

# **Petroleum Tank Release Compensation Board**

## **Meeting**

### **November 19, 2018**

# **Voting for Officers**

- **Presiding Officer**
- **Vice-Presiding Officer**

# **Approval of Minutes**

**September 10, 2018**

**•Questions / Comments?**

**Administrative**

# 2019 Board Meeting Dates

## PTRCB BUSINESS MEETING DATES for 2019

Board Meeting dates for 2019:

<u>Agenda Closed*</u>	<u>Packet Mailing</u>	<u>Meeting Date</u>
January 9, 2019	January 16, 2019	<b>January 28, 2019</b>
March 6, 2019	March 13, 2019	<b>March 25, 2019</b>
May 22, 2019	May 29, 2019	<b>June 10, 2019</b>
August 7, 2019	August 14, 2019	<b>August 26, 2019</b>
October 16, 2019	October 23, 2019	<b>November 4, 2019</b>

# Eligibility Ratification

ACTION ITEM

## ELIGIBILITY RATIFICATION

*Board Staff Recommendations Pertaining to Eligibility  
From August 23, 2017 through October 30, 2018*

<i>Location</i>	<i>Site Name</i>	<i>Facility ID #</i>	<i>DEQ Rel # Release Year</i>	<i>Eligibility Determination – Staff Recommendation Date</i>
Dillion	Co Op Supply (Rocky Mountain Supply)	0110034	5219 Apr 2018	Recommended Eligible. Reviewed 10/24/2018.

**Action Item**

**WEEKLY CLAIM REIMBURSEMENTS**  
**November 19, 2018 BOARD MEETING**

<b>Week of</b>	<b>Number of Claims</b>	<b>Funds Reimbursed</b>
August 22, 2018	16	\$38,037.67
August 29, 2018	18	\$47,020.71
September 5, 2018	23	\$69,929.20
September 12, 2018	10	\$86,009.62
September 19, 2018	18	\$67,143.31
October 3, 2018	18	\$31,300.76
October 10, 2018	22	\$66,110.22
October 24, 2018	25	\$129,674.49
<b>Total</b>	<b>150</b>	<b>\$535,225.98</b>

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**Facility ID/Alt ID:** 1113942 / 11-13942      **Facility Name:** Glendive, Realty One

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<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20180813F	3767	\$807.98	8/23/2018	Work Plan 10392 preparation should have been implemented prior to work plan date of 3/17/2017.
<b>Total:</b>		<b>\$807.98</b>		

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**Facility ID/Alt ID:** 1808666 / 18-08666      **Facility Name:** Cut Bank, Flying J Inc Cut Bank

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<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20180829B	3836	\$132.49	9/12/2018	Task 2: Project management for work that is beyond the scope of the work plan is not reasonable or necessary.
<b>Total:</b>		<b>\$132.49</b>		

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**Facility ID/Alt ID:** 3202040 / 32-02040      **Facility Name:** Missoula, Minuteman Aviation Inc

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<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20180817B	2139	\$1,039.68	9/5/2018	Invoice previously claimed and paid on Claim ID 20180320E
<b>Total:</b>		<b>\$1,039.68</b>		

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**Facility ID/Alt ID:** 5605746 / 56-05746      **Facility Name:** Billings, Kwik Way 19

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<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20180424A	1570	\$17,912.00	6/19/2018	Duplicate invoice soil disposal reimbursed on Claim ID 20171127D.
<b>Total:</b>		<b>\$17,912.00</b>		

# Claims Over \$25,000.00

Facility Name Location	Facility- Release ID#	Claim#	Claimed Amount	Adjustments	Penalty	Co-pay	**Estimated Reimbursement
Bruces Quick Lube Inc, Butte	4706099- 4250	20180420A	\$27,071.60	-0-	-0-	-0-	\$27,071.60
<b>Total</b>			<b>\$27,071.60</b>				<b>\$27,071.60</b>

\* In accordance with Board delegation authority to the Executive Director signed on December 8, 2003, the Board staff will review the claims for the Board. If the dollar amount of the claim is \$25,000.00 or greater, the claim must be approved and ratified by the Board at a regularly scheduled meeting before reimbursement can be made.

