

**September 21, 2023**

**Board of Directors**

**Iowa Comprehensive Petroleum  
UST Fund Board**



# IOWA UNDERGROUND STORAGE TANK FUND

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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

The Iowa Comprehensive Petroleum Underground Storage Tank Fund Board will hold a meeting at 10:00 a.m., on Thursday, September 21, 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 216-755-4793 prior to the meeting. When prompted, enter conference code PIN 892 513 288, 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
2. Closed Session Discussion of Pending and Imminent Litigation (To adjourn by 10:30 am)
3. Public Comment Period
4. Board Issues
  - A. Boards & Commissions Review
  - B. Program Administration, Records & Data Management
  - C. FY 2024 Meetings
  - D. FY 2024 Department of Justice Agreement
  - E. USTCA Closure Contract Project
  - F. RFP 2109-09, Environmental Support Services Contract
  - G. DNR Update
5. Approval of Program Billings
6. Monthly Activity Report and Financials Reviewed
7. Attorney General's Report
8. Claim Payment Approval
9. Contracts Entered Into Since June 22, 2023 Board Meeting
10. Other Issues as Presented
11. Correspondence and Attachments

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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

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502 E 9<sup>th</sup> St, Des Moines IA 50319

Phone: 515-829-2770

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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](mailto:Webmaster@dnr.iowa.gov) to advise of specific needs.

## **Approval of Prior Board Minutes**



# IOWA UNDERGROUND STORAGE TANK FUND

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## MINUTES

### IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND PROGRAM

**June 22, 2023**

Mr. Doug Beech called the Iowa UST Fund Board meeting to order at 10:02 am. A quorum was present, with the following Board members present:

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

Also present were:

David Steward, Attorney General's Office  
James Gastineau, Administrator  
Keith Wilken, Iowa DNR  
Angie Clark, Iowa DNR  
Mike Harrington, Iowa Department of Agriculture and Land Stewardship

Mr. Beech informed the Board that it was Mr. Robinson's last meeting and he will be entering retirement. Mr. Beech thanked him for his service on the Board. Mr. Robinson stated that Mr. Austin Brinks will be the new representative on the Board.

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

A correction to the minutes needs made to update the State Treasurer of Iowa to Roby Smith.

Motion was made by Mr. Maynes to approve the March 24, 2023 minutes as amended. Seconded by Mr. Hall. Motion carries unanimously.

#### **CLOSED SESSION DISCUSSION OF PENDING AND IMMEDIATE LITIGATION**

No closed session items were presented.

#### **GENERAL PUBLIC COMMENT**

There were no public comments.

#### **BOARD ISSUES**

##### **A. UST Fund Program**

Mr. Gastineau presented to the Board information on the status of the UST Fund Program and to provide the basis for a discussion on the future of the program. Options for program modification by rule change alone are limited with respect to Executive Order 10 which limits rule changes pending a thorough reevaluation of the existing program.

**Program Status**

Mr. Gastineau presented an information table that shows past expenses and provides an estimate for anticipated expenses and receipts for the next three years. The expenses noted are based on current contracts, agreements, and known claims.

**Status of Issues:**

1. **Fund Administrator:** The Board entered into a 28E agreement with the Iowa DNR that runs through December 31, 2025. Under the Agreement, Iowa DNR must provide the necessary services to manage the Fund program. Based on the prior years, anticipated future costs for services will be in range of \$50,000 to \$80,000 annually.
  
2. **DNR’s Role in LUST Site Evaluation:** The Iowa DNR - UST Section continues to provide regulatory oversight for LUST sites. As the Fund process is designed as a reimbursement program, we rely on the Iowa DNR to require work to proceed in a timely manner.
  
3. **Claim Expenses:** Claim payments are made in response to completed work. Payments include work on fund-eligible LUST sites, as well as work associated with the State Lead Closure Contract, NFA re-opened sites contract, and payments to vendors for UST Operator training events. No prioritization schedule is currently in use, so payments are made as claims are presented.
  
4. **Program Expenses:** In addition to the Administrator services, the Board continues to provide funding for other State Agencies that provide services to the Board. Funding for these activities are necessary and incur payments of approximately \$500,000 annually.
  
5. **Possible Timeframe for Resources:** Based on a range of assumptions for expenditures, the following table provides a range for the annual anticipated program funding for the future (fiscal year 2024 and beyond):

Task	Cost Range	Low	High
Administrator Fees		\$50,000	\$80,000
Attorney General and Auditor services		\$50,000	\$55,000
IDALS - Fuel Inspection		\$200,000	\$250,000
DNR - Admin Match (legislative action)		\$200,000	\$200,000
Operator Training		\$15,000	\$25,000
Existing remedial type claims (RT, RM, ILO)		\$100,000	\$400,000
New or re-opened remedial claims		\$0	\$150,000
State Lead Closure Contract Project		\$100,000	\$300,000

State Lead NFA Re-Opener Project	\$100,000	\$300,000
Tank Closures (\$15k/site)	\$600,000	\$900,000
Global Settlements	\$0	\$10,000
<b>Total Estimated Annual Costs</b>	<b>\$1,415,000</b>	<b>\$2,675,000</b>
<b>Total Available Funds</b>	<b>\$7,158,122</b>	
<b>Number of Years of Funding Available</b>	<b>5.1</b>	<b>2.6</b>

**Projection:**

Payment trends seen for the last two years, suggests Fund program payments in the next fiscal year 2024 year will be near \$2.2M, depending largely on the number of tank closure claims. Program revenues, including earned interest and cost recovery, will likely reduce the overall Fund balance decrease to approximately \$2.0M. Future years will see reduced expenditures with the ending of the State Lead Closure Contract and the reduction in open LUST sites.

Mr. Gastineau presented several items for discussion such as Overview of the issues which included

- Time and resources remaining
- Board members as fiduciaries
- Remedial claims and non-remedial claims
- Are there other considerations.

Mr. Gastineau also presented specific issues and Questions for the Board to consider such as

- Legislation – should another attempt be made to sunset the Board? new claims?
- Board Review – should action be reserved pending the report to the legislature?
- Other considerations?

**B. FY 2024 Budget**

Mr. Gastineau presented the proposed budget for FY 2024.

The proposed budget is based on recent billings and claim payment trends, as well as, contracts and agreements pending or executed on behalf of the Board. A table showing actual expenditures in FY 2022 and FY 2023 (to date) is presented for reference. The projected expenditures for FY 2024 was presented for reference.

Mr. Gastineau stated that FY 2024 budget will be amended once the final FY 2023 data is available.

Motion was made by Mr. Hall to approve the FY 2024 as presented. Seconded by Mr. McNulty. Motion carries unanimously.

**C. FY 2024 Board Meeting Schedule**

Mr. Gastineau requested the Board’s approval on the proposed meeting dates:

- Thursday, September 21, 2023
- Thursday, December 14, 2023
- Friday, March 21, 2024

- Thursday, June 20, 2024

Board consensus was to meeting quarterly per the scheduled presented by Mr. Gastineau.

#### **D. FY 2024 Department of Justice Agreement**

The Board chose to defer this item until the September meeting due to the agreement not being finalized.

#### **E. USTCA Closure Contract Project, Reauthorization**

Since the late 1990's, the Board and Department of Natural Resources (DNR) have had a 28E agreement to allow work to be performed at select LUST sites for UST closures, site investigations, monitoring and emergency corrective action activities at sites where DNR has determined action is needed and there is no viable responsible party. Consistent with the 28E agreement, the Board retained two contractors in October 2018 to provide the needed services. Due to a contractor decision, Seneca Companies is presently the sole contractor assigned work for the project.

Work is presently on course at 22 LUST sites. Since October 2018, project work has resulted in the closure of 24 LUST sites. Additional closures are pending and new sites may be added if property access can be secured.

Following State regulations, a service contract is limited to a 6-year period. Initiated in 2018, the project has been extended using 12-month extensions. The current extension will expire October 2023 and may be reauthorized for one additional 12-month period for work through October 2024.

Mr. Gastineau recommended the extension of the agreement with Seneca Companies for the final 12-month period, allowing work to continue through October 2024 using the current project rates. Seneca Companies has verbally indicated they are agreeable to extending the term of the contract at this time, but may request a modification prior to the signing the final extension.

Motion was made by Mr. Hall to approve the one-year extension to the agreement with Seneca Companies. Seconded by Mr. Maynes. Motion carries unanimously.

#### **F. DNR Update**

Mr. Wilken reported that the State Program Approval (SPA) application was submitted to EPA for review and approval. EPA has 180 days to review it and have it posted in the Federal Register. He also reported that EPA conducted a program audit.

Mr. Wilken reported that the section has hired 2 new staff. Charlotte Richards was hired as the Program Planner coordinating the UST Professional and the Groundwater certifications and assisting with some EPA reporting. Ben Weepie has been hired as the Environmental Specialist and will be working with both LUST and UST programs. He also reported that Bradley Adams has been hired as the new staff attorney for the Land Quality Bureau.

Mr. Wilken reported that EPA was recently on site to conduct an audit of the inspections and enforcement portion of the program. He believes it went well and is waiting for the written audit report.



He also reported that DNR held a two-day Compliance Inspector course. He felt it went well with several people taking the exam and passing.

Mr. Wilken gave a brief update on Executive Order 10. The UST Section has started those efforts although the official schedule for their rules doesn't start until 2025.

**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) ..... \$3,759.40  
March 2023
2. Iowa Department of Natural Resources (FY 2023) ..... \$11,518.00  
3rd Quarter FY 2023
3. Office of Auditor of State (FY 2023) ..... \$485.10  
3rd Quarter FY 2023
4. Iowa Attorney General's Office (FY 2023) ..... \$3,762.26  
April 2023
5. Iowa Attorney General's Office (FY 2023) ..... \$5,835.45  
May 2023

Motion was made by Mr. McNulty to approve the program billings as presented. Seconded by Mr. Garton. Motion carries unanimously.

**MONTHLY ACTIVITY REPORT AND FINANCIALS REVIEWED**

Mr. Gastineau noted the April and May 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 \$7.16 million and that he expects the balance to be near \$7 million by the end of the fiscal year. Expenses are in line with what has been projected for this year.

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. Steward noted nothing new to report.

**CLAIM PAYMENT APPROVAL**

There were no claim payment approvals.

**CONTRACTS ENTERED INTO SINCE MARCH 24, 2022 BOARD MEETING**

There were not contracts entered into since the prior meeting.

**OTHER ISSUES AS PRESENTED**

Mr. Gastineau included in the packet the FY 2023, 3rd Quarter Legislative Report.

