

AGENDA

PETROLEUM TANK RELEASE COMPENSATION BOARD MEETING

November 10, 2025

10:00 a.m.

Teleconference Information Available Upon Request

Contact: gpirre@mt.gov or taylor.pirre@mt.gov

Colonial Building, 2401 Colonial Drive, Helena, MT – Wilderness Room (Second Floor)

NOTE: Individual agenda items are not assigned specific times. For public notice purposes, the Board will begin the meeting at the time specified. However, the Board might not address the specific agenda items in the order they are scheduled. The Board may take action on any of the items on the agenda. The Board encourages public participation in Board Discussions. Persons who wish to participate should identify themselves to the Board Presiding Officer or Executive Director prior to the Board’s consideration of the matter in which the persons are concerned. Anyone wishing to participate in Board discussions will be recognized by the Presiding Officer in keeping with normal Board parliamentary procedure. For disability accommodation, please contact DEQ Personnel at 444-4218.

10:00 Board Meeting

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V. Public Forum

Under this item, members of the public may comment on any public matter within the jurisdiction of the Board that is not otherwise on the agenda of the meeting. Individual contested case proceedings are not public matters on which the public may comment.

VI. Next Proposed Board Meeting date: February 9, 2026

VII. Adjournment

Election of Presiding and Vice-Presiding Officers

PETROLEUM TANK RELEASE COMPENSATION BOARD
MINUTES
September 15, 2025
IN-PERSON AND TELECONFERENCE HYBRID MEETING

Board Members in attendance were Grant Jackson, John Monahan, Curt Kelley, and Jess Stenzel, with Calvin Wilson, and Tom Pointer in attendance via Zoom. Also in attendance were Terry Wadsworth, Executive Director; Garnet Pirre and Ann Root, Board staff; and Stuart Segrest, Board Attorney. Kristi Kline was absent.

Presiding Officer John Monahan called the meeting to order at 10:00 a.m.

Approval of June 16, 2025, Minutes

Mr. Monahan stated that, upon reviewing the previous Board meeting's minutes, he noted work plans (WP) given to the Board staff had lacked documentation needed to determine the reasonable and necessary costs in response to a release. He stated he believed it was essential that the narrative contained in a WP should match the budget of the WP, and that the WP should incorporate information that led to the proposed work as outlined in the most recently submitted report. He stated that the Board and Board staff needed to have complete documentation that provided justification for the actions being undertaken and the associated costs. This way, it could be understood how each proposed and approved action related to what was reasonable and necessary at the site. Mr. Monahan stated that this was in reference to an occurrence during the June 16, 2025 Board meeting in which the work being done at the site had not actually been included in the WPs. Because of this, the Board staff did not know about some of the tasks that had been conducted and had refused certain costs. He noted, however, that if the Board staff had known what tasks were intended to be conducted at the site, the Board staff would have viewed the WP reimbursement differently.

Mr. Stenzel moved to approve the June 16, 2025 minutes. Mr. Jackson seconded. Motion passed unanimously by voice vote.

Reimbursement Percentage Dispute, Montana City Store, Fac #2201822, Rel #2709 and #206

Mr. Wilson and Mr. Pointer recused themselves from the discussion.

Mr. Wadsworth provided the Board with a summary of the disputed release. He stated that House Bill 189 (HB) had passed the legislature during the 2025 Montana Legislative Session. He stated that this legislation had changed the earliest release discovery date for eligibility to the Fund from April 13, 1989 to January 1, 1984. Because of this, the owner of the Montana City Store release #2709 applied for assistance from the Fund in accordance with the newly established legislative change. Release #2709 was discovered in 1988. The owner had applied for assistance from the Fund but was denied due to the earliest discovery date allowed to be eligible to the Fund at the time of the application was April 13, 1989. Now that the earliest date permissible had been pushed back to January 1, 1984, the Board staff was able to accept and process the re-application for Release #2709. The facility is recommended eligible for the Fund based on HB-189. He stated that, when the staff looked at the compliance of the facility, the staff determined that there had been some noncompliance issues associated with the facility. These noncompliance issues required the suspension of all claims associated with the facility until the owner has returned to compliance. He stated that it was his understanding that the owner had since returned to compliance. Because of this, the Board was now required to render an opinion with regards to the percentage of reimbursement to be applied for the release at the site.

Mr. Wadsworth stated that 75-11-309 (3)(b)(ii) MCA, outlines that:

“upon a determination by the Board that the owner or operator has not complied with this section or rules adopted pursuant to this section, all reimbursement of pending and future claims must be suspended. Upon a determination by the Board that the owner or operator has returned to compliance with this section or rules adopted pursuant to this section, suspended and future claims may be reimbursed according to criteria established by the Board. In establishing the criteria, the Board shall consider the effect and duration of the noncompliance.”

Additionally, per ARM 17.58.336(7)(a), “claims, subject to the provisions of 75-11-309(2), MCA as well as 75.11.309(3)(b)(ii), MCA must be reimbursed according to” the schedule shown in the rule. Mr. Wadsworth stated that what the Board staff did was examine the period of noncompliance, apply the table in statute (*sic*, rule) depicting the schedule, and made a recommendation based on the statute and rules. He stated that when there were missing monthly leak detection records at a facility, that facility could not come into compliance until a year after the month from which the record was missing.

Twelve months of records were needed for a facility to be deemed in compliance. He stated that these types of matters had come before the Board in the past and what the Board had done was to examine the severity of the noncompliance. If an owner was missing twelve months' worth of records, and the tank had been leaking for ten (10) months, the missing amount of records would be a significant factor towards the decisions made about the facility, due to the degree of contamination and amount of financial cost to the Fund.

Mr. Monahan noted that he found when reviewing the site's history, all of the compliance violations had long since been closed, with dates from 2008 and 2016. Mr. Wadsworth stated that, as far as he was aware, all of these past violations had been closed. However, the most recent violation, which was still unresolved, had been missing tank records from the past few months in 2025. He stated that the owner could speak more about this. Mr. Wadsworth added that the Department of Environmental Quality (Department)'s Underground Storage Tank (UST) section usually gave the owner a corrective action plan (CAP) and if corrective action was being done they would then consider the owner back in compliance. This was especially common in circumstances such as the current item of discussion, the missing of several months of tank records. He stated that in this case, it wasn't that the facility's tanks hadn't been monitored, but rather that the paperwork indicating the tanks had been monitored was missing. He stated that the Department had given the owner a CAP with the recognition that the missing records would need to be found and properly files. Mr. Wadsworth stated that it was his understanding that the owner went above and beyond this, and that the owner had performed tests to ensure that the tanks were not leaking. The Board staff's responsibility was to follow the law and present the Board with the facts and the law, while the decision on how to apply the law was at the Board's jurisdiction.

Mr. Wadsworth stated that, in this case, it was worth looking at other similar cases that had come before the Board where the Board had made a decision on similar facts. He noted that per 17.58.336(7)(e) ARM, there were several factors the Board could consider in its determination of the impact of noncompliance on the proposed reimbursement of a release. A couple of those considerations were: (1) determining if the noncompliance presented any significant increase in risk to public health or the environment, and (2) if there was a significant additional cost to the Fund due to the noncompliance. In the case of this noncompliance, there was no additional cost to the Fund. There was also the question in the statute about whether the delays were caused by circumstances outside the control of the owner. Mr. Wadsworth stated that, in this case, the owner had some control, as they performed the tests, but did not record that they had done the tests. One of the last considerations was whether there was an error in the issuing of an administrative order (AO). There had been no AO issued in this case, as the Department had deemed it to be a minor infraction of the compliance. The owner did not realize they had been neglecting these reports, and when the Board staff was reviewing the eligibility application for Release #2709, this was discovered. The owner saw that there were records missing and did what was needed to retrieve the missing information.

Mr. Wadsworth stated that, in this case, the first piece of information that needed to be addressed was the release's eligibility to the Fund. He noted there was no question as to the eligibility. Mr. Wadsworth stated that Mr. Monahan had asked him about this earlier, and that one of the requirements of the law was if the facility was in compliance at the time the releases were discovered. This was so in this case. Therefore, under the statutory changes that were established based on HB-189 at the 2025 Montana Legislative Session, the facility was recommended eligible by the Board staff. However, it was recommended eligible for zero (0) percent reimbursement due to the noncompliance. Because of this, Mr. Wadsworth recommended the Board motion and vote on the eligibility first, and then the reimbursable amount eligible after hearing from the owner.

Mr. Monahan stated the first topic the Board was acknowledging, based on HB-189, was that the facility was eligible for reimbursement from the Fund. Mr. Wadsworth stated that this was correct. Ms. Pirre clarified that this was exclusive to Release #2709.

Mr. Jackson moved to ratify Release #2709 as eligible as recommended by the Board staff. Mr. Stenzel seconded. Motion passed unanimously by voice vote with Mr. Wilson and Mr. Pointer recused.

Mr. Monahan noted the recommended reimbursement from the Board staff was 0%. He asked if this portion covered both Releases #2709 and #206. Mr. Wadsworth confirmed this was so, as both releases were covered for this portion of the discussion. He stated that this was because the noncompliance at the facility affected the entire facility and therefore all the releases at the facility. In addition, both of these releases were still active. The decision made on the percentage amount of funding eligible would affect both releases at the site. Mr. Monahan stated, for clarity, that the missing reports were automated reports generated out of a tank monitoring system, which was verification that the system was operating correctly. Mr. Wadsworth added that it appeared that the report was generated but not retained.

Mr. Kelley asked for an explanation on how report generation functioned for the operator, and how this functioning could be a factor in missing some of the reports. Mr. Monahan stated that automatic tanks gauge printed reports daily, generally at night when there was no activity on the system. The system would run a pressure check on the lines to ensure that there wasn't a two-tenths reduction in pressure on the line. If there was a reduction in pressure on these lines, it could indicate a release. Mr. Monahan noted that this did not necessarily mean there was a release into the environment, as it could indicate an issue with the check valve or that the line was actually leaking back into the tank. No matter the cause, if a pressure anomaly was detected in these checks, the system would be automatically shut off. This way, the owner would be warned if there was an issue with the system that needed to be investigated. What each facility was required to do was to save one (1) of these printed-out reports for every month of the year. He stated that this was an issue that may be worth having the Board or Department look into, as these reports were printed on three (3) inch strips of thermal paper. He recalled a previous case where an owner had these records for January and March, but not February. During this time, the Department concluded that the system was still likely working, since the system was operational and functioning fine in the months surrounding the month with the missing report. Because of this, Mr. Monahan asked if it was worth penalizing a site from reimbursement if it still had enough evidence that it was operationally sound, while the owner only lost a small piece of paper. He noted that there were other technologies he wanted the Board and Department to look into as far as allowing a facility to be in compliance with their reports. He stated that he understood the Department's interest in the owner having a report for every month, but that there could be more reasonable ways of gathering this data for every month than an easily lost piece of paper. Mr. Monahan stated that the other point he wanted to make was that, if a single month's report was missing, that facility was out of compliance for a year.

Mr. Monahan asked if the owner was available to speak at this time. Mr. David Hunter, co-owner of the Montana City Store Facility along with Mr. Chris Rehor, introduced himself to the Board. He thanked Mr. Wadsworth and the Board for their cooperation with the legislation during a very contentious legislative session. He noted that HB-189 was one of the few bills that passed both houses unanimously and stated that he appreciated the Board's knowledge and Mr. Wadsworth's cooperation with the representative in drafting the bill. He was thankful for their cooperation and help.

He stated that he was requesting the Board's discretion as they considered the noncompliance. He stated that both he and Mr. Rehor believed they were eligible for the Board to grant full reimbursement. He stated that the missing records had not resulted in a release or additional cost to the Fund, and, because of this, they believed the facility could be deemed statutorily compliant. He stated that, when they had discovered there were missing records, they asked the Department to come to the site to perform the line test to ensure that there was no leakage in the line. The Department came to the site, performed the line test, and the system passed the test. He stated that the missing reports were a function of there being a turnover in the facility's managers. They had asked the outgoing manager to ensure that the assistant manager was promoted and up-to-speed on what needed to be done, but that certain aspects of training had fallen through the cracks. He stated that before the Department stepped in to perform the tests, the new manager would gather the report every day but then attach that report to the fuel invoices and give them to the bookkeeper. The bookkeeper then used them to ensure they were paying for the right amount of fuel, but neither the bookkeeper nor manager understood that these records needed to be retained. This is what caused the records to go missing. In this, it wasn't that the company did not look at the test records, but rather that some of the months of records hadn't been retained due to a lapse in training for the new staff. He stated that, in this, he believed that the facility was still in compliance. He expressed his appreciation of the Board's consideration and cooperation and indicated he was open to answer any questions.

Mr. Monahan asked Mr. Wadsworth if the facility was required to perform the line tests to get the facility back into compliance. Mr. Wadsworth said this was not necessary. Mr. Monahan asked if, because of this, it was correct to assume that the owners had gone above and beyond the call of duty to ensure that, before they appeared before the board, the system was working correctly. Mr. Wadsworth said that this was so, and, to go a step further, they had performed the tests before they knew about the 0% reimbursement recommendation. He noted that, as soon as the owners knew they were out of compliance, they performed the tests to ensure that there had not been a release they had missed at the site. He stated that, in terms of going above and beyond with their tests, they had no statutory requirements under the Department's UST program or the Fund to run these tests, but still did everything they could to correct the circumstances.

Mr. Wadsworth stated that Mr. Brett Smith, Underground Storage Specialist, Underground Storage Tank Program, may be present to discuss this case further. Mr. Smith introduced himself to the Board. Mr. Monahan asked if Mr. Smith could provide his input, as he noted that similar circumstances had come up in past meetings. Mr. Smith stated that he agreed that similar circumstances had come up before. Mr. Monahan asked if he had explained it all correctly. Mr. Smith answered that Mr. Monahan had explained it correctly, as had Mr. Wadsworth. He stated that one other thing worth noting as a small nuance which was that, according to the Department's rules, the monthly leak detection records could be provided, or, alternatively, an annual leak detection testing record with a second one being provided 365 days later. He noted that the owners had been missing a few records on the monthly records, but that their annual record was not only complete, but that these records were

being compiled every six (6) months instead of once per year as a backup method. In this, the owners had a backup for the backup method.

Mr. Monahan asked Mr. Smith if he believed the owners were being responsible in this. Mr. Smith stated that he believed this was so.

Mr. Monahan asked if there were any additional questions. Seeing none, Mr. Monahan stated that the next step was to vote on the eligible percentage reimbursable for Releases #2709 and #206.

Mr. Kelley moved to ratify Releases #2709 and #206 eligible for 100% reimbursement. Mr. Stenzel seconded. Motion passed unanimously by voice vote with Mr. Wilson and Mr. Pointer recused.

Final Adoption Approval MAR 2025-195.2

Mr. Monahan stated that no comments had been received either in writing or during the public hearing; therefore, the Board staff did not recommend any changes to the rule package, and recommended approval be given to the final adoptions outlined in the package. Mr. Monahan asked if there were any questions regarding the rule process or the package.

Mr. Monahan asked Ms. Pirre if he was correct that there had been no comments or questions during the public hearing. Ms. Pirre confirmed this was so. She stated that there were some questions received via email and answers were provided, but there were no comments received either in writing or via the meeting.

Ms. Pirre provided the Board with a summary of the effect of the adoption of the rulemaking package. Ms. Pirre stated that she had an inquiry from the attorney for the Environmental Quality Council who had asked about the effective date for the rulemaking package. She stated that the rulemaking package was tied to Senate Bill (SB) 315 – *Generally Revising Laws Related to the Board for Reimbursement of Preventative Measures*, as well as additional changes that were made for clarification. The SB 315 has an effective date of January 1, 2026. As a result, the rule packet would also not be effective until then, as it was not worth taking apart the different components in the package to make effective dates for each section. She stated it was better to make it comport with the statute regarding preventative costs. She stated that, when she submitted the final adoption, she had the option to state the effective date for it, which would be January 1, 2026.

Mr. Jackson moved to ratify the MAR 2025-195.2 rulemaking package as presented. Mr. Wilson seconded. Motion passed unanimously by voice vote.

Eligibility Ratification

Mr. Wadsworth presented the Board with a summary of the eligibility recommendations for ratification. There were four (4) releases recommended to be eligible with Montana City Store previously decided.

<i>Location</i>	<i>Site Name</i>	<i>Facility ID #</i>	<i>DEQ Rel # Release Year</i>	<i>Staff Recommendation Date - Eligibility Determination</i>
Box Elder	Jitter Bugs	0032592 32592	6697 March 2025	Reviewed 8/8/25. Recommended Eligible.
Bozeman	Blue Basket #4	1613115 TID 21812	6694 April 2025	Reviewed 8/27/25. Recommended Eligible.
Miles City	Town Pump of Miles City	0907081 TID 19460	6705 May 2025	Reviewed 8/27/25. Recommended Eligible.
Montana City	Montana City Store	2201822 TID 22494	2709 Oct 1988	Reviewed 8/27/25. Ratified Eligible with 100% reimbursement.

