

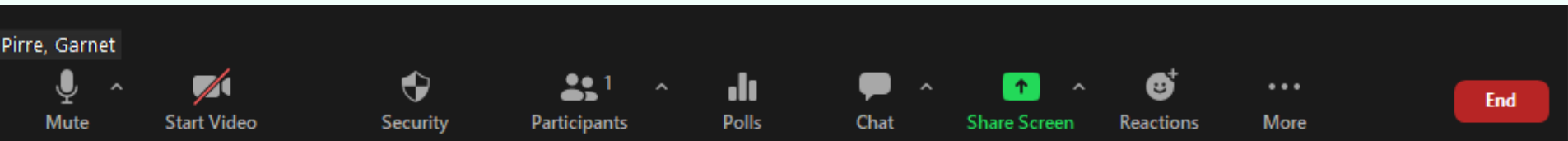
Petroleum Tank Release Compensation Board

Meeting

November 18, 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.



Election of Officers

Presiding Officer

Vice Presiding Officer

ARM 17.58.303

The board shall elect a presiding officer and vice-presiding officer for terms of one year each at its first meeting after October 1 of each year.

Approval of Proposed Meeting Dates 2025

Agenda Closed*

Packet Mailing

Meeting Date

January 15, 2025

January 22, 2025

February 3, 2025

March 25, 2025

April 2, 2025

April 14, 2025

May 28, 2025

June 4, 2025

June 16, 2025

August 27, 2025

September 3, 2025

September 15, 2025

October 22, 2025

October 29, 2025

November 10, 2025

Approval of Minutes

September 9, 2024, Board Meeting

•Questions / Comments?

Eligibility Dispute

Former Mahagin's Texaco, Butte
Release 6550, Facility 2602182,

May 22, 2024: Form 1R was submitted

3 – 50 Gallon vessels

do not meet the definition of a PST

< 60 gallons.

Not a Tank = Not Eligible

ELIGIBILITY RATIFICATION

ACTION ITEM
November 18, 2024

| Location | Site Name | Facility ID # | DEQ Rel # Release Year | Eligibility Determination – Staff Recommendation Date |
|----------|-----------------------------|----------------------|---------------------------|--|
| Belgrade | Yellowstone Jet Center | 1604440 TID 21287 | 6502 Sept 2022 | Reviewed 10/15/24. Recommended Eligible. |
| Butte | Former Mahagin's Texaco | 0032521 TID32521 | 6550 May 2023 | Reviewed 4/23/2024. Recommended Ineligible. |
| Hamilton | Town Pump Inc Hamilton 1 | 4109670 26952 | 6660 Mar 2024 | Reviewed 10/23/24. Recommended Eligible. |
| Helena | Town Pump Helena 8 | 5613846 TID30528 | 6658 Mar 2024 | Reviewed 10/23/24. Recommended Eligible. |
| Superior | Town Pump Inc Superior | 3108719 TID 25093 | 6498 Aug 2022 | Reviewed 10/23/24. All Petroleum Tanks Recommended Eligible. (Vehicle/Installer Insurance.) |
| Troy | Town Pump Inc Troy | 2708722 24241 | 6641 Nov 2023 | Reviewed 10/30/24. Recommended Eligible. |

WEEKLY AND DENIED CLAIMS FOR REIMBURSEMENTS

| Week of | Number of Claims | Funds Reimbursed |
|--------------|------------------|---------------------|
| 9-4-24 | 18 | \$96,683.61 |
| 9-11-24 | 12 | \$167,965.43 |
| 9-18-24 | 10 | \$101,288.36 |
| 10-2-24 | 12 | \$74,925.38 |
| 10-9-24 | 16 | \$157,668.98 |
| 10-16-24 | 23 | \$105,595.33 |
| 10-23-24 | 20 | \$219,430.60 |
| Total | 111 | \$923,557.69 |

Denied Claims

Three claims are denied – #20240603B costs were already reimbursed on previous claim,
Claims #20240614A and # 20240819C were withdrawn by consultant.

