

Petroleum Tank Release Compensation Board

Meeting

February 5, 2024

Zoom Controls

- To mute or unmute – use *6 on telephone or
 - Go to participant list in Zoom, right click on yourself and choose “unmute”
- You **must** rename yourself in the participants list, so that there is a sign-in record for this meeting.
 - Right click on your phone number/cb name/etc. and choose “rename”. Please type in your first and last name when you do this.
- To be recognized by Presiding Officer, click the “Reactions Icon” and choose the “raise hand” button. This is part of your Zoom window controls, usually at the top or bottom of your Zoom call window.

Pirre, Garnet



Mute



Start Video



Security



Participants



Polls



Chat



Share Screen



Reactions



More

End

Approval of Minutes

November 13, 2023, Board Meeting

•Questions / Comments?

Final Adoption of Proposed Rules

Senate Bill 334 - Enacted at 68th legislature

Procedures for third-party review of corrective
action plans or claims pursuant to 75-11-312

For the Board's Consideration:

1. Approve Final Adoption Notice and Administrative Order, as presented, to move forward in the rulemaking process.
2. Request changes to language of the proposed rules or notices and move to a future Board Meeting for ratification.
3. Request changes, agree to changes, and approve as changed, to move forward in the rulemaking process.

ACTION ITEM
February 5, 2024

Eligibility Ratification

Location	Site Name	Facility ID #	DEQ Rel # Release Year	Eligibility Determination – Staff Recommendation Date
Broadus	Alderman Oil Company, Inc	3803951 TID26549	Voluntary Registration	Reviewed 5/3/2023. Recommended potentially eligible.
Mill Iron	Mill Iron Restaurant	0604114 TID 18283	2397 Oct 1994	Reviewed 1/5/2024. Recommended eligible.

WEEKLY AND DENIED CLAIMS FOR REIMBURSEMENTS

ACTION ITEM
February 5, 2024

WEEKLY CLAIM REIMBURSEMENTS
February 5, 2024, BOARD MEETING

Week of	Number of Claims	Funds Reimbursed
11-1-23	26	\$115,765.42
11-8-23	15	\$161,915.60
11-15-23	15	\$172,439.51
11-22-23	24	\$123,551.93
12-6-23	13	\$233,038.75
12-13-23	19	\$110,713.10
12-20-23	10	\$130,004.96
1-10-24	25	\$311,583.34
Total	147	\$1,359,012.61

Claim 20231107P Denied-costs exceeded allowed budget.

ACTION ITEM
February 5, 2024

Release Response Discussion

Pro Lube 2, Great Falls
Release 3533,
WP 716834619/Form 8

Release expected to exceed \$100K in costs.

ACTION ITEM
February 5, 2024

Release Response Discussion

Farmer's Union Oil Roundup
Release 235,
WP 716834735

Release expected to exceed \$100K in costs.

ACTION ITEM
February 5, 2024

Release Response Discussion

Our Station (Cady's Gas), Lame Deer
Release 3872,
WP 716834747

Release expected to exceed \$100K in costs.

ACTION ITEM
February 5, 2024

Release Response Discussion

3rd Street Market, Whitefish
Release 4092,
WP 716834712

Release expected to exceed \$100K in costs.

ACTION ITEM
February 5, 2024

Release Response Discussion

Former Ted's Carwash, Twin Bridges
Release 3404,
WP 716834781

Release expected to exceed \$100K in costs.

Attorney Report

REPORT ITEM
February 5, 2024

Other

- On January 17, Board Counsel presided over a public hearing on the administrative rule changes proposed by the Board for MAR 17-440.
- Counsel has been working with the Executive Director and the Chair to respond to questions posed by the Legislative Audit.
- Cascade County's Attorney filed a Writ of Mandate with the District Court.

