	0
ILO	#
New	0
Reopene	1
Closed	1
GS	#
New	0
Reopene	0
Closed	0
USTCA	#
New	2
Reopene	0
Closed	2
NFA Re-	#
New	0
Reopene	0
Closed	0
TX	#
New	1
Reopene	0
Closed	5

DNR 10-10-2023	
Total	6867
High Risk	158
Low Risk	60
NAR-FP	20
Not	62
Open	300

Invoice Type	SEP '23	FYTD	Program to Date
Appropriations	\$ 7,137.95	\$ 32,098.80	
Government.	\$ 24,110.53	\$ 24,110.53	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 75,000.00	\$ 187,000.00	\$ 11,660,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ 1,644.00	\$ 1,644.00	\$ 53,054,959.82
Expenses / OT	\$ 2,200.00	\$ 4,100.00	\$ 402,519.65
Free Prod Recover	\$ 2,567.50	\$ 20,580.20	\$ 13,019,304.52
Monitoring	\$ 2,620.00	\$ 30,849.61	\$ 35,775,968.43
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ 2,456.69	\$ 2,456.69	\$ 3,691,280.27
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 6,734.41	\$ 38,904.41	\$ 28,028,176.51
Remed Imp/Const.	\$ -	\$ -	\$ 32,655,420.50
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ 6,767.09	\$ 1,501,094.26
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ 6,077.50	\$ 9,847.50	\$ 4,620,072.34
Total Invoice Types	\$ 99,300.10	\$ 302,149.50	\$ 320,791,138.57

Remediation Budgets Approved to Date		
Last month (Sep '23)	2	\$48,741
Trailing 12 mos	5	\$683,581
Prev Trail 12 mos	0	\$89,666
Total Since Jan 2003	1,281	\$58,365,540

Project Contracts	Open	Closed	Pending
CRP's	0	45	0
Tank Closure	1	8	0
Plastic Water Line	0	2	0

	CY 2023	CY 2022	CY 2021
New LUST Sites	20	36	26
Closed (NAR) Sites	49	42	67

B. September 2023 Financial Report

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCE
FOR THE MONTH
ENDING SEPTEMBER 30, 2023

0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, September 1, 2023		\$1,271,001.78
Receipts:		
Intra State Fund Transfers Received	\$0.00	
Interest Income	<u>\$4,737.79</u>	\$4,737.79
Disbursements:		
Adjustments	\$0.00	
Transfer to Unassigned Revenue Fund (0450)	\$0.00	
Transfer to Innocent Landowner Fund (0485)	\$0.00	
Transfer to Remedial Non-Bonding Fund (0208)	<u>\$0.00</u>	\$0.00
Balance of Fund, September 30, 2023		<u>\$1,275,739.57</u>
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, September 1, 2023		\$986,633.60
Receipts:		
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	<u>\$12,937.73</u>	\$12,937.73
Disbursements:		
UST Administrator's Fees	\$0.00	
Adjustment	\$0.00	
Attorney General's Fees	\$0.00	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	
Auditor of the State Fees	\$0.00	
Claim Settlement	\$0.00	
Department of Inspection & Appeals Service Fees	\$0.00	
Professional Services - Owner/Operator Training	\$2,200.00	
Special Project Claims - Closure Contract Project	\$0.00	
Travel Expenses-UST Board Members	\$0.00	
Statutory Transfer to DNR (Admin match)	\$0.00	
Statutory Transfer to DNR (tech review - recurring & carry over)	\$0.00	
Statutory Transfer to IDAL (fuel inspections - recurring & carry ove	\$19,910.57	
Appropriations Prior Fiscal Year	\$0.00	
Outdated / Outstanding Warrants	<u>\$0.00</u>	\$22,110.57
Balance of Fund, September 30, 2023		<u>\$977,460.76</u>
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, September 1, 2023		\$2,221,988.80
Receipts:		
Transfer From UST Revenue Fund (0471)	<u>\$0.00</u>	\$0.00
Disbursements:		
Retroactive Claims	\$0.00	
Remedial Claims	\$0.00	
28E Agreement - NFA Claims	\$0.00	
Tank Closure Claims (455G.9)	\$45,000.00	
Adjustment	\$0.00	
Balance of Outdated / Outstanding Warrants	<u>\$0.00</u>	\$45,000.00
Balance of Fund, September 30, 2023		<u>\$2,176,988.80</u>

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCE
FOR THE MONTH
ENDING SEPTEMBER 30, 2023

0478 - UST MARKETABILITY FUND

Balance of Fund, September 1, 2023		\$358,532.23
Receipts:		
Interest	\$8,620.28	
Use Tax	\$0.00	
		\$8,620.28
Disbursements:		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
		\$0.00
Balance of Fund, September 30, 2023		\$367,152.51

0485 - UST INNOCENT LANDOWNERS FUND

Balance of Fund, September 1, 2023		\$1,932,950.22
Receipts:		
Cost Recovery (i.e. lien settlements)	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Outdated Warrants	\$0.00	
Miscellaneous Income	\$0.00	
		\$0.00
Disbursements:		
Balance of Outstanding Warrants	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Global Settlement Claims	\$130.05	
Innocent Landowner Claims	\$8,970.86	
Balance of Outstanding / Outdated Warrants	\$0.00	
		\$9,100.91
Balance of Fund, September 30, 2023		\$1,923,849.31

TOTAL FUND BALANCES, September 30, 2023	\$6,721,190.95
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C. Year-to-Date Financials as of September 30, 2023