Mr. Monahan recused himself from any matters regarding Hi-Noon Petroleum, Jackson Energy, and any of their dealer locations or customers. Mr. Pointer recused himself from any matter concerning customers of Tank Management Services. Mr. Stenzel recused himself from any matters regarding Marsh & McLennan or its legacy company, Payne West. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank’s customers. Mr. Wilson recused himself from any matter regarding EnergiSystems and customers. Mr. Jackson expressed no known conflict of interest.

Mr. Jackson moved to ratify the remaining eligibilities as recommended by the Board Staff. Mr. Kelley seconded. Motion passed unanimously by voice vote.

Weekly Reimbursements

Mr. Wadsworth presented a summary of weekly claim reimbursements for the weeks of June 4, 2025 to August 27, 2025.

WEEKLY CLAIM REIMBURSEMENTS September 15, 2025, BOARD MEETING		
Week of	Number of Claims	Funds Reimbursed
6-4-25	23	\$200,812.76
6-18-25	19	\$131,951.45
7-9-25	12	\$116,894.35
7-23-25	12	\$71,361.05
8-6-25	12	\$57,083.19
8-13-25	17	\$172,231.58
8-27-25	19	\$72,224.93
Total	125	\$853,935.97

Mr. Wadsworth presented the Board with a summary of the denied claims. There were five (5) denied claims:

<i>Denied Claims</i> September 15, 2025 Board Meeting	
Claim ID	Reason Denied
20240528J	Olympus Invoice 16216 costs previously claimed on claim 20200724E.
20250410C	Claimed Work Plan Preparation Costs not associated with 2023 wp 34512. These claimed costs were incurred 2 years after work plan 34512 was approved by DEQ. Likely these costs are related to work plan 34855.
20250407A	Task 9 (Utilities) claimed costs exceed available budget and that was the only costs in claim.
20231218J	Task 2 – Project management costs exceed the established standards set forth in ARM 17.58.341.
20250527B	Claim withdrawn on consultant’s request.

A discussion was held concerning the fact that ongoing utility costs are sometimes overlooked when a consultant creates a work plan and that these costs are denied reimbursement. If the system is not operating, it can result in the accumulation of unnecessary utility costs which are not part of an approved work plan. When these costs are not part of a department approved plan the costs are not reimbursable by the Fund. It was noted that the denial can be avoided by submitting a Change Order (Form 8) for the expected utility costs.

Mr. Monahan recused himself from any matters regarding Hi-Noon Petroleum, Jackson Energy, and any of their dealer locations or customers. Mr. Pointer recused himself from any matter concerning customers of Tank Management Services. Mr. Stenzel recused himself from any matters regarding Marsh & McLennan or its legacy company, Payne West. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank’s customers. Mr. Wilson recused himself from any matter regarding EnergiSystems and customers. Mr. Jackson expressed no known conflict of interest.

Mr. Jackson moved to ratify the weekly reimbursements and five (5) denied claim as presented. Mr. Stenzel seconded. The motion passed unanimously by voice vote.

Board Claims

Mr. Wadsworth presented the Board with the one (1) claim for an amount greater than \$25,000. He stated that the Board staff recommended ratifying the reimbursement of this claim over \$25,000.

Facility Name Location	Facility-Release ID#	Claim#	Claimed Amount	Adjustments	Penalty	Co-pay	**Estimated Reimbursement
Gasamat 564 Great Falls	704618 6619	20250804A	\$40,164.09	-0-	-0-	\$17,500	\$22,664.09
Total			\$40,164.09	-0-	-0-	\$17,500	\$22,664.09

*** In accordance with the 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.**

Mr. Monahan recused himself from any matters regarding Hi-Noon Petroleum, Jackson Energy, and any of their dealer locations or customers. Mr. Pointer recused himself from any matter concerning customers of Tank Management Services. Mr. Stenzel recused himself from any matters regarding Marsh & McLennan or its legacy company, Payne West. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank’s customers. Mr. Wilson recused himself from any matter regarding EnergiSystems and customers. Mr. Jackson expressed no known conflict of interest.

Mr. Kelley moved to ratify the Board claims as presented. Mr. Wilson seconded. The motion passed unanimously by voice vote.

Discussion Items

Threshold discussions for release responses were held in accordance with §75-11-309(1)(d), MCA during the discussion portion of this meeting, as follows.

Release 3606, WP 719834989, Horizon Resources, Fairview, Exceeding \$100K in Costs

Ms. Latysa Pankratz, Section Supervisor, Petroleum Tank Cleanup Section (PTCS), presented the Board with a summary of the release. Horizon Resources Cooperative was the responsible party for the release, and they had chosen WGM Group (WGM) as their consultant. WGM prepared and submitted the WP on behalf of Horizon Resources. The Department-approved WP was for utility location, remedial injection, confirmation soil boring installation, groundwater monitoring, and the disposal of soil cores and purge water. The estimated cost of the WP was \$75,972.32.

The release was discovered in 1998, when contaminated soil and groundwater were detected that exceeded risk-based screening levels (RBSLs). She stated that the Department-approved WP and budget was different from what Mr. Wadsworth would be briefing on next. The WP was a cleanup plan, which the Department approved, and would focus on cleaning up soil and groundwater contamination. The method the Board staff had proposed was discussed during the local government comment period. The Department did not find this to be an acceptable method, and the Department did not approve of putting injectate into the designated compliance monitoring wells.

Mr. Monahan asked if the owner was present to speak about the release or release response. Mr. Chad Ellis, Manager, Horizon Resources, introduced himself to the Board. He stated that Mr. Tyler Etzel, Geologist and Environmental Consultant, WGM, was present to discuss the site.

Mr. Monahan asked if Mr. Etzel would like to address the Board. Mr. Etzel stated that WGM had prepared a release closure plan based on correspondence with the Department. He stated that the most effective method that would bring the site to

closure was chosen, which ended up being the application of PetroFix®. He stated that the Fund (*sic* Board staff) stated that the usage of PetroFix® was too expensive for the concentration levels present at the site. He noted, however, that for the past six (6) years, there had been no noted reductions in benzene concentrations at two (2) wells. Those two wells were the sentinel wells on-site. He noted that, because the site was in Eastern Montana, and therefore further away, it was especially important to get the site cleaned and to closure as quickly and as efficiently as possible. The release had been open since 1999. Because of this, he stated that WGM wanted to get the site to closure. He noted that, instead of PetroFix®, the Board staff had suggested the direct application of nutrients and enzymes into the wells. Mr. Etzel stated that he believed this option would not be very successful, as this method would not treat a large enough area and would not have the desired impact to a larger area. Because of this, Mr. Etzel stated that WGM group wanted to request the approval to use PetroFix® to help in closing the site.

There was a discussion about the work plan being approximately \$76,000 and not a work plan over \$100,000. It was noted that the threshold discussion was occurring because the cumulative reimbursement, plus the co-pay and the addition of the estimated costs of this particular work plan, \$75,927.32, created the expectation of the RELEASE exceeding \$100k. The expectation of exceeding a \$100k threshold was the impetus for the discussion.

Mr. Monahan asked Mr. Etzel if he had anything else he wanted to add to the discussion. Mr. Etzel responded that he was open to answer any questions that others had and would answer them if he could. He stated that WGM was doing the best they could for the responsible party, and that the responsible party had conducted themselves well in terms of doing all that the Department had requested, and that they wanted to see the responsible party helped because of this.

Mr. Monahan asked Mr. Etzel how long it would take to move the site to closure if PetroFix® was injected. Mr. Etzel answered that he believed the PetroFix® would put the contamination below the Department's RBSLs fairly quickly. He noted that there would need to be a minimum of two (2) years of groundwater monitoring, which he believed was what had been recommended. He stated that once the site testing had two (2) years of levels below RBSLs, then the site could be closed.

Mr. Wadsworth stated that the Board staff did not see the necessity of this particular work. He stated that the release was discovered in 1999. At the time of the discovery, around 80 cubic yards of soil was excavated at the release location. In 2001, about 630 cubic yards of petroleum-contaminated soil was removed. Groundwater monitoring had been conducted at the site since 1999, over a period of 26 years. The two (2) wells Mr. Etzel had mentioned had currently low concentrations of petroleum constituents that had shown a decreasing trend of petroleum constituents. The proposed scope of work included injecting 3,200 pounds of PetroFix® with a direct push probe with over 8,000 gallons of water to address two (2) wells. One (1) well had 13 parts per billion (ppb), while the other had nine (9) ppb. He stated that this was the only contamination that was left.

Mr. Wadsworth stated that the Board staff found the current proposal to be an expensive and excessive approach based on the data they had seen from the site. The best time to administer PetroFix® would have been in 2012 when the benzene concentrations were near 5,000 ppb. The current maximum was 13 ppb. PetroFix® was too expensive, and if the consultants had instead proposed an Oxygen Release Compound (ORC), the Board staff would likely be more favorable to that option. At the current contamination levels, the Board staff did not see the need for remediation treatments greater than nutrient introduction into the subsurface. The maximum contamination level allowed was five (5) ppb, and he stated that it would not take much to bring the 13 ppb down to that minimum level. Alternatively, the Board staff had found that adding nutrients such as nitrogen, sucrose, and enzymes to the well would be a more cost-effective solution at these low concentrations. The nutrients would stimulate the growth of the naturally occurring microbes that would accelerate the breakdown of the remaining benzene to acceptable levels. In fact, if nutrients would have been introduced into the subsurface as part of the 2019 or 2022 work plans, this work plan and the associated costs may not have been necessary.

Mr. Wadsworth stated that the Board staff did not recommend reimbursing the proposed PetroFix® injection, and he stated that instead, the Fund should be used to reimburse a more cost-effective alternative such as amendment introduction. He stated that the Board staff did not see the necessity of a PetroFix® injection when the same closure could be accomplished with nutrients and amendments at a cost savings of \$50,000. He noted that Mr. Etzel had already indicated there would be two (2) years of groundwater monitoring after the proposed injection of PetroFix®. He stated that the Board staff's contention was that the addition of nutrients would still bring the contamination down to the maximum contaminant level allowed after the two (2) years of groundwater monitoring. Because of this, the Board staff was not willing to reimburse the additional \$50,000 on PetroFix®. He stated that, if the owner and consultant had wanted to resolve the release faster, the PetroFix® alternative should have been implemented in 2012, at the height of the contamination. He stated that he was certain that the site could be remediated with a more cost-effective alternative, and being more cost-effective factored into the costs that the Board staff would consider for obligation.

Mr. Wadsworth stated that the owner was welcome to use the PetroFix® at their own expense, but that the Fund would not reimburse for those unnecessary costs. He added that not only did the Board staff recommend nutrient and enzyme usage as the cleanup alternative, but he also wanted the members of the Board staff to be present to observe its implementation at the site's location. Mr. Monahan added the staff's presence would be accomplished at the Board's expense, to which Mr. Wadsworth agreed. Mr. Wadsworth stated that this would be to ensure that the nutrients and enzymes were being administered properly at the wells on-site. Mr. Wadsworth reiterated that it was important to note that one (1) of the wells was at 13 ppb while the other was at nine (9) ppb, and that both concentrations would need to be reduced to five (5) ppb. He stated that the methods to remediate this site did not need to be expensive, and that the small cost of administering enzymes and nutrients would likely be enough.

Mr. Kelley asked Mr. Wadsworth if the consultant had planned to apply the PetroFix® to all of the wells at the site, or only the two (2) where it would be most effective. Mr. Wadsworth stated that what the consultant was planning to do was create injection holes near the wells and place the PetroFix® via the holes. He noted that the injections would be in the vicinity of where the well concentrations of 13 ppb and nine (9) ppb had been observed. He stated that the enzymes could be placed into the specific well themselves or near the wells. He noted that sufficient water would need to be introduced with the enzymes to raise the water levels in the wells to obtain a sufficient radius of influence. If the nutrients and enzymes were placed into the environment, the biological organisms would automatically be drawn to the source mass and would multiply around the source mass. Nutrient injections, meanwhile, would feed the biological organisms and allow them to grow around the contamination, breaking it down as they multiplied. By contrast, PetroFix® needed to be injected into the center of mass of the concentration to be effective. Mr. Wadsworth stated that, from the Board staff's perspective, the application of enzymes was sufficient, as it was an inexpensive alternative due to the affordability of the enzymes which work on low concentrations. He stated that what the consultant was proposing with PetroFix® was an alternative that would have been effective at a high concentration like 5,000 ppb. The use of PetroFix® would require the cost to use and the costs to transport the injection equipment. These costs are not necessary for nutrient and enzyme introduction.

Mr. Monahan asked if what Mr. Wadsworth was recommending was for the consultant to try the implementation of the nutrients first, have the well be tested the year after they were added, see if it was effective, and to continue in that direction if it was; or alternatively return to the PetroFix® plan if it was ineffective. Mr. Wadsworth agreed and added that, alternatively, a less expensive injectate, such as ORC could also be considered if the nutrient plan was ineffective.

Ms. Pankratz stated that she understood that the Board staff was looking at costs when it came to this discussion. She stated that the Department believed the consultant had created an effective WP to address contamination across the site. She stated that although the practice was used sometimes in the past, injecting directly into a compliance monitoring well was not good practice and was not something the Department would approve. She stated that she found the conversation concerning in that the Board staff was telling the owners and consultants to do work that was outside of a Department-approved WP. She noted that the WP was looking at residual soil contamination in the surrounding area as well as groundwater contamination in the wells. She stated that monitoring well number 10 had around the same level of concentrations it had back in 2019. Because of this, she noted that there had not been much reduction in contamination over the past six (6) years in that area, give or take seasonal changes affected by shifts in the groundwater table. She stated she would need further confirmation from Mr. Etzel as well as Mr. Reed Miner, Environmental Project Officer, PTC, but that it was the environmental consultant working in their expertise alongside a vendor and their expertise to address the site, rather than to address a single compliance monitoring well. The Department did not recommend injecting it into a well and that was not something the Department was going to approve.

Mr. Stenzel asked what the concern was with injecting into the compliance monitoring well. Ms. Pankratz answered that the well had a specific purpose - to be a monitoring well. She added that she understood that injecting directly into wells could cause some crystallization in the sand pack. She asked Mr. Miner and Mr. Etzel to provide further clarification if she was incorrect. Additionally, the plan was not just to address the contamination in the well, but also to address the contamination at the site as a whole. She stated that injecting directly into the well was pushing at a pore in the ground, but it would have a hard time moving into the ground, whereas putting it in at different points at the site would better address the smear zone. If the residual soil was addressed, the water in the monitoring wells would also be cleaned by extension.

Mr. Monahan asked if Mr. Etzel or Mr. Miner had any comments to add. Mr. Etzel stated that he could not hear everything Ms. Pankratz was saying, but that he believed she had been talking about the concerns with injection into the monitoring wells, which were also compliance wells, and how it could negatively affect such wells. He stated that he agreed with her assessment as he understood it, as he did not have a history of experience with injecting enzymes or nutrients into wells, as he was not sure it was performed often. He stated that he was unsure whether it would be effective in addressing a large area, as it seemed to him that it would specifically treat the area around the well. He stated that he believed this would produce an initial lowering of concentrations, followed by a rebound effect. He added that he believed one would have to administer nutrient and enzyme

injections multiple times over a long period of time, which in turn would have a large mobilization expense. He stated that, based on his experience, this would make the cost-effectiveness much less achievable. This treatment would likely require multiple trips to the site. Because of this, he stated that he believed nutrient and enzyme injections would not be as effective as PetroFix®. He stated that the administration of PetroFix® would only require one (1) mobilization to the site to inject the compound and address the problem. Afterwards, there would be two (2) more rounds of groundwater monitoring, and then the site would be able to obtain closure. He stated that, if they were to go with nutrient injections, WGM would need to go back and revise their WP, the process of which would cost more time and money to the Petro Fund and the owner.

Ms. Pankratz stated that WGM could work with the Department to discuss this but DEQ could not approve injection into a monitoring well. She stated that there had only been a few consultants that had injected directly into wells long ago, but that she believed doing so was not standard industry practice. She stated that she recognized that this was a cost concern, and that the owner and Department could work to create a new WP, but that the Department would not approve the direct injection into monitoring wells.

Mr. Wadsworth stated that the Board staff had the option to conduct a third-party review of this particular recommendation. He stated that it should be recognized that similar activities of introducing nutrients and enzymes into a few wells that remained above action levels had been conducted both in other states as well as the State of Montana. Additionally, he stated that the Board staff's proposal was not to inject the enzymes, but to introduce them. Because the product being introduced is nutrients and enzymes, no fouling or crystallization of the well occurs. The enzymes and sugars are simply incorporated into the subsurface by allowing it to enter the aquifer through the well. There would be no crystallization at the well because the enzymes and nutrients do not contain minerals such as calcium carbonate and are not injected at high pressures. Rather they are simply introduced. Nutrient introduction had been done in the state of Montana in the past, as well as approved by the Department in the past. Mr. Wadsworth had not noted any change in guidance documentation that would have abolished this option as an alternative to what was being proposed. He noted that the consultant had indicated that he was unfamiliar with the method of enzyme introduction and its effectiveness. Being unfamiliar with a remediation technology was not the Board staff's issue. The staff's issue was that \$50,000 could be saved if a different alternative was implemented. He stated that, from his perspective, the owner and consultant should be allowed the opportunity to consider the alternative to potentially save \$50,000.