Fiscal Report

REPORT ITEM
February 5, 2024

	Legislative Approp.	Standard Budget	Rev/Exp through 12/31/2023	Projected Rev/Exp	Total FY24 Projected Rev/Exp	Projected Fiscal Year End Balance
Revenues:						
MDT Fee Revenue Estimate	8,436,524	8,436,524	4,316,215	3,399,400	7,715,615	(720,909)
Estimated STIP Interest earnings	10,000	10,000	133,677	105,624	239,301	229,301
Misc Revenue & Settlements	3,000	3,000	0	0	0	(3,000)
Total Revenues:	8,449,524	8,449,524	4,449,892	3,505,024	7,954,916	(494,608)
Expenditures:						
<i>(Includes current year expenses only)</i>						
Board						
Personal Services*	539,948	539,948	251,240	306,288	557,528	(17,580)
Contracted Services	20,000	20,000	9,307	9,000	18,307	1,693
Operating	317,294	317,294	109,762	90,000	199,762	117,532
Subtotal	877,242	877,242	370,309	405,288	775,597	101,645
DEQ Regulatory						
Personal Services*	1,270,030	1,270,030	496,993	750,000	1,246,993	23,037
Contracted Services	25,000	25,000	16,077	12,000	28,077	(3,077)
Operating & Transfers	914,799	914,799	183,496	240,000	423,496	491,303
Subtotal	2,209,829	2,209,829	696,566	1,002,000	1,698,566	511,263
Administrative Budget Remaining						612,908
Claims/Loan						
Regular Claim Payments	4,480,000	4,480,000	1,432,730	2,400,000	3,832,730	647,270
Accrual - FY24 for use in FY25	770,000	770,000	0	770,000	770,000	0
Subtotal	5,250,000	5,250,000	1,432,730	3,170,000	4,602,730	647,270
Total Expenses:	8,337,071	8,337,071	2,499,604	4,577,288	7,076,892	1,260,179

STIP = Short Term Investment Portfolio

Fiscal Report

REPORT ITEM
February 5, 2024

1/12/2024
REPORT ITEM
INFORMATIONAL

Cash Flow Analysis FY-24

	Actual					
	July-23	August-23	September-23	October-23	November-23	December-23
Beginning Cash Balance	5,446,773.02	5,673,173.60	5,577,476.12	5,922,865.76	6,125,513.96	6,555,564.33
Revenue						
MDT Revenue (\$.0075/gallon)	673,794.00	700,001.00	788,724.00	783,638.08	700,457.00	669,601.00
STIP Earnings	2,523.45	20,890.02	26,896.76	26,150.41	27,566.43	29,649.90
Settlements						
Other Misc Revenue	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenue	676,317.45	720,891.02	815,620.76	809,788.49	728,023.43	699,250.90
Expenditures						
Petro Board Claims	49,603.84	431,040.27	177,665.10	329,771.34	109,737.92	334,911.11
Petro Board Staff	23,839.17	57,686.43	85,477.60	78,430.31	59,596.65	65,278.88
Prior Year Adj & Accrual Adj	-48,491.04	184,598.41	140,322.03	63,596.21	6,027.50	0.00
DEQ Regulatory	424,964.90	143,263.39	66,766.39	135,342.43	122,610.99	170,245.52
Total Expenditures	449,916.87	816,588.50	470,231.12	607,140.29	297,973.06	570,435.51
Ending Cash Balance	5,673,173.60	5,577,476.12	5,922,865.76	6,125,513.96	6,555,564.33	6,684,379.72

Fiscal Report

REPORT ITEM
February 5, 2024

1/12/2024
REPORT ITEM
INFORMATIONAL

Cash Flow Analysis FY-24

	Projected					
	January-24	February-24	March-24	April-24	May-24	June-24
Beginning Cash Balance	6,684,379.72	6,684,508.72	6,594,987.72	6,566,932.72	6,469,387.72	6,389,130.72
Revenue						
MDT Revenue (\$.0075/gallon)	617,073.00	527,423.00	588,889.00	519,399.00	536,687.00	609,929.00
STIP Earnings	17,604.00	17,604.00	17,604.00	17,604.00	17,604.00	17,604.00
Settlements						
Other Misc Revenue	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenue	634,677.00	545,027.00	606,493.00	537,003.00	554,291.00	627,533.00
Expenditures						
Petro Board Claims	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00
Petro Board Staff	67,548.00	67,548.00	67,548.00	67,548.00	67,548.00	67,548.00
Prior Year Adj & Accrual Adj	0.00	0.00	0.00	0.00	0.00	0.00
DEQ Regulatory	167,000.00	167,000.00	167,000.00	167,000.00	167,000.00	167,000.00
Total Expenditures	634,548.00	634,548.00	634,548.00	634,548.00	634,548.00	634,548.00
Ending Cash Balance	6,684,508.72	6,594,987.72	6,566,932.72	6,469,387.72	6,389,130.72	6,382,115.72