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE
ENDING SEPTEMBER 30, 2023

		FY 2024 BUDGET
0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, July 1, 2023	\$1,262,264.63	\$1,262,264.63
Receipts:		
Intra State Fund Transfers Received	\$0.00	\$0.00
Interest Income	\$13,474.94	\$50,000.00
	<u>\$13,474.94</u>	<u>\$50,000.00</u>
Disbursements:		
Adjustments	\$0.00	\$0.00
Transfer to Unassigned Revenue Fund (0450)	\$0.00	\$0.00
Transfer to Innocent Landowner Fund (0485)	\$0.00	\$0.00
Transfer to Remedial Non-Bonding Fund (0208)	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Balance of Fund, September 30, 2023	\$1,275,739.57	\$1,312,264.63
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, July 1, 2023	\$1,015,942.76	\$1,015,942.76
Receipts:		
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$36,694.56	\$75,000.00
	<u>\$36,694.56</u>	<u>\$75,000.00</u>
Disbursements:		
UST Administrator's Fees	\$13,216.00	\$80,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$8,392.03	\$50,000.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	\$100.00
Auditor of the State Fees	\$2,502.50	\$4,000.00
Claim Settlement	\$0.00	\$0.00
Department of Inspection & Appeals Service Fee	\$0.00	\$0.00
Professional Services - Owner/Operator Training	\$4,100.00	\$20,000.00
Special Project Claims - Closure Contract Projec	\$13,664.20	\$250,000.00
Travel Expenses-UST Board Members	\$0.00	\$100.00
Statutory Transfer to DNR (Admin match)	\$0.00	\$200,000.00
Statutory Transfer to DNR (technical review - recurring & carry over)	\$0.00	\$0.00
Statutory Transfer to IDAL (fuel inspections - recurring & carry over)	\$28,251.55	\$250,000.00
Appropriations Prior Fiscal Year	\$5,050.28	\$8,000.00
Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$75,176.56</u>	<u>\$862,200.00</u>
Balance of Fund, September 30, 2023	\$977,460.76	\$228,742.76
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, July 1, 2023	\$2,376,689.41	\$2,376,689.41
Receipts:		
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Disbursements:		
Retroactive Claims	\$3,955.00	\$15,000.00
Remedial Claims	\$20,000.61	\$75,000.00
28E Agreement - NFA Claims	\$18,745.00	\$250,000.00

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE
ENDING SEPTEMBER 30, 2023

		FY 2024 BUDGET
Tank Closure Claims (455G.9)	\$172,000.00	\$750,000.00
Adjustment	\$0.00	\$0.00
Balance of Outdated / Outstanding Warrants	(\$15,000.00)	\$0.00
	<u>\$199,700.61</u>	<u>\$1,090,000.00</u>
Balance of Fund, September 30, 2023	<u>\$2,176,988.80</u>	<u>\$1,286,689.41</u>
0478 - UST MARKETABILITY FUND		
Balance of Fund, July 1, 2023	\$343,275.90	\$343,275.90
Receipts:		
Interest	\$23,876.61	\$55,000.00
Use Tax	\$0.00	\$0.00
	<u>\$23,876.61</u>	<u>\$55,000.00</u>
Disbursements:		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Balance of Fund, September 30, 2023	<u>\$367,152.51</u>	<u>\$398,275.90</u>
0485 - UST INNOCENT LANDOWNERS FUND		
Balance of Fund, July 1, 2023	\$1,949,534.81	\$1,949,534.81
Receipts:		
Cost Recovery (i.e. lien settlements)	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Outdated Warrants	\$0.00	\$0.00
Miscellaneous Income (cancelled warrant)	\$1,000.00	\$0.00
	<u>\$1,000.00</u>	<u>\$0.00</u>
Disbursements:		
Balance Outstanding Warrants	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned R	\$0.00	\$0.00
Global Settlement Claims	\$256.05	\$6,000.00
Innocent Landowner Claims	\$26,429.45	\$250,000.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$26,685.50</u>	<u>\$256,000.00</u>
Balance of Fund, September 30, 2023	<u>\$1,923,849.31</u>	<u>\$1,693,534.81</u>
TOTAL FUND BALANCES, September 30, 2023	<u>\$6,721,190.95</u>	<u>\$4,919,507.51</u>

D. October 2023 Activities Report

IOWA UST FUND
ACTIVITIES REPORT
MONTH ENDING
OCTOBER 31, 2023

Claims	Open Claims		Open Claims	Open & Closed
	Sep '23 Ending	Monthly Changes	Oct '23 Ending	Totals since
RETROACTIVE				
number	1	0	1	447
reserve	\$ 161,030.93	\$0.00	\$ 161,030.93	\$ 161,030.93
paid	\$ 738,969.07	\$0.00	\$ 738,969.07	\$ 18,458,595.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
REMEDIAL (RM)				
number	19	0	19	4,464
reserve	\$ 1,331,548.80	(\$100,000.00)	\$ 1,231,548.80	\$ 1,231,548.80
paid	\$ 6,868,684.87	\$0.00	\$ 6,868,684.87	\$ 224,329,404.42
total	\$8,200,233.67	(\$100,000.00)	\$8,100,233.67	\$225,560,953.22
INNOCENT LANDOWNER (ILO)				
number	11	0	11	1,161
reserve	\$ 1,322,341.59	(\$404,920.85)	\$ 917,420.74	\$ 917,420.74
paid	\$ 2,368,258.41	\$34,920.85	\$ 2,403,179.26	\$ 37,474,934.43
total	\$3,690,600.00	(\$370,000.00)	\$3,320,600.00	\$38,392,355.17
GLOBAL OPT-IN				
number	5	0	5	1,314
reserve	\$ 27,680.14	\$0.00	\$ 27,680.14	\$ 27,680.14
paid	\$ 42,319.86	\$0.00	\$ 42,319.86	\$ 9,998,444.59
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,124.73
UNASSIGNED REVENUE FUND PROJECTS				
number	19	(2)	17	413
reserve	\$ 299,032.89	(\$3,235.00)	\$ 295,797.89	\$ 295,797.89
paid	\$ 572,238.61	(\$48,841.50)	\$ 523,397.11	\$ 5,055,037.67
total	\$871,271.50	(\$52,076.50)	\$819,195.00	\$5,350,835.56
NFA RE-EVALUATIONS				
number	18	0	18	111
reserve	\$ 632,470.65	(\$115,473.00)	\$ 516,997.65	\$ 516,997.65
paid	\$ 402,529.35	\$7,973.00	\$ 410,502.35	\$ 2,892,081.27
total	\$1,035,000.00	(\$107,500.00)	\$927,500.00	\$3,409,078.92
TANK CLOSURE (TX)				
number	22	(1)	21	939
reserve	\$296,501.00	(\$601.00)	\$295,900.00	\$295,900.00
paid	\$15,000.00	(\$2,200.00)	\$12,800.00	\$ 11,453,484.38
total	\$311,501.00	(\$2,801.00)	\$308,700.00	\$11,749,384.38