\*\*In the event that other non-Board claims are paid in the period between preparation for this Board meeting and payment of the claim listed above, the amount of co-payment remaining may differ from that projected at this time, which may change the estimated reimbursement.

**Action Item**



# **Discussion Item**

Categorization of Survey Monkey

# Attorney Report

Report Item

PTRCB Case Status Report as of October 30, 2018.

<b>Location</b>	<b>Facility</b>	<b>Facility# &amp; Release #</b>	<b>Disputed/ Appointment Date</b>	<b>Status</b>
Great Falls	Cascade County Shops	07-05708 Release 3051-C1,3051-C2,3051-C3 AND 3051-C4	Denial of applications	The District Court has allowed additional briefing, which has been completed. We are awaiting a decision from the Court.
Billings	Keenan & Associates	56-13771 3034	Denial of Reimbursement of Ineligible Costs	The parties have agreed to voluntarily dismiss this matter after Keenan and Associates stipulated to waive any right to legal claims it may have regarding the requested reimbursements at issue in the matter.

# Fiscal Report

Report Item

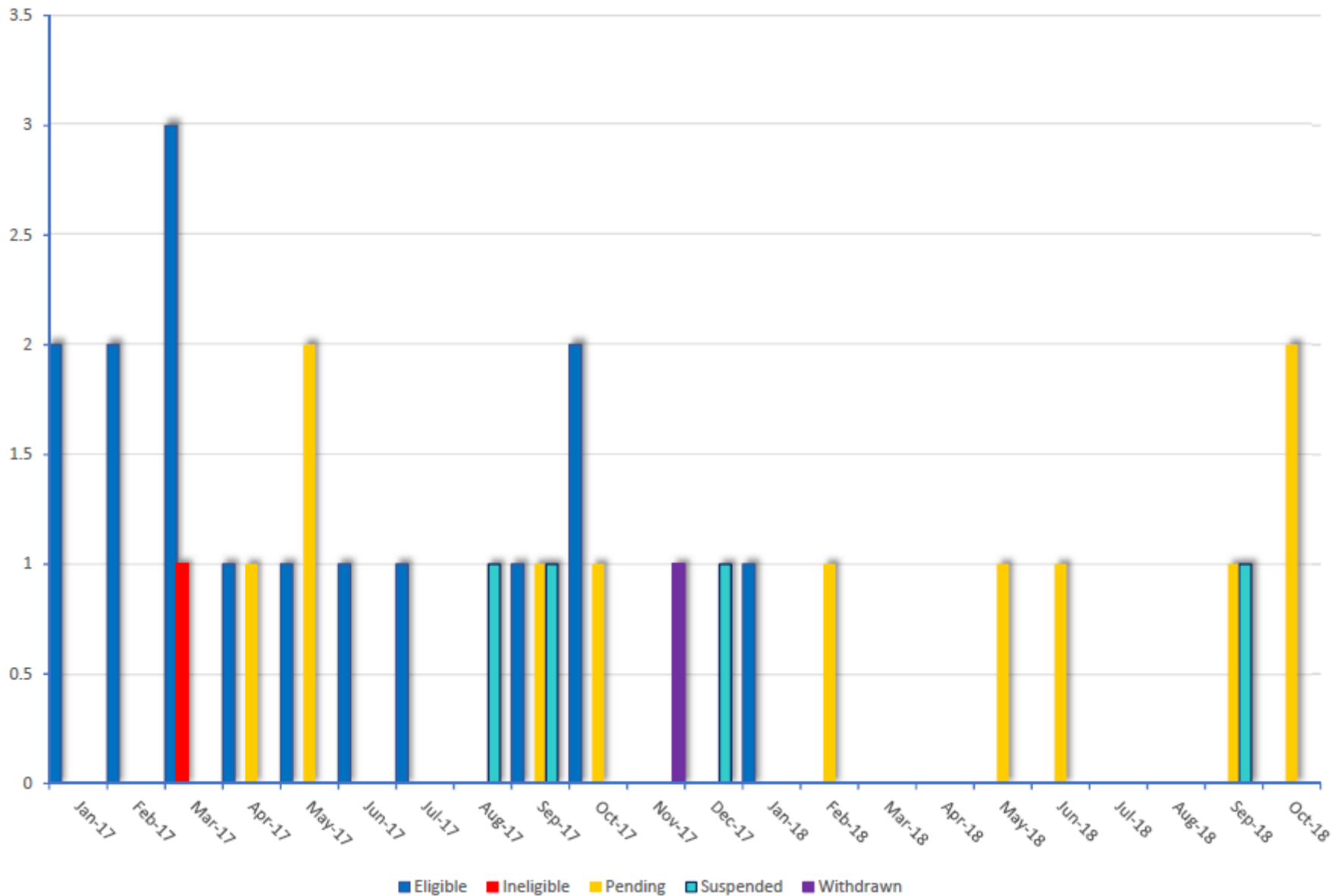
	Legislative Approp.	Standard Budget	Rev/Exp through 10/31/2018	Projected Rev/Exp	Total FY19 Projected Rev/Exp	Projected Fiscal Year End Balance
<b>Revenues:</b>						
MDT Fee Revenue Estimate	7,218,000	7,218,000	2,852,988	4,836,672	7,689,660	471,660
Estimated STIP interest earnings	1,500	51,500	14,813	41,596	56,409	4,909