Mr. Wadsworth added that the other thing he wanted to have recognized was that the recommendation for the use of the PetroFix® ultimately came from a vendor who was trying to sell a product. Because of this, he stated that the vendor could have recommended an amount beyond what was necessary for the cleanup of the site. There was evidence that they did not need to inject as much PetroFix® as proposed. The proposal included injection of PetroFix® into an area delineated by non-detect. If they reduced their proposed injection area to just the area between five (5) ppb (the mcl) and the high of 9 or 13 ppb, then, the volume of PetroFix® needed would only be half, or potentially a third, the amount proposed in the work plan.

Mr. Wadsworth stated that he did not see the necessity of PetroFix® due to the possibility of more cost-effective alternatives and wanted to see an alternative proposed. He was interested in seeing the evidence that indicated why the Department could not approve the use of nutrients and enzymes when the State of Montana had utilized them in the past. He stated that he wanted to see the evidence that the alternative he described was not viable. He clarified that the owner was not required to do as the Board staff recommended. His objective was to draw attention to the idea that there were remedial alternatives that were not as expensive as what was proposed. He stated that he did not see any harm to the wells or the environment resulting from going down the route he had suggested. He was recommending that the owner and consultant draft a more cost-effective plan to address the contamination at the site that is known to not exceed 13 ppb.

Mr. Stenzel asked for clarification of the following:

- was he correct in noting that around \$21,000 of the costs were the PetroFix® chemical itself,
- could a geoprobe be used to introduce the nutrients, and
- was the equipment cost the same for PetroFix® and nutrient introduction, and
- would the usage of such equipment appease both sides.

Nutrients can be introduced with a geoprobe at about the same cost to inject. However, Mr. Wadsworth clarified that nutrient introduction does not require injection equipment. The costs of the injection equipment can be saved by introducing nutrients into a well rather than injecting via a probe. If you choose the less expensive alternative of nutrient introduction, you don't have the cost of the injection equipment and you have less expensive product. If you are going to go to the expense of using injection equipment, one would likely want the product that worked faster and potentially had a higher degree of probability of success. He indicated that a higher probability of success with injection could consist of the using both nutrients and PetroFix®. The PetroFix® could be used to create a funnel and gate system, reactive wall, or curtain that could address the

contamination plume. A PetroFix® curtain could be placed around the contamination which might cost around a tenth of the expenditure proposed in the WP and the nutrients could be injected inside the area controlled by the curtain.

Mr. Wadsworth indicated that the concentrations are so low that release only needed a little help to fall below action levels. In Mr. Wadsworth's opinion, the consultant and Department were concerned about the fact that something could happen that would damage the monitoring well. Mr. Wadsworth stated that all that would be done was the addition of nutrients and enzymes to the subsurface and there would not be anything done to damage the wells. He stated that the consultant was concerned about the radius of influence for the enzymes, and he stated that introduction of the enzymes and the nutrients to the subsurface had an immediate radius of influence but also had an area of influence that grew larger over time. Over time, the enzymes would spread further into the formation. The nutrients can be placed so they migrate downgradient into the contamination plume. The point Mr. Wadsworth wanted to make was that the plume was not moving. The enzymes would find the contamination, as they would be drawn toward the plume. Once the plume was gone, the enzymes would die off.

Mr. Etzel stated that Mr. Miner was the project manager at the Department for the site and was the Department's lead environmental science specialist. He stated that he had been working with Mr. Miner on the site, and that previous enzyme nutrient injections at other sites in Montana had been attempted, but that, according to Mr. Miner, they either had consultant-acknowledged or results that suggested problems with adequate dispersal. He was unsure how the consultants had attempted this application in the past, but that, according to Mr. Miner, this had been a reoccurring problem with the particular method that Mr. Wadsworth had proposed.

Mr. Wadsworth stated that he had asked Mr. Miner to provide the Board staff with this evidence in the past, and at present, he had not seen any communication from Mr. Miner that provided Mr. Wadsworth with any evidence showing the failure of the particular technology. Mr. Wadsworth stated that he was proposing this idea because he wanted to show a way to save the site \$50,000. He stated that his nutrient introduction alternative did not have to be the solution to save costs, there are other cost-effective remedies. Mr. Wadsworth stated that his main point was that he believed it was not necessary to spend that much funding on a site with very little contamination, and he did not have the scientific evidence to convince him that the proposed alternative would not be successful. He stated that he would like to have the evidence that it cannot be successful, and if it is not there are other alternatives that were more reasonably cost-effective at the site. He felt that the current approach was overkill and he wanted to be provided with the necessary information in order for cost-effective decisions to be made.

Mr. Monahan asked if Mr. Miner was present to speak. Mr. Miner introduced himself to the Board. Mr. Monahan asked if Mr. Miner had any information to offer as to how effective the nutrient introduction process had been in the past, and if this information could be forwarded to the Board staff and then the Board. Mr. Miner stated he could do this.

Mr. Monahan asked if the information could be assembled and the Department, the consultant and the Board staff could meet to discuss and come to a consensus on. Mr. Wadsworth stated he hopeful that a consensus could be reached. Mr. Etzel stated he was happy to do what was best for his client, as well as what the Department and Board staff agreed to.

Proposed Meeting Dates 2026

Mr. Monahan presented the Board with the proposed calendar of Board meeting dates for 2026, which would be an action item at the November 10, 2025 Board meeting, along with the annual election of presiding officers. He stated the listing of proposed meeting dates for 2026 listed included their appropriate close of agenda and packet mailing dates. Ms. Pirre added that if anyone had a scheduling conflict with the proposed meeting dates, to let her, Mr. Monahan, or Mr. Wadsworth know so that the dates could be adjusted.

Legal Report

Mr. Stuart Segrest introduced himself to the Board and provided the Board with a Summary of the Legal Report. He stated that he was a University of Montana graduate, and that he spent the first 14 to 15 years of his career working at the Montana Attorney General's office representing the State and State agencies. He stated that, since 2021, he had been in private practice, but a large portion of his clients were still State agencies and local government entities, which included other boards and commissions. He stated that he was looking forward to working with the Board and asked forgiveness for any potential technical errors on his part as he presented information.

The current status of *Cascade Cnty v. Mont. Petroleum Tank Release Comp. Bd.* was left with the Montana Supreme Court's opinion which granted the mandamus action to the District Court. He stated that the mandamus action was when a court stated to an agency to take an administrative action. However, in this case, the demand to the agency was to make a decision, which

was a unique statement to give an entity. He stated that the court, as he understood the case, was not directing the Board how to decide, but rather to make a decision as far as the Cascade County request. He noted that, at the last Board meeting, Mr. Wadsworth had indicated this matter could be ready for a Board decision, but Mr. Segrest stated that it was not currently ready. He stated, however, that the Board may be ready to make a decision by the November 10, 2025 Board meeting. He noted that the court had stated that the Board had previously not approved or denied the costs claimed, and that the Board had stated the claims could not be approved or denied until the costs were sorted into their respective releases. Because of this, he stated that this was the decision that needed to be made, which was the initial denial or approval of claimed costs.

Mr. Segrest asked if Mr. Wadsworth had any comments to add. Mr. Wadsworth indicated that if the court instructs the Board to make a decision between the present meeting and the November 10, 2025 Board meeting, that the staff will need a chance to see what the court had provided and work with the Board attorney for guidance as to what the Board staff should do with the Cascade County claims, there would be a recommendation in the packet and the Board staff would be asking the Board to approve the recommendation.

Mr. Segrest added, as a follow-up, that the Montana Supreme Court did not issue the mandate. Rather, they told the District Court to issue the mandate to the Board to make the decision. He noted that there was an additional issue, as the Montana Supreme Court's remand order was placed into the wrong file, as there was more than one file for Cascade County versus the Board. The error was later recognized at the District Court clerk's office, and the documents were now in the correct file awaiting action.

Mr. Wadsworth stated that this was the status of the Cascade County Case. Mr. Monahan stated that the current action was to wait for a response from the District Court. Mr. Wadsworth stated this was correct.

Mr. Segrest stated that the other legal issue with an update was the communications between the Northern Cheyenne tribe regarding a potential claim. He stated that, from his understanding, since the last meeting, there had not been further communications between Mr. Brian Chestnut of Ziontz Chestnut LLP, Attorneys at Law, who were the attorneys for the Northern Cheyenne Tribe, and either the Board's attorney or Executive Director. Mr. Segrest noted that it appeared that the Board staff was awaiting a response.

Fiscal Report June FYE25 and July FY26

Mr. Wadsworth presented the Board with a summary of the Fiscal Report. He stated that, of note in the report for fiscal year end 2025, the total revenue collected ended up being \$7,752,248. He stated that this could be compared to the budget for financial year 2026, which had a total projected revenue of \$7,860,548. He stated that the projected revenue for financial year 2026 was close to what the Fund had received for financial year 2025. He stated that he believed the final projected revenue total for financial year 2026 would be slightly higher than what was shown currently.

Board Staff Report

Mr. Wadsworth presented the Board with a summary of the Board staff report. He noted there had been five (5) eligibility applications received from June 2025 to the end of July 2025, as well as the one (1) eligibility received in May 2025. He stated that the eligibility application received in May 2025 was the Montana City Store facility that had been an action item earlier in the meeting. He noted that the owners had originally applied early on before the statute changed with HB-189. He stated that, because of HB-189 as well as the ratifications made at this Board meeting, the eligibility would be updated from ineligible to eligible. He stated that included in the eligibilities for June and July 2025 were for the Jitter Bugs', Town Pump of Miles City, and Blue Basket #4 facilities, which had all been ratified earlier in the meeting. He stated he was available for questions at this time. There were no questions.

DEQ Petroleum Tank Cleanup Section Report (PTCS)

Summary of Confirmed and Resolved Petroleum Releases

Ms. Pankratz presented the Board with the Summary of Confirmed and Resolved releases. She stated that, between June 2, 2025 and September 2, 2025, there had been two (2) suspect releases, three (3) confirmed releases, and 13 resolved releases. As for all release activity up to September 2, 2025, there had been a total of 4,844 releases confirmed, 3980 releases resolved, and 904 releases that remained open. She stated that, of those releases, PTCS managed a total of 851 open releases, 578 releases were eligible for the Fund, and 273 had been categorized as "other".

Mr. Monahan noted the 13 releases that had been closed and expressed that this was nice work.

Circle K Store 2746272 (Former Holiday Stationstore 272), Facility #21-08068, TID 22350, Rel #3537 & #5212, WP #716835042 & #716835043, Havre, Priority 3.0

Ms. Pankratz presented the Board with a summary of the WP over \$100,000. She stated that Circle K Stores, Inc. (Circle K) was the responsible party for releases #3537 and #5212, and they had retained Tetra Tech, Inc. (Tetra Tech) as their environmental consultants. Tetra Tech had submitted the WPs 716835042 and 716835043 on behalf of Circle K to remediate the petroleum-contaminated soil and groundwater along with decreasing the threat of soil and vapor intrusion in the nearby buildings. The WP proposed a pilot test of a trap-and-treat injection into the area around the Marden's Trailer Sales facility, along with continued operation and maintenance of the soil vapor extraction system (SVE), free product recovery, groundwater monitoring, vapor sampling, and reporting. The total cost estimate combined for the two (2) WPs was \$164,070.65.

Ms. Pankratz provided the Board with a summary of the history of the releases. Release #3537 was discovered in October 1998 when diesel-contaminated soil that exceeded RBSLs was encountered during equipment upgrades. Release #5212 was discovered in April 2017 when gasoline was observed to be leaking from fittings above the submersible turbine pump for the premium gasoline UST.

Mr. Monahan asked Mr. Wadsworth if he had any comments from the Board staff. Mr. Wadsworth stated that the Board staff did not have much to offer on this brief, other than that this was a carbon injectate WP with groundwater monitoring, as well as the operation and maintenance of the existing SVE system at the site. He noted that, in the WP, Task 5, which was for the carbon injections, was the highest cost in the WP. He stated that the Board staff had recommended a competitive bid process on the injections. The cost estimate had since arrived, which allowed the Board staff to verify that they had a reasonable cost estimate for the product.

Farmers Union Oil Co. Circle, Facility #29-06376, TID 24902 & 32428, Rel #3689 & #3803, WP #716835040 & #716835041, Circle, Priority 3.0

Ms. Pankratz presented the Board with a summary of the WP over \$100,000. She stated that the Farmers Union Oil Co. Circle (Farmers Union) was the responsible party for releases #3689 and #3803, and that they had retained West Central Environmental Consultants (WCEC) as the environmental consultant. WCEC had prepared and submitted WPs 716835040 and 716835041 on behalf of Farmers Union. The Department-approved WP was for in situ treatment of the petroleum-contaminated soil and groundwater; and the identification of what work is needed to resolve the releases. The estimated cost of the WP was \$109,914.47.

Ms. Pankratz provided the Board with a summary of the history of the releases. She stated that release #3803 was reported in July 1999, when contaminated soil was encountered during the removal and closure of the USTs, piping, and dispenser islands at the former service station. Release #3803 was reopened in 2020 after review of the Department file and the 2016 Laser-Induced Fluorescence (LIF) investigation, which identified petroleum contamination that persisted in the former dispenser island, piping, and UST locations at the former service station. Release #3689 was reported to the Department in March 1999 when approximately 100-200 gallons of dyed diesel was released during fuel delivery into the above ground storage tank (AST).

Mr. Monahan asked what an LIF investigation was. Ms. Pankratz answered that it was laser-induced fluorescence (LIF). The LIF investigation had been performed for release #3689, during which it was found that #3803 still had contamination, though it had been closed. An old bulk facility had also been identified in the area that also operated under Farmers Union and had a contaminated area.

Mr. Monahan asked Mr. Wadsworth if he had any comments from the Board staff. Mr. Wadsworth stated that the Board staff did not have many comments to offer for this WP. He stated that the WP was mostly split evenly between the two releases, but that, because of the allocation with regards to the land farming task, the split was respectively closer to 55% and 45% rather than 50% and 50%. He stated that, other than this, the Board staff was obligating for the monitoring of the 14 wells proposed in the WP; however, he noted that the number of wells sampled once the plan was enacted might be reduced from 14 to a smaller number.

Ms. Pankratz presented the Board with a summary of the WP over \$100,000. FJ Management, Inc. was the responsible party for release #4365. The owner had retained Johnston Leigh, Inc. as their environmental consultant. The Department approved the WP for in situ treatment of the remaining petroleum-contaminated soil and groundwater, as well as the identification of work that would be needed to resolve the release. The estimated cost for the WP was \$134,060.50.

Ms. Pankratz provided the Board with a summary of the history of the release. She stated that the facility had been in operation since the 1960s, with release #4365 having been reported in 1999 when a leak was found in an underground distribution pipe near the dispensers on the south side of the facility. Since its discovery, there had been a consistent history of remediation work performed at the site.

Mr. Monahan asked if, with all the remediation work that had been performed at the site, the contamination levels reported had been coming down. Ms. Pankratz stated that she did not have the data related to this at present. Mr. Monahan stated that the reason he had asked was because he noticed that the summary stated that groundwater results indicated residual results of additional hydrocarbons.

Mr. Monahan asked if Mr. Wadsworth had any comments from the Board staff. Mr. Wadsworth stated that the scope of work included the injection of BOS 200®, which was a carbon injectate similar to PetroFix®. He noted that this injection would be performed by a subcontractor rather than a consultant and would be followed by two (2) rounds of groundwater monitoring. He stated that the WP, for the most part, looked reasonable. He noted that the release had been discovered in October 1999, but that the Board staff had no record of activity at the site until the soil borings in 2005. He stated that, based on the information available, it appeared there was no activity on the site until six (6) years after release discovery. He noted that the site's history also indicated the use of an SVE air sparging system that had been installed at the site in October 2008 and was in use until 2013, which indicated that this system had operated for around five (5) years. He stated that the site history section also indicated that excavation occurred in 2015. However, he also noted that what it did not indicate was that the excavation conducted in 2015 removed the soils that the SVE air sparging system had been remediating for five (5) years. This was not known by the Board staff in 2015, and nearly \$250,000 had been reimbursed for the installation, operation, and management of the SVE air sparging system when the excavation costs were reimbursed. He stated that the expenses for the SVE system were cast to the wind when the excavation occurred. He stated that it would have been more appropriate to have chosen the excavation alternative in 2008 rather than implementing an SVE air sparging system and operate it for five (5) years. He noted that while this was now an incident long since passed, it could still pose a problem for the owner in the coming years. He stated that the Board staff did not see a problem with the proposed scope of work. The main reductions to the WP were due to markup on the vendor-supplied product being used, which was not allowed by Board rule. He stated that it was noteworthy, given the earlier decision about the proposed activated carbon product; the concentrations at this site were still fairly high at some spots. Some concentrations were as high as 1,830 ppb compared to the 13 ppb in the release that had been part of the threshold discussion earlier in the meeting. He stated that, regarding potential future problems for the owner, it would be important for the consultant to implement the plan in a cost-effective manner and conduct any additional activities on the release in a cost-effective manner given that the cumulative reimbursement at the site so far was at \$723,335.67. The proposed costs of the WP, which were \$134,060.50, would mean the release would have only a little over \$100,000 of reimbursement still available from the Fund to assist the owner in moving the site to closure. He stated that, if the remaining costs to get the site to closure exceeded the available coverage from the Fund, those extra costs would be the responsibility of the owner. This is an example of how remediation choices can affect available funding. Because of the extra money that was used up when the SVE air sparging system was taken out and replaced with excavation, the owner was at risk of having to cover future costs without aid from the Fund. The Board staff wanted to help the owner move the site to closure before the maximum limit for funding was reached. Mr. Wadsworth wanted owners and Board staff to work together to prevent any extra costs from being incurred.