Total Claims	(RT, RM, ILO, NFA)	49	(USTCA, TX)	38
Reserves	(RT,RM,ILO,GS,NFA)	\$ 2,854,678.26		\$ 591,697.89
Total Reserves	(all claim types)	\$ 3,446,376.15		

Operator Training			
A/B (all)	4,043	A/B (FY2011-24)	\$402,420

RT	#
New	0
Reopen	0
Closed	0

RM	#
New	0
Reopen	0
Closed	0

ILO	#
New	0
Reopen	0
Closed	0

GS	#
New	0
Reopen	0
Closed	0

USTCA	#
New	0
Reopen	0
Closed	2

NFA Re-	#
New	0
Reopen	0
Closed	0

TX	#
New	0
Reopen	0
Closed	5

DNR 10-10-2023	
Total	6869
High Risk	158
Low Risk	60
NAR-FP	20
Not	61
Open	299

Invoice Type	OCT'23	FYTD	Program to Date
Appropriations	\$ 18,408.56	\$ 50,507.36	
Government.	\$ 10,297.40	\$ 34,407.93	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 133,000.00	\$ 245,000.00	\$ 11,718,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ 6,194.00	\$ 6,194.00	\$ 53,059,509.82
Expenses / OT	\$ 2,200.00	\$ 4,100.00	\$ 402,519.65
Free Prod Recover	\$ 2,567.50	\$ 20,580.20	\$ 13,019,304.52
Monitoring	\$ 12,828.00	\$ 41,057.61	\$ 35,786,176.43
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ 2,456.69	\$ 2,456.69	\$ 3,691,280.27
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 6,734.41	\$ 38,904.41	\$ 28,028,176.51
Remed Imp/Const.	\$ 30,370.85	\$ 30,370.85	\$ 32,685,791.35
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ 6,767.09	\$ 1,501,094.26
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ 6,077.50	\$ 9,847.50	\$ 4,620,072.34
Total Invoice Types	\$ 202,428.95	\$ 405,278.35	\$ 320,894,267.42

Remediation Budgets Approved to Date		
Last month (Oct '23)	1	\$21,426
Trailing 12 mos	6	\$705,007
Prev Trail 12 mos	2	\$196,271
Total Since Jan 2003	1,282	\$58,386,966

Project Contracts	Open	Closed	Pending
CRP's	0	45	0
Tank Closure	1	8	0
Plastic Water Line	0	2	0

	CY 2023	CY 2022	CY 2021
New LUST Sites	22	36	26
Closed (NAR) Sites	54	42	67

D. October 2023 Financial Report

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCE
FOR THE MONTH
ENDING OCTOBER 31, 2023

0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, October 1, 2023		\$1,275,739.57
Receipts:		
Intra State Fund Transfers Received	\$0.00	
Interest Income	<u>\$4,845.00</u>	\$4,845.00
Disbursements:		
Adjustments	\$0.00	
Transfer to Unassigned Revenue Fund (0450)	\$0.00	
Transfer to Innocent Landowner Fund (0485)	\$0.00	
Transfer to Remedial Non-Bonding Fund (0208)	<u>\$0.00</u>	\$0.00
Balance of Fund, October 31, 2023		<u>\$1,280,584.57</u>
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, October 1, 2023		\$977,460.76
Receipts:		
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	<u>\$12,621.40</u>	\$12,621.40
Disbursements:		
UST Administrator's Fees	\$0.00	
Adjustment	\$0.00	
Attorney General's Fees	\$10,297.40	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	
Auditor of the State Fees	\$0.00	
Claim Settlement	\$0.00	
Department of Inspection & Appeals Service Fees	\$0.00	
Professional Services - Owner/Operator Training	\$200.00	
Special Project Claims - Closure Contract Project	\$8,312.50	
Travel Expenses-UST Board Members	\$0.00	
Statutory Transfer to DNR (Admin match)	\$0.00	
Statutory Transfer to DNR (tech review - recurring & carry over)	\$0.00	
Statutory Transfer to IDAL (fuel inspections - recurring & carry ove	\$18,408.56	
Appropriations Prior Fiscal Year	\$0.00	
Outdated / Outstanding Warrants	<u>\$0.00</u>	\$37,218.46
Balance of Fund, October 31, 2023		<u>\$952,863.70</u>
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, October 1, 2023		\$2,176,988.80
Receipts:		
Transfer From UST Revenue Fund (0471)	<u>\$0.00</u>	\$0.00
Disbursements:		
Retroactive Claims	\$0.00	
Remedial Claims	\$1,845.00	
28E Agreement - NFA Claims	\$12,606.69	
Tank Closure Claims (455G.9)	\$60,000.00	
Adjustment	\$0.00	
Balance of Outdated / Outstanding Warrants	<u>\$15,000.00</u>	\$89,451.69
Balance of Fund, October 31, 2023		<u>\$2,087,537.11</u>