Misc Revenue- Settlements	100,000	0	0	0	0	0
<b>Total Revenues:</b>	<b>7,319,500</b>	<b>7,269,500</b>	<b>2,867,801</b>	<b>4,878,268</b>	<b>7,746,070</b>	<b>476,570</b>
<b>Expenditures:</b>						
<i>(Includes current year expenses only)</i>						
<b>Board</b>						
Personal Services	354,974	354,974	112,002	240,000	352,002	2,972
Contracted Services	50,000	50,000	6,638	16,000	22,638	27,362
Contingent Contract Services	1,000,000	1,000,000	0	0	0	1,000,000
Operating	200,258	200,258	32,470	96,000	128,470	71,788
Subtotal	1,605,232	1,605,232	151,109	352,000	503,109	1,102,123
<b>DEQ Regulatory</b>						
Personal Services	1,006,667	1,006,667	312,463	656,000	968,463	38,204
Contracted Services	50,000	50,000	2,424	40,000	42,424	7,576
Operating & Transfers	483,228	483,228	116,817	320,000	436,817	46,411
Subtotal	1,539,895	1,539,895	431,703	1,016,000	1,447,703	92,192
<b>Administrative Budget Remaining</b>						<b>1,194,314</b>
<b>Claims/Loan</b>						
Regular Claim Payments	4,990,000	4,590,000	923,388	2,405,080	3,328,468	1,261,532
Accrual - FY19 for use in FY20		400,000	0	400,000	400,000	0
Loan Repayment (All loans paid in full)		0	0	0	0	0
Subtotal	4,990,000	4,990,000	923,388	2,805,080	3,728,468	1,261,532
<b>Total Expenses:</b>	<b>8,135,127</b>	<b>8,135,127</b>	<b>1,506,201</b>	<b>4,173,080</b>	<b>5,679,281</b>	<b>2,455,846</b>
<b>Increase/(Decrease) of Revenues over Exp as of October 31, 2018</b>			<b>\$1,361,601</b>	<b>\$705,188</b>	<b>\$2,066,789</b>	