Mr. Monahan asked Mr. Wadsworth about notifications sent to the owner that provided a summary of cumulative funds reimbursed to date on their release. Mr. Wadsworth stated that this was done at certain thresholds, such as at \$600,000 total reimbursed. He stated that, in this case, he was stating to the owner and consultant through the Board meeting that they were coming close to the maximum amount of funds reimbursable and would need to be cost effective in the choices going forward. He stated that he felt it would be difficult to close this particular release without reaching the maximum amount reimbursable.

Mr. Monahan asked Mr. Wadsworth if it was the same consultant for this WP that had performed the work in 2008. Mr. Wadsworth stated that he did not have the answer to this question at the time, and that he was unsure whether it was the same consultant. He noted, however, that this was a similar case to other facilities in the area. He stated that this facility was near Miles City, and that other facilities near this had similar issues with having had an SVE air sparging system and later switching to excavation in hopes of moving the site to closure faster so that the property could be sold. These sites were close to the

Bakken Oil fields and there was demand for property. Excavation had a faster remediation timeline than an SVE air sparging system but was far more costly and meant that all of the costs already accumulated from the original plan would be thrown away. Mr. Wadsworth stated that he was not opposed to such a plan, but that he was opposed to doing it if the owner was not willing to pick up some of the costs. He noted it was the choice that was made by the owner and the consultant to originally implement the system. He stated that, in this, the owner and consultant needed to be conscious of the costs incurred, as the release was reaching its limit for the maximum amount reimbursable.

MDT Nashua UST Facility, Facility #60-15325, TID 31022, Rel #5285, WP #71835074, Nashua, Priority 2.0

Ms. Pankratz provided the Board with a summary of the WP over \$100,000. She stated that the Montana Department of Transportation (MDT) was the responsible party for the release and had chosen Water & Environmental Technologies (WET) as the environmental consultant. The Department-approved cleanup WP was for utility location, well abandonment, soil excavation, soil disposal, soil boring/well installation, tap water sampling, groundwater monitoring, and the identification of work needed to resolve the release. The estimated cost for the WP was \$186,289.36.

Ms. Pankratz provided the Board with a summary of the release. She stated that the release was first reported in 2018, when MDT encountered and removed an unknown UST within the right-of-way during the reconstruction of Front Street. The UST was corroded, perforated, and partially filled with water from an unknown source.

Mr. Monahan asked Mr. Wadsworth if he had any comments from the Board staff. Mr. Wadsworth stated that this WP included soil excavation that would go as deep as eight (8) feet, and that the Board staff was uncertain that this volume of soil removal would be necessary. He stated that not many of the soil samples collected in 2024 exceeded RBSLs. There was only one (1) soil boring sample that exceeded RBSLs, along with one (1) area that had exceedances in groundwater. Mr. Wadsworth stated that there were areas that the Board staff recognized as high concentrations, such as the one at the center of the proposed excavation. The highest concentration was at 1,650 ppb benzene in 2023. He stated that there were also readings that detected exceedances of 100 Parts per Million (ppm). He believed the consultants should be diligent about only removing soil with significant contamination levels that translated to either dermal contact exceedances, or exceedances in groundwater. In other words, the exceedances need to be considered in relation to the volume of soil needed to be removed. He added that the consultants would possibly need to replace waterlines depending on concentration levels once the excavation got as deep as eight (8) feet. Near the waterline, the consultants would be able to utilize field equipment to discern the soil concentrations, and whether or not the waterline needed to be replaced. He stated that the Board staff understood this was a possibility, and that it would require a Form 8 in the event that this needed to happen. There were two (2) wells that needed to be abandoned, which were nested wells that needed to be removed because they were in the way of the excavation. The consultant proposed to combine 1,500 of calcium peroxide with clean backfill, which would then be placed in the base of the excavation. The amendment of the backfill, along with the application of an ORC product prior to the placement of the backfill was intended to reduce the overall time required to achieve closure. However, the mixing of the calcium peroxide should be limited to the base of the excavation, as opposed to mixing with all of the backfill. Mr. Wadsworth noted that it was only necessary to get the peroxide adjacent to the areas with high concentrations. This would include the bottom and sides of the excavation as opposed to mixing with all of the backfill.

MDOT Swan Lake Site, Facility #24-08739, TID 23068, Rel #6494, WP #71835076, Swan Lake, Priority 3.0

Ms. Pankratz provided the Board with a summary of the WP over \$100,000. MDT was the responsible party for the release and had retained Olympus Technical Services (Olympus) as their environmental consultant. Olympus prepared and submitted the WP on behalf of MDT. The Department-approved WP was for excavation of petroleum-contaminated soil, the addition of oxygen enhancement amendment to the excavation, backfilling, compaction, landfarming, monitoring well replacement, and soil groundwater sampling. The estimated cost for the WP was \$119,452.22.

Ms. Pankratz provided the Board with a summary of the release. The facility was first established in the 1960s. The facility's USTs were installed in 1966 and were then removed and replaced in 1992. The USTs installed in 1992 were removed in 2000. There were also ASTs that were in operation from 2000 to 2010. Release #6494 was reported to the Department on April 19, 2022 when soil with elevated field screening results was observed during the installation of soil borings as part of an environmental site assessment. Analytical data confirmed the release.

Mr. Monahan asked Mr. Wadsworth if he had any comments from the Board staff. Mr. Wadsworth stated that the consultant was planning to remove some soils, land farm the excavated soil, destroy a well, and then replace said well. The Board staff had questions if this work was necessary, as the highest concentrations the Board staff had found in the data was 29 ppb benzene which had occurred in 2022. The consultants should monitor groundwater concentrations before conducting the work

proposed in the WP, as the concentrations could be much lower today (09/2025). There is a chance that concentration could be higher, but the concentration will dictate what should be done at the site, so the data is needed. There were significant errors in the consultant's budget, where subtotals were included that were not factored into the main total, which made it difficult to assess costs. Some estimated costs were reduced to or listed as zero (0) because of this issue. This made it difficult to give them a budget estimate, as there were certain tasks that did not have a cost listed in their budget, which made it hard to tell if the consultant wanted reimbursement for these tasks or what the total estimated cost for the WP was.

Mr. Wadsworth noted instead of the proposed mixing of ORC with the backfill, the consultant should be placing the ORC into the base of the excavation. He stated that the backfill was not contaminated and would not benefit from mixing with ORC. He stated that placing the ORC in the bottom of the excavation would reduce any remaining contamination that may be present in the soils that were not excavated. The cost of the ORC was not included in the total or subtotal contained in the WP budget or revised WP budget. It appeared to be an error, but the Board staff could not determine this for certain. It is expected that the consultant will need to correct the budget amount given that the placement of the ORC would be in the base of the excavation and not mixed with the backfill. Therefore, there would be less ORC used. Additionally, some ORC could be placed against the excavation's side walls, but the Board staff did not see the necessity of mixing the ORC with the backfill material. He stated that the Board staff had found a number of errors in the budget, and that it would be interesting to see the actual cost estimate of the backfill mixing once it was available.

There was no further discussion.

Public Forum

BL is Brad Longcake, JM is John Monahan

BL: [*Unintelligible*]

JM: Oh- Hang on- Hang on- we-

BL: [*Unintelligible*]

JM: Okay- I'm sorry- we couldn't- we couldn't hear Brad- Is that you, Longcake, that's speaking?

BL: Yeah, Mr. Chair-

JM: Who is-

BL: Mr. Chairman, this is Brad Longcake. Can you hear me okay?

JM: Yeah, I can now, Brad.

BL: Yeah, I just want to take a quick moment, uh, I guess for the record. This is Brad Longcake, director for the Montana Petroleum Marketers. I just want to take a quick moment and thank, ah, the PTR [*sic* PTRCB] staff, as well as the entire Board, DEQ, and all the members who participated during the legislative session. As many people indicated, it was quite a unique session this year. And so, you know, I'm happy to report that we, the Petroleum Marketers, worked on several bills with, uh, the Department and other key stakeholders and had a very productive session this year, including some of the topics that were discussed today. The Department's done a very good job trying to expand their relationship with the Marketers by attending our convention as well as one-on-one meetings that I'll actually have this afternoon with a few individuals as well. So, just wanted to say, great job to everybody involved. I know this is often times- can be sometimes frustrating and often times very emotional, but, um, everybody I think's doing a great job and again, from the marketer's perspective, we really appreciate, um, the candor that we've been able to get from everyone, and- and all the participation and support. So with that Mr. Chairman just wanted to say kudos to everybody, and, uh, thank you for the good meeting today.

JM: Thank you, Brad! We appreciate everything you did with the legislature as well. We appreciate the teamwork. It was awesome to have the Director of DEQ, Sonja, at our convention, this year. It really showed the public the fact that we're all working together for a common goal. So that- that is really encouraging to see, so- Um, I believe there was someone trying to make a comment before Mr. Longcake, however, we could not hear you. Are there any other comments?

There were no further comments at the Public Forum.

September 15, 2025

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The next meeting is scheduled for November 10, 2025. The place of the meeting will be sent out to all parties and published on the website.

The meeting was adjourned at 12:20 p.m.

Signature - Presiding Officer

**MONTANA PETROLEUM TANK RELEASE COMPENSATION BOARD
CLAIM FOR REIMBURSEMENT – PREVENTION AND COMPLIANCE
FORM 13**

Claims should be submitted per timing outlined in ARM 17.58.336(9). Please review the **Form 13 Instructions** before completing this form. If you require assistance, contact Board staff at 406-444-9710 or e-mail gpirre@mt.gov.

The total reimbursable amount that is allowed for this Prevention and Compliance Reimbursement is capped at \$2,000. If your claimed amount is over that, it will be adjusted. Please complete the form, obtain a notarial act for your signature, and include all the backup invoices needed to substantiate the claimed amounts outlined on Page 2 and totaled in Box 8 on Page 1. **This form should be filled out to pay the entity that incurred the costs being submitted for reimbursement and their relationship to the owner of this facility.**

1. Facility Information	
Name of Facility:	
Street Address:	
City:	
DEQ Facility Identification Number - TID	

2. Owner/Operator– Name and Address		3. Claimant – Name and Address		4. Payee – Name and Address Should be entity that incurred the costs	
Attn:		Attn:		Attn:	
Phone Number:		Phone Number:		Phone Number:	
Fax Number:		Fax Number:		Fax Number:	
Email Address:		Email Address:		Email Address:	
Do you want to receive Email about this claim?	Yes No	Do you want to receive Email about this claim?	Yes No	Do you want to receive Email about this claim?	Yes No

5. Other Contact to receive Information		6. Other Contact to receive Information		7. Other Contact to receive Information	
Attn:		Attn:		Attn:	
Phone Number:		Phone Number:		Phone Number:	
Fax Number:		Fax Number:		Fax Number:	
Email Address:		Email Address:		Email Address:	
Do you want to receive Email about this claim?	Yes No	Do you want to receive Email about this claim?	Yes No	Do you want to receive Email about this claim?	Yes No

8. Total amount of this claim (including all page 2's):	
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Facility Name:

Facility #:

9. Detail of Costs: This section must be completed for each corrective action plan (CAP).

Please review **Form 13 Checklist** for detailed information.

The allowed activities that can be submitted for reimbursement are listed in the table below. Please annotate your invoices with the amount claimed from each eligible activity as listed below.

Eligible Preventive/Compliance Activities	Amount Claimed	Invoice Numbers and amount of costs claimed from each I.E. #53678 - \$500, #77890 - \$800
Preventative Compliance Inspection – such as tri-annual inspections, walk-through inspections, hydrostatic testing and other preventive inspections		
UST tank removal investigations for aging tanks that have been in compliance and are nearing 30 years ol		
Replacement of single wall fiberglass reinforced plastic tanks that are 20 years or older		
Replacement of single wall steel tanks for underground tank systems that are 20 years old or older		
Piping replacements for single walled product piping		
Upgraded automatic tank gauges		
Removal of inactive tanks		

10. Acknowledgement of Payment (Form 6) is required for each invoice. Reimbursement will be issued and mailed to the party identified as Payee in Section 4 on page 1, the payee should be providing the proof of those costs that were incurred through the Form 6, a cancelled check image, or a memo on company letterhead from the entity receiving payment verifying they have been paid.

11. An Assent to Audit (Form 2) is required for each consultant, contractor, or subcontractor who has worked at the release site with billable labor charges.

PTRCB BUSINESS MEETING DATES 2026

Subject: Proposed PTRCB Meeting Dates for 2026

<u>Agenda Closed*</u>	<u>Packet Mailing</u>	<u>Meeting Date</u>
January 21, 2026	January 28, 2026	February 9, 2026
April 1, 2026	April 8, 2026	April 20, 2026
June 3, 2026	June 10, 2026	June 22, 2026
August 26, 2026	September 2, 2026	September 14, 2026
October 21, 2026	October 28, 2026	November 9, 2026

REFERENCE:

§75-11-318(3), MCA – Powers and duties of Board

The Board shall meet at least quarterly for the purposes of reviewing and approving claims for reimbursement from the fund and conducting other business as necessary.

*Materials to be included in the Board’s packet must be received by the Board staff by this date.

ELIGIBILITY RATIFICATION

*Board Staff Recommendations Pertaining to Eligibility
From August 28, 2025, through October 22, 2025*

<i>Location</i>	<i>Site Name</i>	<i>Facility ID #</i>	<i>DEQ Rel # Release Year</i>	<i>Staff Recommendation Date - Eligibility Determination</i>
Billings	Air Controls Billings	0032601 TID 32601	6739 July 2025	Review 10/2/25. Recommended eligible.
Billings	Rambur Constructions	0032594 TID 32594	6699 Apr 2025	Reviewed 10/20/25. Recommended eligible.
Glendive	Crossroads Conoco	5613872 TID 30551	3771 August 1999	Received 10/20/25. Recommended eligible.
Miles City	Child and Family Services	0032590 TID 32590	6696 Apr 2025	Reviewed 8/28/25. Recommended eligible.
Informational Only – Not for Ratification				
Superior	Energy Partners Superior	3108916 TID 25094	Voluntary Registration	Reviewed 9/26/25. Recommended potentially eligible if in compliance at time of a release discovery.