ACTION ITEM
November 18, 2024

CLAIMS OVER \$25,000

| Facility Name Location | Facility- Release ID# | Claim# | Claimed Amount | Adjustments | Penalty | Co-pay | **Estimated Reimbursement |
|-----------------------------------|-----------------------------|-----------|---------------------|--------------------|------------|--------------------|------------------------------|
| Small Dog Investments Billings | 5614111 4310 | 20240829E | \$39,883.35 | \$476.00 | -0- | -0- | \$39,407.35 |
| Coulter Automotive Charlo | 2404615 6505 | 20240131A | 25,259.80 | \$2,219.02 | -0- | \$11,520.39 | \$11,520.39 |
| Markle's Inc Glasgow | 5303161 1026 | 20240805B | \$25,822.22 | \$98.79 | -0- | -0- | \$25,723.43 |
| Paws Up Ranch LLC Greenough | 3201458 6643 | 20240701B | \$121,963.09 | \$21,540.13 | -0- | \$17,500.00 | \$82,922.96 |
| Total | | | \$212,928.46 | \$24,333.94 | -0- | \$29,020.39 | \$159,574.13 |

* In accordance with Board delegation of 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.

Release Response Threshold Discussion

Paws Up Ranch LLC, Greenough

Release 6643,
WP 716834842

Release expected to exceed \$100K in costs.

Release Response Threshold Discussion

Lockwood Interstate, Billings

Release 4416,
WP 716834895

Release expected to exceed \$100K in costs.

Release Response Threshold Discussion

Rindal's Fort Lewis, Lewistown

Release 6268,
WP 716834893

Release expected to exceed \$100K in costs.

Release Response Threshold Discussion

Former Roy Davis Station, Valier
Release 5263,
WP 716834829

Release expected to exceed \$100K in costs.

Release Response Threshold Discussion

Coulter Automotive, Charlo

Release 6505,
WP 716834907

Release expected to exceed \$100K in costs.

Release Response Threshold Discussion

Superpumper 74, Billings

Release 3189,
WP 716834924

Release expected to exceed \$100K in costs.

Attorney Report

REPORT ITEM
November 18, 2024

- **Other**

- *Cascade Cnty v. Mont. Petroleum Tank Release Comp. Bd., DA 24-0362 (Mont. Supreme Ct.): Cascade County has filed its opening brief. The Board's response brief is due November 29.*

Fiscal Report

REPORT ITEM
November 18, 2024

**Petroleum Tank Release Compensation Fund
Budget Status Report
Operating Statement
October 31, 2024**

| | Legislative Approp. | Standard Budget | Rev/Exp through 10/31/2024 | Projected Rev/Exp | Total FY25 Projected Rev/Exp | Projected Fiscal Year End Balance |
|--|------------------------|--------------------|----------------------------------|----------------------|------------------------------------|---|
| Revenues: | | | | | | |
| MDT Fee Revenue Estimate | 7,554,283 | 7,554,283 | 4,423,372 | 4,917,194 | 9,340,566 | 1,786,283 |
| Estimated STIP interest earnings | 10,000 | 10,000 | 86,813 | 226,480 | 313,293 | 303,293 |
| Misc Revenue & Settlements | 3,000 | 3,000 | 0 | 0 | 0 | (3,000) |
| Total Revenues: | 7,567,283 | 7,567,283 | 4,510,185 | 5,143,674 | 9,653,859 | 2,086,576 |
| Expenditures: | | | | | | |
| (Includes current year expenses only) | | | | | | |
| Board | | | | | | |
| Personal Services* | 539,948 | 539,948 | 187,798 | 408,384 | 596,182 | (56,234) |
| Contracted Services | 20,000 | 20,000 | 0 | 12,000 | 12,000 | 8,000 |
| Operating | 317,294 | 317,294 | 68,810 | 120,000 | 188,810 | 128,484 |
| Subtotal | 877,242 | 877,242 | 256,608 | 540,384 | 796,992 | 80,250 |
| DEQ Regulatory | | | | | | |
| Personal Services* | 1,270,030 | 1,270,030 | 464,808 | 1,000,000 | 1,464,808 | (194,778) |
| Contracted Services | 35,000 | 35,000 | 7,478 | 24,000 | 31,478 | 3,522 |
| Operating & Transfers | 904,799 | 904,799 | 152,843 | 328,000 | 480,843 | 423,956 |
| Subtotal | 2,209,829 | 2,209,829 | 625,129 | 1,352,000 | 1,977,129 | 232,700 |
| Administrative Budget Remaining | | | | | | 312,950 |
| Claims/Loan | | | | | | |
| Regular Claim Payments | 4,480,000 | 4,480,000 | 429,821 | 3,200,000 | 3,629,821 | 850,179 |
| Accrual - FY25 for use in FY26 | 770,000 | 770,000 | 0 | 770,000 | 770,000 | 0 |
| Subtotal | 5,250,000 | 5,250,000 | 429,821 | 3,970,000 | 4,399,821 | 850,179 |
| Total Expenses: | 8,337,071 | 8,337,071 | 1,311,558 | 5,862,384 | 7,173,942 | 1,163,129 |
| Increase/(Decrease) of Revenues over Exp as of October 31, 2024 | | | \$3,198,627 | (\$718,710) | \$2,479,917 | |

