

# AGENDA

## **PETROLEUM TANK RELEASE COMPENSATION BOARD MEETING**

*September 15, 2025*

*10:00 a.m.*

***Teleconference Information Available Upon Request***

***Contact: [gpirre@mt.gov](mailto:gpirre@mt.gov) or [taylor.pirre@mt.gov](mailto: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: November 10, 2025***

#### ***VII. Adjournment***

PETROLEUM TANK RELEASE COMPENSATION BOARD  
MINUTES  
June 16, 2025  
IN-PERSON AND TELECONFERENCE HYBRID MEETING

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

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

**Approval of February 3, 2025, Minutes**

**Mr. Jackson moved to approve April 14, 2025 minutes. Mr. Stenzel seconded. Motion passed unanimously by voice vote.**

**Approval of Proposed Rule Making Package**

Mr. Monahan asked the Board if there were any changes to the language in the Proposed Rule Making Package.

Mr. Stenzel asked if there had been a claim that sparked the creation of the Proposed Rule Making Package. Mr. Wadsworth answered that the rulemaking originated from Senate Bill (SB) 315 during the 2025 Montana Legislative Session. He stated that while House Bill (HB) 189 also passed during the 2025 legislative session, it did not have much of an impact on the Board or its rule making, but that SB-315 did due to its proposal to establish a secondary reimbursement program. The Board would also manage this secondary program, which is a reimbursement program for \$2,000 to be reimbursed every three (3) years for a set list of approved preventative work. He stated that, because of this, the Proposed Rule Making Package was created to support this statutory change. He also noted that anytime rulemaking was undertaken by the Board, all rules are reviewed to see if any of them were outdated, based on statute that had changed, or otherwise needed to be revised or amended. He stated that some of the changes contained in the rule package were related to the Secretary of State's office, which had made changes to its rules that were used as a point of reference by the Board. These were the factors that precipitated the creation of the Proposed Rule Making Package.

Ms. Kline asked Mr. Wadsworth if the language was clear as to what tasks were reimbursable as preventative work. Mr. Wadsworth stated that, inside the Proposed Rule Making Package, there was language that defined this. Ms. Pirre stated rulemaking language mirrored the statute. Mr. Wadsworth added that proposed rules also tried to provide clarification to the statute. He stated that, while the Board staff had not found what was stated in the statute to be especially difficult to understand, there were a few clarifying points made in the Proposed Rule Making Package. He stated that the Board staff was confident that the language within it was helpful in further understanding how reimbursement was to be made. Ms. Kline expressed appreciation for the information.

**Mr. Jackson moved to approve the Proposed Rule Making Package. Mr. Kelley seconded. Motion passed unanimously by roll call vote.**

**Eligibility Ratification**

Mr. Wadsworth presented the Board with a summary of the eligibility recommendations for ratification. There were three (3) releases recommended to be eligible. He noted that the lower half of the table was informational only and was provided to show the Board data on recent eligibility withdrawals.

Location	Site Name	Facility ID #	DEQ Rel # Release Year	Eligibility Determination – Staff Recommendation Date
Bozeman	Town Pump Inc Bozeman	1608675 TID 21506	6689 Feb 2025	Reviewed 5/19/25. Recommended Eligible.
East Helena	Town Pump Inc East Helena	2508697 TID 23791	6683 Dec 2024	Reviewed 5/15/25. Recommended Eligible.

Location	Site Name	Facility ID #	DEQ Rel # Release Year	Eligibility Determination – Staff Recommendation Date
Whitehall	Town Pump Inc Whitehall	2203645 TID 22528	6678 Aug 2024	Reviewed 5/19/25. Recommended Eligible.
Informational Only- Not for Ratification				
Butte	Former Mahagin's Texaco	0032521 TID 32521	6550 May 2023	Reviewed 5/22/2024. Withdrawal signed by the Owner On 4/23/25.
Hamilton	Thompson Distributing	4106301 TID 26913	6612 Aug 2023	Reviewed 3/12/25. Withdrawal signed by the Owner 5/15/25.

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

### **Weekly Reimbursements**

Mr. Wadsworth presented a summary of weekly claim reimbursements for the weeks of April 2, 2025 to May 21, 2025.

<b>WEEKLY CLAIM REIMBURSEMENTS</b> <b>June 16, 2025, BOARD MEETING</b>		
<b>Week of</b>	<b>Number of Claims</b>	<b>Funds Reimbursed</b>
4-2-25	23	\$99,712.21
4-9-25	20	\$123,576.77
4-16-25	16	\$291,562.66
4-30-25	24	\$95,972.99
5-7-25	15	\$67,777.61
5-14-25	16	\$182,127.83
5-21-25	10	\$52,813.68
<b>Total</b>	<b>124</b>	<b>\$913,543.75</b>

Mr. Wadsworth presented the Board with a summary of the denied claims. There was one (1) denied claim:

<b>Denied Claims</b> <b>June 16, 2025 Board Meeting</b>	
<b>Claim ID</b>	<b>Reason Denied</b>
20250306B	Claim withdrawn per consultant's request.

Mr. Monahan asked Mr. Wadsworth if a claim was considered denied if a consultant submitted a withdrawal request. Mr. Wadsworth responded that, when there was something wrong with the claim and the claimant wanted to withdraw it, what the Board staff would do was deny it. He stated that the database system reflected the fact that the claim was received. Because of this, the system needed to indicate that the claim was handled before it could be labeled as denied and withdrawn. Mr. Wadsworth added that, just because a claim was withdrawn, it did not mean that a client couldn't submit the claimed costs at a later date.

Mr. Monahan asked about a claim that was being reimbursed for zero (0) dollars contained in the list of weekly claim reimbursements. Mr. Wadsworth stated that this was because it was an "allocation to copay" claim, labeled as a "CA" claim, which meant that the funding had come from another source and that the claim was just being allocated towards the copay.