RATIFICATION OF WEEKLY REIMBURSEMENTS

WEEKLY CLAIM REIMBURSEMENTS November 10, 2025, BOARD MEETING		
Week of	Number of Claims	Funds Reimbursed
9-3-25	14	\$88,726.94
9-10-25	21	\$122,431.08
9-17-25	19	\$157,702.24
9-24-25	6	\$66,246.40
10-8-25	11	\$312,327.65
10-15-25	8	\$34,883.47
Total	79	\$782,317.78



Petroleum Tank Release Compensation Board

Weekly Reimbursement Summary for 9/3/2025

Org Unit: 993050

Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250310G	5606609	300	Short Stop	Billings	2/25/1991	\$11,545.23	\$201,389.62	\$1,282.80	Report
20250602J	2410647	6500	Mountain View Cenex	Saint Ignatius	9/14/2023	\$3,228.35	\$114,925.45		Rem Sys Rental
20250623A	1512499	1081	Western Way	Whitefish	6/30/1992	\$584.65	\$271,203.86		Monitoring
20250808B	5206316	2589	Friendly Corner	Hysham	11/20/2023	\$17,362.43	\$73,747.63	\$10.00	Laboratory Analysis w/fee
20250818N	2312064	2766	GW Sales Bulk Plant #2766	Stanford	10/30/1996	\$9,266.35	\$227,913.97		Laboratory Analysis w/fee
20250818T	9995062	4125	Big Hole Petroleum Bulk Plant	Wisdom	7/23/2008	\$11,600.21	\$469,296.73		Laboratory Analysis w/fee
20250818S	708700	2584	Town Pump Inc Great Falls 1	Great Falls	8/14/2000	\$7,259.02	\$387,669.40		Laboratory Analysis w/fee
20250701A	2504619	3330	Gasamat 563	Helena	8/17/1999	\$3,765.00	\$527,330.45		Laboratory Analysis w/fee
20250701B	2410647	6500	Mountain View Cenex	Saint Ignatius	9/14/2023	\$1,278.00	\$114,925.45		Laboratory Analysis w/fee
20250701C	1506101	1850	Kelly Raes	Kalispell	9/30/1994	\$3,566.00	\$318,483.29		Laboratory Analysis w/fee
20250701D	3203617	4769	Swan Valley Centre	Condon	1/21/2010	\$710.00	\$353,281.40		Laboratory Analysis w/fee
20241218I	2808832	3404	Former Teds Car Wash	Twin Bridges	11/1/2022	\$5,066.80	\$114,302.34	\$190.00	Laboratory Analysis w/fee
20250106T	2906376	3803	Farmers Union Oil Co Circle	Circle	3/26/2001	\$6,287.45	\$220,734.17		Report
20250106U	2906376	3689	Farmers Union Oil Co Circle	Circle	4/15/2015	\$7,207.45	\$510,973.41		Report

14 claims in the report

Total Reimbursement: \$88,726.94

Reviewed for Reimbursement by: Ann R. Root

Date 9/26/2025

Approved for Reimbursement by: Jerry Wadsworth

Date 10/6/2025



Petroleum Tank Release Compensation Board

Weekly Reimbursement Summary for 9/10/2025

Org Unit: 993050

Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250902D	701930	3624	Pro Lube 1	Great Falls	8/1/2001	\$4,079.15	\$118,020.85		Laboratory Analysis w/fee
20250902E	705777	3529	Brake Time 253722	Great Falls	11/25/1998	\$2,454.31	\$87,698.61		Monitoring
20250902F	407862	2560	Gallatin Farmers	Townsend	6/17/1996	\$7,845.00	\$612,658.34		Laboratory Analysis w/fee
20250902G	3600573	2763	Saco Conoco	Saco	2/5/1996	\$4,231.00	\$12,392.50		Mobilization
20250903A	4701980	1058	Butte School Dist 1 Bus Barn	Butte	3/29/2013	\$18,461.50	\$238,861.43	\$85.00	Fieldwork
20250904A	4711251	539	Montana Agri Food Industrial Com	Butte	6/29/1990	\$374.74	\$333,523.03	\$6.25	Miscellaneous
20250825A	4701980	1058	Butte School Dist 1 Bus Barn	Butte	3/29/2013	\$6,598.11	\$238,861.43	\$110.50	Rem Sys Install
20250828B	5309712	2686	Circle K Store 2746281	Glasgow	5/29/1996	\$3,733.75	\$191,172.83	\$96.39	Project Management
20250701J	2508708	4793	Town Pump Inc Helena 3	Helena	5/2/2011	\$14,383.03	\$102,140.17		Miscellaneous
20250707A	9995091	4729	Guaranteed Muffler Shop	Helena	2/17/2010	\$2,070.00	\$43,113.92		Work Plan
20250731B	208703	4581	Town Pump Inc	Hardin	8/30/2007	\$795.00	\$313,902.83	\$405.00	Work Plan
20250731C	208703	3437	Town Pump Inc	Hardin	9/24/2002	\$795.00	\$390,410.57	\$405.00	Work Plan
20250804E	102173	5349	Pintler Station	Wisdom	10/26/2023	\$567.00	\$16,999.14	\$693.00	Work Plan
20250818A	1004159	3605	Grain Growers Oil Co Scobey	Scobey	7/24/2007	\$4,971.94	\$898,624.08		Mobilization
20250818B	4200825	1141	Blue Rock Products Co	Sidney	9/27/2001	\$1,771.85	\$11,686.77	\$1,806.85	Mobilization
20250818E	4806438	3900	Davey Motor Co	Columbus	5/16/2000	\$3,009.62	\$94,488.57	\$319.48	Laboratory Analysis w/fee
20250818L	905859	5027	B & C OIL	Miles City	10/30/2017	\$5,035.77	\$44,876.75	\$90.00	Laboratory Analysis w/fee
20250818P	5608671	2007	On Your Way 105	Billings	1/19/1994	\$10,772.12	\$475,966.00		Laboratory Analysis w/fee
20250818V	5607797	4744	Lynch Flying Service	Billings	11/18/2009	\$1,430.00	\$80,324.00		Work Plan
20250822A	912945	1985	Sheffield Ranch Corp	Miles City	9/23/1994	\$19,789.90	\$262,991.57		Well Installation
20250701K	3708692	1277	Town Pump Inc Conrad	Conrad	9/16/1992	\$9,262.29	\$190,203.58		Laboratory Analysis w/fee

Total Reimbursement: \$

Tuesday, September 30, 2025

Payment Reports _ Weekly Reimbursement by Date

<i>Claim ID</i>	<i>Facility ID</i>	<i>Release ID</i>	<i>Facility Name</i>	<i>City</i>	<i>Initial Claim Reimbursement</i>	<i>Cumulative Reimb</i>	<i>Adjustments</i>	<i>Task Description</i>
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Reviewed for Reimbursement by: Ann R. Reest Date 9/30/2025

Approved for Reimbursement by: Jessie Madeworth Date 10/9/2025



Petroleum Tank Release Compensation Board

Weekly Reimbursement Summary for 9/17/2025

Org Unit: 993050

Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20231218M	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$11,183.73	\$323,944.83	\$1,304.00	Project Management
20240201F	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$21,205.37	\$323,944.83	\$3,353.00	Soil Removal
20240201G	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$10,599.01	\$323,944.83	\$2,262.00	Mobilization
20240201I	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$7,184.63	\$323,944.83	\$1,170.00	Miscellaneous
20240201M	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$2,085.93	\$323,944.83	\$1,267.00	Mobilization
20240314B	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$16,221.71	\$323,944.83	\$3,209.52	Miscellaneous
20240916C	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$5,868.82	\$323,944.83	\$1,429.36	Miscellaneous
20240916D	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$3,732.63	\$323,944.83	\$361.83	Soil Removal
20250710H	3300047	235	Farmers Union Oil Co Roundup	Roundup	8/23/1991	\$1,610.00	\$93,081.30	\$500.00	Work Plan
20250714D	2405517	482	Arnies Gas and Tire Center Inc	Ronan	4/12/1996	\$3,958.39	\$313,290.07		Monitoring
20250714G	1506101	1850	Kelly Raes	Kalispell	9/30/1994	\$5,828.40	\$324,311.69	\$23.30	Monitoring
20250725B	4708591	955	Lyons Motor Inc	Butte	3/31/1992	\$735.00	\$300,023.14	\$232.50	Monitoring
20250804A	704618	6619	Gasamat 564	Great Falls	8/4/2025	\$22,664.09	\$22,664.09	\$17,500.00	Well Installation
20250805B	2106480	3280	Roberts Big Sky Exxon	Havre	5/12/1999	\$1,904.00	\$65,079.91	\$0.00	GW Interim Data Submittal
20250808A	5610270	638	Deans Sinclair Service	Laurel	6/25/1991	\$2,115.00	\$449,538.44	\$10.00	Laboratory Analysis w/fee
20250828A	713729	6497	Circle K Store 2746059	Great Falls	1/25/2024	\$15,237.43	\$29,478.39	\$3,501.29	Well Installation
20250908A	3602371	1830	Greens Exxon	Malta	4/27/1994	\$5,731.25	\$373,976.29		Mobilization
20250908D	3300047	235	Farmers Union Oil Co Roundup	Roundup	8/23/1991	\$10,972.50	\$93,081.30		Laboratory Analysis w/fee
20250908G	504498	3932	Town & Country Supply	Bridger	5/24/2001	\$8,864.35	\$245,742.66		Laboratory Analysis w/fee

Total Reimbursement: \$

Wednesday, October 8, 2025

Payment Reports _ Weekly Reimbursement by Date

<i>Claim ID</i>	<i>Facility ID</i>	<i>Release ID</i>	<i>Facility Name</i>	<i>City</i>	<i>Initial Claim</i>	<i>Reimbursement</i>	<i>Cumulative Reimb</i>	<i>Adjustments</i>	<i>Task Description</i>
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Reviewed for Reimbursement by: Ann R. Root Date 10/6/2025

Approved for Reimbursement by: Jerry Wedgeworth Date 10/9/2025



Petroleum Tank Release Compensation Board

Weekly Reimbursement Summary for 9/24/2025

Org Unit: 993050

Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250701M	5604542	111	United Parcel Service Billings	Billings	1/26/1996	\$21,317.23	\$161,026.83	\$4,844.48	Laboratory Analysis w/fee
20250714B	1508723	611	Town Pump Inc Whitefish	Whitefish	12/18/1991	\$847.00	\$393,342.62		Laboratory Analysis w/fee
20250815A	4300030	5086	Oelkers Service Center	Culbertson	12/7/2015	\$1,058.63	\$38,011.00	\$287.62	Work Plan
20250818D	504498	3932	Town & Country Supply	Bridger	5/24/2001	\$3,587.55	\$245,742.66	\$251.25	Miscellaneous
20250818J	5606960	2660	Heights Car Care	Billings	12/23/1995	\$38,955.99	\$265,017.94	\$2,440.77	Miscellaneous
20250902B	708561	1963	Former Caldwells Service	Fort Shaw	2/3/1995	\$480.00	\$31,913.43	\$123.56	Work Plan

6 claims in the report

Total Reimbursement: \$66,246.40

Reviewed for Reimbursement by: Ann R. Reed

Date 10-21-2025

Approved for Reimbursement by: Jeff Madenwith

Date 10/22/2025



Petroleum Tank Release Compensation Board

Weekly Reimbursement Summary for 10/8/2025

Org Unit: 993050

Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250708B	1503915	4392	Zip Trip 39 formerly Noons 437	Kalispell	9/6/2005	\$727.45	\$16,296.70	\$902.46	
20250701E	5102025	3797	Taylor's Bulk Plant	Sunburst	4/1/2002	\$240,841.04	\$427,443.88	\$527.59	Soil Removal
20250714A	1513373	4494	Department of Military Affairs	Kalispell	3/1/2010	\$1,528.50	\$106,183.11	\$350.75	Project Management
20250714H	2404615	6505	Coulter Automotive Inc	Charlo	11/22/2023	\$4,329.00	\$16,639.39	\$4,429.00	Report
20250725E	1512499	1081	Western Way	Whitefish	6/30/1992	\$449.40	\$271,653.26		Laboratory Analysis w/fee
20250818F	206445	253	Hardin Auto Co	Hardin	1/25/1991	\$5,183.60	\$95,494.99	\$306.25	Laboratory Analysis w/fee
20250818I	3305030	3082	Conoco Convenience Center	Roundup	1/26/2001	\$16,300.30	\$157,349.89	\$1,080.60	Miscellaneous
20250818K	4204828	3053	Richland County S Ellery	Fairview	5/6/1999	\$30,329.90	\$84,322.92	\$605.25	Laboratory Analysis w/fee
20250908E	905859	5027	B & C OIL	Miles City	10/30/2017	\$770.00	\$45,646.75	\$20.00	GW Interim Data Submittal
20250915A	5613941	3855	Chevron Gas Station & Bulk Plant	Miles City	7/19/2013	\$9,272.31	\$80,031.00		Laboratory Analysis w/fee
20250915I	1105497	3807	Cenex Harvest States	Glendive	12/15/1999	\$2,596.15	\$422,800.63		Mobilization

11 claims in the report

Total Reimbursement: \$312,327.65

Reviewed for Reimbursement by: Ann R. Reed

Date 10-22-2025

Approved for Reimbursement by: Janey Madeworth

Date 10/24/2025



Petroleum Tank Release Compensation Board

Weekly Reimbursement Summary for 10/15/2025

Org Unit: 993050

Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250725D	1507361	2697	Bigfork Outdoor Rentals Inc	Bigfork	2/27/1996	\$3,224.60	\$214,050.93	\$6.25	Laboratory Analysis w/fee
20250804F	2508708	4793	Town Pump Inc Helena 3	Helena	5/2/2011	\$12,352.11	\$114,492.28		Laboratory Analysis w/fee
20250908C	4708687	6653	Town Pump Inc Butte 10	Butte	5/29/2025	\$5,194.52	\$5,909.52	\$5,194.52	Well Installation
20250915J	4808691	4028	Town Pump Inc Columbus	Columbus	7/19/2001	\$2,771.31	\$506,656.08		Mobilization
20250924A	3602371	1830	Greens Exxon	Malta	4/27/1994	\$930.00	\$374,906.29		Laboratory Analysis w/fee
20250929F	5600134	4480	Johnson Ford	Laurel	7/6/2006	\$1,613.75	\$24,047.29		Monitoring
20250721C	1509705	6241	CHS - Central	Kalispell	2/16/2021	\$3,079.40	\$93,952.84	\$1,827.15	Report
20250721D	1509705	5036	CHS - Central	Kalispell	1/14/2016	\$5,717.78	\$288,751.71	\$5,502.75	Laboratory Analysis w/fee

8 claims in the report

Total Reimbursement: **\$34,883.47**

Reviewed for Reimbursement by: Ann E. Root

Date 10-24-2025

Approved for Reimbursement by: Jerry Madenwith

Date 10/24/2025

CLAIMS OVER \$25,000.00 *
November 10, 2025

Facility Name Location	Facility- Release ID#	Claim#	Claimed Amount	Adjustments	Penalty	Co-pay	**Estimated Reimbursement
Town Pump Butte #4	5613911 6274	20221014F	\$177,121.73	\$82,598.97	-0-	-0-	\$94,522.76
Total							

* 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.

Reviewed for Reimbursement by:  Date 10/22/2025

Board Approval by: _____ Date _____



Petroleum Tank Release Compensation Board

PO Box 200902 Helena, MT 59620 -0902 (406)444-9710

<http://deq.mt.gov/cleanupandrec/programs/ptrcb>

October 20, 2025

BSS Inc DBA Butte 4 Town Pump LLC (OWNER)

Trent Biggers

PO Box 6000

Butte, MT 59701

Location

Butte

Facilit ID

5613911

Facility Name

Town Pump Inc Butte 4

SUBJECT: Recommended Adjustment(s) to Claim for Reimbursement

The Board staff has proposed the following adjustment(s) to this claim and has temporarily suspended it to allow an opportunity for you to comment on the proposed adjustment(s). Review the adjustments and contact me by phone or email within 14 calendar days of this date to discuss the specifics of any issue(s) you may have with the adjustment(s). After 14 days, the suspended claim will be released for processing.

If the adjustment can't be resolved at the staff level, you may dispute the proposed adjustment(s) at the next Board meeting. Should this be necessary, please notify me via email so that I may request to have this matter placed on the agenda of the meeting. Once the Board has made a determination, any dispute will be conducted according to Montana Code Annotated and compliant with the Montana Administrative Procedures Act.

Claim ID: 20221014F

Release ID: 6274

Ordinal: 9

Claim Amount: \$177,087.73

Reimbursement To-date: \$25,582.82

Adjustments:

<u>Action</u>	<u>Amount</u>	<u>Comment</u>	
Reduced	\$11,801.14	Costs attributable to WPID (7168)34302 (\$10,573.19 pre-6/11/2021, \$1,227.95 post-6/11/2021.)	\$10,573.19 \$1,227.95
Reduced	\$4,080.50	Costs outside the timeframe of the Emergency Response for Task 02 - Project Management.	
Reduced	\$2,079.43	Costs outside the timeframe of the Emergency Response for Task 03 - Mobilization.	
Reduced	\$7,447.05	Costs outside the timeframe of the Emergency Response for Task 04 - Free Product Recovery activity.	\$14,454.97
Reduced	\$337.50	Costs outside the timeframe of the Emergency Response for Task 10 - IDW disposal.	
Reduced	\$496.50	Costs outside the timeframe of the Emergency Response for Task 14 - Data Validation.	
Reduced	\$13.99	Costs outside the timeframe of the Emergency Response for Task 20 - Miscellaneous costs to be borne by owner.	
Reduced	\$1,616.25	Task 01 - Work plan preparation costs exceed the budget and exceed the established standards as set forth in ARM 17.58.341.	



Petroleum Tank Release Compensation Board

PO Box 200902 Helena, MT 59620 -0902 (406)444-9710

<http://deq.mt.gov/cleanupandrec/programs/ptrcb>

Reduced	\$33,571.25	Task 02 - Project management costs exceed the allowed budget and exceed the established standards as set forth in ARM 17.58.341 for a similar scope of work.
Reduced	\$1,107.47	Task 03 - Mobilization costs exceed allowed budget.
Reduced	\$14,786.90	Task 04 - Free Product activities exceed the allowed budget.
Reduced	\$650.75	Task 05 - Storm drain investigation costs exceed the allowed budget.
Reduced	\$115.50	Task 06 - Traffic control costs exceed the allowed budget.
Reduced	\$65.25	Task 14 - Data Validation costs reduced to appropriate staff level.
Reduced	\$1,577.50	Task 16 - Survey task not included in Department approved corrective action plan.
Reduced	\$1,205.00	Task 17 - Costs to be borne by owner - Insurance company communications.
Reduced	\$875.00	Task 18 - Costs to be borne by owner - communication with vendors.
Reduced	\$750.00	Task 19 - Costs to be borne by owner - communication with press.
Reduced	\$21.99	Task 20 - Miscellaneous costs to be borne by owner.
Total Adjustment	\$82,598.97	

If you have any questions please contact me at (406) 444-9715 or via email aroot@mt.gov.