STIP = Short Term Investment Portfolio

Fiscal Report

REPORT ITEM
November 18, 2024

Cash Flow Analysis - FY25

| | Actual | | | Projected | | |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | July-24 | August-24 | September-24 | October-24 | November-24 | December-24 |
| Beginning Cash Balance | 6,727,464.44 | 6,891,538.08 | 7,110,446.78 | 7,334,487.89 | 7,554,283.27 | 7,646,502.27 |
| | | | | | | |
| Revenue | | | | | | |
| MDT Revenue (\$.0075/gallon) | 697,559.00 | 2,039,153.00 | 853,626.00 | 833,034.00 | 700,457.00 | 669,601.00 |
| STIP Earnings | 0.00 | 27,461.96 | 30,301.75 | 29,049.66 | 28,310.00 | 28,310.00 |
| Settlements | | | | | | |
| Other Misc Revenue | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Revenue | 697,559.00 | 2,066,614.96 | 883,927.75 | 862,083.66 | 728,767.00 | 697,911.00 |
| | | | | | | |
| Expenditures | | | | | | |
| Petro Board Claims | 0.00 | 22,757.05 | 217,067.10 | 189,997.24 | 400,000.00 | 400,000.00 |
| Petro Board Staff | 25,491.54 | 63,245.57 | 77,442.05 | 90,428.80 | 67,548.00 | 67,548.00 |
| Prior Year Adj & Accrual Adj | 433,522.18 | 1,596,464.18 | 187,640.22 | 154,181.93 | 0.00 | 0.00 |
| DEQ Regulatory | 74,471.64 | 165,239.46 | 177,737.27 | 207,680.31 | 169,000.00 | 169,000.00 |
| Total Expenditures | 533,485.36 | 1,847,706.26 | 659,886.64 | 642,288.28 | 636,548.00 | 636,548.00 |
| | | | | | | |
| Ending Cash Balance | 6,891,538.08 | 7,110,446.78 | 7,334,487.89 | 7,554,283.27 | 7,646,502.27 | 7,707,865.27 |
| | | | | | | |

Fiscal Report

REPORT ITEM
November 18, 2024

Cash Flow Analysis - FY25

| | Projected | | | | | |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | January-25 | February-25 | March-25 | April-25 | May-25 | June-25 |
| Beginning Cash Balance | 7,707,865.27 | 7,725,526.27 | 7,694,942.27 | 7,661,605.27 | 7,605,128.27 | 7,597,190.27 |
| | | | | | | |
| Revenue | | | | | | |
| MDT Revenue (\$.0075/gallon) | 625,899.00 | 577,654.00 | 574,901.00 | 551,761.00 | 600,300.00 | 616,621.00 |
| STIP Earnings | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 |
| Settlements | | | | | | |
| Other Misc Revenue | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Revenue | 654,209.00 | 605,964.00 | 603,211.00 | 580,071.00 | 628,610.00 | 644,931.00 |
| | | | | | | |
| 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 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 |
| Total Expenditures | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 |
| | | | | | | |
| Ending Cash Balance | 7,725,526.27 | 7,694,942.27 | 7,661,605.27 | 7,605,128.27 | 7,597,190.27 | 7,605,573.27 |
| | | | | | | |