***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 Payne West Insurance or any Payne West clients or Payne West's parent company Marsh & McLennan. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank's customers. Mr. Jackson, Mr. Wilson, and Ms. Kline expressed no known conflict of interest.*

**Mr. Jackson moved to ratify the weekly reimbursements and one (1) denied claim as presented. Mr. Wilson seconded. The motion passed unanimously by voice vote.**

#### **Board Claims**

Mr. Wadsworth presented the Board with the two (2) claims for amounts greater than \$25,000. He stated that the Board staff recommended ratifying the reimbursement of these claims over \$25,000.

Facility Name Location	Facility- Release ID#	Claim#	Claimed Amount	Adjustments	Penalty	Co-pay	**Estimated Reimbursement
Circle K Store 2746272 Havre	2108068 5212	20250414I	\$58,555.82	\$7,280.80	\$5,127.50	-0-	\$46,147.52
Circle K Store 2746271 Glendive	1108061 3375	20250414E	\$26,430.90	\$279.93	-0-	-0-	\$26,150.97
<b>Total</b>			<b>\$84,986.72</b>	<b>\$7,560.73</b>	<b>\$5,127.50</b>	<b>-0-</b>	<b>\$72,298.49</b>

**\* 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 asked about the cause for the penalty fee on the Circle K Store, Havre claim. Mr. Wadsworth explained that the release had a ten (10) percent penalty for facility noncompliance. Mr. Monahan asked if the Board staff or the Board had ratified this penalty. Mr. Wadsworth stated that the Board passed a motion at a previous (9/10/2018) meeting to ratify the penalty. Mr. Monahan thanked Mr. Wadsworth for the clarification.

*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 Payne West Insurance or any Payne West clients or their Payne West's parent company Marsh & McLennan. Mr. Wilson recused himself from any matter regarding Valley Farmers Supply. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank's customers. Mr. Jackson and Ms. Kline expressed no known conflict of interest.*

**Mr. Jackson moved to ratify the Board claims as presented. Mr. Stenzel 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 4744, WP 716835021, Lynch Flying Services, Billings, Exceeding \$100K in Costs**

Ms. Latysha Pankratz, Section Supervisor, Petroleum Tank Cleanup Section (PTCS), Department of Environmental Quality (Department), presented the Board with a summary of the release. Lynch Flying Services was the responsible party for the release, with Olympus Technical Services, Inc. (Olympus) being retained as a consultant. The workplan (WP) was created by Olympus to gauge the extent of contamination in the site's bedrock aquifer by installation of monitoring wells, groundwater

monitoring, and identifying any additional work needed to resolve the release. The estimated cost of the WP was \$35,059.39. The facility had five (5) reported releases. Four (4) of these releases were resolved. Release 4744 occurred in July 2009 when a surface spill of approximately 1,000 gallons of jet fuel was released during delivery from a tanker truck to the Underground Storage Tank (UST).

Mr. Monahan asked if the owner was present to speak about the release. Mr. Rob Bergeson, General Manager, Edward's Jet Center, owner of the release, introduced himself to the Board. He stated that Mr. Ethan Perro from Olympus was also present to speak. Mr. Monahan asked if Mr. Bergeson had any comments. Mr. Bergeson said that he did not have any, but that he would answer any questions the Board had for him. He stated that he believed that the Department-approved WP that Olympus had prepared would hopefully provide an opportunity to close the release within the course of the next year.

Mr. Monahan asked if Mr. Perro was available to speak. Mr. Perro stated that the tasks in the WP were straightforward work. The work included air rotary soil borings to better establish groundwater flow to ensure that no contamination was being missed. He stated that he anticipated this WP to be some of the last work performed to bring the release to closure, but that it would depend on the data obtained from the WP.

Mr. Monahan asked if Mr. Wadsworth had any comments. Mr. Wadsworth stated that there were 200 yards of contaminated soil removed at the site, but that not all of the contaminated soil had been removed. Three (3) of the twenty (20) samples taken still exceeded Risk-Based Screening Levels (RBSL). Because of this, it was still being determined what would need to be done to address the remaining contamination. He stated that this particular WP, as Mr. Perro had mentioned, featured the installation of a few more wells to better locate the remaining contamination. He stated that, because well installation, they would be re-surveying the wells and conducting a few more rounds of groundwater monitoring. He stated that he hoped that there would be enough data provided by this WP to bring the site to closure.

#### **Release 934, WP 716834930, MDOT 43 4402, Ingomar, Exceeding \$100K in Costs**

Ms. Pankratz provided the Board with a summary of the release. She stated that the Montana Department of Transportation (MDT) was the responsible party, and that they had retained Tetra Tech as the environmental consultant. Tetra Tech had submitted a WP on behalf of the owners, which was anticipated to cleanup petroleum contamination associated with the release to the extent practical by soil excavation and the application of amendments. The total cost of the WP was estimated to be around \$149,070.55. The release was reported when the system's dispensers and two (2) USTs were decommissioned and removed. There was also one (1) resolved release at the facility.

Mr. Monahan asked if the representatives of the owner, Mr. Kendall Gustafson or Mr. Joe Radonich from the MDT, were available to speak. Mr. Gustafson introduced himself to the Board and stated he was available to speak. He stated that the WP was designed to excavate the remaining contaminated soils that had been missed during the original excavation at the site. He stated that the lithology was unusual around the area, and because of this, excavation would be the most effective method. Oxygen release compound (ORC®) would be added to the backfill, the backfill would be placed into the excavated area, and then roughly two (2) monitoring wells would need to be replaced. From there, two (2) or three (3) new monitoring wells would be installed downgradient from the contamination to obtain full delineation of the plume. After this, one (1) sampling event would occur.

Mr. Monahan asked if Mr. Steven Marie from Tetra Tech had any comments for the Board. Mr. Marie stated that he believed the WP was straightforward, as the source area would undergo a limited excavation to remove the contamination, and then the ORC® amendment would be applied. Monitoring wells would be installed to delineate the downgradient edge of the groundwater plume.