Sincerely,

Ann R Root
Fund Cost Specialist

Task	Description	Budget	Claimed	Negotiated Compromise	Adj	Adjustment by Task / Category	
Before 6/12/2021							
1	Work Plan	\$540.00	\$2,156.25	\$540.00	\$1,616.25	\$1,616.25	
2	Project management	\$1,500.00	\$36,571.25	\$3,000.00	\$33,571.25	\$33,571.25	
3a	Mobilization - staff	\$13,728.00	\$2,310.60	\$2,258.21	\$52.39		
3b	Mobilization - tech III		\$49.80	\$47.93	\$1.87		
3c	Mobilization - tech I		\$3,779.78	\$3,483.95	\$295.83		
3d	Mobilization - senior ==> Tech		\$2,622.05	\$1,864.67	\$757.38		\$1,107.47
4	Free Product Activities		\$8,608.00	\$6,078.42	\$6,078.42		\$0.00
9g	Field work-Boom management (FPR)		\$19,786.90	\$5,000.00	\$14,786.90	\$14,786.90	
5	Misc - Stormwater drain investigation	\$3,448.00	\$2,640.00	\$2,568.00	\$72.00		
9b	Field work-drain scope oversight		\$1,478.75	\$900.00	\$578.75		\$650.75
6	Misc - Traffic Control	\$3,745.00	\$4,529.25	\$4,413.75	\$115.50		\$115.50
7	Soil Removal (Excavation)	\$0.00	\$22,367.18	\$22,367.18	\$0.00		
8	Soil Disposal (Excavation)	\$0.00	\$3,424.06	\$3,424.06	\$0.00		
9a	Field work-excavation oversight	\$440.00	\$4,320.00	\$4,320.00	\$0.00		
9b	Field work-drain scope oversight						
9c	Field work-Dam Structure oversight		\$3,495.00	\$3,495.00	\$0.00		
9d	Field work-wetland soil sample		\$387.50	\$387.50	\$0.00		
9e	Field work-surface water sample collection						
9f	Field work- Black Tail Creek sampling						
9g	Field work-Boom management						
10	Investigation Derived Waste (IDW)		\$7,307.29	\$7,307.29	\$0.00		
11	Misc - Temporary Mitigation Structure Installation and Removal		\$14,163.85	\$14,163.85	\$0.00		
12	Laboratory Analysis	\$0.00	\$7,509.19	\$7,509.19	\$0.00		
14	Data Validation Summary Forms		\$935.25	\$870.00	\$65.25	\$65.25	
15	Reporting		\$523.75	\$523.75	\$0.00		
16	Survey (William Henne Only, should be PM)		\$1,577.50	\$0.00	\$1,577.50	\$1,577.50	
17	Insurance Company Communications		\$1,205.00	\$0.00	\$1,205.00	\$1,205.00	
18	Communication with Trucking Company		\$875.00	\$0.00	\$875.00	\$875.00	
19	Press Communication		\$750.00	\$0.00	\$750.00	\$750.00	
20	Tools or supplies purchased and not used for the project		\$21.99	\$0.00	\$21.99	\$21.99	
	Subtotal:	\$32,009.00	\$150,865.61	\$94,522.75	\$56,342.86	\$56,342.86	
34302	Pertaining to WP 716834302 Before 6/12/2021	\$0.00	\$10,573.19		\$10,573.19	\$11,801.14	
	Pertaining to WP 716834302 after 6/11/2021		\$1,227.95		\$1,227.95		
All	Not 34302, not 20221117B and After 6/11/2021		\$14,454.97		\$14,454.97	\$14,454.97	
	Subtotal (Total (20221014F)):	\$32,009.00	\$177,121.72	\$94,522.75	\$82,598.97	\$82,598.97	

From: Paul G. Townsend <Paul.Townsend@townpump.com>
Sent: Tuesday, October 21, 2025 4:24 PM
To: Root, Ann
Cc: Environmental
Subject: [EXTERNAL] RE: [EXTERNAL EMAIL]Recommended Adjustments for Claim ID: '20221014F' - WPID (7168)34269 (Emergency Response), Town Pump Butte, Release 6274

Good afternoon Ann,

Thank you for sending over the documents and email. Trent Biggers and I have both reviewed and approve of the adjustments regarding Claim ID: 20221014F – WPID (7168) 34269 for Town Pump Butte #4, Release #6274.

We appreciate the Petro Funds work, help and understanding on this project,

Paul G. Townsend
Environmental Remediation Technician
Town Pump Solutions Team
P: (406) 497-6948
Paul.Townsend@townpump.com

Town Pump, Inc.
600 S Main Street
PO Box 6000
Butte, MT 59702
P: (406) 497-6700

From: Root, Ann <aroot@mt.gov>
Sent: Tuesday, October 21, 2025 2:30 PM
To: Trent Biggers <TrentB@townpump.com>; Paul G. Townsend <Paul.Townsend@townpump.com>; Environmental <Environmental@townpump.com>
Subject: [EXTERNAL EMAIL]Recommended Adjustments for Claim ID: '20221014F' - WPID (7168)34269 (Emergency Response), Town Pump Butte, Release 6274

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Trent and Paul:

Though the Town Pump Butte site is not in my usual geographical area, the Executive Director asked me to take the captioned claim through the Board’s standard claim process and ensure that costs were evaluated, adjusted, and allocated to the captioned work plan ID, as appropriate. This effort involved ensuring that costs in each invoice in the claim were properly assigned to tasks within the Emergency Response plan, if applicable, and adjusted as needed.

Attached is a communication indicating the recommended adjustments to Claim ID 20221014F that were discussed and agreed upon during the August 29, 2025 meeting between Town Pump and the PTRCB Executive Director. This sheet contains notations indicating adjustments related to the claim and the Emergency Response work plan. Also attached is a spreadsheet showing the claim information as discussed during August 29, 2025 meeting. This document is entitled 20221014F_Assessment_by_task.pdf. The table should be familiar to you and the numbers should match the spreadsheet discussed at the August 29, 2025 meeting. The right-most column in the sheet has been added and provides the adjustment subtotals/totals for each Task. Please note that the items marked in pink and green correspond to the notations on the Recommended Adjustment sheet.

This claim is for an amount greater than \$25,000.00 and it is our intention to present this claim to the Board at the November 10, 2025 meeting. Please review these adjustments and provide your approval or comments as soon as possible so that your acceptance of the adjustments can be included in the Board's packet. Once ratified, the claim will be placed into a weekly claim batch for reimbursement.

Let Mr. Wadsworth or myself know if you have any questions or concerns. We look forward to hearing from you and to getting this claim finalized. Thanks for your time and consideration.

Sincerely,
Ann

Ann R. Root
Fund Cost Specialist
Petroleum Tank Release Compensation Board
PO Box 200902
Helena, MT 59601
aroot@mt.gov

20221014F

**MONTANA PETROLEUM TANK RELEASE COMPENSATION BOARD
CLAIM FOR REIMBURSEMENT –CORRECTIVE ACTION
FORM 3**

Claims should be submitted upon completion of a task or tasks of a Department approved corrective action plan for a **single** petroleum release. **A separate claim form is required for each release.** Please review the [Form 3 Instructions](#) before completing this form. If you require assistance, contact Board Staff at 406-444-9710.

If costs for PTRCB-eligible release investigation and cleanup activities, for which you are seeking reimbursement, have been paid by another funding source and you would like to allocate them towards the required PTRCB copy for this release, please review our Form 11 and its instructions, found on the [Forms page](#) of our website, **BEFORE** completing and submitting this claim Form 3.

1. Facility and Petroleum Release Information	
Name of Facility:	TOWN PUMP INC BUTTE 4
Street Address:	3700 Harrison Ave
City:	Butte, MT 59701
DEQ Facility Identification Number:	5613911 ✓
DEQ Petroleum Release Number: (only one release #)	6274 ✓

RECEIVED
OCT 14 2022
Montana Petroleum Tank Release
Compensation Board

2. Owner – Name and Address		3. Operator – Name and Address		4. Payable to: – Name and Address (Required)	
Town Pump, Inc. ✓		Town Pump, Inc.		Town Pump, Inc.	
PO Box 6000 ✓		PO Box 6000		PO Box 6000	
Butte, MT 59701 ✓		Butte, MT 59701		Butte, MT 59701	
Attn:	Trent Biggers ✓	Attn:	Paul Townsend	Attn:	
Phone Number:	(406) 497-6700 ✓	Phone Number:	(406) 497-6700	Phone Number:	
Fax Number:		Fax Number:		Fax Number:	
Email Address:	environmental@townpump.com ✓	Email Address:	Pual.Townsend@townpump.com	Email Address:	
Do you want to receive Email about this claim?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Do you want to receive Email about this claim?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Do you want to receive Email about this claim?	Yes <input type="checkbox"/> No <input type="checkbox"/>

5. Claimant – Name and Address		6. Consultant – Name and Address		7. Any other person – Name and Address	
Water & Environmental Technologies		Water & Environmental Technologies		Water & Environmental Technologies	
102 Cooperative Way, #100		480 East Park Street		102 Cooperative Way, #100	
Kalispell, MT 59901		Butte, MT 59701		Kalispell, MT 59901	
Attn:	Brad Bennett	Attn:	Bill Henne	Attn:	Lisa Johnson
Phone Number:		Phone Number:	(406) 782-5220	Phone Number:	(406) 309-6085
Fax Number:		Fax Number:		Fax Number:	
Email Address:		Email Address:	bhenne@waterenvtech.com	Email Address:	ljohnson@waterenvtech.com
Do you want to receive Email about this claim?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Do you want to receive Email about this claim?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Do you want to receive Email about this claim?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

8. Total amount of this claim (including all page 2's):	\$177,087.73 ✓
--	---------------------------

E-MAILED
10/21/2022

\$177,121.73 based on spreadsheet breakdown submitted by WET, TW

12. Owner Certification: I certify under penalty of perjury that this submitted claim is for work that was actually completed; that the work performed was necessary to clean up the petroleum release at the facility identified in **Section 1**; that the cost of work for which reimbursement is sought is reasonable; and that to the best of my knowledge, all information herein provided is true and correct. **NOTE: If someone is submitting the claim on behalf of the owner/operator, skip Section 12 and complete Section 13. See the [Form 3 instructions](#).**

Owner/Operator Signature _____

Date _____

RECEIVED

Typed Name of Owner/Operator _____

OCT 14 2022

State of _____

County of _____

**Petroleum Tank Release
Compensation Board**

Signed and Sworn before me on this day _____ by _____
Date Person who signed above

(SEAL)

Notary Public Signature _____

Printed or typed _____

Notary Public for the State of _____

Residing at _____

My Commission Expires _____

13. Claimant Certification: I certify under penalty of perjury that I am authorized to submit claims on behalf of the owner or operator for this release and the information on this claim form is true to the best of my knowledge. This claim is submitted for work that was actually completed.

Claimant Signature Brad Bennett

Date 10-12-2022

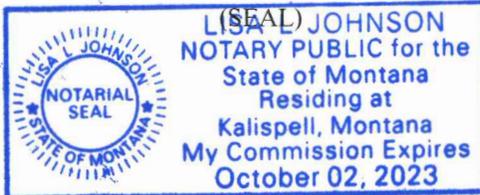
Brad Bennett

Typed Name of Claimant

State of Montana

County of Flathead

Signed and Sworn before me on this day Oct. 12, 2022 by Brad Bennett
Date Person who signed above



Notary Public Signature Lisa L. Johnson

Lisa L Johnson

Printed or typed

Notary Public for the State of Montana

Residing at Kalispell

My Commission Expires 10/02/2023

Submit this completed claim and supporting documents to the following address:
PETROLEUM TANK RELEASE COMPENSATION BOARD
PO BOX 200902, HELENA MT 59620-0902



Petroleum Tank Release Compensation Board

Initial Claim Review

Claim Ordinal 9

Facility Name: **Town Pump Inc Butte 4**

Facility: **5613911**

City: **Butte**

County: **SILVER BOW**

Claim ID: **20221014F**

Release ID: **6274**

Region: **2**

Date Claimed: **10/14/2022**

Eligible: **Eligible**

AO: **AJ Pate**

Amount: ~~**\$177,087.73**~~

Reimbursed to date: **\$24,081.32**

PRS Mgr: **William Bergum**

**\$177,121.73 based on spreadsheet
breakdown submitted by WET, TW**

Contact Company

Contact

Assent LDR POP

Water & Environmental Technologies Inc - Kali	Brad Bennett
Water & Environmental Technologies Inc - But	Bill Henne
Water & Environmental Technologies Inc - Kali	Lisa Johnson

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

See Invoice Summary

Initial Review

Tech Review

REVIEWED

By Taylor Pirre at 1:34 pm, Oct 26, 2022

REVIEWED

By Ann R. Root at 9:52 am, Oct 21, 2025

BOARD ATTORNEY REPORT

October 22, 2025

- Other
 - *Cascade Cnty v. Mont. Petroleum Tank Release Comp. Bd.*, DA 24-0362 (Mont. Supreme Ct.): The Montana Supreme Court's order in this matter and was remanded back to the Lewis & Clark District Court which received that order in June of 2025, and no further action has been taken by the district court. The district court must first remand the case to the Board before further action can be taken, as indicated below in the Supreme Court opinion. New record of council was filed with the court indicating that Jackie Papez of Dry Creek Law Firm PLLC was new acting council.
 - *The Montana Supreme Court stated that the Board had previously not denied or approved the submitted costs, as the Board had stated that the costs could not be approved or denied until they were apportioned to the releases. The Montana Supreme Court reversed the denial of the writ of mandate and remanded the case to the district court to issue a writ requiring the Board "to review and determine eligibility of the claims submitted by the County for reimbursement of costs resulting from remediating the contamination."*
 - There has been no further communication between Mr. Chestnut of Ziontz Chestnut LLP, Attorneys at Law, and the Board's attorney or Executive Director. This is regarding claims filed with the Board seeking reimbursement for the Northern Cheyenne Tribe for costs that have already been covered by a federal grant from EPA.

Petroleum Tank Release Compensation Fund Budget Status Report Operating Statement September 30, 2025						
	Legislative Approp.	Standard Budget	Rev/Exp through 9/30/2025	Projected Rev/Exp	Total FY26 Projected Rev/Exp	Projected Fiscal Year End Balance
Revenues:						
MDT Fee Revenue Estimate	8,050,000	8,050,000	2,240,752	5,814,000	8,054,752	4,752
Estimated STIP interest earnings	300,000	300,000	57,619	247,500	305,119	5,119
Misc Revenue & Settlements	0	0	0	0	0	0
Total Revenues:	8,350,000	8,350,000	2,298,371	6,061,500	8,359,871	9,871
Expenditures:						
(Includes current year expenses only)						
Board						
Personal Services*	612,357	612,357	156,914	495,000	651,914	(39,557)
Contracted Services	25,000	25,000	0	18,000	18,000	7,000
Operating	316,221	316,221	32,787	162,000	194,787	121,434
Subtotal	953,578	953,578	189,701	675,000	864,701	88,877
DEQ Regulatory						
Personal Services*	1,551,615	1,551,615	188,630	1,215,000	1,403,630	147,985
Contracted Services	95,000	95,000	13,588	63,000	76,588	18,412
	823,499	823,499	51,420	387,000	438,420	385,079
Subtotal	2,470,114	2,470,114	253,638	1,665,000	1,918,638	551,476
Administrative Budget Remaining						640,354
Claims/Loan						
Regular Claim Payments	4,500,000	4,500,000	258,236	1,446,408	1,704,644	2,795,356
Accrual - FY26 for use in FY27	750,000	750,000	0	750,000	750,000	0
Subtotal	5,250,000	5,250,000	258,236	2,196,408	2,454,644	2,795,356
Total Expenses:	8,673,692	8,673,692	701,574	4,536,408	5,237,982	3,435,710
Increase/(Decrease) of Revenues over Exp as of September 30, 2025			\$1,596,796	\$1,525,092	\$3,121,888	

Accrual Information	
	Claims
Accrued in FY2025 for use in FY2026	773,987
Total Payments	223,900
Accrual Balance	550,087

Average Monthly Claims	
FY26 to 09/30/25 - Current Year Only	86,079
FY26 to 09/30/25 - Current Year + Accruals	160,712
Actual Claims Paid in FY 2026 (Current Year + Accruals)	482,136

At \$.0075 per gallon sold, the revenue collected this year is equivalent to
298.8 million gallons sold.

	Fund Balance	Cash Balance
Beginning Balance	7,653,331	7,290,919
Revenues	8,359,871	8,359,871
Expenditures (affecting balance)	3,847,196	4,835,107
Projected Balance at 6/30/26	12,166,005	10,815,682

Revenue	
Revenue & Transportation Interim Committee	
Revenue Estimate for FY26	7,786,000
Biennial Report Revenue Estimate for FY26	7,960,000
MDT FY26 Revenue Estimate	8,050,000
MDT FY26 Revenues Collected	28% 2,240,752

Settlements	
Settlements received during FY2026	
Settlements received to date	2,511,687

* Personal Services appropriation assumes 4% vacancy savings, no overtime & no professional growth pay increases. Based on current incumbent or vacancy at snapshot.