Fiscal Report

REPORT ITEM
November 18, 2024

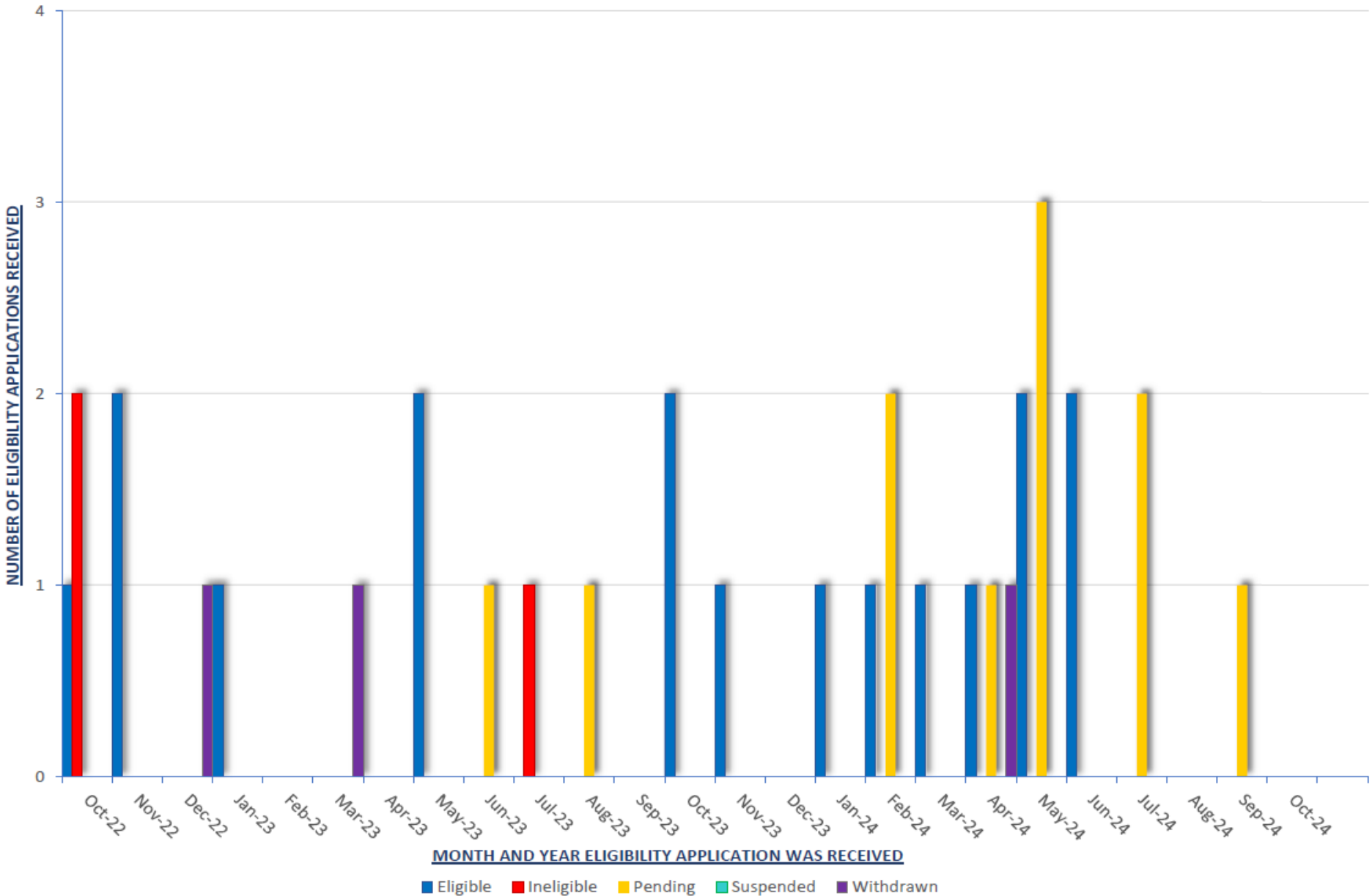
| EXPENDITURE SUMMARY | | PERIOD ENDING 07/31/24 | PERIOD ENDING 08/31/24 | PERIOD ENDING 09/30/24 | PERIOD ENDING 10/31/24 | PERIOD ENDING 11/30/24 | PERIOD ENDING 12/31/24 | PERIOD ENDING 01/31/25 | PERIOD ENDING 02/28/25 | PERIOD ENDING 03/31/25 | PERIOD ENDING 04/30/25 | PERIOD ENDING 05/31/25 | PERIOD ENDING 06/30/25 | FY25 TOTALS |
|--|--------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|---------------------|
| REVENUE | | | | | | | | | | | | | | |
| | MDT Fees | 697,559.00 | 2,039,153.00 | 853,626.00 | 833,034.00 | | | | | | | | | 4,423,372.00 |
| | Stip Earnings | 0.00 | 27,461.96 | 30,301.75 | 29,049.66 | | | | | | | | | 86,813.37 |
| | Misc Revenue | 0.00 | | | | | | | | | | | | 0.00 |
| | Total Revenue | 697,559.00 | 2,066,614.96 | 883,927.75 | 862,083.66 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 4,510,185.37 |
| BOARD | | | | | | | | | | | | | | |
| | Personal Services | 24,433.81 | 45,275.80 | 48,547.60 | 69,540.54 | | | | | | | | | 187,797.75 |
| | Contracted Services | | 0.00 | 0.00 | 0.00 | | | | | | | | | 0.00 |
| | Operating | 1,057.73 | 17,969.77 | 28,894.45 | 20,888.26 | | | | | | | | | 68,810.21 |
| | Subtotal | 25,491.54 | 63,245.57 | 77,442.05 | 90,428.80 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 256,607.96 |
| CLAIMS | | | | | | | | | | | | | | |
| | Regular CY Claim Payments | 0.00 | 22,757.05 | 217,067.10 | 189,997.24 | | | | | | | | | 429,821.39 |
| | Subtotal | 0.00 | 22,757.05 | 217,067.10 | 189,997.24 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 429,821.39 |
| DEQ Regulatory | | | | | | | | | | | | | | |