**CORRESPONDENCE AND ATTACHMENTS**

Mr. Gastineau included in the packet the Semi-Annual Report of UST Performance Measure from EPA.

Meeting adjourned at 10:37 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. Boards & Commission Review**



# IOWA UNDERGROUND STORAGE TANK FUND

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## MEMORANDUM

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TO: UST Fund Board Members  
FROM: James R. Gastineau  
DATE: September 12, 2023  
SUBJECT: Boards and Commissions Review

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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.

## Background Information

- Name of the entity (board, commission, committee, council)  
Iowa comprehensive petroleum underground storage tank fund board.
- What year was the entity created? 1989
- What is the general mission of the entity?  
The main purpose of the UST Fund Program, is to assist eligible owners of leaking petroleum underground storage tanks (USTs) comply with the State requirements for corrective action for historic petroleum releases by providing reimbursement for costs associated with those corrective actions. The Program also provides financial assistance to UST owners to help pay the costs for the permanent closure of an UST system no longer in use or that does not meet current operational standards; provides financial assistance to help UST owners meet the regulatory requirement for training to operate an UST system, and provides financial assistance for additional assessment work on sites reopened after the issuance of a No Further Action certificate.
- What are the statutory duties of the entity? (Not intended to be exhaustive.)  
Reference Code section 455G.9
  - Provide UST owners with reimbursement for corrective action costs for certain historical releases
  - Provide UST owners with reimbursement for the permanent closure of certain underground storage tanks
  - Provide reimbursement for assessment and corrective action costs for sites reopened after a No Action Certificate has been issued
  - Provide funding for authorized training companies that provide training of UST system operators
- What is the funding source for the entity? (Direct appropriation, department, fees, etc.)  
Currently, no additional new funding is provided. The UST Program receives interest on the fund balance and limited funds from cost recovery actions.
- Is the entity required by federal statute, rule, or grant? No If so, specify the provision of federal law.
- Does the entity regulate any occupational or professional license, permit, certification, or registration? No.
- Does the entity have rulemaking authority? Yes
- Does the entity have authority to levy fees? No

## Membership

- How many members are on the entity? 10
- How are members selected or designated to be on the entity? Four members are named in Code section 455G.4(1) as the Director of the department of natural resources, or the director's designee; the Treasurer of State, or the director's designee; an employee of the department of management who is designated as a risk manager, and the Director of the



legislative services agency, or the director's designee. Three public members and three members who are associated with UST facilities.

- What requirements exist in state law regarding members that serve on the entity? Code section 455G.4(1) stipulates the member association to the UST field
- What is the term length for members to serve on the entity? The public members have staggered 4-year terms
- Are there term limits for members, and if so, what are the limits? No
- Are any or all members required to be confirmed by the Senate? Yes
- Please specify any other relevant information about membership or makeup of the entity. N/A

## Meetings

- Does state law require how often the entity must meet? No
- Since January 2021, how many times and when has the entity met? 11 times
  - How many members have attended each of those meetings?  
CY 2021: March 26<sup>th</sup> (6), May 27<sup>th</sup> (8), Aug 26<sup>th</sup> (8), Dec. 9<sup>th</sup> (9)  
CY 2022: Mar. 25<sup>th</sup> (8), June 23<sup>rd</sup> (9), Sept. 22<sup>nd</sup> (8), Oct. 27<sup>th</sup> (9), Dec. 15<sup>th</sup> (10)  
CY 2023: March 24<sup>th</sup> (9), June 22<sup>nd</sup> (9)
- Since January 2021, in what manner has the entity met? (In-person, virtually, hybrid, etc.) Primarily hybrid.
- Are meeting materials available online before the meeting? Yes
- What technology is used to hold meetings? Google Meet
- Please identify any necessary expenses for holding a meeting (excluding per diem or reimbursement to entity members). Costs are limited to printing the board packet prior to meetings (estimated annual cost \$300)

## Member Compensation & Other Costs

- Does state law specify how, if any, members are compensated? Code section 455G.4(1)(c) notes members are entitled to receive reimbursement of actual expenses incurred in the discharge of their duties within the limits of funds appropriated to the board or made available to the fund. Each member of the board may also be eligible to receive compensation as provided in section 7E.6. [ No members receive compensation ]
- Since January 2021, how much have members been compensated through per diem or reimbursement of expenses to attend meetings? No reimbursement has been paid
- Identify the type and amount of all other costs, if any, associated with the entity.
  - 28E agreement with the Department of Natural Resources for administration services; not to exceed \$231,000 per year (for FY 2023 and FY 2024)
  - 28E agreement with the Department of Justice for legal services pursuant to Iowa Code chapter 13; fees are approximately \$50,000, plus travel and expenses for associated services (for FY 2023)
  - Auditor of State services for FY 2023 and FY 2024, audit services provided at an estimated annual cost of \$4,400 and \$4,700, respectively.
  - Pursuant to section 455G.3(5), \$200,000 annually is appropriated to the Department of Natural Resources for technical review support services.

- Pursuant to section 455G.3(6), \$250,000 annually is appropriated to the Department of Agriculture and Land Stewardship for fuel quality inspections
- Appropriation of \$200,000 within the Iowa Department of Natural Resources funding bill for the UST Section's program funding match for a Federal grant.

## Staffing –

- Does the entity have an executive director outside of its own membership? **No, however the entity holds a 28E agreement with the Iowa Department of Natural Resources to perform the administrative activities of the board.**
- Who hires the executive director and sets salary? **N/A**
- To whom does the executive director report? **N/A**
- Identify all staff support for the entity. **The board has an agreement with the Iowa DNR who utilizes the partial time of an Environmental Specialist Senior and Executive Officer 1.**
- Identify all office space utilized for meetings and staff support. **The board utilizes publicly available spaces for meetings. Iowa DNR offices are utilized for staff support.**

## Reports

- Is the entity required by law to submit any reports? **Yes**
- Since January 2021, has the entity submitted reports? If so, how many and on what subjects? **Yes, Petroleum UST Fund Progress and Activities Report are provided quarterly on the status of the Board Programs via the legislative services portal:  
FY 2021: 2/12/2021, 4/28/2021  
FY 2022: 8/02/2021, 10/27/2021, 1/25/2022, 4/19/2022  
FY 2023: 7/25/2022, 10/11/2022, 1/09/2023, 5/03/2023**
- Is the entity required by law to submit its budget or financial information to the legislature or any other entity? **Yes**

## Licensing - **NONE**

- Does the entity regulate any occupational or professional license, permit, certification, or registration? **NO**
- What occupation(s)?
- How many licensees are required to be members on the board?
- How many licensees are currently on the board?
- What is the compelling public interest in licensing this occupation(s)?
- How many other states license, permit, certify, or register that occupation(s)?
- Identify the type of license.
- Identify the length of the license
- Identify the number of active licensees
- How are licenses issued? (electronic, paper, etc.)
- Describe the licensing process from start to finish.
- How are exams administered?
- Identify the number of days for the entity to process:
  - An initial application.

- A renewal application.
- Resolve a complaint that results in no discipline.
- Resolve a complaint that results in discipline.
- Please identify the following fee amounts for licensure:
  - Initial fee.
  - Renewal fee.
  - Examination fee.
  - Lost replacement fee.
  - Production printing fee.
  - Continuing education costs.
  - Other costs (specify).
- Since January 2021, please identify:
  - Number of complaints received.
  - Number of complaints investigated.
  - Number of disciplinary actions taken.
  - Number of licenses revoked.
- Since January 2021, how many complaints have been filed for unlicensed practice?

## **Fees - NONE**

- Does the entity have authority to levy fees? **NO**
- How often are fee schedules evaluated by the entity?
- How do the amount of fees imposed compare to other states?
- Is the entity required to report on fees to the legislature or any other entity?

## **Contact Information**

- Please identify the name of a point of contact for any questions or follow-up conversation with members of the Boards & Commissions Review Committee.
  - Name: **James Gastineau**
  - Title: **Environmental Specialist Senior / Program Administrator**
  - Department or Agency: **Natural Resources**
  - Email: **james.gastineau@dnr.iowa.gov**
  - Phone **515-829-2770**

## **B. Program Administration, Records & Data Management**



# IOWA UNDERGROUND STORAGE TANK FUND

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## MEMORANDUM

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TO: UST Board Members  
FROM: James Gastineau  
DATE: September 12, 2023  
SUBJECT: Program Administration, Records and Data Management

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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.

## **C. FY 2024 Meeting Schedule**



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John Maynes

## MEMORANDUM

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TO: UST Board Members  
FROM: James R. Gastineau  
DATE: September 12, 2023  
SUBJECT: FY 2024 Meeting Schedule

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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**





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## MEMORANDUM

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TO: UST Board Members  
FROM: James Gastineau  
DATE: September 12, 2023  
SUBJECT: Department of Justice FY 2024 Agreement

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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.

## AGREEMENT

This Agreement is entered into on this 8th day of August, 2023, by and between the Department of Justice [hereinafter the Department] and the Underground Storage Tank Fund, [hereinafter the Fund], for the fiscal year 2024.

WHEREAS, Iowa Code Chapter 13.6 provides that the attorney general may charge departments, agencies, and other state governmental entities for the cost of performing legal services for the department, agency, or governmental entity.

WHEREAS, for mutual convenience, and without waiving the right to enter into an alternative billing structure in subsequent years, the Department and the Agency wish to enter into a fixed fee agreement setting the cost for legal services to be performed in Fiscal Year 2024.

NOW, THEREFORE, the parties agree as follows:

### PARTIES

1. The Department is headed by the Attorney General, a constitutionally created elected official, whose duties are delineated in chapter 13 of the Iowa Code.
2. The Fund is a body created by statute and delegated powers in its enabling act and other related statutes.

### DUTIES

1. The Department shall provide legal services to the Fund pursuant to chapter 13 of the Iowa Code through one or more attorneys within the Department.
2. Attorneys who provide legal services under this Agreement are subject to the supervision and direction of the Attorney General for all purposes.
  - A. The Attorney General shall make all assignments of attorneys to the Fund based on the available resources within the Department.
  - B. The Attorney General shall retain authority to determine compensation, conduct performance evaluations, determine the priority of work assignments and direct the work of all assigned attorneys.

### PAYMENT

1. Payment by the Fund for legal services performed by the Department shall be based on an

estimate of the total annual value of the legal services which includes, but is not limited to: the attorney time devoted to the agency; the difficulty of the legal work required; and the provision of support staff in the performance of the legal services.