Mr. Monahan asked if Mr. Wadsworth had any comments. Mr. Wadsworth noted, as listed in the release's chronology, that work was performed on the site in 1991 through 1994. After this, there was a 14-year break in activity until work resumed in 2008. In 2008, wells were installed, and groundwater was monitored until 2011. From there on no remedial activity appeared to have been undertaken for another 12 years until a laser-induced fluorescence (LIF) study was performed in 2023. This indicates there were a number of delays for a significant period of time. The WP being discussed was proposing excavation and backfill with the addition of ORC®, and installation of soil borings and monitoring wells, as well as groundwater monitoring and reporting. He stated that the Board staff had looked at the information contained in the WP and recommended, based on the concentrations in the soil borings, to limit the excavation to a depth of about 17 feet below the ground surface instead of the proposed 20 feet. He added that it would be known if there would be a need to go to an extra depth of 20 feet once work started on-site. The Board staff had seen a significant difference in the cost of ORC® available, depending on the vendor from whom

the product was purchased. This translated into significant costs for the project, which was why the PTRCB used competitive bidding to find comparable products at a more reasonable cost. He stated that, in this particular case, MDT had the entire project competitively bid rather than just its components. Because of this, the Board staff would be looking closely at the costs for what was actual, reasonable, and necessary once claims for the WP started arriving.

Mr. Monahan asked Mr. Wadsworth if he was correct in his understanding that it was the Board staff who had proposed the excavation only go to 17 feet deep. Mr. Wadsworth said this was so, and that the data from the soil borings that had been done did not indicate actionable contamination beneath 17 feet. He stated that it sounded like there would be some ORC® applied to the base of the excavation as well, which would assist with cleanup of any unknown contamination below 17 feet. He noted that the soil borings would be made at specific locations on-site, and that it was possible there was a different reason the WP had proposed excavation down to 20 feet. He stated, however, that he believed there was not enough evidence in the documentation to indicate a need to excavate to that depth.

Mr. Monahan asked if Mr. Wadsworth meant that the consultants would know the magnitude of the contamination for sure once they started work. Mr. Wadsworth answered this was correct, and that 20 feet could be a maximum estimate rather than an exact one.

Mr. Monahan asked if this meant 20 feet was a proactive estimate. Mr. Wadsworth stated he agreed this was believed to be the case, as the 20-foot depth was likely an approximation. There would need to be evidence of contamination below 17 feet in order for the Board staff to reimburse excavation to that depth.

Mr. Dennis Franks, consultant from AJM, Inc., not a party to work at the site, introduced himself to the Board. He asked the depth to groundwater for the site. He noted that if the groundwater was at 20 feet, and the excavation went to that depth instead of 17 feet, the ORC® would be going into the groundwater and not the soil.

Mr. Monahan asked if there was any information available to show the depths of groundwater at the site. Mr. Wadsworth said that while the Board likely had this information, it could be best provided by the consultants present.

Mr. Monahan asked Mr. Marie what his thoughts on Mr. Frank's comments were. Mr. Marie stated that the water table would be about 15 feet below the ground surface, which would be a concern for the excavation. He noted that, in the WP, Tetra Tech had provided a range of depths, where the excavation would vary between 14 and 20 feet depending on what was found and where the consultants would be digging.

Ms. Kline asked if the gaps in remedial activity at the site had occurred with the intent that the release would resolve on its own. She noted that these breaks were large portions of time, during which costs went up. She asked if there was any explanation for this cumulative 26-year lapse in activity. Mr. Radonich introduced himself to the Board and answered that he was unsure why so much time had passed. He stated that he could only speculate that they had to balance resources in the form of staffing and whether remediation could be done entirely with Fund money or not. He noted that the MDT had other petroleum release sites they were in charge of that had possibly taken a higher priority in remediation, but that this was still only speculation. Ms. Kline thanked Mr. Radonich for his answer and noted that the release was likely a low priority, and because of this, she had been curious if the low priority was because it was a release that would resolve itself over time, which would in turn cut down on expenses.

Ms. Kline asked if its groundwater depth levels stayed consistent at all times of the year or varied with the seasons. Mr. Marie answered that it did change seasonally. Ms. Kline asked if the highest it got was 13 feet and if it was lower at other times of the year. Mr. Marie stated that it was usually lower than 13 feet at different times of the year.

Ms. Kline asked if Ingomar had any public water systems in the area, as the town was fairly remote in its location, or if MDT had its own wells. Mr. Marie stated that there was no water well at the facility or in the vicinity. He stated that this had been a low-priority site, and that they had hoped the contamination would have gone away on its own, but it seemed to be staying in the soil. Because of this, excavation and monitoring appeared to be the best course going forward.

#### **Release 4385 (& 1469), WP 716834964, Mountain View Co-Op, Fairfield, Exceeding \$100K in Costs**

Ms. Pankratz presented the Board with a summary of the releases at the site. She stated that Mountain View Co-Op was the responsible party for the releases, and that they had retained Air Water Soil, LLC (AWS) as the consultant. The WP proposed well assessment, additional soil-vapor extraction (SVE) wells and system operation, as well as an evaluation of the building's

mechanical systems to determine if they were affecting past and future vapor intrusion assessments. The WP was estimated to cost around \$99,505.80. Release 1469 was reported to the Department in 1992 when contaminated soil from past spills was discovered while excavating to install three (3) new tanks. Release 4385 was reported in 2005 and was caused by failed piping in the fuel systems south of the building.

Mr. Monahan asked if the owners of the release, Ms. Mallory Antovel and Mr. Taylor Wagner, were present to comment. Mr. Dave Douglas, representing Mountain View Co-Op, stated that Mr. Alan Frohberg from AWS would be able to give a more detailed discussion of the WP, but from the owner's perspective, the only comment was that the goal was to have the releases cleaned up and moved to closure as soon as possible.