| | Personal Services | 66,898.74 | 117,296.13 | 118,250.39 | 162,363.02 | | | | | | | | | 464,808.28 |
| | Contracted Services | | 801.41 | 6,665.45 | 10.86 | | | | | | | | | 7,477.72 |
| | Operating | 7,572.90 | 47,141.92 | 52,821.43 | 45,306.43 | | | | | | | | | 152,842.68 |
| | Subtotal | 74,471.64 | 165,239.46 | 177,737.27 | 207,680.31 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 625,128.68 |
| CURRENT YEAR EXPENDITURE TOTALS | | 99,963.18 | 251,242.08 | 472,246.42 | 488,106.35 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1,311,558.03 |
| PRIOR YEAR EXPENDITURES | | -336.34 | | | | | | | | | | | | -336.34 |
| TOTAL EXPENDITURES | | 99,626.84 | 251,242.08 | 472,246.42 | 488,106.35 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1,311,221.69 |
| Board & DEQ Non-Claim costs | | 99,963.18 | 228,485.03 | 255,179.32 | 298,109.11 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 881,736.64 |
| Claims Accrual Payments | | | 199,980.18 | 187,640.22 | 154,181.53 | | | | | | | | | 541,802.33 |
| Guarantee of Reimbursement (A Accruals) | | | | | | | | | | | | | | 0.00 |
| PROJECTION SUMMARY | | PERIOD ENDING 07/31/24 | PERIOD ENDING 08/31/24 | PERIOD ENDING 09/30/24 | PERIOD ENDING 10/31/24 | PERIOD ENDING 11/30/24 | PERIOD ENDING 12/31/24 | PERIOD ENDING 01/31/25 | PERIOD ENDING 02/28/25 | PERIOD ENDING 03/31/25 | PERIOD ENDING 04/30/25 | PERIOD ENDING 05/31/25 | PERIOD ENDING 06/30/25 | FY25 TOTALS |
| REVENUE | | | | | | | | | | | | | | |
| | MDT Fees | | | | | 700,457.00 | 669,601.00 | 625,899.00 | 577,654.00 | 574,901.00 | 551,761.00 | 600,300.00 | 616,621.00 | 4,917,194.00 |
| | Stip Earnings | | | | | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 28,310.00 | 226,480.00 |