- A. The Fund shall pay approximately \$51,546 to the Department for legal services for fiscal year 2024.
  - B. The Department shall bill the Fund for legal services monthly on an IET transfer document.
2. The Fund shall pay all travel and miscellaneous expenses incurred in the performance of legal services in addition to the amount specified for legal services. The Department shall obtain prior approval from the Fund before incurring travel expenses.
- A. Travel expenses include all expenses incurred by attorneys in relation to attending agency meetings, prosecuting contested case hearings and prosecuting or defending litigation, excluding tort claim defense.
  - B. Miscellaneous expenses include expert witness fees and expenses, deposition costs, copying costs, costs of supplies and other costs associated with the provision of legal services to the Fund. The Fund shall pay a maximum of \$500 in Westlaw charges for the fiscal year. The Department shall pay any West law charges in excess of \$500.

/s/ Sam Langholz

\_\_\_\_\_  
CHIEF DEPUTY ATTORNEY GENERAL

\_\_\_\_\_  
STATE AGENCY

August 8, 2023

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

## **E. USTCA Closure Contract**



# 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

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TO: UST Board Members  
FROM: James Gastineau  
DATE: September 13, 2023  
SUBJECT: USTCA–Tank Closure Project

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### **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).

**Seneca USTCA costs**

UST Closure Costs		Unit Rates	Unit Rates	Unit Rates	Unit Rates	Increase Requested
		2018-2021 (original)	2021-2022 (10% inc)	2022-2023 (7.8% inc)	2023-2024 (13.7% inc) Proposed	
<b>Tank Closure (removal) - per tank</b>						
1	First 2 tanks					
a	<= 2K	1st 2 tanks \$ 3,977.50	\$ 4,375.25	\$ 4,863.00	\$ 5,349.00	10%
b	2001 - 6K	1st 2 tanks \$ 5,760.00	\$ 6,336.00	\$ 6,542.00	\$ 7,196.00	10%
c	6001-10K	1st 2 tanks \$ 7,462.00	\$ 8,208.20	\$ 8,755.75	\$ 9,631.00	10%
d	10,001-15K	1st 2 tanks \$ 7,772.50	\$ 8,549.75	\$ 9,118.00	\$ 10,030.00	10%
e	> 15,001	1st 2 tanks \$ 8,450.00	\$ 9,295.00	\$ 9,900.00	\$ 10,890.00	10%
<b>2 Additional tanks - per tank</b>						
a	<= 2K	per add'l tank \$ 2,273.50	\$ 2,500.85	\$ 2,931.25	\$ 3,224.00	10%
b	2001 - 6K	per add'l tank \$ 3,087.75	\$ 3,396.53	\$ 3,701.15	\$ 4,071.00	10%
c	6001-10K	per add'l tank \$ 5,091.25	\$ 5,600.38	\$ 6,030.50	\$ 6,634.00	10%
d	10,001-15K	per add'l tank \$ 5,407.50	\$ 5,948.25	\$ 6,460.15	\$ 7,106.00	10%
e	> 15,001	per add'l tank \$ 5,850.00	\$ 6,435.00	\$ 7,983.75	\$ 8,782.00	10%
<b>3 Closure Collection &amp; Analysis - per sample</b>						
a	OA-1 soil	per sample \$ 90.00	\$ 99.00	\$ 105.00	\$ 116.00	10%
b	OA-2 soil	per sample \$ 75.00	\$ 82.50	\$ 85.00	\$ 94.00	11%
c	OA-1 water	per sample \$ 120.00	\$ 132.00	\$ 135.00	\$ 149.00	10%
d	OA-2 water	per sample \$ 100.00	\$ 110.00	\$ 115.00	\$ 127.00	10%
<b>4 Disposal Costs</b>						
a	Tank contents (liquid)	per gallon \$ 1.50	\$ 1.65	\$ 1.75	\$ 1.93	10%
b	Contaminated backfill	per cu yd \$ 118.00	\$ 129.80	\$ 129.8	\$ 143.00	10%
5	Tank closure report	per event \$ 500.00	\$ 550.00	\$ 550.00	\$ 605.00	10%
6	Drill rig mob	per event \$ 750.00	\$ 825.00	\$ 1,000.00	\$ 1,600.00	60%
7	MW (25 ft, non-bedrock)	per well \$ 1,380.00	\$ 1,518.00	\$ 1,832.50	\$ 2,113.00	15%
<b>8 For UST Closure (fill in place)</b>						
a	UST prep cost (inc cleanir	per tank \$ 1,375.00	\$ 1,512.50	\$ 1,661.00	\$ 1,827.00	10%
b	Flowable mortar	per cu yd \$ 161.00	\$ 177.10	\$ 287.50	\$ 316.00	10%
c	Soil borings	per boring \$ 450.00	\$ 495.00	\$ 580.00	\$ 661.00	14%
<b>Tier 1 - Tier 2- SMR</b>						<b>% Increase</b>
1	Soil boring (25 ft deep)	per boring \$ 450.00	\$ 495.00	\$ 580.00	\$ 788.00	36%
a	each add'l ft	per add'l ft \$ 15.00	\$ 16.50	\$ 22.00	\$ 30.00	36%
2	Non-bedrock MW (25 ft)	per well \$ 1,050.00	\$ 1,155.00	\$ 1,565.00	\$ 1,933.00	24%
	each add'l ft	per add'l ft \$ 35.00	\$ 38.50	\$ 42.00	\$ 56.00	33%
3	Bedrock well (25 ft)	per well \$ 1,750.00	\$ 1,925.00	\$ 2,100.00	\$ 2,373.00	13%
	each add'l ft	per add'l ft \$ 58.00	\$ 63.80	\$ 72.00	\$ 96.00	33%
4	Soil samples					
a	OA-1 / MTBE	per sample \$ 120.00	\$ 132.00	\$ 140.00	\$ 154.00	10%
b	OA-1	per sample \$ 90.00	\$ 99.00	\$ 105.00	\$ 116.00	10%

UST Closure Costs		Unit Rates		Unit Rates		Unit Rates		Unit Rates		Increase Requested
		2018-2021 (original)	2021-2022 (10% inc)	2022-2023 (7.8% inc)	2023-2024 (13.7% inc)	Proposed				
c	OA-2	per sample	\$ 65.00	\$ 71.50	\$ 85.00	\$ 94.00			11%	
5	Water Samples									
a	OA-1 / MTBE	per sample	\$ 150.00	\$ 165.00	\$ 175.00	\$ 193.00			10%	
b	OA-1	per sample	\$ 120.00	\$ 132.00	\$ 135.00	\$ 149.00			10%	
c	OA-2	per sample	\$ 65.00	\$ 71.50	\$ 85.00	\$ 94.00			11%	
6	Receptor Samples									
a	OA-1 / MTBE	per sample	\$ 170.00	\$ 187.00	\$ 195.00	\$ 215.00			10%	
b	OA-1	per sample	\$ 150.00	\$ 165.00	\$ 170.00	\$ 187.00			10%	
c	OA-2	per sample	\$ 65.00	\$ 71.50	\$ 85.00	\$ 94.00			11%	
7	Soil gas samples									
a	drilled soil gas well	per well	\$ 450.00	\$ 495.00	\$ 695.00	\$ 818.00			18%	
b	pushed soil gas well	per well	\$ 450.00	\$ 495.00	\$ 495.00	\$ 545.00			10%	
c	sg samples (per sample)	per sample	\$ 170.00	\$ 187.00	\$ 195.00	\$ 215.00			10%	
8	Staff mobilization	per event	\$ 400.00	\$ 440.00	\$ 485.00	\$ 534.00			10%	
9	drill rig mob	per event	\$ 800.00	\$ 880.00	\$ 1,000.00	\$ 1,600.00			60%	
							or \$403/hr			
10	Tier 1 - orig	per event	\$ 1,250.00	\$ 1,375.00	\$ 1,500.00	\$ 1,650.00			10%	
11	Pathway eval (T2)	per path	\$ 325.00	\$ 357.50	\$ 357.50	\$ 393.00			10%	
12	Tier 2 - orig	per event	\$ 2,500.00	\$ 2,750.00	\$ 2,750.00	\$ 3,025.00			10%	
13	Tier 2 - rev	per event	\$ 1,500.00	\$ 1,650.00	\$ 1,650.00	\$ 1,815.00			10%	
14	SMR - orig	per event	\$ 750.00	\$ 825.00	\$ 900.00	\$ 990.00			10%	
15	SMR - subseq	per event	\$ 675.00	\$ 742.50	\$ 800.00	\$ 880.00			10%	
16	Off-site access	per site	\$ 300.00	\$ 330.00	\$ 330.00	\$ 330.00			0%	
17	Receptor Survey (T1/T2)	per event	\$ 375.00	\$ 412.50	\$ 412.50	\$ 413.00			0%	
18	Receptor Survey (SMR)	per event	\$ 250.00	\$ 275.00	\$ 275.00	\$ 275.00			0%	
19	K tests	per event	\$ 250.00	\$ 275.00	\$ 300.00	\$ 330.00			10%	
Extra	T2 notifications	per event	\$ 175.00	\$ 192.50	\$ 192.50	\$ 193.00			0%	
<b>Free Product Recovery Costs Summary</b>									<b>% Increase</b>	
1	Staff mobilization	per event	\$ 375.00	\$ 412.50	\$ 412.50	\$ 454.00			10%	
2	FP measurement	per well	\$ 35.00	\$ 38.50	\$ 38.50	\$ 42.00			9%	
3	Disposal (per gal)	per gallon	\$ 0.60	\$ 0.66	\$ 0.66	\$ 0.73			11%	
4	FP Assess Rpt	per report	\$ 400.00	\$ 440.00	\$ 440.00	\$ 484.00			10%	
5	FP recovery rpt	per report	\$ 125.00	\$ 137.50	\$ 137.50	\$ 151.00			10%	
MW Closure Activities										
6	MW abandon (25 ft)	per well	\$ 150.00	\$ 165.00	\$ 165.00	\$ 182.00			10%	
a	each add'l ft	per add'l ft	\$ 10.00	\$ 11.00	\$ 11.00	\$ 12.00			9%	
7	Vapor well abd	per vapor w	\$ 75.00	\$ 82.50	\$ 82.50	\$ 91.00			10%	
8	Well abd report	per well	\$ 25.00	\$ 27.50	\$ 27.50	\$ 30.00			9%	
9	Access	per event	\$ 200.00	\$ 220.00	\$ 220.00	\$ 242.00			10%	
10	County recorder	per event	\$ 200.00	\$ 220.00	\$ 220.00	\$ 100.00			-55%	

