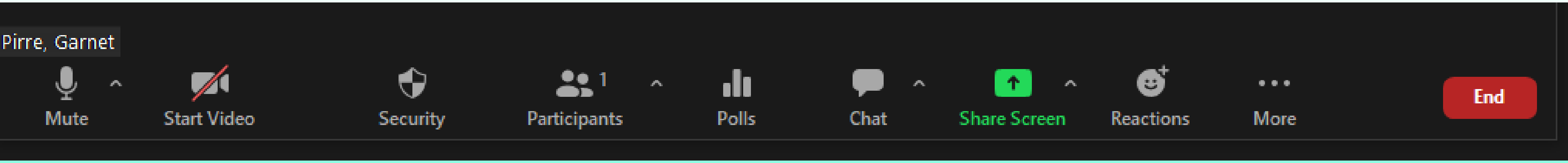
Petroleum Tank Release Compensation Board

Meeting

November 10, 2025

Zoom Controls

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



ACTION ITEM
November 10, 2025

Election of Officers

Presiding Officer

Vice Presiding Officer

ARM 17.58.303

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

ACTION ITEM
November 10, 2025

Approval of Minutes

September 15, 2025, Board Meeting

- **Questions / Comments?**

ACTION ITEM
November 10, 2025

Approval of Form 13

Costs for Preventive Actions
SB 315
Goes Into Effect January 1, 2026

- Questions / Comments?

ACTION ITEM
November 10, 2025

Approval of Proposed Meeting Dates 2026

Agenda Closed*	Packet Mailing	**Meeting Date**
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**

ACTION ITEM
November 10, 2025

ELIGIBILITY RATIFICATION

Location	*Site Name*	*Facility ID #*	*DEQ Rel # Release Year*	*Staff Recommendation Date - Eligibility Determination*
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.

ACTION ITEM
November 10, 2025

WEEKLY CLAIMS FOR 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**

ACTION ITEM
November 10, 2025

DENIED CLAIMS FOR REIMBURSEMENTS

Denied Claims

Five (5) claims are being denied

ClaimID	Reason Denied
20250902A	Claim withdrawn at the request of the consultanat.
20241015C	Task 2 - Project management costs exceed the established standards as set forth in ARM 17.58.341.
20240201L	Task 2 - Project management costs exceed the established standards as set forth in ARM 17.58.341.
20240201K	Task 2 - Project management costs exceed the established standards as set forth in ARM 17.58.341.
20240201J	Task 2 - Project management costs exceed the established standards as set forth in ARM 17.58.341.

ACTION ITEM
November 10**, 2025**

CLAIMS OVER $25,000

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

REPORT ITEM
November 10**, 2025**

Legal Report

- ***<u>Other</u>***

  - *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.

Fiscal Report

REPORT ITEM
November 10, 2025

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
Operating	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**	

Fiscal Report

REPORT ITEM
November 10, 2025

Cash Flow Analysis - FY26

	Actual			Projected		
	July-25	August-25	September-25	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**

Fiscal Report

REPORT ITEM
November 10, 2025

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

Fiscal Report

REPORT ITEM
November 10, 2025

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										2,240,752.00
Stip Earnings		27,636.62	29,981.97										57,618.59
Misc Revenue													0.00
Total Revenue	**661,360.00**	**767,344.62**	**869,665.97**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**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**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**701,574.27**
PRIOR YEAR EXPENDITURES	**185.83**	**0.00**	**0.00**									**0.00**	**185.83**
TOTAL EXPENDITURES	**121,724.47**	**206,574.36**	**373,461.27**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**701,760.10**
Board & DEQ Non-Claim costs	**113,672.43**	**145,956.47**	**183,709.57**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**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**	**673,500.00**	**673,500.00**	**673,500.00**	**673,500.00**	**673,500.00**	**673,500.00**	**673,500.00**	**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**	**420,712.00**	**420,712.00**	**420,712.00**	**420,712.00**	**420,712.00**	**420,712.00**	**420,712.00**	**1,170,712.00**	**4,536,408.00**