# Fiscal Report

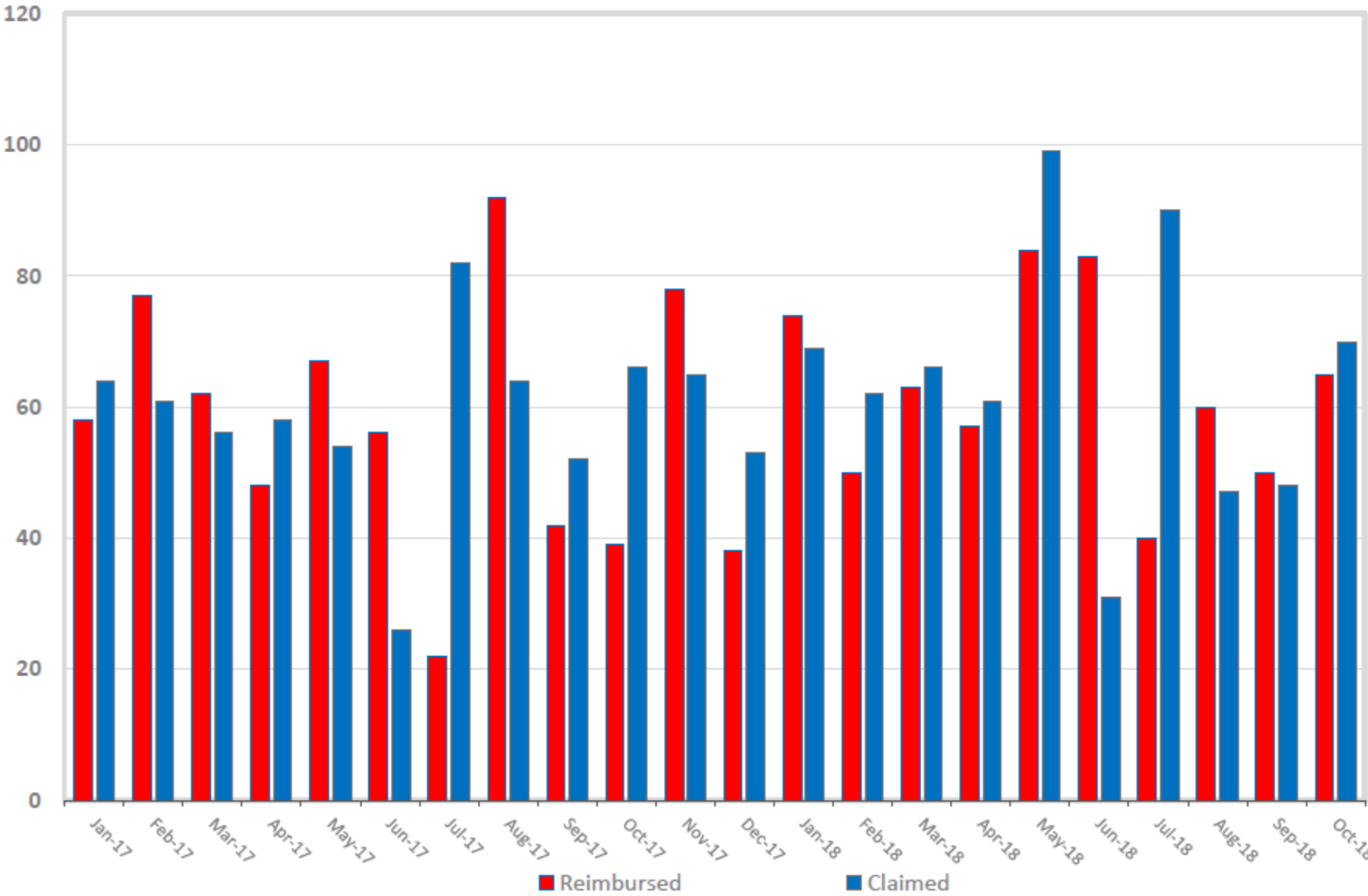
## Report Item

EXPENDITURE SUMMARY		PERIOD ENDING 07/31/18	PERIOD ENDING 08/31/18	PERIOD ENDING 09/30/18	PERIOD ENDING 10/31/18	PERIOD ENDING 11/30/18	PERIOD ENDING 12/31/18	PERIOD ENDING 01/31/19	PERIOD ENDING 02/28/19	PERIOD ENDING 03/31/19	PERIOD ENDING 04/30/19	PERIOD ENDING 05/31/19	PERIOD ENDING 06/30/19	FY19 TOTALS
<b>REVENUE</b>														
	MDT Fees	640,739.00	676,321.00	766,613.00	769,315.47									2,852,988.47
	Stip Earnings		4,417.53	5,292.22	5,102.85									14,812.60
	Misc Revenue													0.00
	<b>Total Revenue</b>	<b>640,739.00</b>	<b>680,738.53</b>	<b>771,905.22</b>	<b>774,418.32</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,867,801.07</b>
<b>BOARD</b>														
	Personal Services	24,260.49	27,077.29	30,454.25	30,209.64									112,001.67
	Contracted Services		1,674.00	385.10	4,578.55									6,637.65
	Contingent Contract Services													0.00
	Operating		12,739.64	11,468.42	8,261.95									32,470.01
	<b>Subtotal</b>	<b>24,260.49</b>	<b>41,490.93</b>	<b>42,307.77</b>	<b>43,050.14</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>151,109.33</b>
<b>CLAIMS</b>														
	Regular CY Claim Payments	53,490.89	548,770.77	161,791.17	159,334.89									923,387.72
	<b>Subtotal</b>	<b>53,490.89</b>	<b>548,770.77</b>	<b>161,791.17</b>	<b>159,334.89</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>923,387.72</b>
<b>DEQ Regulatory</b>														
	Personal Services	65,854.23	76,506.88	88,125.03	81,976.49									312,462.63
	Contracted Services		1,210.21	918.92	294.80									2,423.93
	Operating	6,029.93	35,368.68	39,590.23	35,828.07									116,816.91
	<b>Subtotal</b>	<b>71,884.16</b>	<b>113,085.77</b>	<b>128,634.18</b>	<b>118,099.36</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>431,703.47</b>
<b>CURRENT YEAR EXPENDITURE TOTALS</b>		<b>149,635.54</b>	<b>703,347.47</b>	<b>332,733.12</b>	<b>320,484.39</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,506,200.52</b>
<b>PRIOR YEAR EXPENDITURES</b>		<b>73.98</b>	<b>815.52</b>	<b>0.00</b>	<b>-2.80</b>									<b>886.70</b>
<b>TOTAL EXPENDITURES</b>		<b>149,709.52</b>	<b>704,162.99</b>	<b>332,733.12</b>	<b>320,481.59</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,507,087.22</b>
Board & DEQ Non-Claim costs		96,144.65	154,576.70	170,941.95	161,149.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	582,812.80