Expedited Corrective Action

UST Closure Costs	Unit Rates		Unit Rates		Unit Rates		Unit Rates		
	2018-2021 (original)	2021-2022 (10% inc)	2022-2023 (7.8% inc)	2023-2024 (13.7% inc)	Proposed	Increase Requested			
1	Excavation, disposal and	per cu yard	\$ 115.00	\$ 126.50	\$ 129.00	\$ 142.00	10%		
a	Excavator mob	per event	\$ 1,725.00	\$ 1,897.50	\$ 2,300.00	\$ 2,530.00	10%		
b	Roadstone (per ton)	per ton	\$ 30.00	\$ 33.00	\$ 33.00	\$ 36.00	9%		
c	Personnel (per hr)	per hour	\$ 70.00	\$ 77.00	\$ 85.00	\$ 94.00	11%		
2	DWW-NDWW abd(per ft/	per ft - per '	\$ 11.25	\$ 12.38	Cost +15%	Cost + 15%			
3	Expedited CA report	per report	\$ 600.00	\$ 660.00	\$ 750.00	\$ 825.00	10%		
Landfill									
	Excavate, load, backfill	per ton	\$ 35.00	\$ 38.50	\$ 40.25	\$ 44.00	9%		
	haul, per ton per loaded r	per ton	\$ 0.48	\$ 0.53	\$ 0.75	\$ 0.75	0%		
	disposal, per ton	per ton	cost +15%						



**F. RBCA 2109-01: Environmental Support Services  
(NFA reopened sites project)**



# IOWA UNDERGROUND STORAGE TANK FUND

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Roby Smith  
Timothy L. Gartin

Joseph D. Barry  
Lisa Coffelt

Austin Brooks  
Patricia J. Beck

Kayla Lyons  
John Maynes

## MEMORANDUM

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TO: UST Board Members  
FROM: James Gastineau  
DATE: September 12, 2023  
SUBJECT: RFP 2021-09 Environmental Support Services Project

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### **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.

## **G. DNR Update**

## **Approval of Program Billings**



# IOWA UNDERGROUND STORAGE TANK FUND

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*Board Members:*

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Austin Brinks  
Patricia J. Beck

Kayla Lyons  
John Maynes

## MEMORANDUM

TO: UST Board Members  
FROM: James R. Gastineau  
DATE: September 11, 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 2023) ..... \$3,353.01  
June 2023 (FY 2023)
2. Iowa Department of Natural Resources (FY 2023) ..... \$13,050.00  
4<sup>th</sup> 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  
4<sup>th</sup> Quarter FY 2023 (supplemental)
5. Office of the Auditor of State (FY 2023) ..... \$2,502.50  
4<sup>th</sup> Quarter (FY 2023)

\*\* 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: 07/13/23

**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: June FY23

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

Document Number	Account Coding				Description	Amount
	Fund	Agency	Unit	Sub Unit		
112AG071323043	0001	112	2301		0302	\$ 3,353.01

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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 # DNR7538-18  
Date: July 27, 2023

**DESCRIPTION:**

**AMOUNT DUE:**

Eigtheenth 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, 2022 to June 30, 2023

\$ 13,050

SFY 2019 FINAL EXPENSE	\$	75,148
SFY 2020 FINAL EXPENSE	\$	107,844
SFY 2021 FINAL EXPENSE	\$	66,120
SFY 2022 FINAL EXPENSE	\$	48,755
<b>SFY 2023 EXPENSE</b>		
Personnel - Jim Gastineau	\$	42,534
IDC @ 13.18%	\$	5,606
Supplies	\$	19
Printing	\$	50
Outside services	\$	1,651
		<hr/>
<b>SFY 2023 EXPENSE</b>	\$	49,860
<b>TOTAL EXPENSE TO DATE</b>	\$	347,727
less prior reimbursements		<hr/>
		(334,677)
		<hr/>
<b>AMOUNT DUE</b>	\$	13,050

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.

Preparer: Shirley Christoffersen, Budget and Finance Bureau  
[shirley.christoffersen@dnr.iowa.gov](mailto:shirley.christoffersen@dnr.iowa.gov)

Phone 515-725-8206

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 # DNR7538-19  
Date: August 8, 2023

**DESCRIPTION:**

**AMOUNT DUE:**

Nintenth 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, 2022 to June 30, 2023

\$ 166

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 EXPENSE**

Personnel - Jim Gastineau \$ 42,534

IDC @ 13.18% \$ 5,606

Supplies \$ 19

Printing \$ 50

Outside services \$ 1,817

**SFY 2023 EXPENSE** \$ 50,026

**TOTAL EXPENSE TO DATE** \$ 347,893

less prior reimbursements (347,727)

**AMOUNT DUE** \$ 166

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.

Preparer: Shirley Christoffersen, Budget and Finance Bureau  
[shirley.christoffersen@dnr.iowa.gov](mailto:shirley.christoffersen@dnr.iowa.gov)

Phone 515-725-8206



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

Invoice Date: 08/07/23

**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 FY2023

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

Document Number	Account Coding					Description	Amount
	Fund	Agency	Unit	Sub Unit	Rev Source		
112AG080823043	0001	112	2301		0302		\$ 1,279.62

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



**OFFICE OF AUDITOR OF STATE  
STATE OF IOWA**

Rob Sand  
Auditor of State

State Capitol Building  
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6518

**BILL TO:**

James Gastineau  
UST  
2700 Westown Pkwy Suite 320  
West Des Moines, IA 50266

**INVOICE**

<b>DATE</b>	6/30/2023
<b>NUMBER</b>	25945
<b>AMOUNT DUE</b>	\$ 2,502.50

**FOR AUDIT SERVICES PERFORMED DURING FISCAL YEAR 2023**

DESCRIPTION	HOURS	PER DIEM	EXPENSE	TOTAL
<b>4TH QUARTER TOTALS:</b>				
Marshall, Jared	7.5	682.50	-	\$ 682.50
Ruiz Torres, Priscilla	20.0	1,820.00	-	1,820.00
<b>FY23 Estimated total bill \$4,400</b>				
<b>4TH QUARTER BILL</b>	27.5	\$ 2,502.50	\$ -	\$ 2,502.50
<b>TOTAL BILLED TO DATE</b>	32.2	\$ 2,987.60	\$ -	\$ 2,987.60

**OFFICE USE ONLY**

Please make payment for the audit bill with the attached Internal Exchange Transaction (IET) to the Office of Auditor of State.

If you have any questions, please contact Zemira Rahmanovic

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

## **A. June 2023 Activities Report**

IOWA UST FUND  
ACTIVITIES REPORT  
JUNE 2023  
(FY2023)

Claims	Open Claims May Ending	Monthly Changes	Open Claims June '23 Ending	Open & Closed Totals since
<b>RETROACTIVE</b>				
number	1	0	1	447
reserve	\$ 164,985.93	\$0.00	\$ 164,985.93	\$ 164,985.93
paid	\$ 735,014.07	\$0.00	\$ 735,014.07	\$ 18,454,640.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
<b>REMEDIAL (RM)</b>				
number	22	0	22	4,464
reserve	\$ 1,543,612.95	(\$9,591.27)	\$ 1,534,021.68	\$ 1,534,021.68
paid	\$ 7,107,591.35	\$9,591.27	\$ 7,117,182.62	\$ 224,307,558.81
total	\$8,651,204.30	\$0.00	\$8,651,204.30	\$225,841,580.49
<b>INNOCENT LANDOWNER (ILO)</b>				
number	13	0	13	1,161
reserve	\$ 1,371,803.22	(\$5,350.62)	\$ 1,366,452.60	\$ 1,366,452.60
paid	\$ 2,433,796.68	\$21,957,350.72	\$ 24,391,147.40	\$ 37,413,584.13
total	\$3,805,599.90	\$21,952,000.10	\$25,757,600.00	\$38,780,036.73
<b>GLOBAL OPT-IN</b>				
number	4	1	5	1,314
reserve	\$ 18,936.19	\$9,000.00	\$ 27,936.19	\$ 27,936.19
paid	\$ 37,063.81	\$5,000.00	\$ 42,063.81	\$ 9,998,188.54
total	\$56,000.00	\$14,000.00	\$70,000.00	\$10,026,124.73
<b>UNASSIGNED REVENUE FUND PROJECTS</b>				
number	22	0	22	411
reserve	\$ 467,515.83	(\$8,996.50)	\$ 458,519.33	\$ 458,519.33
paid	\$ 618,459.17	\$8,996.50	\$ 627,455.67	\$ 5,025,749.72
total	\$1,085,975.00	\$0.00	\$1,085,975.00	\$5,484,269.05
<b>NFA RE-EVALUATIONS</b>				
number	17	0	17	110
reserve	\$ 605,793.84	(\$9,501.50)	\$ 596,292.34	\$ 596,292.34
paid	\$ 369,206.16	\$9,501.50	\$ 378,707.66	\$ 2,860,286.58
total	\$975,000.00	\$0.00	\$975,000.00	\$3,456,578.92
<b>TANK CLOSURE (TX)</b>				
number	26	(5)	21	920
reserve	\$349,502.00	(\$75,000.00)	\$274,502.00	\$274,502.00
paid	\$0.00	\$0.00	\$0.00	\$ 11,193,684.38
total	\$349,502.00	(\$75,000.00)	\$274,502.00	\$11,468,186.38

<b>Total Claims</b>	(RT, RM, ILO, NFA)	<b>53</b>	(USTCA, TX)	<b>43</b>
Reserves	(RT, RM, ILO, GS, NFA)	\$ 3,689,688.74		\$ 733,021.33
Total Reserves	(all claim types)	\$ 4,422,710.07		

<b>Operator Training</b>			
A/B (all)	4,012	A/B (FY2011-22)	\$398,120

<b>RT</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>RM</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>ILO</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>GS</b>	<b>#</b>
New	1
Reopene	0
Closed	0
<b>USTCA</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>NFA Re-</b>	<b>#</b>
New	1
Reopene	0
Closed	2
<b>TX</b>	<b>#</b>
New	3
Reopene	0
Closed	8
<b>DNR 7-02-2023</b>	
Total	6856
High Risk	162
Low Risk	67
NAR-FP	18
Not	59
Open	306