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCE
FOR THE MONTH
ENDING OCTOBER 31, 2023

0478 - UST MARKETABILITY FUND		
Balance of Fund, October 1, 2023		\$367,152.51
Receipts:		
Interest	\$8,790.00	
Use Tax	\$0.00	
		\$8,790.00
Disbursements:		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
		\$0.00
Balance of Fund, October 31, 2023		\$375,942.51
0485 - UST INNOCENT LANDOWNERS FUND		
Balance of Fund, October 1, 2023		\$1,923,849.31
Receipts:		
Cost Recovery (i.e. lien settlements)	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Outdated Warrants	\$0.00	
Miscellaneous Income	\$0.00	
		\$0.00
Disbursements:		
Balance of Outstanding Warrants	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Global Settlement Claims	\$0.00	
Innocent Landowner Claims	\$34,920.85	
Balance of Outstanding / Outdated Warrants	\$0.00	
		\$34,920.85
Balance of Fund, October 31, 2023		\$1,888,928.46
TOTAL FUND BALANCES, October 31, 2023		\$6,585,856.35

E. Year-to-Date Financials as of October 31, 2023

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE
ENDING OCTOBER 31, 2023

		FY 2024 BUDGET
0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, July 1, 2023	\$1,262,264.63	\$1,262,264.63
Receipts:		
Intra State Fund Transfers Received	\$0.00	\$0.00
Interest Income	\$18,319.94	\$50,000.00
	<u>\$18,319.94</u>	<u>\$50,000.00</u>
Disbursements:		
Adjustments	\$0.00	\$0.00
Transfer to Unassigned Revenue Fund (0450)	\$0.00	\$0.00
Transfer to Innocent Landowner Fund (0485)	\$0.00	\$0.00
Transfer to Remedial Non-Bonding Fund (0208)	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Balance of Fund, October 31, 2023	\$1,280,584.57	\$1,312,264.63
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, July 1, 2023	\$1,015,942.76	\$1,015,942.76
Receipts:		
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$49,315.96	\$75,000.00
	<u>\$49,315.96</u>	<u>\$75,000.00</u>
Disbursements:		
UST Administrator's Fees	\$13,216.00	\$80,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$18,689.43	\$50,000.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	\$100.00
Auditor of the State Fees	\$2,502.50	\$4,000.00
Claim Settlement	\$0.00	\$0.00
Department of Inspection & Appeals Service Fee	\$0.00	\$0.00
Professional Services - Owner/Operator Training	\$4,300.00	\$20,000.00
Special Project Claims - Closure Contract Projec	\$21,976.70	\$250,000.00
Travel Expenses-UST Board Members	\$0.00	\$100.00
Statutory Transfer to DNR (Admin match)	\$0.00	\$200,000.00
Statutory Transfer to DNR (technical review - recurring & carry over)	\$0.00	\$0.00
Statutory Transfer to IDAL (fuel inspections - recurring & carry over)	\$46,660.11	\$250,000.00
Appropriations Prior Fiscal Year	\$5,050.28	\$8,000.00
Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$112,395.02</u>	<u>\$862,200.00</u>
Balance of Fund, October 31, 2023	\$952,863.70	\$228,742.76
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, July 1, 2023	\$2,376,689.41	\$2,376,689.41
Receipts:		
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Disbursements:		
Retroactive Claims	\$3,955.00	\$15,000.00
Remedial Claims	\$21,845.61	\$75,000.00
28E Agreement - NFA Claims	\$31,351.69	\$250,000.00

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE
ENDING OCTOBER 31, 2023

		FY 2024 BUDGET
Tank Closure Claims (455G.9)	\$232,000.00	\$750,000.00
Adjustment	\$0.00	\$0.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$289,152.30</u>	<u>\$1,090,000.00</u>
Balance of Fund, October 31, 2023	<u>\$2,087,537.11</u>	<u>\$1,286,689.41</u>
0478 - UST MARKETABILITY FUND		
Balance of Fund, July 1, 2023	\$343,275.90	\$343,275.90
Receipts:		
Interest	\$32,666.61	\$55,000.00
Use Tax	\$0.00	\$0.00
	<u>\$32,666.61</u>	<u>\$55,000.00</u>
Disbursements:		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Balance of Fund, October 31, 2023	<u>\$375,942.51</u>	<u>\$398,275.90</u>
0485 - UST INNOCENT LANDOWNERS FUND		
Balance of Fund, July 1, 2023	\$1,949,534.81	\$1,949,534.81
Receipts:		
Cost Recovery (i.e. lien settlements)	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Outdated Warrants	\$0.00	\$0.00
Miscellaneous Income (cancelled warrant)	\$1,000.00	\$0.00
	<u>\$1,000.00</u>	<u>\$0.00</u>
Disbursements:		
Balance Outstanding Warrants	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned R	\$0.00	\$0.00
Global Settlement Claims	\$256.05	\$6,000.00
Innocent Landowner Claims	\$61,350.30	\$250,000.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$61,606.35</u>	<u>\$256,000.00</u>
Balance of Fund, October 31, 2023	<u>\$1,888,928.46</u>	<u>\$1,693,534.81</u>
TOTAL FUND BALANCES, October 31, 2023	<u>\$6,585,856.35</u>	<u>\$4,919,507.51</u>