Mr. Frohberg introduced himself to the Board. He stated that the WP had been created to address two (2) different releases at the facility while continuing to assess cleanup options. He stated that the older release, release 1469, resulted from above-ground storage tanks (AST) and piping on the north and west side of the building, and that later a new building was constructed over the area. As a result, the impacted soils are difficult to access. AWS had already performed vapor intrusion sampling inside of the building, as well as sub-slab sampling, and had found relatively significant levels of vapors present. He stated that they did not have historic data showing that the soil mass in the area for release 1469 had been defined. Many drillings had been performed, but not a lot of confirmation samplings had been completed. Because of this, AWS would need to test to define the extent and magnitude of the soil mass and source area. The SVE system had been implemented by a prior consultant, and it had worked well on the east side of the property. He stated that AWS was planning to perform SVE on the west side in the source area to not only address the materials that were below the building, but also residual soils that were around the tank system outside of the building with the newer tank system. He stated that some of the circumstantial data that AWS reviewed indicated that there was impacted soil in the area. Because of this, the overall soil mass would need to be defined. The SVE would be addressing soil vapors both for vapor mitigation as well as remediation of the soil in that area. The plan would also address the groundwater itself for release 4385, which was at the southeast side of the building. He stated that there would need to be continued groundwater sampling to identify what kind of biological activity was present, and that this would likely be their best solution in the area. He stated that it was important to note that the aquifer below the site was the drinking water aquifer for the town of Fairfield. There were wells around the area that were not impacted by the release, but it was still a major source water aquifer for the entire Fairfield area. Because of this, remediating this release was essential. He stated that he was available for questions.

Mr. Monahan asked Mr. Frohberg if the building was constructed over soil that the owner knew was contaminated, and if so, why it was never excavated. Mr. Frohberg responded that the building had likely been there for 25 to 30 years, if not longer. He stated that it was likely constructed over the tank systems when the owners had not known about the contamination. Mr. Monahan asked Mr. Frohberg if this meant that it was built before the release was discovered. Mr. Frohberg answered that Mr. Monahan was correct.

Mr. Monahan asked Mr. Wadsworth if he had any comments for the Board. Mr. Wadsworth stated that release 4385 was discovered in 2004; however, the first WP was not created until eight (8) years later in November 2012. He stated that there was other work occurring for the site, such as application for assistance from the Fund during that time, but that none of it was cleanup activity. He stated that there had been many wells installed at the site, and that the WP had proposed to expend funding to locate the site wells and assess them. However, the Board staff had evidence that the well locations were known, and that the assessment of the wells had previously occurred in an earlier work plan. The WP also proposed monitoring all existing site wells, but evidence indicated that there were only four (4) wells on the site that continued to have exceedances of RBSLs and those exceedances were found not to be significant. Because of this, the Board staff would agree to monitoring the four (4) wells with RBSL exceedances and a few other wells that would assist in understanding the chemistry left in the area. The WP also proposed drilling 18 soil borings on the west side of the building. The Board staff was uncertain that 18 borings would be necessary. He stated that the borings would need to be drilled in a strategic manner to avoid any unnecessary drilling. This would include focusing on the areas with the highest expected concentrations and working away from that area of high concentration. He stated that it was possible they would end up with 18 borings, but it was also possible that the investigation could be accomplished with fewer borings. The WP also proposed the installation of the SVE system wells; however, the current evidence did not indicate that the concentrations were high enough to warrant an SVE system. An SVE system was not effective at low concentrations of petroleum chemicals of concern. He noted that it was possible that an SVE system may be trying to address the vapors in the building rather than addressing the vapors in the soil, and he believed there were other methods of addressing the vapors in the building that did not require the operations and maintenance costs of an SVE system. He stated that the Board staff was aware that there was indoor vapor sampling that had indicated that there were vapors of petroleum hydrocarbons in the store, office, and basement of the site building at concentrations above RBSLs. He stated that he believed it was important to recognize that the building contained a number of products for sale that would emit chemical

vapors with a petroleum fingerprint. It was not feasible to remove all of the products of this type from within the building, but the heating and ventilation air conditioning (HVAC) system could be affecting the results for vapor concentration testing. He noted that the HVAC system could have been moving vapors around the building from the products for sale. Saying it another way, the indoor vapor sampling results could have been skewed from the products in the building and not from the sub-slab air samples. The collection of air samples needed to be conducted in such a way as to eliminate the effects of the product inventory as well as the effects of the HVAC system intermingling the air from those products.

Mr. Monahan asked about the 18 soil borings and if this was the maximum estimate for the soil boring costs or a set number that the consultant believed needed to be performed. Mr. Wadsworth stated that this could be an estimated number, as there were some projected unknowns with regards to some of the chemistry present at the west side of the building. He stated that, because of this, the suggestion that the Board staff had was to start boring not from where contamination was unknown, but rather from where the chemistry was expected to occur and then work outwards to where progressively cleaner areas were expected to be. He stated that this was likely to be a more cost-effective method of obtaining the necessary soil chemistry data.

Mr. Monahan asked how the contributions from the HVAC system and product chemical vapors could be ruled out. Mr. Wadsworth stated that the program had faced similar challenges in the past. The consultant must recognize those items that emit petroleum vapors and create false positives. Things like leather, bottled oils (lamp oil), paints, glues, cleaning products and other chemicals on the store shelves. These vapors could be being emitted and then moved around from one part of the store to the other through the HVAC system. Because of this, it would need to be confirmed that the petroleum vapors were coming from the vapors beneath the floor (sub-slab) and not the products in the store. Because of interferences, a method would need to be proposed that measure the vapors coming from the petroleum release only.

Mr. Monahan asked if the vapors from the products could raise the levels in the air samples to be above RBSL. Mr. Wadsworth indicated that it could, and the program has seen it occur in the past.