Invoice Type	June '23	FYTD	Program to Date
Appropriations	\$ 8,284.96	\$ 402,520.52	
Government.	\$ 9,597.71	\$ 103,953.10	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 120,000.00	\$ 966,233.32	\$ 11,473,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ -	\$ 26,559.54	\$ 53,053,315.82
Expenses / OT	\$ 1,200.00	\$ 16,600.00	\$ 398,419.65
Free Prod Recover	\$ 12,412.77	\$ 54,806.93	\$ 12,998,724.32
Monitoring	\$ 14,901.82	\$ 180,587.37	\$ 35,745,118.82
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ 625,327.35	\$ 38,036,140.86
Water Lines	\$ -	\$ 53,505.78	\$ 3,688,823.58
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 5,000.00	\$ 101,971.23	\$ 27,989,272.10
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	\$ 6,125.40	\$ 27,835.10	\$ 1,494,327.17
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ -	\$ 9,569.63	\$ 4,610,224.84
Total Invoice Types	\$ 159,639.99	\$ 2,062,996.25	\$ 320,488,989.07

<b>Remediation Budgets Approved to Date</b>			
Last month (June)	1	\$33,815	
Trailing 12 mos	4	\$797,285	
Prev Trail 12 mos	0	\$0	
Total Since Jan 2003	1,281	\$58,316,799	

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
<b>New LUST Sites</b>	10	36	26
<b>Closed (NAR) Sites</b>	36	42	67

## **B. June 2023 Financial Report**

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

<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, June 1, 2023</b>		<b>\$1,255,834.44</b>
<b>Receipts:</b>		
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$6,430.19	
	\$6,430.19	\$6,430.19
<b>Disbursements:</b>		
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	\$0.00
<b>Balance of Fund, June 30, 2023</b>		<b>\$1,262,264.63</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, June 1, 2023</b>		<b>\$1,036,493.11</b>
<b>Receipts:</b>		
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	\$8,428.82	
	\$8,428.82	\$8,428.82
<b>Disbursements:</b>		
UST Administrator's Fees	\$0.00	
Adjustment	\$0.00	
Attorney General's Fees	\$9,597.71	
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	\$2,500.00	
Special Project Claims - Closure Contract Project	\$8,996.50	
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 over)	\$8,284.96	
Appropriations Prior Fiscal Year	\$0.00	
Outdated / Outstanding Warrants	(\$400.00)	
	\$28,979.17	\$28,979.17
<b>Balance of Fund, June 30, 2023</b>		<b>\$1,015,942.76</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, June 1, 2023</b>		<b>\$2,561,200.31</b>
<b>Receipts:</b>		
Transfer From UST Revenue Fund (0471)	\$0.00	
	\$0.00	\$0.00
<b>Disbursements:</b>		
Retroactive Claims	\$0.00	
Remedial Claims	\$9,591.27	
28E Agreement - NFA Claims	\$9,919.63	
Tank Closure Claims (455G.9)	\$165,000.00	
Adjustment	\$0.00	
Balance of Outdated / Outstanding Warrants	\$0.00	
	\$184,510.90	\$184,510.90
<b>Balance of Fund, June 30, 2023</b>		<b>\$2,376,689.41</b>

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

<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, June 1, 2023</b>		<b>\$336,692.55</b>
<b>Receipts:</b>		
Interest	\$6,583.35	
Use Tax	\$0.00	
	\$6,583.35	\$6,583.35
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
	\$0.00	\$0.00
<b>Balance of Fund, June 30, 2023</b>		<b>\$343,275.90</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, June 1, 2023</b>		<b>\$1,968,501.73</b>
<b>Receipts:</b>		
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	\$0.00
<b>Disbursements:</b>		
Balance of Outstanding Warrants	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Global Settlement Claims	\$5,000.00	
Innocent Landowner Claims	\$13,966.92	
Balance of Outstanding / Outdated Warrants	\$0.00	
	\$18,966.92	\$18,966.92
<b>Balance of Fund, June 30, 2023</b>		<b>\$1,949,534.81</b>
<b>TOTAL FUND BALANCES, June 30, 2023</b>		<b>\$6,947,707.51</b>



## **C. Year-to-Date Financials as of June 30, 2023**

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

		<b>FY 2023 BUDGET</b>
<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, July 1, 2022</b>	<b>\$2,209,487.32</b>	<b>\$2,209,487.32</b>
<b>Receipts:</b>		
Intra State Fund Transfers Received	\$0.00	\$0.00
Interest Income	\$52,777.31	\$8,000.00
	<u>\$52,777.31</u>	<u>\$8,000.00</u>
<b>Disbursements:</b>		
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)	\$1,000,000.00	\$1,000,000.00
	<u>\$1,000,000.00</u>	<u>\$1,000,000.00</u>
<b>Balance of Fund, June 30, 2023</b>	<b>\$1,262,264.63</b>	<b>\$1,217,487.32</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2022</b>	<b>\$1,717,002.57</b>	<b>\$1,717,002.57</b>
<b>Receipts:</b>		
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$84,342.31	\$13,000.00
	<u>\$84,342.31</u>	<u>\$13,000.00</u>
<b>Disbursements:</b>		
UST Administrator's Fees	\$50,057.00	\$125,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$53,386.23	\$50,000.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	\$100.00
Auditor of the State Fees	\$485.10	\$4,200.00
Claim Settlement	\$0.00	\$0.00
Department of Inspection & Appeals Service Fees	\$24.81	\$0.00
Professional Services - Owner/Operator Training	\$17,100.00	\$20,000.00
Special Project Claims - Closure Contract Project	\$253,403.04	\$250,000.00
Travel Expenses-UST Board Members	\$0.00	\$100.00
Statutory Transfer to DNR (Admin match)	\$200,000.00	\$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)	\$202,520.75	\$250,000.00
Appropriations Prior Fiscal Year	\$8,825.19	\$10,000.00
Outdated / Outstanding Warrants	(\$400.00)	\$0.00
	<u>\$785,402.12</u>	<u>\$909,400.00</u>
<b>Balance of Fund, June 30, 2023</b>	<b>\$1,015,942.76</b>	<b>\$820,602.57</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, July 1, 2022</b>	<b>\$2,617,038.65</b>	<b>\$2,617,038.65</b>
<b>Receipts:</b>		
Transfer From UST Revenue Fund (0471)	\$1,000,000.00	\$1,000,000.00
	<u>\$1,000,000.00</u>	<u>\$1,000,000.00</u>
<b>Disbursements:</b>		
Retroactive Claims	\$0.00	\$15,000.00
Remedial Claims	\$59,600.40	\$125,000.00
28E Agreement - NFA Claims	\$214,515.52	\$300,000.00

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

		<b>FY 2023 BUDGET</b>
Tank Closure Claims (455G.9)	\$966,233.32	\$750,000.00
Adjustment	\$0.00	\$0.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	\$1,240,349.24	\$1,190,000.00
<b>Balance of Fund, June 30, 2023</b>	<b>\$2,376,689.41</b>	<b>\$2,427,038.65</b>
<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, July 1, 2022</b>	<b>\$283,257.03</b>	<b>\$283,257.03</b>
<b>Receipts:</b>		
Interest	\$60,018.87	\$4,000.00
Use Tax	\$0.00	\$0.00
	\$60,018.87	\$4,000.00
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	\$0.00	\$0.00
<b>Balance of Fund, June 30, 2023</b>	<b>\$343,275.90</b>	<b>\$287,257.03</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, July 1, 2022</b>	<b>\$2,473,342.95</b>	<b>\$2,473,342.95</b>
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$49,116.18	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Outdated Warrants	\$0.00	\$0.00
Miscellaneous Income (cancelled warrant)	\$0.00	\$0.00
	\$49,116.18	\$0.00
<b>Disbursements:</b>		
Balance Outstanding Warrants	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned I	\$0.00	\$0.00
Global Settlement Claims	\$5,921.15	\$500.00
Innocent Landowner Claims	\$567,003.17	\$450,000.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	\$572,924.32	\$450,500.00
<b>Balance of Fund, June 30, 2023</b>	<b>\$1,949,534.81</b>	<b>\$2,022,842.95</b>
<b>TOTAL FUND BALANCES, June 30, 2023</b>	<b>\$6,947,707.51</b>	<b>\$6,775,228.52</b>

## **D. July 2023 Activities Report**

IOWA UST FUND  
ACTIVITIES REPORT  
JULY 2023

Claims	Open Claims		Open Claims	Open & Closed
	June '23 Ending	Monthly Changes	July '23 Ending	Totals since
<b>RETROACTIVE</b>				
number	1	0	1	447
reserve	\$ 164,985.93	\$0.00	\$ 164,985.93	\$ 164,985.93
paid	\$ 735,014.07	\$0.00	\$ 735,014.07	\$ 18,454,640.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
<b>REMEDIAL (RM)</b>				
number	22	(2)	20	4,464
reserve	\$ 1,534,021.68	(\$75,666.77)	\$ 1,458,354.91	\$ 1,458,354.91
paid	\$ 7,117,182.62	(\$245,303.86)	\$ 6,871,878.76	\$ 224,312,909.42
total	\$8,651,204.30	(\$320,970.63)	\$8,330,233.67	\$225,771,264.33
<b>INNOCENT LANDOWNER (ILO)</b>				
number	13	(1)	12	1,161
reserve	\$ 1,366,452.60	(\$16,540.05)	\$ 1,349,912.55	\$ 1,349,912.55
paid	\$ 24,391,147.40	(\$22,010,459.95)	\$ 2,380,687.45	\$ 37,416,733.13
total	\$25,757,600.00	(\$22,027,000.00)	\$3,730,600.00	\$38,766,645.68
<b>GLOBAL OPT-IN</b>				
number	5	0	5	1,314
reserve	\$ 27,936.19	(\$126.00)	\$ 27,810.19	\$ 27,936.19
paid	\$ 42,063.81	\$126.00	\$ 42,189.81	\$ 9,998,314.54
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,250.73
<b>UNASSIGNED REVENUE FUND PROJECTS</b>				
number	22	(1)	21	411
reserve	\$ 458,519.33	(\$26,639.84)	\$ 431,879.49	\$ 431,879.49
paid	\$ 627,455.67	\$375.00	\$ 627,830.67	\$ 5,039,120.97
total	\$1,085,975.00	(\$26,264.84)	\$1,059,710.16	\$5,471,000.46
<b>NFA RE-EVALUATIONS</b>				
number	17	0	17	110
reserve	\$ 596,292.34	(\$17,170.00)	\$ 579,122.34	\$ 579,122.34
paid	\$ 378,707.66	\$17,170.00	\$ 395,877.66	\$ 2,877,456.58
total	\$975,000.00	\$0.00	\$975,000.00	\$3,456,578.92
<b>TANK CLOSURE (TX)</b>				
number	21	(1)	20	924
reserve	\$274,502.00	\$7,999.00	\$282,501.00	\$282,501.00
paid	\$0.00	\$0.00	\$0.00	\$ 11,260,684.38
total	\$274,502.00	\$7,999.00	\$282,501.00	\$11,543,185.38