F. November 2023 Activities Report

IOWA UST FUND
ACTIVITIES REPORT
MONTH ENDING
NOVEMBER 30, 2023

Claims	Open Claims		Open Claims	Open & Closed
	Oct '23 Ending	Monthly Changes	Nov '23 Ending	Totals since
RETROACTIVE				
number	1	0	1	447
reserve	\$ 161,030.93	\$0.00	\$ 161,030.93	\$ 161,030.93
paid	\$ 738,969.07	\$0.00	\$ 738,969.07	\$ 18,458,595.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
REMEDIAL (RM)				
number	19	0	19	4,464
reserve	\$ 1,231,548.80	(\$9,041.00)	\$ 1,222,507.80	\$ 1,222,507.80
paid	\$ 6,868,684.87	\$9,041.00	\$ 6,877,725.87	\$ 224,338,445.42
total	\$8,100,233.67	\$0.00	\$8,100,233.67	\$225,560,953.22
INNOCENT LANDOWNER (ILO)				
number	11	0	11	1,161
reserve	\$ 917,420.74	(\$26,961.70)	\$ 890,459.04	\$ 890,459.04
paid	\$ 2,403,179.26	\$26,961.70	\$ 2,430,140.96	\$ 37,501,896.13
total	\$3,320,600.00	\$0.00	\$3,320,600.00	\$38,392,355.17
GLOBAL OPT-IN				
number	5	0	5	1,314
reserve	\$ 27,680.14	\$0.00	\$ 27,680.14	\$ 27,680.14
paid	\$ 42,319.86	\$0.00	\$ 42,319.86	\$ 9,998,444.59
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,124.73
UNASSIGNED REVENUE FUND PROJECTS				
number	17	0	17	413
reserve	\$ 295,797.89	(\$8,815.00)	\$ 286,982.89	\$ 286,982.89
paid	\$ 523,397.11	\$8,815.00	\$ 532,212.11	\$ 5,063,852.67
total	\$819,195.00	\$0.00	\$819,195.00	\$5,350,835.56
NFA RE-EVALUATIONS				
number	18	0	18	111
reserve	\$ 516,997.65	(\$39,619.60)	\$ 477,378.05	\$ 477,378.05
paid	\$ 410,502.35	\$39,619.60	\$ 450,121.95	\$ 2,931,700.87
total	\$927,500.00	\$0.00	\$927,500.00	\$3,409,078.92
TANK CLOSURE (TX)				
number	21	0	21	942
reserve	\$295,900.00	(\$27,498.00)	\$268,402.00	\$268,402.00
paid	\$12,800.00	\$0.00	\$12,800.00	\$ 11,496,901.23
total	\$308,700.00	(\$27,498.00)	\$281,202.00	\$11,765,303.23

Total Claims	(RT, RM, ILO, NFA)	49	(USTCA, TX)	38
Reserves	(RT,RM,ILO,GS,NFA)	\$ 2,779,055.96		\$ 555,384.89
Total Reserves	(all claim types)	\$ 3,334,440.85		

Operator Training			
A/B (all)	4,062	A/B (FY2011-24)	\$404,320

RT	#
New	0
Reopen	0
Closed	0
RM	#
New	0
Reopen	0
Closed	0
ILO	#
New	0
Reopen	0
Closed	0
GS	#
New	0
Reopen	0
Closed	0
USTCA	#
New	0
Reopen	0
Closed	0
NFA Re-	#
New	0
Reopen	0
Closed	0
TX	#
New	4
Reopen	0
Closed	4

DNR 11-30-2023	
Total	6871
High Risk	159
Low Risk	57
NAR-FP	21
Not	60
Open	297

Invoice Type	NOV'23	FYTD	Program to Date
Appropriations	\$ 21,423.93	\$ 71,931.29	
Government	\$ 19,022.66	\$ 53,430.59	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 43,416.85	\$ 288,216.85	\$ 11,761,871.38
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ 10,896.35	\$ 17,090.35	\$ 53,070,406.17
Expenses / OT	\$ 1,900.00	\$ 6,200.00	\$ 404,619.65
Free Prod Recover	\$ 1,575.00	\$ 22,155.20	\$ 13,020,879.52
Monitoring	\$ 18,839.25	\$ 59,896.86	\$ 35,805,015.68
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ -	\$ 2,456.69	\$ 3,691,280.27
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 28,990.00	\$ 67,894.41	\$ 28,057,166.51
Remed Imp/Const.	\$ 24,136.70	\$ 54,507.55	\$ 32,709,928.05
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ 6,767.09	\$ 1,501,094.26
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ -	\$ 9,847.50	\$ 4,620,072.34
Total Invoice Types	\$ 129,754.15	\$ 535,032.50	\$ 321,024,021.57

Remediation Budgets Approved to Date		
Last month Nov '23)	0	\$0
Trailing 12 mos	5	\$187,178
Prev Trail 12 mos	1	\$517,829
Total Since Jan 2003	1,282	\$58,386,966

Project Contracts	Open	Closed	Pending
CRP's	0	45	0
Tank Closure	1	8	0
Plastic Water Line	0	2	0

	CY 2023	CY 2022	CY 2021
New LUST Sites	23	36	26
Closed (NAR) Sites	57	42	67

G. November 2023 Financial Report

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCE
FOR THE MONTH
ENDING NOVEMBER 30, 2023