| | TOTAL REVENUE PROJECTED | 0.00 | 0.00 | 0.00 | 0.00 | 728,767.00 | 697,911.00 | 654,209.00 | 605,964.00 | 603,211.00 | 580,071.00 | 628,610.00 | 644,931.00 | 5,143,674.00 |
| BOARD | | | | | | | | | | | | | | |
| | Personal Services | | | | | 51,048.00 | 51,048.00 | 51,048.00 | 51,048.00 | 51,048.00 | 51,048.00 | 51,048.00 | 51,048.00 | 408,384.00 |
| | Contracted Services | | | | | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 | 1,500.00 | 12,000.00 |
| | Operating | | | | | 15,000.00 | 15,000.00 | 15,000.00 | 15,000.00 | 15,000.00 | 15,000.00 | 15,000.00 | 15,000.00 | 120,000.00 |
| | Subtotal | 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 | 67,548.00 | 67,548.00 | 540,384.00 |
| CLAIMS | | | | | | | | | | | | | | |
| | Regular CY Claim Payments | | | | | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 3,200,000.00 |
| | FYE25 Accrual | | | | | | | | | | | | | 770,000.00 |
| | Subtotal | 0.00 | 0.00 | 0.00 | 0.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 400,000.00 | 3,970,000.00 |
| DEQ Regulatory | | | | | | | | | | | | | | |
| | Personal Services | | | | | 125,000.00 | 125,000.00 | 125,000.00 | 125,000.00 | 125,000.00 | 125,000.00 | 125,000.00 | 125,000.00 | 1,000,000.00 |
| | Contracted Services | | | | | 3,000.00 | 3,000.00 | 3,000.00 | 3,000.00 | 3,000.00 | 3,000.00 | 3,000.00 | 3,000.00 | 24,000.00 |
| | Operating | | | | | 41,000.00 | 41,000.00 | 41,000.00 | 41,000.00 | 41,000.00 | 41,000.00 | 41,000.00 | 41,000.00 | 328,000.00 |
| | Subtotal | 0.00 | 0.00 | 0.00 | 0.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 169,000.00 | 1,352,000.00 |
| PROJECTION TOTALS | | 0.00 | 0.00 | 0.00 | 0.00 | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 | 636,548.00 | 1,406,548.00 | 5,862,384.00 |