10/3/2025
 REPORT ITEM
 INFORMATIONAL

Cash Flow Analysis - FY26

	July-25	Actual August-25	September-25	Projected October-25	November-25	December-25
Beginning Cash Balance	7,290,918.60	7,598,487.20	8,099,090.34	8,540,590.23	8,793,378.23	9,046,166.23
Revenue						
MDT Revenue (\$.0075/gallon)	661,360.00	739,708.00	839,684.00	646,000.00	646,000.00	646,000.00
STIP Earnings	0.00	27,636.62	29,981.97	27,500.00	27,500.00	27,500.00
Settlements						
Other Misc Revenue	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenue	661,360.00	767,344.62	869,665.97	673,500.00	673,500.00	673,500.00
Expenditures						
Petro Board Claims	7,866.21	60,617.89	189,751.70	160,712.00	160,712.00	160,712.00
Petro Board Staff	33,563.29	63,454.77	92,682.78	75,000.00	75,000.00	75,000.00
Prior Year Adj & Accrual Adj	232,252.76	60,167.12	54,704.81	0.00	0.00	0.00
DEQ Regulatory	80,109.14	82,501.70	91,026.79	185,000.00	185,000.00	185,000.00
Total Expenditures	353,791.40	266,741.48	428,166.08	420,712.00	420,712.00	420,712.00
Ending Cash Balance	7,598,487.20	8,099,090.34	8,540,590.23	8,793,378.23	9,046,166.23	9,298,954.23

10/3/2025
 REPORT ITEM
 INFORMATIONAL

Cash Flow Analysis - FY26

Projected

	January-26	February-26	March-26	April-26	May-26	June-26
Beginning Cash Balance	9,298,954.23	9,551,742.23	9,804,530.23	10,057,318.23	10,310,106.23	10,562,894.23
Revenue						
MDT Revenue (\$.0075/gallon)	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00
STIP Earnings	27,500.00	27,500.00	27,500.00	27,500.00	27,500.00	27,500.00
Settlements						
Other Misc Revenue	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenue	673,500.00	673,500.00	673,500.00	673,500.00	673,500.00	673,500.00
Expenditures						
Petro Board Claims	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00
Petro Board Staff	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Prior Year Adj & Accrual Adj	0.00	0.00	0.00	0.00	0.00	0.00
DEQ Regulatory	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00
Total Expenditures	420,712.00	420,712.00	420,712.00	420,712.00	420,712.00	420,712.00
Ending Cash Balance	9,551,742.23	9,804,530.23	10,057,318.23	10,310,106.23	10,562,894.23	10,815,682.23

**Petroleum Tank Release Compensation Fund
Budget Status Report
Monthly Expenditure/Projection Summary
September 30, 2025**

10/3/2025
REPORT ITEM
INFORMATIONAL

EXPENDITURE SUMMARY	PERIOD ENDING 07/31/25	PERIOD ENDING 08/31/25	PERIOD ENDING 09/30/25	PERIOD ENDING 10/31/25	PERIOD ENDING 11/30/25	PERIOD ENDING 12/31/25	PERIOD ENDING 01/31/26	PERIOD ENDING 02/28/26	PERIOD ENDING 03/31/26	PERIOD ENDING 04/30/26	PERIOD ENDING 05/31/26	PERIOD ENDING 06/30/26	FY26 TOTALS
REVENUE													
MDT Fees	661,360.00	739,708.00	839,684.00										57,618.59
Stip Earnings		27,636.62	29,981.97										0.00
Misc Revenue													0.00
Total Revenue	661,360.00	767,344.62	869,665.97	0.00	2,298,370.59								
BOARD													
Personal Services	27,067.17	51,053.02	78,793.33										156,913.52
Contracted Services	0.00	0.00	0.00										0.00
Operating	6,496.12	12,401.75	13,889.45										32,787.32
Subtotal	33,563.29	63,454.77	92,682.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	189,700.84
CLAIMS													
Regular CY Claim Payments	7,866.21	60,617.89	189,751.70										258,235.80
Subtotal	7,866.21	60,617.89	189,751.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	258,235.80
DEQ Regulatory													
Personal Services	58,876.32	55,492.64	74,260.63										188,629.59
Contracted Services	4,991.48	8,597.00	0.00										13,588.48
Operating	16,241.34	18,412.06	16,766.16										51,419.56
Subtotal	80,109.14	82,501.70	91,026.79	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	253,637.63
CURRENT YEAR EXPENDITURE TOTALS	121,538.64	206,574.36	373,461.27	0.00	701,574.27								
PRIOR YEAR EXPENDITURES	185.83	0.00	0.00										185.83
TOTAL EXPENDITURES	121,724.47	206,574.36	373,461.27	0.00	701,760.10								
Board & DEQ Non-Claim costs	113,672.43	145,956.47	183,709.57	0.00	443,338.47								
Claims Accrual Payments	109,028.14	60,167.12	54,704.81										223,900.07
PROJECTION SUMMARY	PERIOD ENDING 07/31/25	PERIOD ENDING 08/31/25	PERIOD ENDING 09/30/25	PERIOD ENDING 10/31/25	PERIOD ENDING 11/30/25	PERIOD ENDING 12/31/25	PERIOD ENDING 01/31/26	PERIOD ENDING 02/28/26	PERIOD ENDING 03/31/26	PERIOD ENDING 04/30/26	PERIOD ENDING 05/31/26	PERIOD ENDING 06/30/26	FY26 TOTALS
REVENUE													
MDT Fees				646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	5,814,000.00
Stip Earnings				27,500.00	27,500.00	27,500.00	27,500.00	27,500.00	27,500.00	27,500.00	27,500.00	27,500.00	247,500.00
TOTAL REVENUE PROJECTED	0.00	0.00	0.00	673,500.00	6,061,500.00								
BOARD													
Personal Services				55,000.00	55,000.00	55,000.00	55,000.00	55,000.00	55,000.00	55,000.00	55,000.00	55,000.00	495,000.00
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	2,000.00	18,000.00
Operating				18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	162,000.00
Subtotal	0.00	0.00	0.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	675,000.00
CLAIMS													
Regular CY Claim Payments				160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	1,446,408.00
FYE26 Accrual												750,000.00	750,000.00
Subtotal	0.00	0.00	0.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	160,712.00	910,712.00	2,196,408.00
DEQ Regulatory													
Personal Services				135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	1,215,000.00
Contracted Services				7,000.00	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00	63,000.00
Operating				43,000.00	43,000.00	43,000.00	43,000.00	43,000.00	43,000.00	43,000.00	43,000.00	43,000.00	387,000.00
Subtotal	0.00	0.00	0.00	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00	1,665,000.00
PROJECTION TOTALS	0.00	0.00	0.00	420,712.00	1,170,712.00	4,536,408.00							

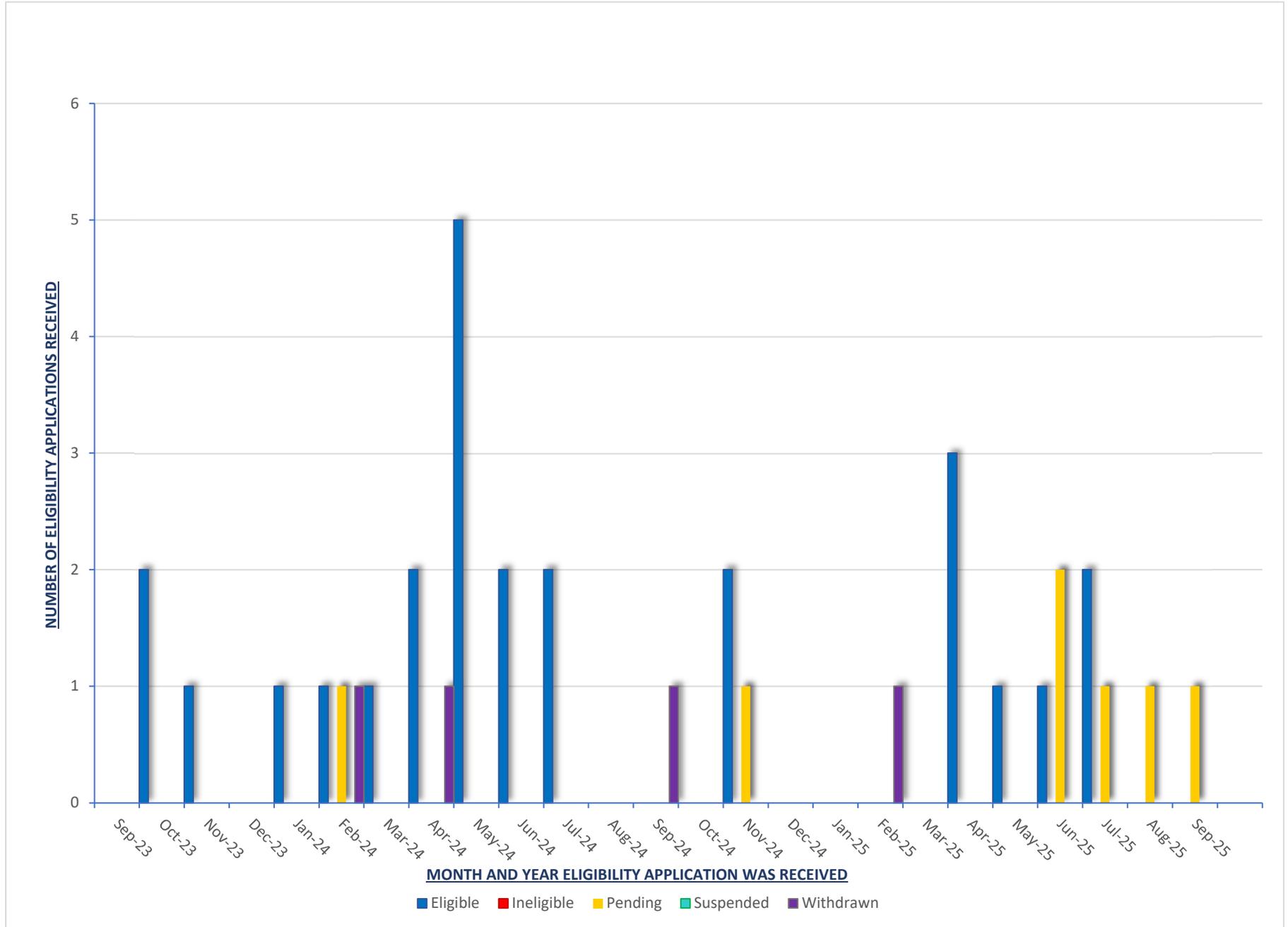


Petroleum Tank Release Compensation Board

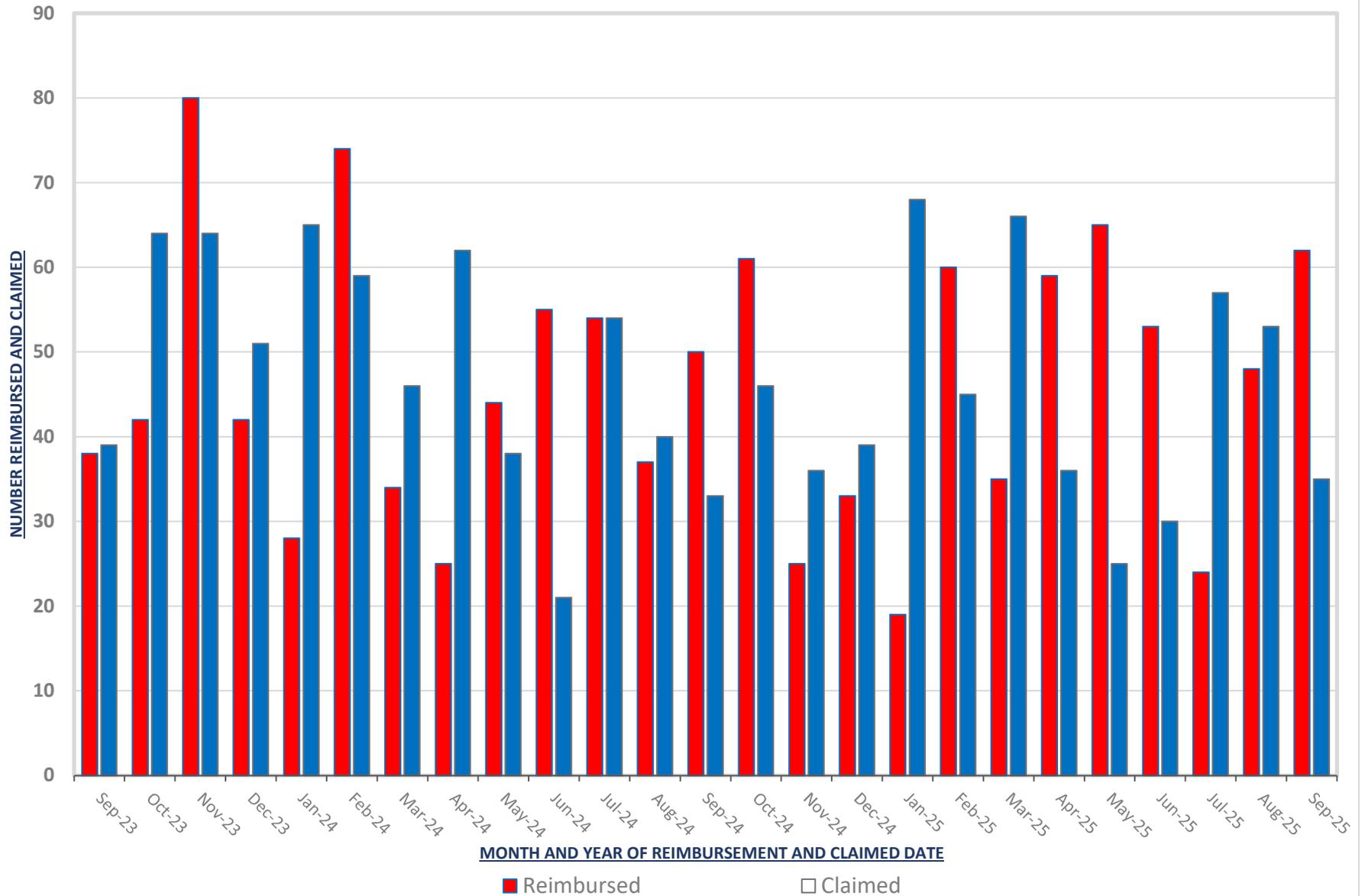
STATE OF MONTANA

Activity Report Through September 2025

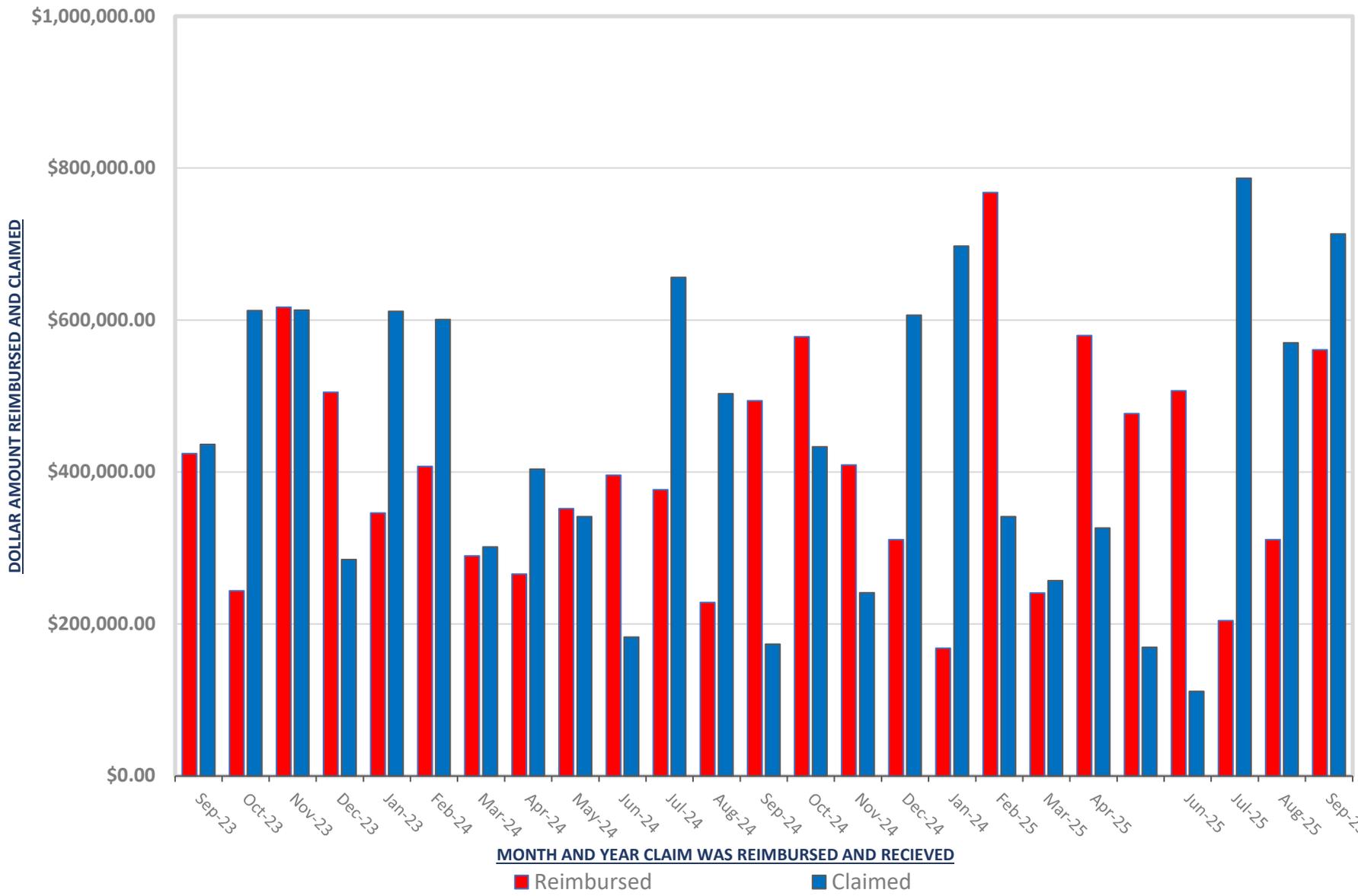
Reporting Category	Status
Amount of Fund balance in Petroleum Tank Release Cleanup Fund	\$8,540,590.23
Portion of the Fund balance that is allocated or encumbered <small>Encumbrance is based on DEQ requesting and approving Work Plans and Board staff setting aside money for those WPs through an “obligation” process.</small>	\$8,987,149.65
Timeliness of Board Payments for completed corrective action plans <small>Reimbursement for corrective action plans is through the claim process.</small>	
Average processing days for non-suspended claims since 1989	30 days
Average processing days for non-suspended claims in past 12 months	39 days



Board Staff Claim Count Graph



Board Staff Claim Value Graph



Petroleum Tank Cleanup Activity Report October 24, 2025

Summary of Confirmed and Resolved Petroleum Releases

New Petroleum Release Activity September 3 – October 24, 2025

Release Status	Activity
Suspect Releases	0
Confirmed Releases	1
	9

Summary of All Petroleum Release Activity through October 24, 2025

Release Status	Activity
Total Confirmed	4887
Total Resolved	3991
Total Open	897

Summary (Current) of Petroleum Releases Managed by PTCS

Release Status	Activity
Total Open	896
Total PTRCB Eligible	583
*Other	313

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



Informational
Facility Name: Former Pehrson's Exxon
Physical Address: 100 Illinois Street
Facility ID: 03-06475
TREADS ID: 17903
Release Number: 3824
Priority: 3.0

Cleanup Work Plan 35059

Frank Pehrson is the responsible party for Release 3824 and has retained Olympus Technical Services Inc (Olympus) as their environmental consultant. Olympus submitted cleanup work plan 35059 on behalf of Frank Pehrson. DEQ approved the cleanup work plan which is expected to move the Release toward closure. The work plan proposes PetroFix Injections, groundwater monitoring, soil vapor assessment and reporting. The estimated cost for the cleanup work plan is \$161,063.83.