Fiscal Report

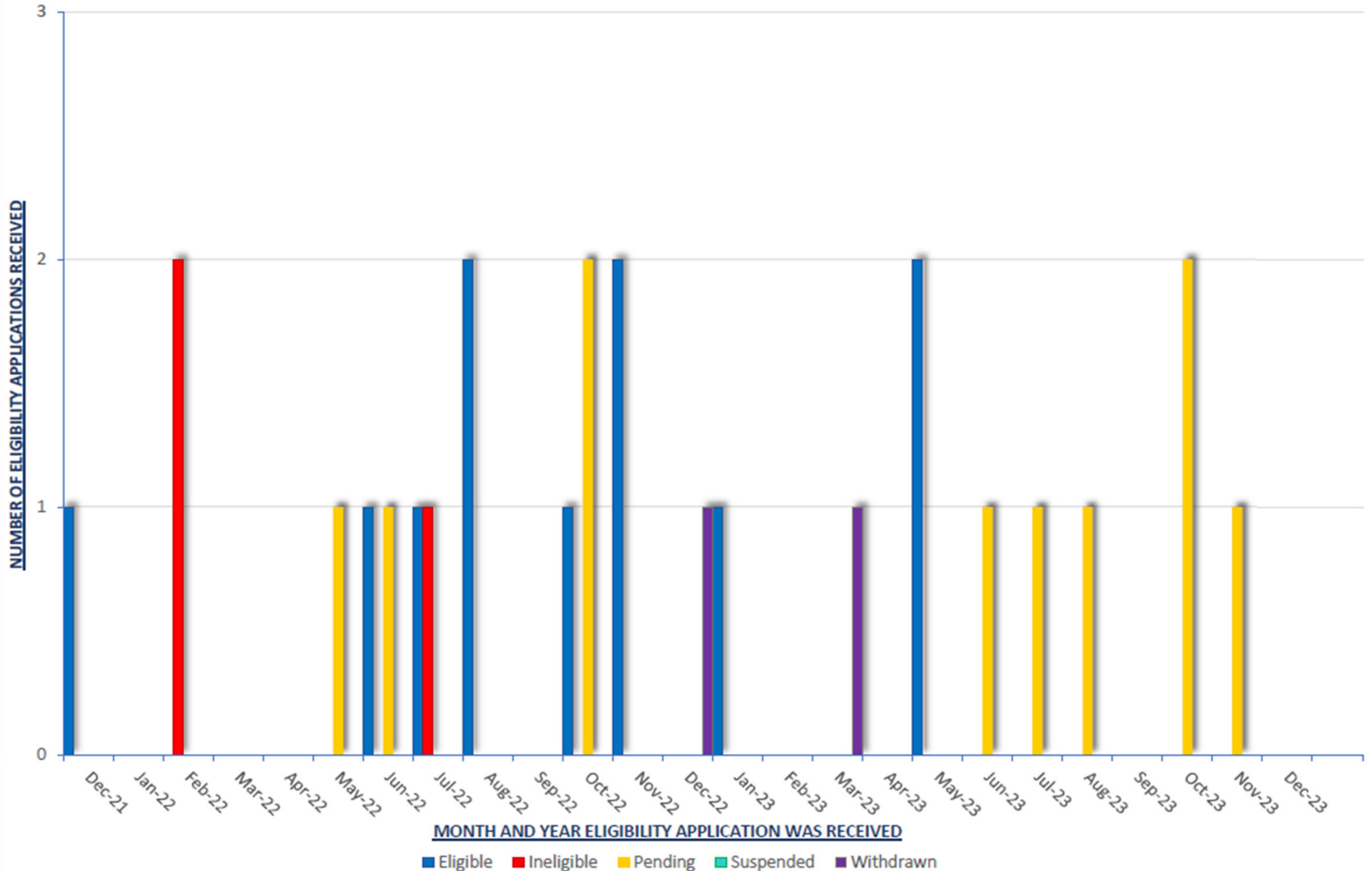
REPORT ITEM
February 5, 2024

EXPENDITURE SUMMARY		PERIOD ENDING 07/31/23	PERIOD ENDING 08/31/23	PERIOD ENDING 09/30/23	PERIOD ENDING 10/31/23	PERIOD ENDING 11/30/23	PERIOD ENDING 12/31/23	PERIOD ENDING 01/31/24	PERIOD ENDING 02/29/24	PERIOD ENDING 03/31/24	PERIOD ENDING 04/30/24	PERIOD ENDING 05/31/24	PERIOD ENDING 06/30/24	FY24 TOTALS
REVENUE														
	MDT Fees	673,794.00	700,001.00	788,724.00	783,638.08	700,457.00	669,601.00							4,316,215.08
	Stip Earnings	2,523.45	20,890.02	26,896.78	26,150.41	27,566.43	29,649.90							133,676.97
	Misc Revenue	0.00	0.00	0.00										0.00
	Total Revenue	676,317.45	720,891.02	815,620.76	809,788.49	728,023.43	699,250.90	0.00	0.00	0.00	0.00	0.00	0.00	4,449,892.05
BOARD														
	Personal Services	23,839.17	41,454.03	42,304.69	61,896.13	38,990.22	42,755.40							251,239.64
	Contracted Services				4,757.30	4,550.00								9,307.30
	Operating		16,232.40	43,172.91	11,778.88	16,056.43	22,523.48							109,762.10
	Subtotal	23,839.17	57,686.43	85,477.60	78,430.31	59,596.65	65,278.88	0.00	0.00	0.00	0.00	0.00	0.00	370,309.04
CLAIMS														
	Regular CY Claim Payments	49,603.84	431,040.27	177,665.10	329,771.34	109,737.92	334,911.11							1,432,729.58
	Subtotal	49,603.84	431,040.27	177,665.10	329,771.34	109,737.92	334,911.11	0.00	0.00	0.00	0.00	0.00	0.00	1,432,729.58
DEQ Regulatory														
	Personal Services	56,855.35	99,878.17	52,920.51	107,651.82	86,832.00	92,854.99							496,992.84
	Contracted Services		331.41	2,064.32	8,751.39	4,929.54								16,076.66
	Operating	1,481.48	43,053.81	11,781.56	18,939.22	30,849.45	77,390.53							183,496.05
	Subtotal	58,336.83	143,263.39	66,766.39	135,342.43	122,610.99	170,245.52	0.00	0.00	0.00	0.00	0.00	0.00	696,565.55
CURRENT YEAR EXPENDITURE TOTALS		131,779.84	631,990.09	329,909.09	543,544.08	291,945.56	570,435.51	0.00	0.00	0.00	0.00	0.00	0.00	2,499,604.17
PRIOR YEAR EXPENDITURES		-48,491.04	9.17	371.40									0.00	-48,110.47
TOTAL EXPENDITURES		83,288.80	631,999.26	330,280.49	543,544.08	291,945.56	570,435.51	0.00	0.00	0.00	0.00	0.00	0.00	2,451,493.70
