

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
May 20, 2020 **

In Person and Via Conference Call
Start Time: 9:30 a.m.

Chairman Greer called the meeting to order, with some Trustees/staff participating in person and the other Trustees/staff/others 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 In Person:

James Greer, Chairman
Jim Ford, Vice Chairman
Chuck Adamson
Tom Kolb

Trustees Present by Phone:

Bill Abbott
Don McNutt
Kristi Naught
Nikki Loethen
Ski Mariea

Trustees Absent:

Danny Opie

Staff Present or Participating by Phone:

Kelly Campbell, Spencer Fane
Carol R. Eighmey, Executive Director
Pat Eriksen, Williams & Company Consulting
Craig Jacobs, Assistant Attorney General
Diane James, Executive Assistant
Dorcee Lauen, Williams & Company Consulting
Kelley Ogletree, Deputy Director

Others Participating by Phone:

Carol Comer, Department of Natural Resources
Doug Drouare, U.S. EPA – Region 7
John Jurgensmeyer, DNR Environmental Remediation Program
Eric Kolkmeier, Energy Transport Solutions
Ken Koon, Tanks Section, DNR Environmental Remediation Program
Ron Leone, Missouri Petroleum Marketers and Convenience Store Association
Darryl Slade, Tanks Section, DNR Environmental Remediation Program

Approval of Minutes – March 31, 2020 – Open Session

Jim Ford moved to approve the minutes as presented. Tom Kolb seconded. A roll call vote was taken. Motion carried with Trustee Mariea abstaining.

** Due to the COVID-19 pandemic; this meeting was held with some Trustees/staff in person and some Trustees/staff/others via conference call.

Monthly Reports

Chairman Greer directed Trustees' attention to the financial statements and monthly activity reports, pointing out that there will likely be a decrease in revenues in the next few months due to the reduction in fuel sales. There were no questions about those reports.

Chairman Greer called attention to the large-loss report and asked if there were any questions. A brief conversation followed regarding the length of time it takes to complete cleanups. Ms. Eighmey reported that often cleanups stall after the initial response mitigates the immediate risk and a responsible party may not have much incentive to continue. She also stated that DNR has recently increased the frequency of its contacts with tank owners on these older cleanups.

Report on Effects of COVID-19

Ms. Eighmey commented that PSTIF operations have continued largely unaffected through the modified working conditions in response to COVID-19. Claims, underwriting, and inspections have continued. Some slowdown in construction and cleanup activities have occurred due to contractors' limitations, which will affect claim payments in the coming months.

Legislative Report

Chairman Greer noted the budget bills passed but it was hard to know what else might have passed before the Legislature adjourned the previous Friday, since multiple bills had been consolidated into large "omnibus bills" in the final days of the legislative session. He asked Ms. Ogletree to review what had transpired. Ms. Ogletree commented very few bills were passed other than state budget bills. Most notably, the bill that dealt with PSTIF was not heard prior to the legislature going on break in response to COVID-19 and was not picked back up when legislators returned.

Status Report – Revision of PSTIF/DNR Memorandum of Understanding (MOU)

Chairman Greer invited Ms. Ogletree to report on efforts to revise the MOU. Ms. Ogletree said the current MOU had been in effect since 1999 and included several addenda; it is being updated to reflect current operations as well as to respond to concerns voiced by the EPA. PSTIF staff, DNR staff, and the governor's office are working together to finalize a few remaining issues and expect to have a document ready for the Board to review and take action on via teleconference prior to the EPA's May 29 deadline for response. Chuck Adamson expressed the DNR's commitment to coming to an agreement on an MOU that addresses the concerns of the EPA. Chairman Greer thanked Ms. Ogletree and Mr. Adamson for their work on this and encouraged them to keep pressing forward so the final version can be signed by the May 29 deadline. Mr. Adamson gave credit to Mr. Jacob Westen who has been working with Ms. Ogletree in his absence.

Other Information and Administrative Items

Chairman Greer invited questions on these items. Jim Ford made a comment regarding a recent leak from an above ground diesel tank in Florida that was compromised after only four years in operation. Members discussed the ongoing issue of low sulfur diesel’s corrosive effect on storage tanks.

There were no questions or comments on the other administrative items, including billings.

Chairman Greer thanked everyone for attending and announced the next meeting is scheduled for Wednesday, July 15, 2020 in Columbia.

Chairman Greer then asked for a motion to go into closed session to:

- Approve the minutes from our last closed session;
- Discuss litigation and threatened litigation;
- Discuss proposed contracts; and
- Discuss personnel issues.

Jim Ford moved to go into closed session to discuss matters authorized by Subsections (1), (3), (12), and (13) of Section 610.021. Tom Kolb seconded. A roll call vote was taken; motion carried unanimously.

The meeting was adjourned at 10:07 a.m.

Respectfully submitted:

Approved by:

 /S/
Carol R. Eighmey

 /S/
James Greer, Chairman

 7/15/2020
Date