

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
March 31, 2020 **

Via Conference Call
Start Time: 1:01 p.m.

Chairman Greer called the meeting to order, with all persons participating by conference call. Roll was called to confirm Trustees' participation. Chairman Greer then asked all members of the audience to identify themselves for the record. He noted that all votes would be taken by roll call.

Trustees Present:

James Greer, Chairman
Jim Ford, Vice Chairman
Bill Abbott
Chuck Adamson (for DNR)
Tom Kolb
Don McNutt
Kristi Naught
Nikki Loethen

Trustees Absent:

Ski Mariea
Danny Opie

Staff Present:

Carol R. Eighmey, Executive Director
Pat Eriksen, Williams & Company Consulting
Craig Jacobs, Assistant Attorney General
Diane James, Executive Assistant
Kelley Ogletree, Deputy Director

Others Present:

Carol Comer, Department of Natural Resources
Troy Howe, Twin Creek Environmental
Mark Jordan, Wallis Oil Company
John Jurgensmeyer, DNR Environmental Remediation Program
Dan Knaebel, Tanks Section, DNR Environmental Remediation Program
Ken Koon, Tanks Section, DNR Environmental Remediation Program
Mike Martin, Tanks Section, DNR Environmental Remediation Program
Darryl Slade, Tanks Section, DNR Environmental Remediation Program
Jason Smith, Environmental Works, Inc.
Katie Jo Wheeler, Department of Natural Resources

Approval of Minutes – January 29, 2020 – Open Session

James Greer moved to approve the minutes as presented. Bill Abbott seconded. After a brief discussion, a roll call vote was taken. Motion carried with Trustees Ford and Loethen abstaining.

** This meeting was originally scheduled for March 18, 2020, but did not happen due to connectivity issues due to the COVID-19 pandemic; it was rescheduled and held via conference call on March 31, 2020.

Monthly Reports

Chairman Greer directed Trustees' attention to the financial statements and monthly activity reports; there were no questions about those reports. Ms. Eighmey highlighted aspects of the large-loss claims. Don McNutt requested information about the reserves set by Williams & Company during the life of one claim; Ms. Eighmey committed to providing him with the requested information.

DNR Mid-Year Report

There were no questions or comments on the mid-year report from DNR.

Report on “Liability Shift Sites”

Ms. Eighmey reviewed this report, noting it would likely be the last report on this project. She emphasized the Board is holding reserves for all of these 55 claims, including the claims for which no cleanup activity is underway.

Claim Appeal – Former Sterling Auto, Claim 52901

Chairman Greer reminded Trustees they heard this claim appeal at their last meeting. Ms. Eighmey said she had confirmed information Pat Eriksen provided at the prior meeting was correct; the claim payment included all costs for hauling and disposing of impacted soil.

Jim Ford moved to deny the request for additional payment. Don McNutt seconded. After a brief discussion, a roll call vote was taken. Motion carried unanimously.

Legislative Report

Kelley Ogletree reported the Senate hearing on the PSTIF bill was cancelled when the General Assembly suspended all activities due to COVID-19. She said discussions were underway with DNR staff about a possible amendment that would direct up to \$4 of the transport load fee to DNR and eliminate DNR's \$15/tank registration fee; this would obviate the Department's annual funding request to the Board. She asked for permission from the Board to amend the bill with this provision if agreement is reached with DNR.

Jim Ford moved to authorize staff to finalize a funding amendment, subject to reaching agreement with DNR. Kristi Naught seconded. After brief discussion, a roll call vote was taken. Motion carried unanimously.

Recent EPA Correspondence and PSTIF/DNR Memorandum of Understanding

Chairman Greer said copies of recent correspondence were provided for information only, noting the Trustees had received an additional letter from EPA a couple days before the meeting.