Mr. Frohberg stated that it was worth noting the history of the two (2) releases at the site, as the chronology of the first release (Release 1469) went back to the early 1990s. He stated that there were numerous wells that had been installed at the site, and he understood that the Board staff had stated well assessment had been completed and that some wells had been abandoned. He noted that, in his review of the documentation, it stated that the wells could not be found, and not that they had been abandoned. What AWS was trying to do with the well assessment in the WP was utilize infrastructure that could potentially be there so that it wouldn't have to be re-created in the future. Additionally, he didn't want to risk accidentally drilling into a lost monitoring well during soil boring. Because of this, he stated that he believed the well assessment task was important to the overall scope of work. He also noted that, with regards to the soil-vapor potential in the building, an isolated sub-slab vapor assessment had been performed alongside assessing the vapors in the building. It was found that the concentrations in the sub-slab were significantly higher than what was in the building. He stated that, when the vapor assessment work was being done earlier at the site, there was a suspicion that the duct work was sub-slab in the area of the release. If this was the case, then the sub-slab ducting was a potential vapor conduit contributing to the vapor intrusion in the building, hence why a mechanical system assessment was needed. .

Mr. Wadsworth thanked Mr. Frohberg for the clarification and stated that he believed the information about the mechanical system in the sub-slab was not available in the resources the Board staff had assessed. He stated that this information would be valuable to the Board staff in their future considerations.

Mr. Monahan asked Mr. Frohberg if the released had or ran the risk of entering the underground aquifer, noting that it was a main water supply for the town of Fairfield. Mr. Frohberg stated that this was not a risk, as he had been working with Fairfield releases for a number of years, and the town's water system was designed so that the intake wells were far from the community. Because of this, there was no risk of contamination seeping into the public water supply. He noted, however, that the water supply was vital for the entire area and was not water just used for agriculture.

Mr. Frohberg stated that he had a question in return. He noted that AWS was not likely to spend all \$99,505.80 projected in the WP, as they wouldn't likely be boring a total of 18 holes. In this, however, he noted that only about \$29,000 was being funded in this WP, all of which was exclusively delegated to groundwater sampling. The tasks that had been proposed for the WP were to perform and assess remediation at the site, which he stated he believed was the purpose of the Fund. In this, he wanted to understand why there was no funding for tasks that were required for cleanup. Mr. Wadsworth stated that some of this was due to the Board staff not approving costs for the assessment of the mechanical system, as they had previously not had the evidence that would have warranted approving these costs. The evidence that the mechanical system's conveyance tubing was beneath the slab and could be compromised by the soil contamination was not information that was available at the time the Board

conducted their review. He stated that this additional information provided during today's threshold discussion would change the approved amount of costs that were going to be reimbursed.

Mr. Frohberg asked if it was just the mechanical system assessment that was going to be approved after this meeting, or if more tasks in the WP would be as well, such as the SVE system to address the vapors beneath the building. Mr. Wadsworth stated that, with the SVE system, he believed there were other ways to address the vapors beneath the building that would remove the operation and maintenance costs of the SVE. Because of this, Mr. Wadsworth stated that the Board staff would recommend a different method that would remove the vapors from the sub-slab, as it did not appear that the soils had a concentration that was a problem other than being a conduit that could be leaking vapors into the building. He noted that more would be known after the soil borings. Mr. Frohberg concurred that there was no soil data up in the western area, which was why the soil borings were needed. Mr. Frohberg added that because there was no soil data for this area, the need for an SVE could not be ruled out yet. He stated that AWS was not installing a new SVE currently but was only performing a pilot test.

Mr. Monahan asked about the two (2) releases for this WP and what the split in costs would be. He asked if release 1469 was receiving 80% of the reimbursement while release 4385 was receiving 20%. Mr. Wadsworth and Mr. Frohberg stated that the releases were sharing reimbursement.

Mr. Monahan noted that the task costs on the WP were preliminary budgets. He asked if, as more information was obtained in the investigation, the amount of money the Fund could reimburse would go up. Mr. Wadsworth confirmed this was resulting in changes to the plan.

Ms. Kline asked about the water supply and noted that one of the main water lines to one of Fairfield's main wells was located pretty close to one of the monitoring wells at the site. Because of this, she asked how deep the soil borings would go. Mr. Frohberg answered that the waterline was underneath the highway in the area and to the west. He noted that in previous investigations indicated no contamination had been encountered in that area. He added that while there was limited data for these previous tests, there was not a concern about the waterline being affected, as there was no evidence of a substantiated impact. He stated that the upcoming soil borings would address contamination on the property near the west and north sides of the building. Ms. Kline stated that, when the line was put in, there must have been testing performed to check for contamination and that it would have shown up during that time.

Ms. Kline noted that there was a sanitary sewer in this area, too. Because of this, she asked if the consultant was also working with the Town of Fairfield Public Works on the project, since it appeared that the WP's tasks overlapped with local infrastructure that would need to be protected. Mr. Frohberg stated that he believed this would be the case, as the SVE system was near the sewer lines, but was believed to not have a potential impact on the sanitary sewer. As for groundwater, Mr. Frohberg explained that, while the monitoring wells would go down to groundwater levels at 10 to 12 feet, the water lines would likely not be impacted. If there was contamination, it would likely be below the waterline, as waterlines were usually at a depth of 6 feet. He stated that this part of the infrastructure would be assessed more as more data was obtained. Ms. Kline noted that groundwater levels could vary based on irrigation, which would affect this, too. She stated that, because of this, she wanted to make sure AWS was communicating with the town about the infrastructure, as there was still a potential risk of the release seeping into local utility piping if there was a crack in one. Mr. Frohberg stated Ms. Kline had a good point and thanked her.

#### **Release 1054, WP 716834891, Pacific Coast Supply, Great Falls, Exceeding \$100K in Costs**

Ms. Pankratz presented the Board with a summary of the release. She stated that Pacific coast supply was the responsible party for the release, and that they had retained WGM group as the environmental consultant. The WP originally started as a remedial investigation, but due to pending site redevelopment or expansion, it was upgraded to include a cleanup component as well. Tasks for the WP included in-situ chemical oxidation combined with carbon injection. The estimated cost for the WP was \$260,795.18. The release was originally reported in 1992 when petroleum-contaminated soil was encountered during removal of the USTs. At that time 110 yards of petroleum-contaminated soil were removed, and the release was resolved. However, a later investigation, in 2021, found contamination that appeared to be related to the previous release, which caused it to be re-opened.