Claims Accrual Payments		121,846.16	72,879.28	79,206.03	5,219.40									279,150.87
<b>Guarantee of Reimbursement (A Accruals)</b>														<b>0.00</b>
PROJECTION SUMMARY		PERIOD ENDING 07/31/18	PERIOD ENDING 08/31/18	PERIOD ENDING 09/30/18	PERIOD ENDING 10/31/18	PERIOD ENDING 11/30/18	PERIOD ENDING 12/31/18	PERIOD ENDING 01/31/19	PERIOD ENDING 02/28/19	PERIOD ENDING 03/31/19	PERIOD ENDING 04/30/19	PERIOD ENDING 05/31/19	PERIOD ENDING 06/30/19	FY19 TOTALS
<b>REVENUE</b>														
	MDT Fees					636,672.00	600,000.00	600,000.00	600,000.00	600,000.00	600,000.00	600,000.00	600,000.00	4,836,672.00
	Stip Earnings					6,596.45	4,375.00	4,375.00	4,375.00	4,375.00	4,375.00	4,375.00	8,750.00	41,596.45
	<b>TOTAL REVENUE PROJECTED</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>643,268.45</b>	<b>604,375.00</b>	<b>604,375.00</b>	<b>604,375.00</b>	<b>604,375.00</b>	<b>604,375.00</b>	<b>604,375.00</b>	<b>608,750.00</b>	<b>4,878,268.45</b>
<b>BOARD</b>														
	Personal Services					30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	240,000.00
	Contracted Services					2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	16,000.00
	Contingent Contract Services													0.00
	Operating					12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	96,000.00
	<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>44,000.00</b>	<b>352,000.00</b>
<b>CLAIMS</b>														
	Regular CY Claim Payments					300,635.00	300,635.00	300,635.00	300,635.00	300,635.00	300,635.00	300,635.00	300,635.00	2,405,080.00
	FYE19 Accrual				121,869.78								400,000.00	521,869.78
	<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>121,869.78</b>	<b>300,635.00</b>	<b>300,635.00</b>	<b>300,635.00</b>	<b>300,635.00</b>	<b>300,635.00</b>	<b>300,635.00</b>	<b>300,635.00</b>	<b>700,635.00</b>	<b>2,926,949.78</b>
<b>DEQ Regulatory</b>														
	Personal Services					82,000.00	82,000.00	82,000.00	82,000.00	82,000.00	82,000.00	82,000.00	82,000.00	656,000.00
	Contracted Services					5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	40,000.00
	Operating					40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	320,000.00
	<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>127,000.00</b>	<b>1,016,000.00</b>
<b>PROJECTION TOTALS</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>121,869.78</b>	<b>471,635.00</b>	<b>471,635.00</b>	<b>471,635.00</b>	<b>471,635.00</b>	<b>471,635.00</b>	<b>471,635.00</b>	<b>471,635.00</b>	<b>871,635.00</b>	<b>4,294,949.78</b>