Board & DEQ Non-Claim costs		82,176.00	200,949.82	152,243.99	213,772.74	182,207.64	235,524.40	0.00	0.00	0.00	0.00	0.00	0.00	1,066,874.59
Claims Accrual Payments			184,589.24	139,950.63	63,596.21	6,027.50								394,163.58
Guarantee of Reimbursement (A Accruals)														0.00
PROJECTION SUMMARY		PERIOD ENDING 07/31/23	PERIOD ENDING 08/31/23	PERIOD ENDING 09/30/23	PERIOD ENDING 10/31/23	PERIOD ENDING 11/30/23	PERIOD ENDING 12/31/23	PERIOD ENDING 01/31/24	PERIOD ENDING 02/29/24	PERIOD ENDING 03/31/24	PERIOD ENDING 04/30/24	PERIOD ENDING 05/31/24	PERIOD ENDING 06/30/24	FY24 TOTALS
REVENUE														
	MDT Fees							617,073.00	527,423.00	588,889.00	519,399.00	536,687.00	609,929.00	3,399,400.00
	Stip Earnings							17,604.00	17,604.00	17,604.00	17,604.00	17,604.00	17,604.00	105,624.00
	TOTAL REVENUE PROJECTED	0.00	0.00	0.00	0.00	0.00	0.00	634,677.00	545,027.00	606,493.00	537,003.00	554,291.00	627,533.00	3,505,024.00
BOARD														
	Personal Services							51,048.00	51,048.00	51,048.00	51,048.00	51,048.00	51,048.00	306,288.00
	Contracted Services							1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	9,000.00
	Operating							15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	90,000.00
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	67,548.00	67,548.00	67,548.00	67,548.00	67,548.00	67,548.00	405,288.00
CLAIMS														
	Regular CY Claim Payments							400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	2,400,000.00
	FYE24 Accrual												770,000.00	770,000.00
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	1,170,000.00	3,170,000.00
DEQ Regulatory														
	Personal Services							125,000.00	125,000.00	125,000.00	125,000.00	125,000.00	125,000.00	750,000.00
	Contracted Services							2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
	Operating							40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	240,000.00
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	167,000.00	167,000.00	167,000.00	167,000.00	167,000.00	167,000.00	1,002,000.00
PROJECTION TOTALS		0.00	0.00	0.00	0.00	0.00	0.00	634,548.00	634,548.00	634,548.00	634,548.00	634,548.00	1,404,548.00	4,577,288.00