0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, November 1, 2023		\$1,280,584.57
Receipts:		
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$5,152.80	
		\$5,152.80
Disbursements:		
Adjustments	\$0.00	
Transfer to Unassigned Revenue Fund (0450)	\$0.00	
Transfer to Innocent Landowner Fund (0485)	\$0.00	
Transfer to Remedial Non-Bonding Fund (0208)	\$0.00	
		\$0.00
Balance of Fund, November 30, 2023		\$1,285,737.37
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, November 1, 2023		\$952,863.70
Receipts:		
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	\$12,939.07	
		\$12,939.07
Disbursements:		
UST Administrator's Fees	\$13,025.00	
Adjustment	\$0.00	
Attorney General's Fees	\$5,985.66	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$12.00	
Auditor of the State Fees	\$0.00	
Claim Settlement	\$0.00	
Department of Inspection & Appeals Service Fees	\$0.00	
Professional Services - Owner/Operator Training	\$1,900.00	
Special Project Claims - Closure Contract Project	\$8,815.00	
Travel Expenses-UST Board Members	\$0.00	
Statutory Transfer to DNR (Admin match)	\$0.00	
Statutory Transfer to DNR (tech review - recurring & carry over)	\$0.00	
Statutory Transfer to IDAL (fuel inspections - recurring & carry over)	\$21,423.93	
Appropriations Prior Fiscal Year	\$0.00	
Outdated / Outstanding Warrants	\$0.00	
		\$51,161.59
Balance of Fund, November 30, 2023		\$914,641.18
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, November 1, 2023		\$2,087,537.11
Receipts:		
Transfer From UST Revenue Fund (0471)	\$0.00	
		\$0.00
Disbursements:		
Retroactive Claims	\$0.00	
Remedial Claims	\$9,041.00	
28E Agreement - NFA Claims	\$40,062.60	
Tank Closure Claims (455G.9)	\$71,216.85	
Adjustment	\$0.00	
Balance of Outdated / Outstanding Warrants	\$0.00	
		\$120,320.45
Balance of Fund, November 30, 2023		\$1,967,216.66

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCE
FOR THE MONTH
ENDING NOVEMBER 30, 2023

0478 - UST MARKETABILITY FUND

Balance of Fund, November 1, 2023		\$375,942.51
Receipts:		
Interest	\$9,284.72	
Use Tax	\$0.00	
		\$9,284.72
Disbursements:		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
		\$0.00
Balance of Fund, November 30, 2023		\$385,227.23

0485 - UST INNOCENT LANDOWNERS FUND

Balance of Fund, November 1, 2023		\$1,888,928.46
Receipts:		
Cost Recovery (i.e. lien settlements)	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Outdated Warrants	\$0.00	
Miscellaneous Income	\$0.00	
		\$0.00
Disbursements:		
Balance of Outstanding Warrants	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Global Settlement Claims	\$0.00	
Innocent Landowner Claims	\$26,961.70	
Balance of Outstanding / Outdated Warrants	\$0.00	
		\$26,961.70
Balance of Fund, November 30, 2023		\$1,861,966.76

TOTAL FUND BALANCES, November 30, 2023	\$6,414,789.20
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H. Year-to-Date Financials as of November 30, 2023

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE
ENDING NOVEMBER 30, 2023

		FY 2024 BUDGET
0471 - UST REVENUE FUND (Bonding)		
Balance of Fund, July 1, 2023	\$1,262,264.63	\$1,262,264.63
Receipts:		
Intra State Fund Transfers Received	\$0.00	\$0.00
Interest Income	\$23,472.74	\$50,000.00
	<u>\$23,472.74</u>	<u>\$50,000.00</u>
Disbursements:		
Adjustments	\$0.00	\$0.00
Transfer to Unassigned Revenue Fund (0450)	\$0.00	\$0.00
Transfer to Innocent Landowner Fund (0485)	\$0.00	\$0.00
Transfer to Remedial Non-Bonding Fund (0208)	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Balance of Fund, November 30, 2023	\$1,285,737.37	\$1,312,264.63
0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)		
Balance of Fund, July 1, 2023	\$1,015,942.76	\$1,015,942.76
Receipts:		
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$62,255.03	\$75,000.00
	<u>\$62,255.03</u>	<u>\$75,000.00</u>
Disbursements:		
UST Administrator's Fees	\$26,241.00	\$80,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$24,675.09	\$50,000.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$12.00	\$100.00
Auditor of the State Fees	\$2,502.50	\$4,000.00
Claim Settlement	\$0.00	\$0.00
Department of Inspection & Appeals Service Fe	\$0.00	\$0.00
Professional Services - Owner/Operator Trainin	\$6,200.00	\$20,000.00
Special Project Claims - Closure Contract Proje	\$30,791.70	\$250,000.00
Travel Expenses-UST Board Members	\$0.00	\$100.00
Statutory Transfer to DNR (Admin match)	\$0.00	\$200,000.00
Statutory Transfer to DNR (technical review - recurring & carry over	\$0.00	\$0.00
Statutory Transfer to IDAL (fuel inspections - recurring & carry over	\$68,084.04	\$250,000.00
Appropriations Prior Fiscal Year	\$5,050.28	\$8,000.00
Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$163,556.61</u>	<u>\$862,200.00</u>
Balance of Fund, November 30, 2023	\$914,641.18	\$228,742.76
0208 - UST REMEDIAL NON-BONDING FUND		
Balance of Fund, July 1, 2023	\$2,376,689.41	\$2,376,689.41
Receipts:		
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Disbursements:		
Retroactive Claims	\$3,955.00	\$15,000.00
Remedial Claims	\$30,886.61	\$75,000.00
28E Agreement - NFA Claims	\$71,414.29	\$250,000.00

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND
STATEMENT OF FUND BALANCES
FISCAL YEAR TO DATE
ENDING NOVEMBER 30, 2023