<b>Total Claims</b>	(RT, RM, ILO, NFA)	<b>50</b>	(USTCA, TX)	<b>41</b>
Reserves	(RT, RM, ILO, GS, NFA)	\$ 3,580,185.92		\$ 714,380.49
Total Reserves	(all claim types)	\$ 4,294,566.41		

<b>Operator Training</b>			
A/B (all)	4,050	A/B (FY2011-24)	\$400,020

<b>RT</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>RM</b>	<b>#</b>
New	0
Reopene	0
Closed	2
<b>ILO</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>GS</b>	<b>#</b>
New	1
Reopene	0
Closed	0
<b>USTCA</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>NFA Re-</b>	<b>#</b>
New	1
Reopene	0
Closed	2
<b>TX</b>	<b>#</b>
New	4
Reopene	0
Closed	5
<b>DNR 8-01-2023</b>	
Total	6863
High Risk	161
Low Risk	63
NAR-FP	19
Not	60
Open	303

Invoice Type	July '23	FYTD	Program to Date
Appropriations	\$ 5,050.28	\$ 5,050.28	
Government.	\$ -	\$ -	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 52,000.00	\$ 52,000.00	\$ 11,525,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ -	\$ -	\$ 53,053,315.82
Expenses / OT	\$ 1,900.00	\$ 1,900.00	\$ 400,319.65
Free Prod Recover	\$ 6,875.00	\$ 6,875.00	\$ 13,005,599.32
Monitoring	\$ 4,810.61	\$ 4,810.61	\$ 35,749,929.43
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ -	\$ -	\$ 3,688,823.58
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 32,170.00	\$ 32,170.00	\$ 28,021,442.10
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	\$ 3,000.00	\$ 3,000.00	\$ 1,497,327.17
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ -	\$ -	\$ 4,610,224.84
Total Invoice Types	\$ 100,755.61	\$ 100,755.61	\$ 320,589,744.68

<b>Remediation Budgets Approved to Date</b>		
Last month (July '23)	0	\$0
Trailing 12 mos	5	\$831,110
Prev Trail 12 mos	0	\$0
Total Since Jan 2003	1,281	\$58,316,799

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
<b>New LUST Sites</b>	14	36	26
<b>Closed (NAR) Sites</b>	43	42	67

## **D. July 2023 Financial Report**

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

<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, July 1, 2023</b>		<b>\$1,262,264.63</b>
<b>Receipts:</b>		
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$4,433.36	
	\$4,433.36	\$4,433.36
<b>Disbursements:</b>		
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	
<b>Balance of Fund, July 31, 2023</b>		<b>\$1,266,697.99</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2023</b>		<b>\$1,015,942.76</b>
<b>Receipts:</b>		
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	\$11,596.89	
	\$11,596.89	\$11,596.89
<b>Disbursements:</b>		
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	\$900.00	
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 over)	\$0.00	
Appropriations Prior Fiscal Year	\$5,050.28	
Outdated / Outstanding Warrants	\$0.00	
	\$5,950.28	
<b>Balance of Fund, July 31, 2023</b>		<b>\$1,021,589.37</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, July 1, 2023</b>		<b>\$2,376,689.41</b>
<b>Receipts:</b>		
Transfer From UST Revenue Fund (0471)	\$0.00	
	\$0.00	\$0.00
<b>Disbursements:</b>		
Retroactive Claims	\$0.00	
Remedial Claims	\$0.00	
28E Agreement - NFA Claims	\$17,170.00	
Tank Closure Claims (455G.9)	\$25,000.00	
Adjustment	\$0.00	
Balance of Outdated / Outstanding Warrants	\$0.00	
	\$42,170.00	
<b>Balance of Fund, July 31, 2023</b>		<b>\$2,334,519.41</b>

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

<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, July 1, 2023</b>		<b>\$343,275.90</b>
<b>Receipts:</b>		
Interest	\$7,410.59	
Use Tax	\$0.00	
	\$7,410.59	
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
	\$0.00	
<b>Balance of Fund, July 31, 2023</b>		<b>\$350,686.49</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, July 1, 2023</b>		<b>\$1,949,534.81</b>
<b>Receipts:</b>		
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	
<b>Disbursements:</b>		
Balance of Outstanding Warrants	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Global Settlement Claims	\$126.00	
Innocent Landowner Claims	\$574.00	
Balance of Outstanding / Outdated Warrants	\$0.00	
	\$700.00	
<b>Balance of Fund, July 31, 2023</b>		<b>\$1,948,834.81</b>
<b>TOTAL FUND BALANCES, July 31, 2023</b>		<b>\$6,922,328.07</b>



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

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

		FY 2024 BUDGET
<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$1,262,264.63</b>	<b>\$1,262,264.63</b>
<b>Receipts:</b>		
Intra State Fund Transfers Received	\$0.00	\$0.00
Interest Income	\$4,433.36	\$50,000.00
	\$4,433.36	\$50,000.00
<b>Disbursements:</b>		
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
	\$0.00	\$0.00
<b>Balance of Fund, July 31, 2023</b>	<b>\$1,266,697.99</b>	<b>\$1,312,264.63</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$1,015,942.76</b>	<b>\$1,015,942.76</b>
<b>Receipts:</b>		
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$11,596.89	\$75,000.00
	\$11,596.89	\$75,000.00
<b>Disbursements:</b>		
UST Administrator's Fees	\$0.00	\$80,000.00
Adjustment	\$0.00	\$0.00
Attorney General's Fees	\$0.00	\$50,000.00
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	\$100.00
Auditor of the State Fees	\$0.00	\$4,000.00
Claim Settlement	\$0.00	\$0.00
Department of Inspection & Appeals Service Fees	\$0.00	\$0.00
Professional Services - Owner/Operator Training	\$900.00	\$20,000.00
Special Project Claims - Closure Contract Project	\$0.00	\$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)	\$0.00	\$250,000.00
Appropriations Prior Fiscal Year	\$5,050.28	\$8,000.00
Outdated / Outstanding Warrants	\$0.00	\$0.00
	\$5,950.28	\$862,200.00
<b>Balance of Fund, July 31, 2023</b>	<b>\$1,021,589.37</b>	<b>\$228,742.76</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$2,376,689.41</b>	<b>\$2,376,689.41</b>
<b>Receipts:</b>		
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
	\$0.00	\$0.00
<b>Disbursements:</b>		
Retroactive Claims	\$0.00	\$15,000.00
Remedial Claims	\$0.00	\$75,000.00
28E Agreement - NFA Claims	\$17,170.00	\$250,000.00

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

		FY 2024 BUDGET
Tank Closure Claims (455G.9)	\$25,000.00	\$750,000.00
Adjustment	\$0.00	\$0.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	\$42,170.00	\$1,090,000.00
<b>Balance of Fund, July 31, 2023</b>	<b>\$2,334,519.41</b>	<b>\$1,286,689.41</b>
<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$343,275.90</b>	<b>\$343,275.90</b>
<b>Receipts:</b>		
Interest	\$7,410.59	\$55,000.00
Use Tax	\$0.00	\$0.00
	\$7,410.59	\$55,000.00
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	\$0.00	\$0.00
<b>Balance of Fund, July 31, 2023</b>	<b>\$350,686.49</b>	<b>\$398,275.90</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$1,949,534.81</b>	<b>\$1,949,534.81</b>
<b>Receipts:</b>		
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)	\$0.00	\$0.00
	\$0.00	\$0.00
<b>Disbursements:</b>		
Balance Outstanding Warrants	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned I	\$0.00	\$0.00
Global Settlement Claims	\$126.00	\$6,000.00
Innocent Landowner Claims	\$574.00	\$250,000.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	\$700.00	\$256,000.00
<b>Balance of Fund, July 31, 2023</b>	<b>\$1,948,834.81</b>	<b>\$1,693,534.81</b>
<b>TOTAL FUND BALANCES, July 31, 2023</b>	<b>\$6,922,328.07</b>	<b>\$4,919,507.51</b>

## **F. August 2023 Activities Report**

IOWA UST FUND  
ACTIVITIES REPORT  
AUGUST 2023

Claims	Open Claims		Open Claims	Open & Closed
	July '23 Ending	Monthly Changes	Aug '23 Ending	Totals since
<b>RETROACTIVE</b>				
number	1	0	1	447
reserve	\$ 164,985.93	(\$3,955.00)	\$ 161,030.93	\$ 161,030.93
paid	\$ 735,014.07	\$3,955.00	\$ 738,969.07	\$ 18,458,595.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
<b>REMEDIAL (RM)</b>				
number	20	(1)	19	4,464
reserve	\$ 1,458,354.91	(\$124,961.11)	\$ 1,333,393.80	\$ 1,333,393.80
paid	\$ 6,871,878.76	(\$5,038.89)	\$ 6,866,839.87	\$ 224,327,559.42
total	\$8,330,233.67	(\$130,000.00)	\$8,200,233.67	\$225,660,953.22
<b>INNOCENT LANDOWNER (ILO)</b>				
number	12	(1)	11	1,161
reserve	\$ 1,349,912.55	(\$25,334.51)	\$ 1,324,578.04	\$ 1,324,578.04
paid	\$ 2,380,687.45	(\$14,665.49)	\$ 2,366,021.96	\$ 37,431,042.72
total	\$3,730,600.00	(\$40,000.00)	\$3,690,600.00	\$38,755,620.76
<b>GLOBAL OPT-IN</b>				
number	5	0	5	1,314
reserve	\$ 27,810.19	\$0.00	\$ 27,810.19	\$ 27,810.19
paid	\$ 42,189.81	\$0.00	\$ 42,189.81	\$ 9,998,314.54
total	\$70,000.00	\$0.00	\$70,000.00	\$10,026,124.73
<b>UNASSIGNED REVENUE FUND PROJECTS</b>				
number	21	(2)	19	411
reserve	\$ 431,879.49	(\$36,745.10)	\$ 395,134.39	\$ 395,134.39
paid	\$ 627,830.67	(\$41,465.06)	\$ 586,365.61	\$ 5,046,725.17
total	\$1,059,710.16	(\$78,210.16)	\$981,500.00	\$5,441,859.56
<b>NFA RE-EVALUATIONS</b>				
number	17	1	18	110
reserve	\$ 579,122.34	\$58,425.00	\$ 637,547.34	\$ 637,547.34
paid	\$ 395,877.66	\$1,575.00	\$ 397,452.66	\$ 2,879,031.58
total	\$975,000.00	\$60,000.00	\$1,035,000.00	\$3,516,578.92
<b>TANK CLOSURE (TX)</b>				
number	20	5	25	934
reserve	\$282,501.00	\$74,000.00	\$356,501.00	\$356,501.00
paid	\$0.00	\$0.00	\$0.00	\$ 11,320,684.38
total	\$282,501.00	\$74,000.00	\$356,501.00	\$11,677,185.38