Mr. Monahan asked if the owner or a representative of the owner was available for comment. There was nobody available from the owner, owner representative, or consultant available to speak at this time.

Mr. Monahan asked if Mr. Wadsworth had any comments. Mr. Wadsworth stated that the evidence indicates that the owner and the consultant were attempting to rush the environmental cleanup at the site, as demonstrated by the WP's expansion from remedial investigation to a combination of investigation and cleanup. He stated that the compressed cleanup timeline that was being pursued by the owner and consultant did not allow for an economically justifiable strategy to address the contamination. He stated that compressed schedules often led to mistakes, inaccurate documentation, economic inefficiencies, and unnecessary costs. Optimal use of public funds required a process that ensures a defensible WP, adequate public comment period, time for WP modification resulting from the comments, and regulatory agency approval of the work before the work was conducted. Underlying the cleanup process was the fundamental principle that costs needed to reasonably be incurred. A review of the WP had indicated multiple inconsistencies, disagreement in scope between the narratives and the tabulated costs, ambiguous tasks, costs assigned to non-standard tasks, incorrect staffing levels, incomplete mobilization costs, and incomplete worksheets. He noted that while the WP proposed a cleanup strategy, the extent and magnitude of the contamination remained undetermined. Because of the compressed cleanup timeline the proposed cleanup strategy, based on the current remedial alternatives analysis, was neither the cheapest nor fastest alternative to bring the release to closure. He stated that this WP proposed the installation of three (3) borings that would be converted to wells. The wells would be surveyed at the site, carbon injectate would be administered, four (4) rounds of groundwater monitoring would be conducted at the wells at the site, and those findings would be reported. He stated that the low concentrations present at the site argued against the use of a carbon injectate, and available soil concentrations could not support the proposed amount of carbon injectate and other similar products. The manufacturer's literature indicated that RegenOx®, the chemical oxidation compound proposed for use, was a viable solution where contaminants were significantly higher than was found in the existing borings and monitoring wells at the site. Similarly, consideration of the volume of contaminated soils suggested a much smaller injection area, one that was approximately one tenth of the size proposed in the WP. Consequently, the Board staff had allowed costs of up to a tenth of the proposed ORC® to be injected. RegenOx® injections were not considered to be necessary unless the additional planned wells showed higher levels of contamination. He stated that another concern with the site was that it potentially had petroleum contamination related to railroad operation, and therefore it was important for the consultant to assess that aspect of the site as the investigation continued.

Mr. Monahan asked why there appeared to be no activity performed at the site until 2020 if the release was discovered in 1991. Mr. Wadsworth noted that this release was initially discovered in 1991 but was closed in 1992. It was re-opened in May of 2021 after activity occurred near the tank basin during a Phase II site investigation performed in preparation for the sale of the property. He stated that, in this case, this was justification for why there was a significant span of time between work at the site.

Ms. Kline asked if the expression "local government review" was not fully defined, and if it referred to the period of time where public comments were submitted. Mr. Wadsworth stated any work plan for which public funds will be used to reimburse costs had to go through a government review process. He noted that the law (§75.11.309, MCA) included the review by local government; the county government (sanitarian), and the city government, as well as the tribal government. He believed, because it was public funding, it also provided the opportunity for anybody who was in the area or had an interest in the site to review the proposed scope of work in the WP. He indicated that neighbors could be an impacted third-party and therefore had a stake in the review of the scope of work for a site that was adjacent to them. Although the law does not specifically include the public, the spirit of the law seems to indicate that there should be time allowed for comment. Mr. Wadsworth stated that, because of the compressed schedule in this case, there was not much time for the government review. Ms. Kline stated that she wasn't sure if it just involved the sanitarian and appreciated the elaboration. Mr. Wadsworth added that it could seem that way because the Department often received comments from the county sanitarian on WPs and seldom received comments from others.

### **Board Attorney Report**

Ms. Oomens presented the Board with the Board Attorney Report. She stated that, for the *Cascade Cnty v. Mont. Petroleum Tank Release Comp. Bd.* case, they had received an order from the Montana Supreme Court. The Montana Supreme Court had stated that the Board had previously not denied or approved the costs, as the Board had stated that the costs could not be approved or denied until they were sorted into the releases. The Montana Supreme Court wanted the Board to either deny or approve the costs.

Mr. Wadsworth stated, to expand on Ms. Oomen's briefing, that Cascade County had a release DEQ had assigned number 3051, and Cascade County had submitted claims for this release. However, the claims exceeded the Petroleum Tank Release Cleanup Fund's (Fund) maximum amount reimbursable for a release. Because of this, the Board staff prepared the denial of a number of claims related to this release, totaling nearly \$900,000 worth of costs that had exceeded the maximum amount

reimbursable. During the process of bringing these staff-denied claims before the Board to be ratified for denial, Cascade County had entered into a legal case with the Department, challenging the assignment of only one release under the Department's method of operation. He stated that Cascade County finalized the case with the Department, with the Department refusing to assign additional releases to the site and then began the case with the Board. The case with the Board had now been going on for a number of years. The claims related to this release had been sitting dormant, awaiting a resolution to the case, before the Board was to act. He stated that the Board staff had sent many communications to Cascade County and their attorney notifying them that the court had granted four (4) releases at the site. The Board staff had processed four (4) additional applications for eligibility for the site. These four (4) applications had been sent in by Cascade County as Releases 3051-C1, 3051-C2, 3051-C3, and 3051-C4. He explained that, in the Board staff's database, they had identified these releases as release numbers 51, 52, 53, and 54. As a historical matter, Cascade County had submitted all of their costs on release 3051. Because of this, the Board staff had asked Cascade County to take all the submitted costs and break them into the four (4) releases that had been granted eligibility to the Fund with the appropriate costs and work attributed to each release. However, Cascade County had refused to do this. Because of this, the Montana Supreme Court had stated that the Board had to continue with the processing of the claims as submitted. He stated that he anticipated, at the next Board meeting on September 15, 2025, all of the pending Cascade County claims that the Board staff were going to deny could be brought before the Board for ratification of denial. This would allow the Montana Supreme Court and Cascade County to move forward with the current case. He stated that he was available for questions.