		FY 2024 BUDGET
Tank Closure Claims (455G.9)	\$303,216.85	\$750,000.00
Adjustment	\$0.00	\$0.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$409,472.75</u>	<u>\$1,090,000.00</u>
Balance of Fund, November 30, 2023	<u>\$1,967,216.66</u>	<u>\$1,286,689.41</u>
0478 - UST MARKETABILITY FUND		
Balance of Fund, July 1, 2023	\$343,275.90	\$343,275.90
Receipts:		
Interest	\$41,951.33	\$55,000.00
Use Tax	\$0.00	\$0.00
	<u>\$41,951.33</u>	<u>\$55,000.00</u>
Disbursements:		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
Balance of Fund, November 30, 2023	<u>\$385,227.23</u>	<u>\$398,275.90</u>
0485 - UST INNOCENT LANDOWNERS FUND		
Balance of Fund, July 1, 2023	\$1,949,534.81	\$1,949,534.81
Receipts:		
Cost Recovery (i.e. lien settlements)	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Outdated Warrants	\$0.00	\$0.00
Miscellaneous Income (cancelled warrant)	\$1,000.00	\$0.00
	<u>\$1,000.00</u>	<u>\$0.00</u>
Disbursements:		
Balance Outstanding Warrants	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned I	\$0.00	\$0.00
Global Settlement Claims	\$256.05	\$6,000.00
Innocent Landowner Claims	\$88,312.00	\$250,000.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$88,568.05</u>	<u>\$256,000.00</u>
Balance of Fund, November 30, 2023	<u>\$1,861,966.76</u>	<u>\$1,693,534.81</u>
TOTAL FUND BALANCES, November 30, 2023	<u>\$6,414,789.20</u>	<u>\$4,919,507.51</u>

Attorney General's Report

Claim Payment Approval

**Contracts Entered Into
Since September 15, 2023 Board Meeting**



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

MEMORANDUM

TO: UST Board Members
FROM: James R. Gastineau
DATE: December 6, 2023
SUBJECT: Contracts Entered Into Since September 15, 2023 Board Meeting

The Board entered into one agreements since the September 2023 meeting:

- 1) Contract extension with Seneca Companies for UST – Tank Closure Contract Project (RFP0918005035) for work through October 14, 2024.

Other Issues as Presented



IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

Board Members:

Roby Smith
Timothy L. Gartin

Joseph D. Barry
Lisa Coffelt

Austin Brinks
Patricia Beck

Kayla Lyon
John Maynes

November 17, 2023

MEMORANDUM

TO: Legislative Council and Legislative Services Agency

FROM: James R. Gastineau, Administrator
Iowa Comprehensive Petroleum Underground Storage Tank Fund

RE: Fiscal Year 2024, 1st Quarter Report on the Iowa Comprehensive Petroleum Underground Storage Tank Fund Program

We are pleased to provide the attached report regarding the Iowa Comprehensive Petroleum Underground Storage Tank Fund (UST Fund) progress for activities through the end of the 1st quarter of Fiscal Year 2024.

The report is submitted pursuant to Iowa Code Section 455G.4(6) titled "Reporting". The code section calls for the report to include the following items:

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

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

If you have any questions regarding the enclosed report or other issues associated the UST Fund, please call the UST Fund Administrator's office at (515) 829-2770 or contact the Administrator at USTFUND@dnr.iowa.gov

UST Fund Program Status Areas 1Q - FY2024 (September 30, 2023)

1. Financial Balances

	09/30/2023	06/30/2023	06/30/2022	06/30/2022	06/30/2021
Revenue Fund	\$1,275,740	\$1,262,265	\$2,209,487	\$2,209,487	\$3,951,754
Unassigned Revenue Fund	\$977,461	\$1,015,943	\$1,717,002	\$1,717,002	\$1,585,786
Remedial Fund	\$2,176,989	\$2,376,689	\$2,617,039	\$2,617,039	\$2,707,740
Marketability Fund	\$367,152	\$343,276	\$283,257	\$283,257	\$278,250
Innocent Landowner Fund	\$1923,849	\$1,949,535	\$2,473,343	\$2,473,343	\$2,571,254
Loan Guarantee Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Reserve Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Fund Balances	\$6,721,849	\$6,947,708	↓\$9,300,128	↓\$9,300,128	↓\$11,094,764

2. Operational

Changes

- Since 2020, the Fund program is managed under a 28E agreement by the Iowa Department of Natural Resources
- Program funding ceased 12/31/2016 (2016 legislation, HF2464).
- Focus on mission to complete action on remaining liability claims prior to ceasing operations.
- Coordinate with Department of Natural Resources to address liabilities on all remaining claims

Expected Results

- Retirement of program liabilities and reduction of future liabilities.
- Reduction of fund balance and number of Program claims.

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

Iowa DNR / Iowa UST Site Data (07/02/2023)	DNR LUST Sites	Remedial CRP/NFA claims	Retroactive claims	Innocent Landowner Fund Claims	Open UST Fund Claims
Total Active LUST Sites / Fund Claims	300	37	1	11	49
Sites "Not Classified"	62	5	0	0	5
Low Risk sites	60	7	0	0	7
High Risk sites	158	21	1	8	30
No Action with free product sites	20	2	0	2	4
No Action Required or other sites	6,567	2	0	1	3

4. Results - UST Fund Open Claims / Liabilities

	Liabilities 09/30/2023	September 2023	June 2023	June 2022	June 2021	June 2020
Retroactive Claims	\$ 0.16 million	1	1	1	1	2
Remedial/CRP/ NFA Claims	\$ 1.96 million	37	40	43	48	50
Innocent Landowner Fund Claims	\$ 1.35 million	11	14	15	21	23
Total*	\$ 3.47 million	49	55	62	70	75
Claim Liabilities *		\$3.47M	\$3.69M	\$3.60M	\$4.09M	\$5.05M