Board Staff Report

REPORT ITEM
February 5, 2024

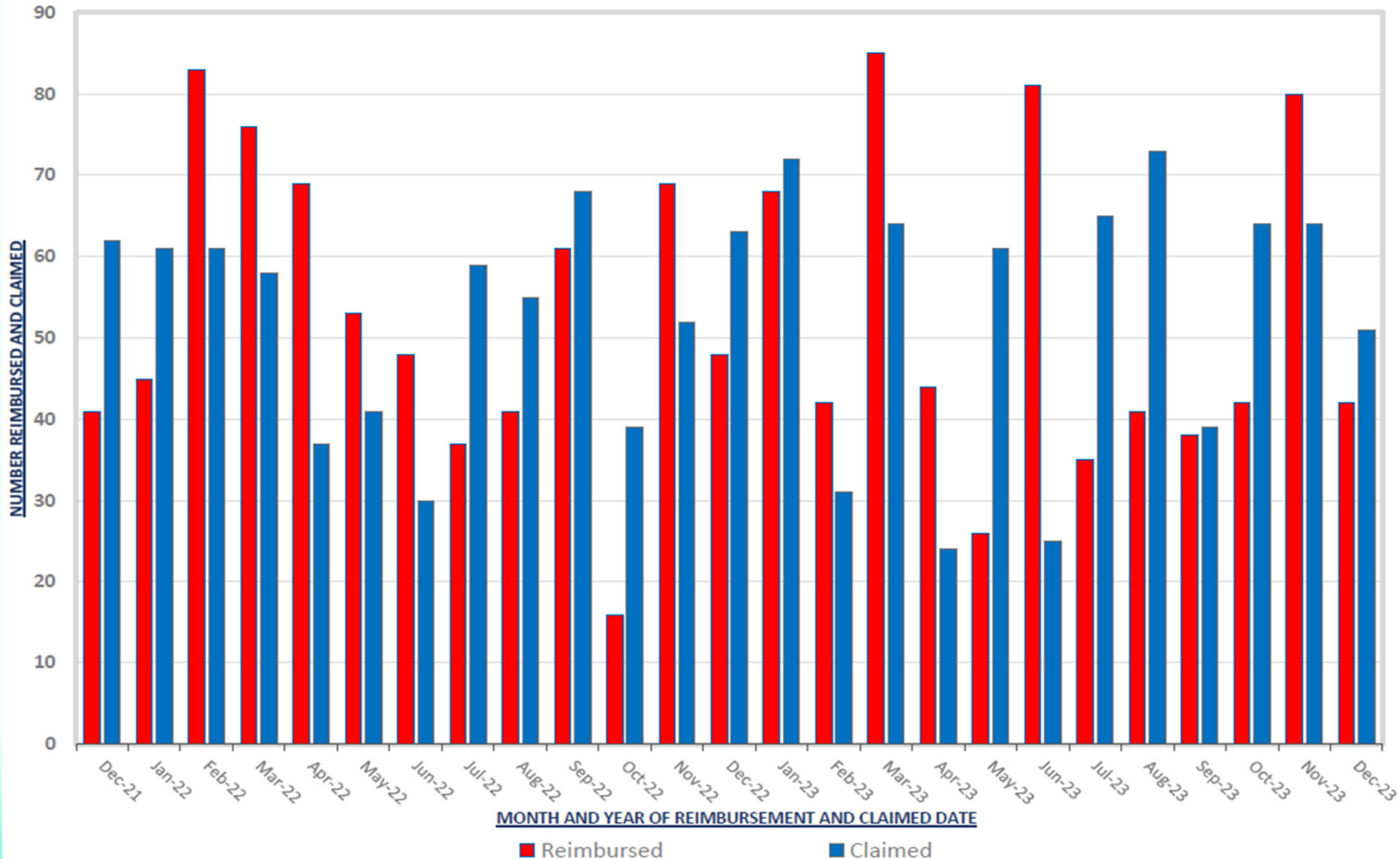
Board Staff Eligibility Graph



Board Staff Report

REPORT ITEM
February 5, 2024

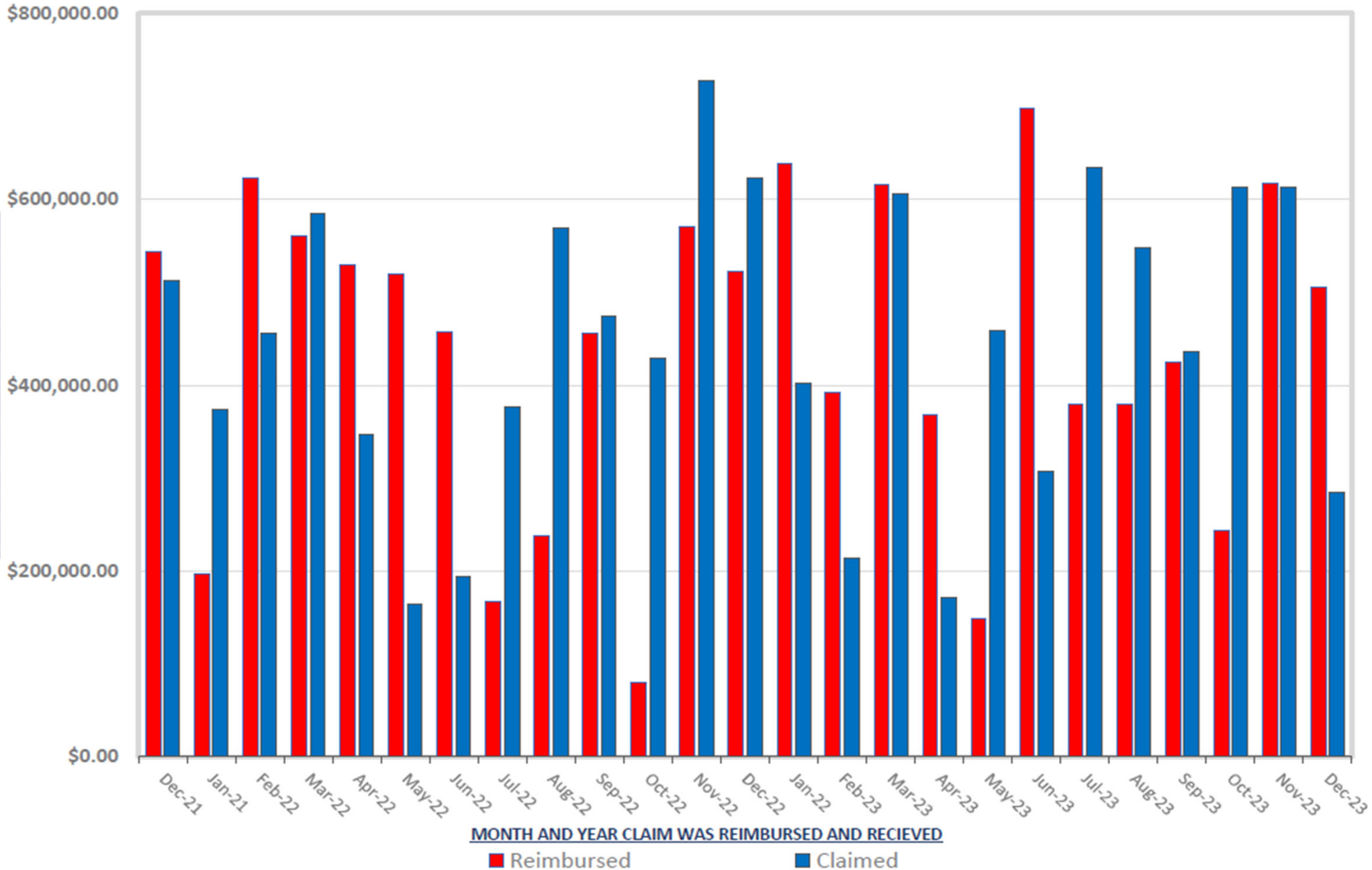
Board Staff Claim Count Graph



Board Staff Report

REPORT ITEM
February 5, 2024

Board Staff Claim Value Graph



Board Staff Report

Activity Status Report
Through December 2023

REPORT ITEM
February 5, 2024

Reporting Category	Status
Amount of Fund balance in Petroleum Tank Release Cleanup Fund	\$6,684,379.72
Portion of the Fund balance that is allocated or encumbered	\$7,681,435.26
Timeliness of Board Payments for completed corrective action plans Reimbursement for corrective action plans is through the claim process	
Average processing days for non-suspended claims since 1989	30 days
Average processing days for non-suspended claims in past 12 months	33 days