An extensive discussion ensued concerning the history of the prior cases related to the Cascade County property, the legal issues raised, the courts' decisions, and the Board and Board staff's attempts to follow the Courts' directions. These issues included:

- DEQ administration and tracking of the contamination at the site under a single release vs. PTRC with four (4) releases – coordination of information and processes,
  - Work plans, claims, etc.
  - Closure of DEQ release and effect on PTRCB releases.
- Determination of appropriate costs attributable to each release allowed by the Supreme Court,
  - Each release with a separate copy,
  - Each release with required maximum reimbursement,
  - Contamination volume and cleanup costs attributable to each release,
- Separation of ineligible costs from eligible costs, including:
  - Costs for contamination that are not associated with the four (4) Supreme Court identified releases,
  - Costs associated with cleanup of contamination from the old refinery that pre-existed Cascade County's use of the site (i.e., refinery contamination vs. non-refinery contamination), including railroad spur area,
- Evidence (scientific and soil volume information) to attribute costs to specific release areas may not be available,
- Cost control measures not implemented for later claims filed under Release 3051 because it was known that costs would exceed the maximum allowable reimbursement for that release regardless of cost control efforts.

Ms. Oomens clarified that the Montana Supreme Court's decision did not state that the Board needed to approve or deny the claims to move forward, but simply to decide one way or the other. Mr. Monahan asked if this meant it was up to the Board, as opposed to the Board staff deciding one way or the other. Ms. Oomens stated that it would be based on whatever the Board staff brought up for recommendation, but that this was otherwise the case.

Ms. Oomens presented the Board with an update on the Public Forum comments that had been presented at the April 14, 2025 Board meeting. She stated that there had been public comment at the last meeting about Board interaction of costs and what actions were approved and refunded. She stated that she had been in communication with Mr. Nate Olson, Project Manager, West Central Environmental Consulting, who had submitted the comments at the last meeting. In these communications, she stated that she had been explaining how the Board's procedures worked in relation to the consultants, owner, Department, and the Board itself. She stated that she had not heard back from Mr. Olson after their latest communications, and she hoped that they had reached an understanding.

Ms. Oomens stated that, as a final point, there were communications that Ms. Aislinn Brown, the previous Board Attorney, had with the Northern Cheyenne Tribe about costs for which they were seeking reimbursement. She stated that the communication had been ongoing, but that she hoped an understanding could be reached. However, nothing of major note had come of it yet.

Mr. Monahan asked about the federal grant from the Environmental Protection Agency (EPA) that the Northern Cheyenne Tribe had, and if it had been specifically for the cleanup the Northern Cheyenne Tribe had been using in their request for reimbursement. Mr. Wadsworth stated that the Northern Cheyenne Tribe received a grant from the EPA to perform cleanup

within the tribal boundaries. He stated that he was not sure if this grant was for the cleanup of a particular facility within the tribal boundaries. He stated that Northern Cheyenne Tribes chose to use the grant money towards some Fund-eligible facilities. Then, they were seeking reimbursement from the Fund on the EPA grant money. Mr. Wadsworth stated that the Board was legally prohibited from reimbursing grant funds to the grantee. He stated that the only workaround to this was if the Board staff was reimbursing the EPA (the grantor) and that EPA had been made the claimant and the one intended to receive this particular reimbursement. He stated that with this particular case, there had been claims submitted by the Northern Cheyenne Tribe seeking reimbursement for costs that were covered under a grant. He noted that, because of this, the Board staff was walking a legal line over what could and could not be reimbursed. He stated that Ms. Brown had started a conversation with Northern Cheyenne Tribe's attorney prior to her departure, and that Ms. Oomens was continuing that effort. Ms. Oomens stated that her latest communication with the attorney was to look for clarification as to what money went where in the seeking of reimbursement. She stated that, hopefully, there would be answers obtained from this communication.

### **Fiscal Report through AprFY2025**

Mr. Wadsworth presented the Board with a summary of the Fiscal Report. He stated that he had not seen any information worthy of bringing to the Board's attention, but that he was available for questions. There were none.

### **Board Staff Report**

Mr. Wadsworth presented the Board with a summary of the Board staff report. He stated that the staff graphs were published with data that was current up to April 2025. He noted that there had been two (2) informational-only entries during the eligibility ratification portion at this meeting, and these had both been eligibility applications that were withdrawn. He stated that these eligibilities were previously pending but were now identified as withdrawn. He hoped this would tie these details together for the Board. Mr. Wadsworth added that, in April, three (3) new eligibility applications had been received.

Mr. Monahan noted that these were the same three (3) eligibilities that were ratified as eligible earlier in the meeting. Mr. Wadsworth confirmed this was so. Mr. Monahan asked if, for clarity, December 2024 to March 2025 passed by with zero (0) new eligibilities submitted or ratified. Mr. Wadsworth confirmed this was so.

### **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, since the last Board meeting, there had been 11 suspect releases, ten (10) confirmed releases, and six (6) releases resolved. She noted that Mr. Monahan, at the previous Board meeting, had asked about the number of releases that were resolved and eligible. She stated that, out of the six (6), one (1) of them was eligible. She stated that, when the resolved releases from the last meeting were factored into this, there were a total of 11 releases resolved, with three (3) of them eligible, one (1) ineligible, and the other seven (7) falling into other categories such as pending, withdrawn, or not applied. For a summary of petroleum release activity to-date, there were a total of 4882 confirmed releases, 3969 resolved releases, and 913 total releases open. Of the 913 total open releases, PTCS managed 859 of them, with 583 of the releases being eligible for the Fund and 276 falling into the other category of ineligible, pending, withdrawn, suspended, or not applied.