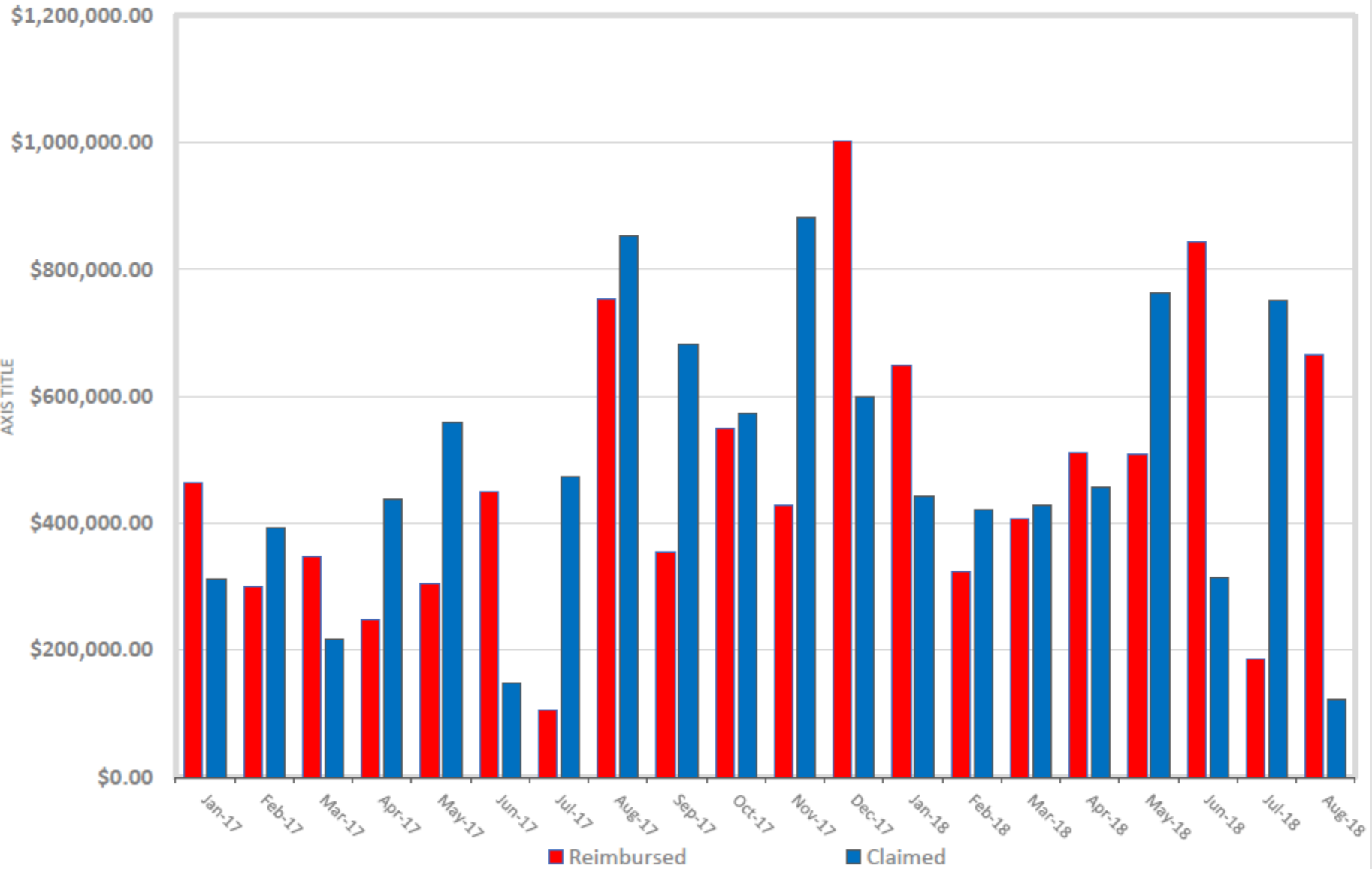
# Board Staff Eligibility Graph



# Board Staff Claim Count Graph



### Board Staff Claim Value Graph



# Board Staff Report

November 19, 2018  
 REPORT ITEM  
 Informational



## *Petroleum Tank Release Compensation Board*

*Work Plans Reviewed and Owner Informed Funds NOT Obligated by Priority as of 10/31/2018*

DATE RECEIVED	FACILITY ID	WORKPLAN NAME	WP ID	RELEASE ID	PRIORITY (Proj Officer)	COST EST.	FACILITY NAME	WORKPLAN DATE	REGION
12/5/2017	3602359	C-B-OX/GWM/PT/SB	10682	4957	1.4 (Kingsbury)	\$141,414.00	Packys	10/13/2017	2
<b>Total</b>		<b><u>\$141,414.00</u></b>	<b>SubTotal Number of Workplans:</b>		<b><u>1</u></b>				
8/1/2018	2412285	R-S-TP	10879	4456	2.0 (Kinney)	\$10,339.05	Big Arm General Store	7/23/2018	1
<b>Total</b>		<b><u>\$10,339.05</u></b>	<b>SubTotal Number of Workplans:</b>		<b><u>1</u></b>				
6/29/2018	1608675	F-W-GWM	10848	4242	3.0 (Pankratz)	\$3,557.50	Town Pump Inc 2	4/26/2018	2
7/6/2018	1506101	C-B-RT/OX/GWM/SB	10839	1850	3.0 (Miner)	\$90,632.58	Longs Conoco	6/28/2018	1
<b>Total</b>		<b><u>\$94,190.08</u></b>	<b>SubTotal Number of Workplans:</b>		<b><u>2</u></b>				