<b>Total Claims</b>	(RT, RM, ILO, NFA)	<b>49</b>	(USTCA, TX)	<b>44</b>
Reserves	(RT, RM, ILO, GS, NFA)	\$ 3,484,360.30		\$ 751,635.39
Total Reserves	(all claim types)	\$ 4,235,995.69		

<b>Operator Training</b>			
A/B (all)	4,041	A/B (FY2011-24)	\$400,020

<b>RT</b>	<b>#</b>
New	0
Reopene	0
Closed	0

<b>RM</b>	<b>#</b>
New	0
Reopene	0
Closed	1

<b>ILO</b>	<b>#</b>
New	0
Reopene	0
Closed	1

<b>GS</b>	<b>#</b>
New	1
Reopene	0
Closed	0

<b>USTCA</b>	<b>#</b>
New	0
Reopene	0
Closed	2

<b>NFA Re-</b>	<b>#</b>
New	1
Reopene	0
Closed	2

<b>TX</b>	<b>#</b>
New	9
Reopene	0
Closed	5

<b>DNR 9-13-2023</b>	
Total	6865
High Risk	160
Low Risk	61
NAR-FP	19
Not	61
Open	301

Invoice Type	Aug '23	FYTD	Program to Date
Appropriations	\$ 7,137.95	\$ 12,188.23	
Government.	\$ 24,110.53	\$ 24,110.53	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 60,000.00	\$ 112,000.00	\$ 11,585,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ -	\$ -	\$ 53,053,315.82
Expenses / OT	\$ 1,900.00	\$ 1,900.00	\$ 400,319.65
Free Prod Recover	\$ 11,137.70	\$ 18,012.70	\$ 13,016,737.02
Monitoring	\$ 23,419.00	\$ 28,229.61	\$ 35,773,348.43
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ -	\$ 38,036,140.86
Water Lines	\$ -	\$ -	\$ 3,688,823.58
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ -	\$ 32,170.00	\$ 28,021,442.10
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	\$ 3,767.09	\$ 6,767.09	\$ 1,501,094.26
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ 3,770.00	\$ 3,770.00	\$ 4,613,994.84
Total Invoice Types	\$ 103,993.79	\$ 202,849.40	\$ 320,691,838.47

<b>Remediation Budgets Approved to Date</b>		
Last month (Aug '23)	0	\$0
Trailing 12 mos	5	\$831,110
Prev Trail 12 mos	0	\$0
Total Since Jan 2003	1,281	\$58,316,799

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
<b>New LUST Sites</b>	17	36	26
<b>Closed (NAR) Sites</b>	47	42	67

## **G. August 2023 Financial Report**

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

<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, August 1, 2023</b>		<b>\$1,266,697.99</b>
<b>Receipts:</b>		
Intra State Fund Transfers Received	\$0.00	
Interest Income	\$4,303.79	
	\$4,303.79	\$4,303.79
<b>Disbursements:</b>		
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	\$0.00
<b>Balance of Fund, August 31, 2023</b>		<b>\$1,271,001.78</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, August 1, 2023</b>		<b>\$1,021,428.04</b>
<b>Receipts:</b>		
Refund/Overpayment	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Interest Income	\$12,159.94	
	\$12,159.94	\$12,159.94
<b>Disbursements:</b>		
UST Administrator's Fees	\$13,216.00	
Adjustment	\$0.00	
Attorney General's Fees	\$8,392.03	
Cost Recovery Expense (i.e. Lien Filing, Overpayment Refund)	\$0.00	
Auditor of the State Fees	\$2,502.50	
Claim Settlement	\$0.00	
Department of Inspection & Appeals Service Fees	\$0.00	
Professional Services - Owner/Operator Training	\$1,000.00	
Special Project Claims - Closure Contract Project	\$13,664.20	
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)	\$7,137.95	
Appropriations Prior Fiscal Year	\$0.00	
Outdated / Outstanding Warrants	\$0.00	
	\$45,912.68	\$45,912.68
<b>Balance of Fund, August 31, 2023</b>		<b>\$987,675.30</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, August 1, 2023</b>		<b>\$2,334,519.41</b>
<b>Receipts:</b>		
Transfer From UST Revenue Fund (0471)	\$0.00	
	\$0.00	\$0.00
<b>Disbursements:</b>		
Retroactive Claims	\$3,955.00	
Remedial Claims	\$20,000.61	
28E Agreement - NFA Claims	\$1,575.00	
Tank Closure Claims (455G.9)	\$102,000.00	
Adjustment	\$0.00	
Balance of Outdated / Outstanding Warrants	(\$15,000.00)	
	\$112,530.61	\$112,530.61
<b>Balance of Fund, August 31, 2023</b>		<b>\$2,221,988.80</b>

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

<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, August 1, 2023</b>		<b>\$350,686.49</b>
<b>Receipts:</b>		
Interest	\$7,845.74	
Use Tax	\$0.00	
	\$7,845.74	\$7,845.74
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	
Transfer to Innocent Landowners Fund	\$0.00	
	\$0.00	\$0.00
<b>Balance of Fund, August 31, 2023</b>		<b>\$358,532.23</b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, August 1, 2023</b>		<b>\$1,948,834.81</b>
<b>Receipts:</b>		
Cost Recovery (i.e. lien settlements)	\$0.00	
Transfer From UST Revenue Fund (0471)	\$0.00	
Outdated Warrants	\$0.00	
Miscellaneous Income	\$1,000.00	
	\$1,000.00	\$1,000.00
<b>Disbursements:</b>		
Balance of Outstanding Warrants	\$0.00	
Intra State Fund Transfers Paid (to Unassigned Revenue)	\$0.00	
Global Settlement Claims	\$0.00	
Innocent Landowner Claims	\$16,884.59	
Balance of Outstanding / Outdated Warrants	\$0.00	
	\$16,884.59	\$16,884.59
<b>Balance of Fund, August 31, 2023</b>		<b>\$1,932,950.22</b>
<b>TOTAL FUND BALANCES, August 31, 2023</b>		<b>\$6,772,148.33</b>



## **H. Year-to-Date Financials as of August 31, 2023**

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

		FY 2024 BUDGET
<b>0471 - UST REVENUE FUND (Bonding)</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$1,262,264.63</b>	<b>\$1,262,264.63</b>
<b>Receipts:</b>		
Intra State Fund Transfers Received	\$0.00	\$0.00
Interest Income	\$8,737.15	\$50,000.00
	\$8,737.15	\$50,000.00
<b>Disbursements:</b>		
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
	\$0.00	\$0.00
<b>Balance of Fund, August 31, 2023</b>	<b>\$1,271,001.78</b>	<b>\$1,312,264.63</b>
<b>0450 - UST UNASSIGNED REVENUE FUND (Non-Bonding)</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$1,015,942.76</b>	<b>\$1,015,942.76</b>
<b>Receipts:</b>		
Refund/Overpayment	\$0.00	\$0.00
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
Interest Income	\$23,756.83	\$75,000.00
	\$23,756.83	\$75,000.00
<b>Disbursements:</b>		
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 Fe	\$0.00	\$0.00
Professional Services - Owner/Operator Trainin	\$1,900.00	\$20,000.00
Special Project Claims - Closure Contract Proje	\$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	\$7,137.95	\$250,000.00
Appropriations Prior Fiscal Year	\$5,050.28	\$8,000.00
Outdated / Outstanding Warrants	\$0.00	\$0.00
	\$51,862.96	\$862,200.00
<b>Balance of Fund, August 31, 2023</b>	<b>\$987,836.63</b>	<b>\$228,742.76</b>
<b>0208 - UST REMEDIAL NON-BONDING FUND</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$2,376,689.41</b>	<b>\$2,376,689.41</b>
<b>Receipts:</b>		
Transfer From UST Revenue Fund (0471)	\$0.00	\$0.00
	\$0.00	\$0.00
<b>Disbursements:</b>		
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 AUGUST 31, 2023**

		<b>FY 2024 BUDGET</b>
Tank Closure Claims (455G.9)	\$127,000.00	\$750,000.00
Adjustment	\$0.00	\$0.00
Balance of Outdated / Outstanding Warrants	(\$15,000.00)	\$0.00
	<u>\$154,700.61</u>	<u>\$1,090,000.00</u>
<b>Balance of Fund, August 31, 2023</b>	<b><u>\$2,221,988.80</u></b>	<b><u>\$1,286,689.41</u></b>
<b>0478 - UST MARKETABILITY FUND</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$343,275.90</b>	<b>\$343,275.90</b>
<b>Receipts:</b>		
Interest	\$15,256.33	\$55,000.00
Use Tax	\$0.00	\$0.00
	<u>\$15,256.33</u>	<u>\$55,000.00</u>
<b>Disbursements:</b>		
Intra State Fund Transfer	\$0.00	\$0.00
Transfer to Innocent Landowners Fund	\$0.00	\$0.00
	<u>\$0.00</u>	<u>\$0.00</u>
<b>Balance of Fund, August 31, 2023</b>	<b><u>\$358,532.23</u></b>	<b><u>\$398,275.90</u></b>
<b>0485 - UST INNOCENT LANDOWNERS FUND</b>		
<b>Balance of Fund, July 1, 2023</b>	<b>\$1,949,534.81</b>	<b>\$1,949,534.81</b>
<b>Receipts:</b>		
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>
<b>Disbursements:</b>		
Balance Outstanding Warrants	\$0.00	\$0.00
Intra State Fund Transfers Paid (to Unassigned)	\$0.00	\$0.00
Global Settlement Claims	\$126.00	\$6,000.00
Innocent Landowner Claims	\$17,458.59	\$250,000.00
Balance of Outdated / Outstanding Warrants	\$0.00	\$0.00
	<u>\$17,584.59</u>	<u>\$256,000.00</u>
<b>Balance of Fund, August 31, 2023</b>	<b><u>\$1,932,950.22</u></b>	<b><u>\$1,693,534.81</u></b>
<b>TOTAL FUND BALANCES, August 31, 2023</b>	<b><u>\$6,772,309.66</u></b>	<b><u>\$4,919,507.51</u></b>