*does not include special project claims or tank closure claims

IOWA UST FUND
ACTIVITIES REPORT
FOR MONTH ENDING
SEPTEMBER 30, 2023

Claims	Open Claims		Open Claims	Open & Closed
	Aug '23 Ending	Monthly Changes	Sep '23 Ending	Totals since
RETROACTIVE				
number	1	0	1	447
reserve	\$ 161,030.93	\$0.00	\$ 161,030.93	\$ 161,030.93
paid	\$ 738,969.07	\$0.00	\$ 738,969.07	\$ 18,458,595.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
REMEDIAL (RM)				
number	19	0	19	4,464
reserve	\$ 1,333,393.80	(\$1,845.00)	\$ 1,331,548.80	\$ 1,331,548.80
paid	\$ 6,866,839.87	\$1,845.00	\$ 6,868,684.87	\$ 224,329,404.42
total	\$8,200,233.67	\$0.00	\$8,200,233.67	\$225,660,953.22
INNOCENT LANDOWNER (ILO)				
number	11	0	11	1,161
reserve	\$ 1,324,578.04	(\$2,236.45)	\$ 1,322,341.59	\$ 1,322,341.59
paid	\$ 2,366,021.96	\$2,236.45	\$ 2,368,258.41	\$ 37,440,013.58
total	\$3,690,600.00	\$0.00	\$3,690,600.00	\$38,762,355.17
GLOBAL OPT-IN				
number	5	0	5	1,314
reserve	\$ 27,810.19	(\$130.05)	\$ 27,680.14	\$ 27,680.14
paid	\$ 42,189.81	\$130.05	\$ 42,319.86	\$ 9,998,444.59
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,124.73
UNASSIGNED REVENUE FUND PROJECTS				
number	19	0	19	413
reserve	\$ 395,134.39	(\$96,101.50)	\$ 299,032.89	\$ 299,032.89
paid	\$ 586,365.61	(\$14,127.00)	\$ 572,238.61	\$ 5,052,802.67
total	\$981,500.00	(\$110,228.50)	\$871,271.50	\$5,351,835.56
NFA RE-EVALUATIONS				
number	18	0	18	111
reserve	\$ 637,547.34	(\$5,076.69)	\$ 632,470.65	\$ 632,470.65
paid	\$ 397,452.66	\$5,076.69	\$ 402,529.35	\$ 2,884,108.27
total	\$1,035,000.00	\$0.00	\$1,035,000.00	\$3,516,578.92
TANK CLOSURE (TX)				
number	25	(3)	22	936
reserve	\$356,501.00	(\$60,000.00)	\$296,501.00	\$311,501.00
paid	\$0.00	\$15,000.00	\$15,000.00	\$ 11,395,684.38
total	\$356,501.00	(\$45,000.00)	\$311,501.00	\$11,707,185.38

Total Claims	(RT, RM, ILO, NFA)	49	(USTCA, TX)	41
Reserves	(RT,RM,ILO,GS,NFA)	\$ 3,475,072.11		\$ 595,533.89
Total Reserves	(all claim types)	\$ 4,070,606.00		

Operator Training			
A/B (all)	4,041	A/B (FY2011-24)	\$402,220

RT	#
New	0
Reopene	0
Closed	0
RM	#
New	0
Reopene	0
Closed	0
ILO	#
New	0
Reopene	1
Closed	1
GS	#
New	0
Reopene	0
Closed	0
USTCA	#
New	2
Reopene	0
Closed	2
NFA Re-	#
New	0
Reopene	0
Closed	0
TX	#
New	1
Reopene	0
Closed	5

DNR 10-10-2023	
Total	6867
High Risk	158
Low Risk	60
NAR-FP	20
Not	62
Open	300

Invoice Type	SEP '23	FYTD	Program to Date
Appropriations	\$ 7,137.95	\$ 32,098.80	
Government.	\$ 24,110.53	\$ 24,110.53	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 75,000.00	\$ 187,000.00	\$ 11,660,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ 1,644.00	\$ 1,644.00	\$ 53,054,959.82
Expenses / OT	\$ 2,200.00	\$ 4,100.00	\$ 402,519.65
Free Prod Recover	\$ 2,567.50	\$ 20,580.20	\$ 13,019,304.52
Monitoring	\$ 2,620.00	\$ 30,849.61	\$ 35,775,968.43
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ 2,456.69	\$ 2,456.69	\$ 3,691,280.27
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 6,734.41	\$ 38,904.41	\$ 28,028,176.51
Remed Imp/Const.	\$ -	\$ -	\$ 32,655,420.50
SCR Charges	\$ -	\$ -	\$ 54,217,410.26
Site Check	\$ -	\$ -	\$ 142,486.32
Soil Disposal	\$ -	\$ -	\$ 738,386.66
Tank (UST) Pull	\$ -	\$ -	\$ 3,979,734.25
Tank (UST) Upgrade	\$ -	\$ -	\$ 3,440,849.83
Tier III	\$ -	\$ 6,767.09	\$ 1,501,094.26
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ 6,077.50	\$ 9,847.50	\$ 4,620,072.34
Total Invoice Types	\$ 99,300.10	\$ 302,149.50	\$ 320,791,138.57

Remediation Budgets Approved to Date		
Last month (Sep '23)	2	\$48,741
Trailing 12 mos	5	\$683,581
Prev Trail 12 mos	0	\$89,666
Total Since Jan 2003	1,281	\$58,365,540

Project Contracts	Open	Closed	Pending
CRP's	0	45	0
Tank Closure	1	8	0
Plastic Water Line	0	2	0

	CY 2023	CY 2022	CY 2021
New LUST Sites	20	36	26
Closed (NAR) Sites	49	42	67

Correspondence and Attachments