10/29/2018	904443	F-W-GWM/TO	10860	4800	4.0 (Skibicki)	\$9,184.26	The Short Stop Store	6/5/2017	3
10/29/2018	904443	F-B-RSR/SVE/AS/TO	10885	4800	4.0 (Skibicki)	\$2,000.00	The Short Stop Store	4/10/2018	3
<b>Total</b>		<b><u>\$11,184.26</u></b>	<b>SubTotal Number of Workplans:</b>		<b><u>2</u></b>				
<b>Total Number of Workplans:</b>					<b><u>6</u></b>	<b>Total</b>		<b><u>\$257,127.39</u></b>	

**Report Item**



**Petroleum Release Activity since Last Report – Sept 10, 2018 to November 2, 2018**

<b>Release Status</b>	<b>Activity</b>
<b>Confirmed Releases</b>	3
<b>Releases Resolved (Closed)</b>	32

# **PTS Report**

**Petroleum Release Activity from – January 1, 2018 to November 2, 2018**

<b>Release Status</b>	<b>Activity</b>
<b>Confirmed Releases</b>	19
<b>Releases Resolved (Closed)</b>	68

**Summary of All Petroleum Release Activity to November 2, 2018**

<b>Total Confirmed Releases</b>	4683
<b>Total Resolved Releases</b>	3689
<b>Total Active Releases</b>	951
<b>Total Active and Eligible</b>	622
<b>Active Ineligible</b>	96
<b>Active Undetermined/Pending</b>	216

# Public Forum