Summary of Petroleum Tank Releases

REPORT ITEM
February 5, 2024

PTCS Report

*Not Eligible – includes releases that have not applied for eligibility, pending eligibility, suspended, withdrawn, and deemed ineligible.

Summary of Petroleum Tank Releases			
Cumulative Petroleum Releases: 1980s to Date			
Total Confirmed		4,849	
PTRCB Eligibility	Not Eligible	2,899	60%
	Eligible	1,950	40%
Total Resolved ~80%		3,947	
PTRCB Eligibility	Not Eligible	2,573	65%
	Eligible	1,374	35%
Total Unresolved (Open) ~20%		902	
PTRCB Eligibility	Not Eligible	326	36%
	Eligible	576	64%
Resolved Releases - Last 5 Years: Total			
		255	
PTRCB Eligibility	Not Eligible	144	56%
	Eligible	111	44%
Resolved Releases - Last 10 Years: Total			
		743	
PTRCB Eligibility	Not Eligible	399	54%
	Eligible	344	46%
2023 Petroleum Release Activity			
Suspect Releases		24	
Confirmed Releases		32	
Releases Resolved (Closed) - 2023: Total		35	
PTRCB Eligibility	Not Eligible	19	54%
	Eligible	16	46%
2023 Work Plans			
Work Plans Requested		141	
Work Plans Approved		140	
Total Active Work Plans		169	
Petroleum Release Activity Oct 2023 - Jan 2024			
Suspect Releases		6	
Confirmed Releases		8	
Releases Resolved (Closed)		1	

WPs Over \$100,000

- ❑ *Small Dog Investments, Billings*
- ❑ *Fac #56-14111, Rel #4310*
- ❑ *WP#716834800*
 - *Cleanup – In-Situ injections and GWM*
 - *Requested WP Budget \$87,821*
 - *Consultant believes that initial budget may expand up to a total of ~\$150,000*
 - *Alternatives considered;*

WPs Over \$100,000

- ❑ *Deans Sinclair Service, Laurel*
- ❑ *Facility #56-10270 Rel #638*
- ❑ *WP#716834769*
 - *Cleanup – Injection and GWM*
 - *Requested Budget \$152,181.50*
 - *Alternatives considered;*

Public Forum

Next Scheduled Board Meeting
is
April 22, 2024