Board Staff Report

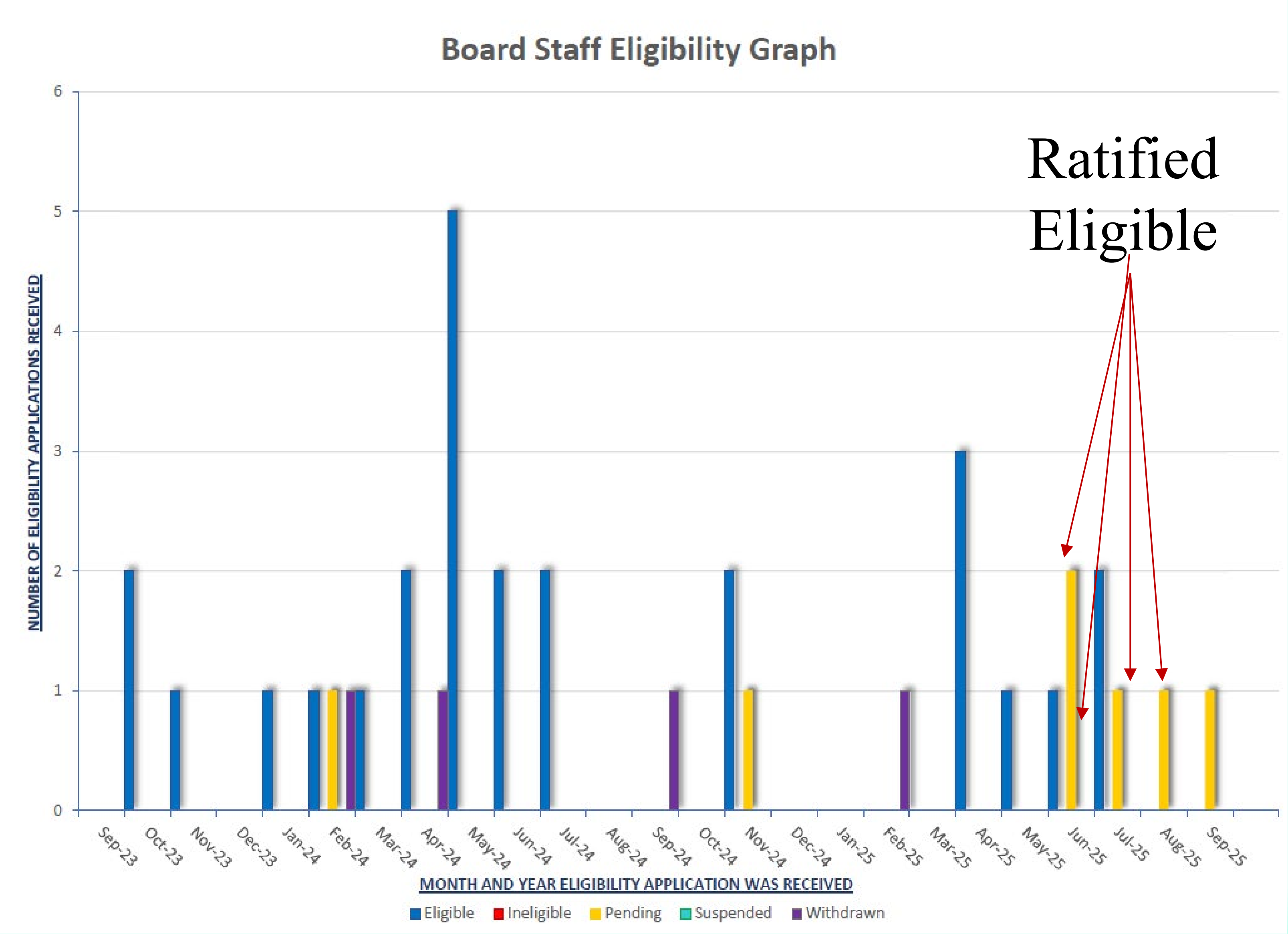
REPORT ITEM
November 10, 2025

Activity Report through September

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 Encumbrance is based on DEQ requesting and approving Work Plans and Board staff setting aside money for those WPs through an "obligation" process.	$8,987,149.65
Timeliness of Board Payments for completed corrective action plans Reimbursement for corrective action plans is through the claim process.	
Average processing days for non-suspended claims since 1989	30 days
Average processing days for non-suspended claims in past 12 months	39 days