STIP = Short Term Investment Portfolio

Board Staff Report

REPORT ITEM
November 18, 2024

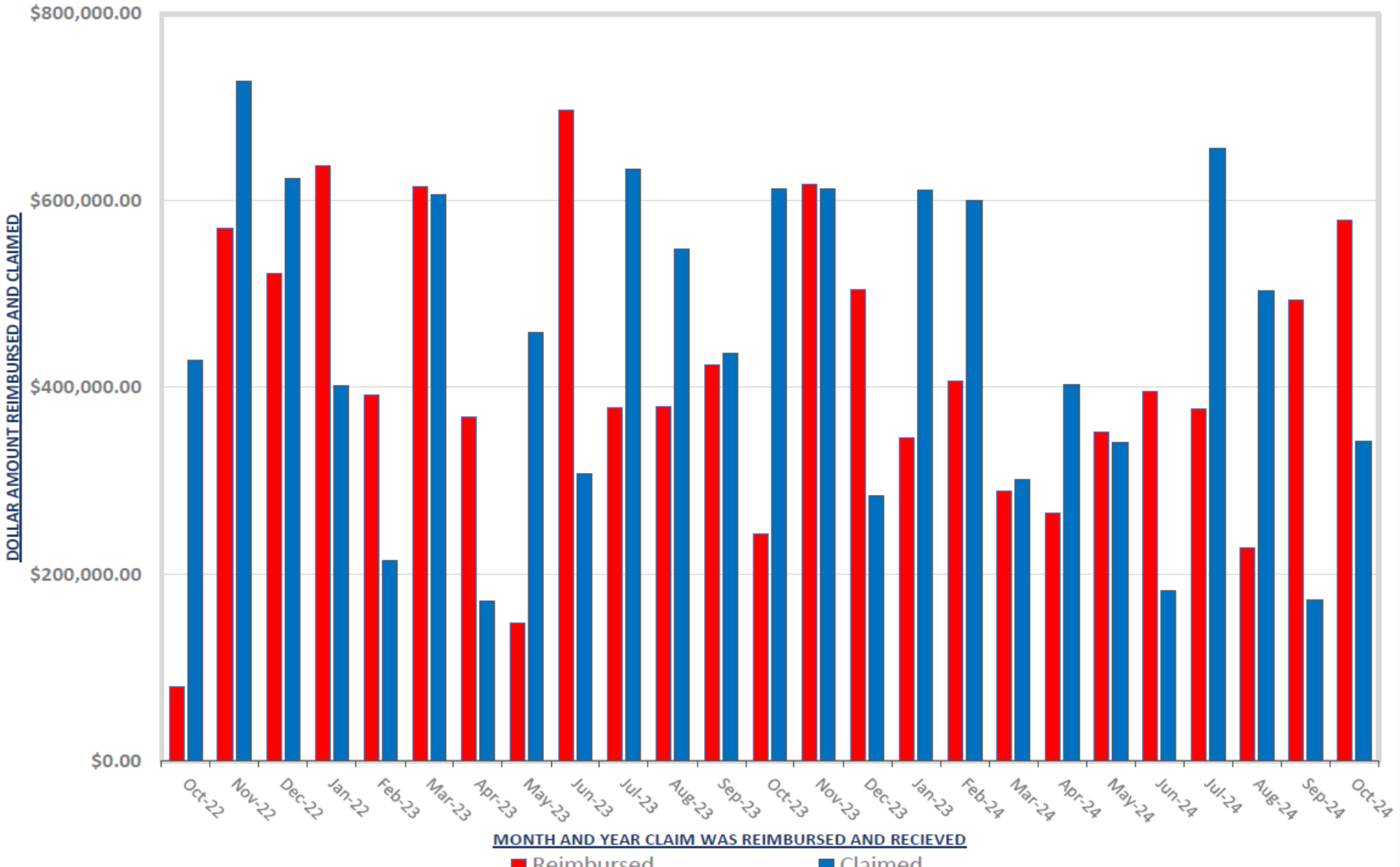
Board Staff Eligibility Graph



Board Staff Report

REPORT ITEM
November 18, 2024

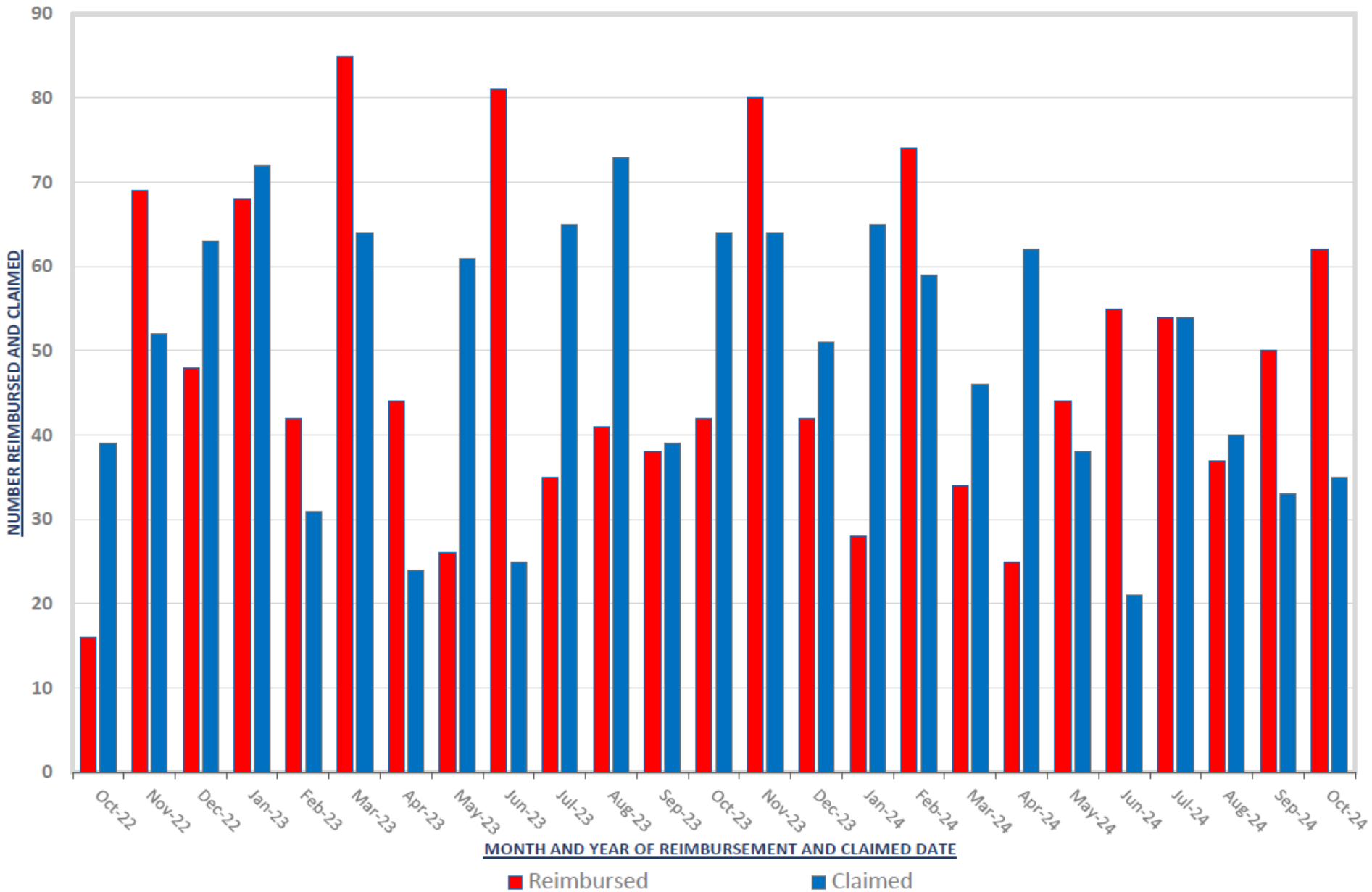
Board Staff Claim Value Graph



Board Staff Report

REPORT ITEM
November 18, 2024

Board Staff Claim Count Graph



Board Staff Report

Activity Status Report
Through October 2024

REPORT ITEM
November 18, 2024

| Reporting Category | Status |
|---|----------------|
| Amount of Fund balance in Petroleum Tank Release Cleanup Fund | \$7,554,283.27 |
| Portion of the Fund balance that is allocated or encumbered Encumbrance is based on DEQ requesting and approving Work Plans and Board staff setting aside money for those WPs through an “obligation” process. | \$7,504,934.87 |
| 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 | 31 days |
| Average processing days for non-suspended claims in past 12 months | 50 days |

PTCS Report

REPORT ITEM
November 18, 2024

Summary of Confirmed and Resolved Petroleum Releases

New Petroleum Release Activity August 23, 2024 – November 4, 2024

| Release Status | Activity |
|--------------------|----------|
| Suspect Releases | 7 |
| Confirmed Releases | 4 |
| Resolved Releases | 5 |

Summary of All Petroleum Release Activity through November 4, 2024

| Release Status | Activity |
|-----------------|----------|
| Total Confirmed | 4841 |
| Total Resolved | 3945 |
| Total Open | 907 |

Summary (Current) of Petroleum Releases Managed by PTCS

| Release Status | Activity |
|----------------------|----------|
| Total Open | 854 |
| Total PTRCB Eligible | 576 |
| *Other | 278 |

*Other – Ineligible, Pending, Withdrawn, Suspended, Not Applied

WPs Over \$100,000

- Sinclair Retail 25009, Helena***
(1889 Coffee House)
- Facility #25-02093, Rel #441***
- WP #716834884, PetroFix injection***
- Estimated Costs \$187,717.10***

WPs Over \$100,000

- Frmr Roy Stanley, Kalispell***
- Facility #15-00065, Rel #473***
- WP #716834474, Supplemental
Cleanup – expanded excavation,
landfarm, backfill, compaction, soil
sampling, GWM and reporting.***
- Estimated Costs \$123,295.38***

Public Forum

Next Scheduled Board Meeting
is
February 3, 2025