## **I. Lien Update**

Iowa Underground Storage Tank Fund Liens Filed									
Updated 09/11/2023									
Lien #	County	Site #	Claim #	Site Address	Property Owner	Cost Recovery Letter	Lien Amount	Lien Filed Date	Expiration for 10 Yr Lien Period
0310004	Palo Alto	8916647	13007	510 Inman, Mallard	T & N Larson	10/1/2003	\$59,055.50	10/30/2003; renewed 10/30/2013	10/2023
0404009	Butler	8608131	12039	12682 Hwy 3, Dumont	D Dohman	1/20/2004	\$13,650.00	4/14/2004; renewed 3/17/2014	03/2024
0404010	Ida	8710293	73001 / 73013	Hwy 175, Ida Grove	Robin Hill Trust		\$330,131.40	4/30/2004; renewed 6/24/14	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	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	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	11/2026
0702023	Montgomery	8607574	15013	Tenville IA	Marvin G. Shipley	10/30/2006	\$2,795.00	2/16/2007; renewed 1/9/2017	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	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	08/2027
200916	Black Hawk	8608488	18533	1104 Washington, Waterloo	Star Real Estate Holdings LLC	7/28/2020	\$29,028.70	10/8/2020	10/2030

LIEN REFERENCE: SECTION 424.11, CODE 2016 ([www.legis.iowa.gov/docs/code/2016/424.11.pdf](http://www.legis.iowa.gov/docs/code/2016/424.11.pdf))

## **Attorney General's Report**

## **Claim Payment Approval**

**Contracts Entered Into  
Since June 22, 2023 Board Meeting**





# IOWA UNDERGROUND STORAGE TANK FUND

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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

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TO: UST Board Members  
FROM: James R. Gastineau  
DATE: September 11, 2023  
SUBJECT: Contracts Entered Into Since June 22, 2023 Board Meeting

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The Board has not entered into any agreement since the June 22, 2023 meeting.

## **Other Issues as Presented**



# IOWA UNDERGROUND STORAGE TANK FUND

Douglas M. Beech, *Chairperson*

James R. Gastineau, *Administrator*

*Board Members:*

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Austin Brinks  
Patricia Beck

Kayla Lyon  
John Maynes

August 11, 2023

## **MEMORANDUM**

**TO:** Legislative Council and Legislative Services Agency

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

**RE:** Fiscal Year 2023, 4th Quarter Report on the Iowa Comprehensive Petroleum Underground Storage Tank Fund Program

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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 4<sup>th</sup> Quarter of Fiscal Year 2023.

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](mailto:USTFUND@dnr.iowa.gov)

## UST Fund Program Status Areas 4Q - FY2023 (June 30, 2023)

### 1. Financial Balances

	06/30/2023	06/30/2022	06/30/2021	06/30/2020	06/30/2019
Revenue Fund	\$1,262,265	\$2,209,487	\$3,951,754	\$5,432,811	\$5,328,873
Unassigned Revenue Fund	\$1,015,943	\$1,717,002	\$1,585,786	\$2,539,840	\$3,382,142
Remedial Fund	\$2,376,689	\$2,617,039	\$2,707,740	\$2,546,803	\$4,043,862
Marketability Fund	\$343,276	\$283,257	\$278,250	\$268,937	\$210,079
Innocent Landowner Fund	\$1,949,535	\$2,473,343	\$2,571,254	\$2,498,227	\$2,913,651
Loan Guarantee Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Reserve Funds	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Fund Balances</b>	<b>\$6,947,708</b>	<b>↓\$9,300,128</b>	<b>↓\$11,094,764</b>	<b>↓\$13,286,618</b>	<b>↓\$15,878,605</b>

### 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	306	39	1	13	53
Sites "Not Classified"	59	4	0	0	4
Low Risk sites	67	5	0	1	6
High Risk sites	162	26	1	9	36
No Action with free product sites	18	2	0	2	4
No Action Required or other sites	6,550	2	0	1	3

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

	Liabilities 06/30/2023	June 2023	June 2022	June 2021	June 2020	June 2019
Retroactive Claims	\$ 0.16 million	1	1	1	2	3
Remedial/CRP/ NFA Claims	\$ 2.13 million	40	43	48	50	68
Innocent Landowner Fund Claims	\$ 1.39 million	14	15	21	23	32
Total*	\$ 3.69 million	55	62	70	75	104
Claim Liabilities *		\$3.69M	\$3.60M	\$4.09M	\$5.05M	\$5.83M

\*does not include special project claims or tank closure claims

IOWA UST FUND  
ACTIVITIES REPORT  
JUNE 2023  
(FY2023)

Claims	Open Claims May Ending	Monthly Changes	Open Claims June '23 Ending	Open & Closed Totals since
<b>RETROACTIVE</b>				
number	1	0	1	447
reserve	\$ 164,985.93	\$0.00	\$ 164,985.93	\$ 164,985.93
paid	\$ 735,014.07	\$0.00	\$ 735,014.07	\$ 18,454,640.44
total	\$900,000.00	\$0.00	\$900,000.00	\$18,619,626.37
<b>REMEDIAL (RM)</b>				
number	22	0	22	4,464
reserve	\$ 1,543,612.95	(\$9,591.27)	\$ 1,534,021.68	\$ 1,534,021.68
paid	\$ 7,107,591.35	\$9,591.27	\$ 7,117,182.62	\$ 224,307,558.81
total	\$8,651,204.30	\$0.00	\$8,651,204.30	\$225,841,580.49
<b>INNOCENT LANDOWNER (ILO)</b>				
number	13	0	13	1,161
reserve	\$ 1,371,803.22	(\$5,350.62)	\$ 1,366,452.60	\$ 1,366,452.60
paid	\$ 2,433,796.68	\$21,957,350.72	\$ 24,391,147.40	\$ 37,413,584.13
total	\$3,805,599.90	\$21,952,000.10	\$25,757,600.00	\$38,780,036.73
<b>GLOBAL OPT-IN</b>				
number	4	1	5	1,314
reserve	\$ 18,936.19	\$9,000.00	\$ 27,936.19	\$ 27,936.19
paid	\$ 37,063.81	\$5,000.00	\$ 42,063.81	\$ 9,998,188.54
total	\$56,000.00	\$14,000.00	\$70,000.00	\$10,026,124.73
<b>UNASSIGNED REVENUE FUND PROJECTS</b>				
number	22	0	22	411
reserve	\$ 467,515.83	(\$8,996.50)	\$ 458,519.33	\$ 458,519.33
paid	\$ 618,459.17	\$8,996.50	\$ 627,455.67	\$ 5,025,749.72
total	\$1,085,975.00	\$0.00	\$1,085,975.00	\$5,484,269.05
<b>NFA RE-EVALUATIONS</b>				
number	17	0	17	110
reserve	\$ 605,793.84	(\$9,501.50)	\$ 596,292.34	\$ 596,292.34
paid	\$ 369,206.16	\$9,501.50	\$ 378,707.66	\$ 2,860,286.58
total	\$975,000.00	\$0.00	\$975,000.00	\$3,456,578.92
<b>TANK CLOSURE (TX)</b>				
number	26	(5)	21	920
reserve	\$349,502.00	(\$75,000.00)	\$274,502.00	\$274,502.00
paid	\$0.00	\$0.00	\$0.00	\$ 11,193,684.38
total	\$349,502.00	(\$75,000.00)	\$274,502.00	\$11,468,186.38

<b>Total Claims</b>	(RT, RM, ILO, NFA)	<b>53</b>	(USTCA, TX)	<b>43</b>
Reserves	(RT, RM, ILO, GS, NFA)	\$ 3,689,688.74		\$ 733,021.33
Total Reserves	(all claim types)	\$ 4,422,710.07		

<b>Operator Training</b>			
A/B (all)	4,012	A/B (FY2011-22)	\$398,120

<b>RT</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>RM</b>	<b>#</b>
New	0
Reopene	0
Closed	0
<b>ILO</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>GS</b>	<b>#</b>
New	1
Reopene	0
Closed	0
<b>USTCA</b>	<b>#</b>
New	0
Reopene	0
Closed	1
<b>NFA Re-</b>	<b>#</b>
New	1
Reopene	0
Closed	2
<b>TX</b>	<b>#</b>
New	3
Reopene	0
Closed	8
<b>DNR 7-02-2023</b>	
Total	6856
High Risk	162
Low Risk	67
NAR-FP	18
Not	59
Open	306

Invoice Type	June '23	FYTD	Program to Date
Appropriations	\$ 8,284.96	\$ 402,520.52	
Government.	\$ 9,597.71	\$ 103,953.10	
2004 Tank Pull	\$ -	\$ -	\$ 1,761,823.44
2010 Tank Pull	\$ 120,000.00	\$ 966,233.32	\$ 11,473,654.53
American Soils	\$ -	\$ -	\$ 5,678,422.58
AST	\$ -	\$ -	\$ 11,217,932.11
CADR Charges	\$ -	\$ -	\$ 4,708,703.72
Corrective Action	\$ -	\$ 26,559.54	\$ 53,053,315.82
Expenses / OT	\$ 1,200.00	\$ 16,600.00	\$ 398,419.65
Free Prod Recover	\$ 12,412.77	\$ 54,806.93	\$ 12,998,724.32
Monitoring	\$ 14,901.82	\$ 180,587.37	\$ 35,745,118.82
Operations/Maint	\$ -	\$ -	\$ 10,847,837.80
Over-excavation	\$ -	\$ 625,327.35	\$ 38,036,140.86
Water Lines	\$ -	\$ 53,505.78	\$ 3,688,823.58
Post RBCA Evals	\$ -	\$ -	\$ 258,858.41
RBCA	\$ 5,000.00	\$ 101,971.23	\$ 27,989,272.10
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	\$ 6,125.40	\$ 27,835.10	\$ 1,494,327.17
Utilities	\$ -	\$ -	\$ 2,303,397.67
Well Closure	\$ -	\$ 9,569.63	\$ 4,610,224.84
Total Invoice Types	\$ 159,639.99	\$ 2,062,996.25	\$ 320,488,989.07

<b>Remediation Budgets Approved to Date</b>		
Last month (June)	1	\$33,815
Trailing 12 mos	4	\$797,285
Prev Trail 12 mos	0	\$0
Total Since Jan 2003	1,281	\$58,316,799

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
<b>New LUST Sites</b>	10	36	26
<b>Closed (NAR) Sites</b>	36	42	67

## **Correspondence and Attachments**