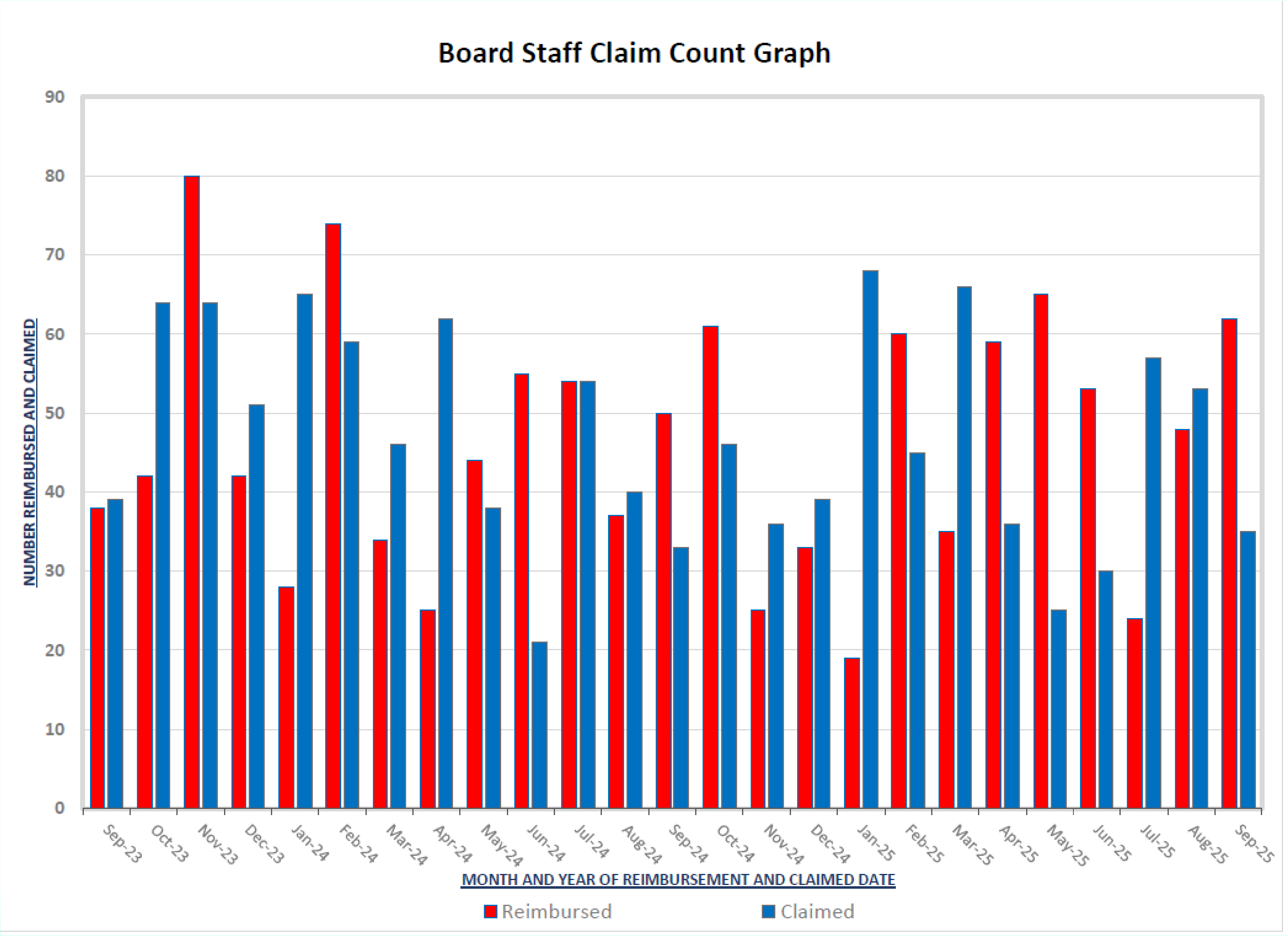
Board Staff Report

REPORT ITEM
November 10, 2025



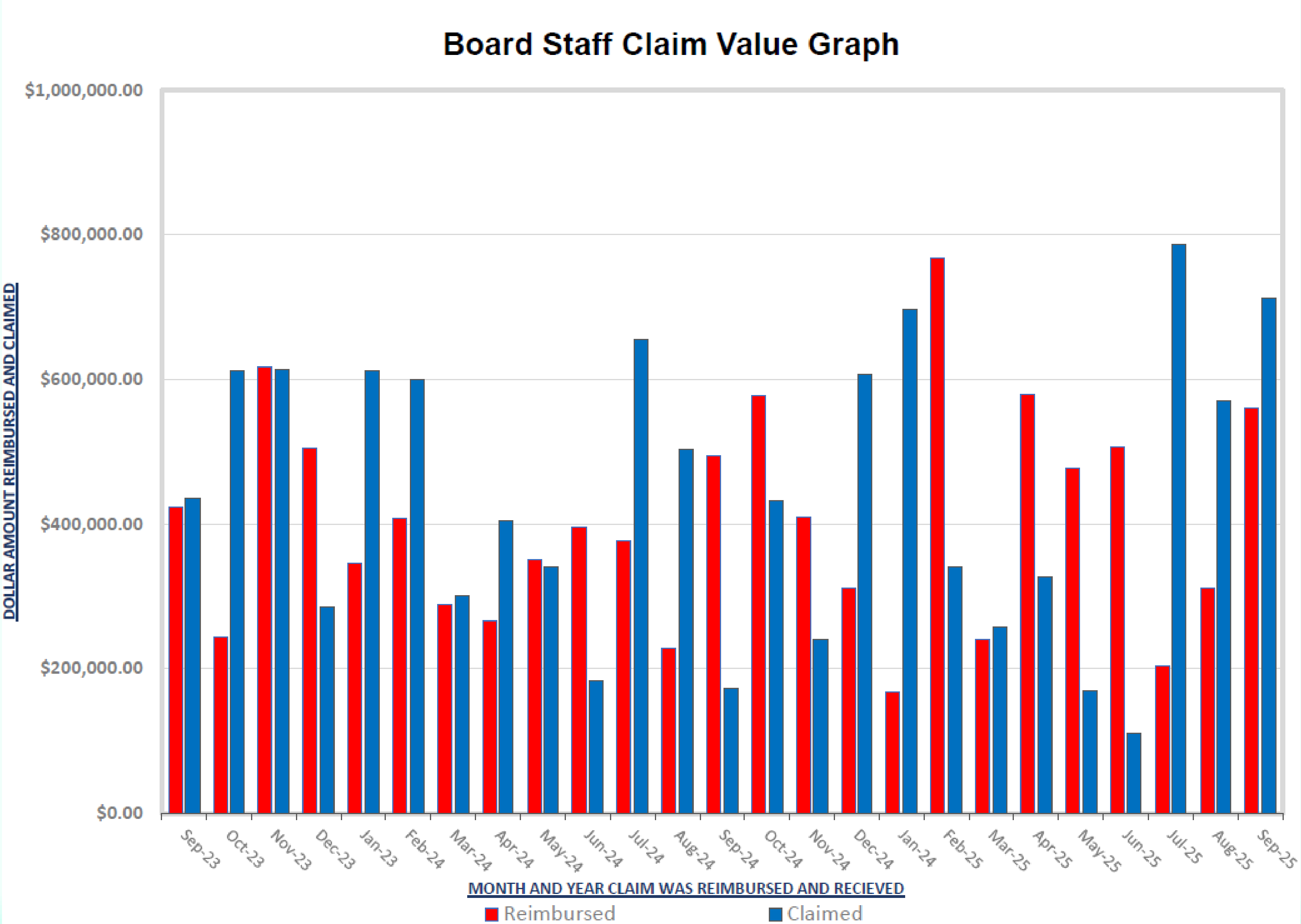
Board Staff Report

REPORT ITEM
November 10, 2025



Board Staff Report

REPORT ITEM
November 10, 2025



PTCS Report

REPORT ITEM
November 10, 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
Resolved Releases	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

WPs Over $100,000

REPORT ITEM
November 10, 2025

- ***Former Pehrson's Exxon***
- ***Facility #03-06475, Rel #3824***
- ***WP #716835059***
- ***Estimated Costs $161,063.83***

WPs Over $100,000

REPORT ITEM
November 10, 2025

- ***Town Pump Miles City***
- ***Facility #09- 07081, Rel #6705***
- ***WP #716835055***
- ***Excavation and Disposal of Contaminated soils.***
- ***Estimated Costs $107,963.00***

Public Forum

Next Scheduled Board Meeting

February 9, 2026
Meeting Place Colonial Building – DEQ 2nd Floor in Wilderness Room