Release Closure Plan

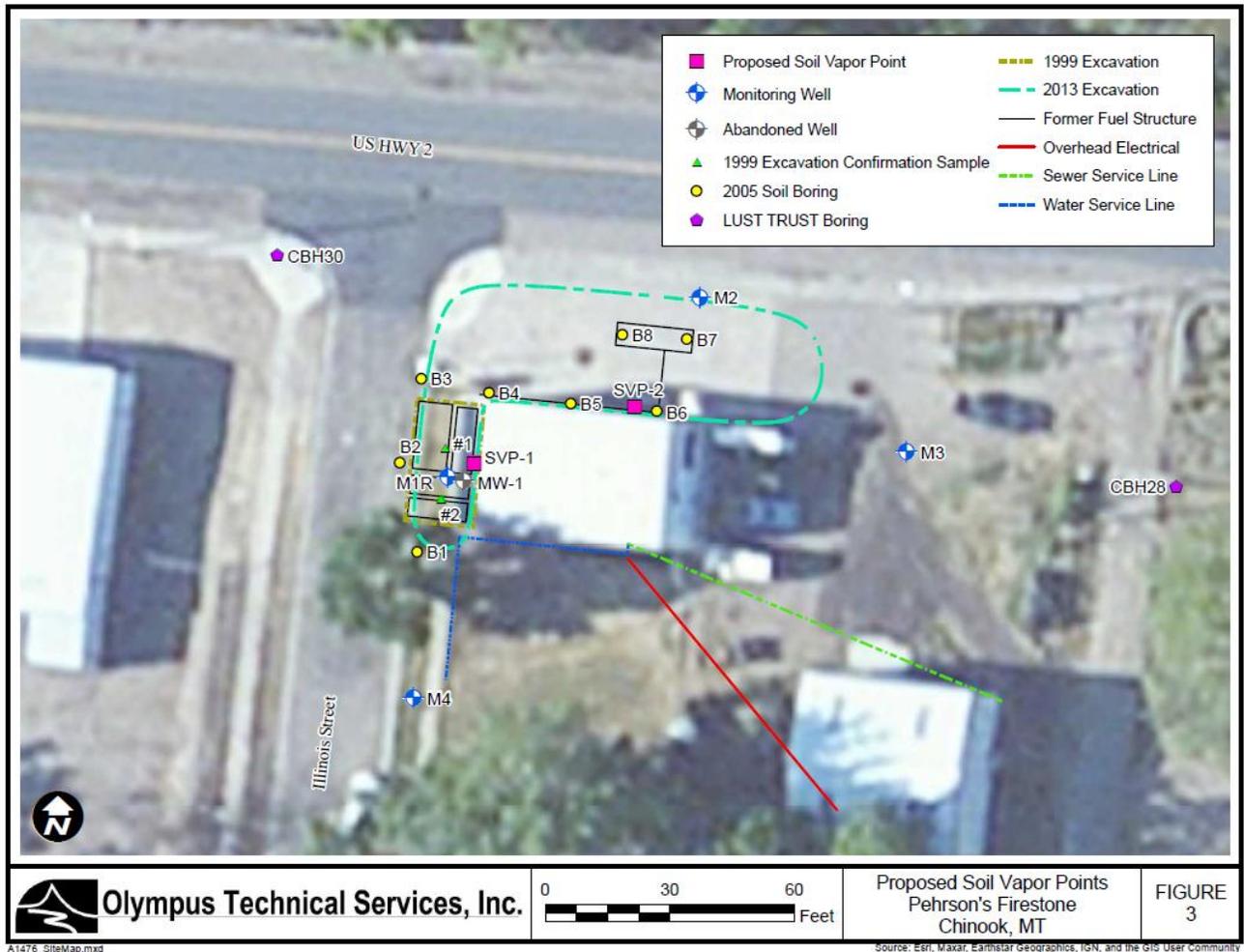
Olympus submitted a Release Closure Plan (RCP) on behalf of Frank Pehrson that was completed as part of the 2023 Groundwater Monitoring Report submitted on December 29, 2023. The RCP evaluated the potential remediation methods of: No action, High Vacuum Dual Phase Extraction (HVDPE), Monitored Natural Attenuation (MNA), Petroleum Mixing Zone closure (PMZ), Excavation & ORC, and In-Situ Reagent Injection. Based on site specific data, including but not limited to, site conditions and groundwater monitoring data, Olympus determined that In Situ Reagent Injection (PetroFix) be conducted for site remediation.

Site History

The site is located at 100 Illinois Street, Chinook, Blaine County, Montana. The Release was reported to DEQ on October 28, 1999, when petroleum contaminated soil was found during tank closure and removal. Confirmation soil samples collected during closure confirmed RBSL exceedances. The property was operated as a gas station from the 1920's until 1999. The owners currently operate the facility as a Firestone tire shop and repair shop.

Facility Name: Former Pehrson's Exxon
 Physical Address: 100 Illinois Street
 Facility ID: 03-06475
 TREADS ID: 17903
 Release Number: 3824
 Priority: 3.0

Facility Map



A1476_SiteMap.mxd

Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community



Petroleum Tank Release Compensation Board

Work Plan Task Costs

Facility ID: 306475

FacilityName: Pehrson Service Exxon

City: Chinook

Release ID: 3824

WP ID: 716835059

WP Name: R-B-SB/RT/GWM

WP Complete:

WP Date:

08/01/2025

Task #	Task Name	Phase	Estimated Cost	Actual Cost	Balance	Comment
1	Work Plan		\$2,500.00			
2	Project Management		\$1,352.00			
3	Mobilization		\$4,163.25			
4	Soil Borings (injection points)		\$0.00			
5	Fieldwork (oversight)		\$0.00			
6	Miscellaneous (soil vapor point installation)		\$0.00			
7	Miscellaneous (4,000 lbs PetroFix)		\$0.00			
8	Survey (utility locate)		\$0.00			
9	Monitoring		\$1,668.00			
10	Laboratory Analysis w/fee		\$1,440.00			
11	Lodging/Per Diem		\$453.30			
12	GW Interim Data Submittal		\$0.00			
13	Data Valid Form DVSF (4 datasets)		\$441.00			
14	Rel Closure Plan (update)		\$507.00			
15	Report (GWM)		\$2,660.00			
Total:			\$15,184.55			



Facility Name: Name: Town Pump Miles City
Physical Address: 1210 S Haynes Ave, Miles City
Facility ID: 09- 07081
TREADS ID: 19460
Release Number: 6705
Priority: 3.0 Medium Priority Cleanup

Cleanup Work Plan 35055

Town Pump, Inc. (Town Pump) – the responsible party for petroleum release 6705 (Release) – has retained AJM, Inc. (AJM) as their environmental consultant. AJM prepared and submitted work plan 35055 (WP) dated June 9, 2025, on behalf of Town Pump. This DEQ-approved cleanup WP is for the excavation and disposal of petroleum-contaminated soil; recovery and disposal of diesel fuel; and installation of piping for a product-recovery system. The estimated cost for WP 35055 is \$107,963.00.

Discovery of Release 6705 and Initial Cleanup Opportunity

A suspect release was reported to DEQ on May 22, 2025, as a leak in a diesel-product line near the diesel underground storage tanks in the eastern part of the Facility. The diesel leak filled up the UST basin sump with diesel and then eventually flowed further westward down the subsurface distribution line chase way and into the UST basin area and the gasoline dispenser area on the southwestern and western part of the Facility near Haynes Avenue (Site Map).

Release 6705 was confirmed May 28, 2025, when diesel fuel was observed in a sump at the underground storage tank (UST) basin at the southwest corner of the Facility; and diesel-contaminated subsurface soil observed in the adjacent ongoing construction excavation at the dispenser island area (Site Map).

Contractors for Town Pump have been conducting (2024-2025) extensive construction projects at the Facility including the following: two-story addition to the Store building; removal of surface structures; new pavement; installation of a new underground storage tank (UST) basin near the northwest part of the Facility; removal and excavation of the circa 1995 dispenser system on the west side of the Facility building followed by installation of 18 new dispensers; decommissioning, excavation, and removal of two 1990's era UST basins and associated subsurface distribution piping located along southern side of the Facility; and renovation of the east side dispenser system.

That ongoing widespread excavation / construction work presented a time-dependent opportunity to evaluate the extent and magnitude of Release 6705 upon discovery and allowed a rapid cleanup response of the Release during the scheduled decommissioning and excavation of old UST systems. AJM conducted evaluation and cleanup work by coordination with the construction contractors.

Therefore WP 35055 tasks include the following: project management; continual onsite coordination with construction contractors; mobilization; excavation and disposal of petroleum-contaminated soil; recovery and disposal of diesel fuel; installation of piping in the construction excavations for a product-recovery system; collection of confirmation samples; laboratory analyses and data validation; preparation of a Release Closure Plan; and reporting.

Site History

The Facility – located on the east side of South Haynes Ave in the southern part of Miles City on the north side of the highway junction of I-94 and MT-59 – was established during the 1960s. Town Pump has operated the Facility continuously since the early 1990s.

1990 – 1995: Four (4) legacy petroleum releases were confirmed at the Facility and were caused by leaking UST systems. Approximately 10,000 cubic yards of petroleum contaminated soil were

Facility Name: Name: Town Pump Miles City

Physical Address: 1210 S Haynes Ave, Miles City

Facility ID: 09- 07081

TREADS ID: 19460

Release Number: 6705

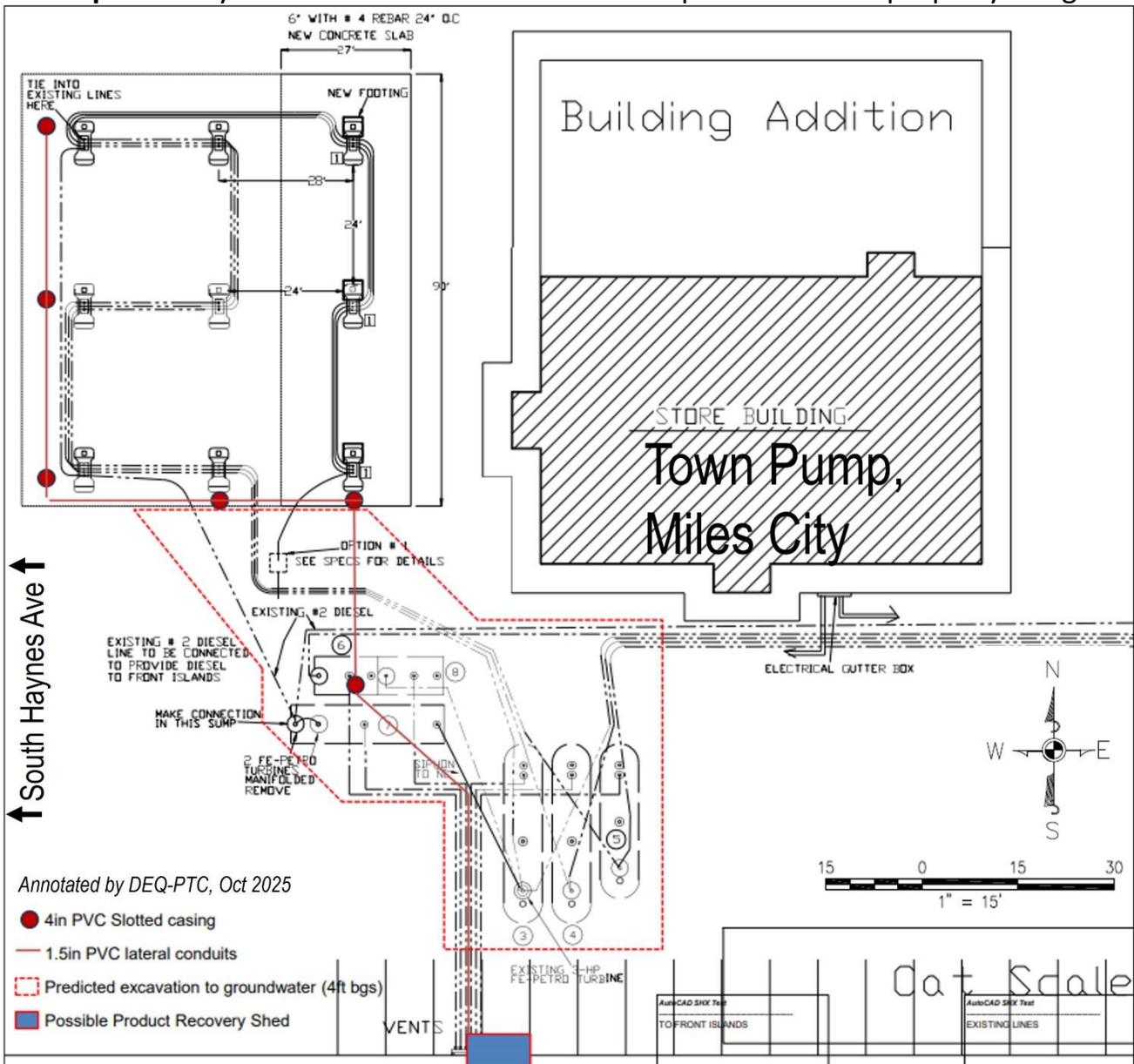
Priority: 3.0 Medium Priority Cleanup

excavated and disposed. Two of these releases are resolved (257 & 2087), one is being evaluated for closure (1041), and one – Release 2621 (gasoline) is undergoing groundwater monitoring.

1995 – 2004: Groundwater monitoring.

2004 – 2025: Five (5) new petroleum releases were confirmed at the Facility. Four of these were surface spills and immediately cleaned up; and one – Release 6705 – was caused by leaking UST system components. Three of these releases are resolved (4322, 4824, & 6278); one is being evaluated for closure (6706) and one – Release 6705 (diesel) – is undergoing cleanup and monitoring.

Site Map – Facility features and Release 6705 cleanup area at south property margin





Petroleum Tank Release Compensation Board

Work Plan Task Costs

Facility ID: 907081 **FacilityName:** Town Pump Inc Miles City **City:** Miles City
Release ID: 6705 **WP ID:** 716835055 **WP Name:** C-B-SR/RSI/FPR **WP Complete:** **WP Date:** 06/09/2025

Task #	Task Name	Phase	Estimated Cost	Actual Cost	Balance	Comment
1	Work Plan		\$2,500.00			
2	Project Management		\$3,680.00			
3	Mobilization		\$3,180.60			
4	Lodging/Per Diem		\$1,277.40			
5	Fieldwork		\$3,999.00			
6	Free Product Activities		\$2,014.00			
7	Soil Removal		\$61,720.00			
8	Miscellaneous (Disposal)		\$37,500.00			
9	Laboratory Analysis w/fee		\$8,800.00			
10	Rem Sys Install		\$6,080.00			
11	Report		\$2,500.00			
12	Rel Closure Plan		\$1,500.00			
13	Data Valid Form DVSF		\$441.00			
Total:			\$135,192.00			