Mr. Monahan noted that there appeared to be an elevated number of suspected and confirmed releases and asked Ms. Pankratz if there was anything to which this could be attributed. Ms. Pankratz answered that she believed this upsurge was due in part to construction activities at active facilities. This included the upgrading of piping or tanks. She stated that owners were often finding contamination from this. She added that environmental site assessments of properties during property transactions could also be a contributing factor. She stated that there would also naturally be an upsurge in releases during this season because there would be more activity being conducted at sites.

#### Robins Service, Facility #11-02466, TID 19718, Rel #3854, WP #716835025, Glendive, Priority 3.0

Ms. Pankratz presented the Board with a summary of WP 716835025. She stated that Robins Service was the responsible party for this release, and had retained AJM, Inc. as their environmental consultant, who had submitted the WP on the owner's behalf. The WP was anticipated to aid in the remediation of petroleum-contaminated soil and groundwater. The WP proposed the installation of an SVE and air sparging (AS) system, along with system operation and maintenance, well replacement, groundwater monitoring, and reporting. The estimated cost of the WP was \$277,954.76. The release was reported to the

Department in 1999 during underground piping removal when petroleum-contaminated soil was encountered. Approximately 350 cubic yards were removed and disposed of at that time. The groundwater had continued to exceed RBSLs.

Mr. Monahan asked Mr. Wadsworth if he had any comments from the Board staff on the WP. Mr. Wadsworth stated that the WP proposed a carbon filtration system for the exhaust portion of the SVE system. He stated that there was no evidence to indicate why the carbon filtration system was necessary. He stated that it was not required by law and the costs would not be considered necessary. He also stated that the Board staff recommended the number of employees on the site to be reduced from three (3) employees to two (2). Another reduction recommended by the Board staff was related to the report preparation.

He agreed that the release was discovered in 1999, and at that time 350 cubic yards of soil were removed. Then there was no activity until 2013. Twelve (12) monitoring wells have been installed since 2013, followed by groundwater monitoring. In 2014, an additional 500 cubic yards of soil were removed. Then there were no active WPs for about seven (7) years from 2014 to 2021. He stated that this WP proposes the installation of an SVE/AS system, with six (6) sparge points, and five (5) SVE wells, along with monthly system inspections for a year. Additionally, there would be 200 pounds of activated carbon put into the system trenches when installing the piping, construction of two (2) additional groundwater monitoring wells near the sewer line, and three (3) additional rounds of groundwater monitoring conducted on the 11 wells at the site. With the high chemistry and a successful pilot test of the SVE/AS system in 2024, Mr. Wadsworth stated that there did not appear to be any issues with the need for a remediation system. He stated that one of the monitoring wells had low concentrations of Benzene in 2022 (2.5 ppb) and 2024 (25 ppb). If the sampling shows that concentrations do not exceed any RBSLs the well may only require a few more monitoring events. The installation of two (2) proposed new wells along the sewer line may not be necessary since there are 4 monitoring wells already near the sewer line.

Mr. Pointer noted that the Board staff's proposed costs were a substantial reduction from \$277,000 and asked for further details. Mr. Wadsworth stated that he did not have detailed information available to provide a clear picture of reductions on each activity proposed in the work plan, but the items mentioned earlier made up a large portion of the staff's proposed reductions. Those were not reimbursing for the carbon filtration system that was proposed for the exhaust of the SVE (\$2,000), the reduction of three (3) employees to two (2) employees working at the site (\$23,000), unnecessary reporting costs (\$3,500), costs found above allow standard rates (\$3,000) and the two (2) wells near the sewer line that may not be needed.

Mr. Monahan asked if Mr. Franks was available to address Mr. Pointer's question. Mr. Franks stated that the carbon filtration system would help to address the high concentrations of hydrocarbon-filled air from the soil so the system would not impact people within the range of the vapors. He stated that this exhaust air, unfiltered, could make someone's eyes burn. When the SVE test was performed, the concentrations were at 4,000 ppm on the PID, and the owner asked about the smell. He stated that the options were to use a 40-foot tower to offset the emissions or alternatively use the proposed carbon filtration system to mitigate the hydrocarbons. This system was proposed to address the complaints of the neighbors and the staff at the facility.

Mr. Monahan asked if the 40-foot pole was the least feasible option. Mr. Franks confirmed this was so, as that method did not address this problem at sites nearly as well when it had been tested at other locations. He stated that carbon concentrations would eventually dissipate, but that this could take up to six (6) months if left on its own, during which concentrations in the air would be very strong. He stated that, because of this, AJM, Inc. recommended the carbon filtration system.

Mr. Monahan asked what the approximate cost of the carbon filtration system was. Mr. Franks noted that it was a few thousand dollars.

Further discussion was held concerning the materials in the packet, and the reductions proposed by the Board staff. Mr. Franks provided reasoning behind the proposed need and costs for the carbon filtration system, the use of three (3) personnel at the site, and the need for the additional wells proposed. There was an extensive discussion about the carbon filtration system for the SVE exhaust, the possible issues, and the air quality laws. Mr. Franks indicated the carbon filtration system would mitigate odors produced by the SVE/AS system. He admitted that it was a new thing, and he had installed one up in Libby for the solvent chloroethylene contamination. He stated that it was effective in preventing vapors and odors from spreading over the surrounding neighborhood and also meant that it would eliminate the need for a taller exhaust. Mr. Franks testified that the concentrations being emitted from the SVE system during the test were not higher than what the state had seen from other SVE systems installed in the state. Mr. Franks noted that the SVE system was being installed in a neighborhood, and the odor would flow into the neighborhood, however, most SVE systems are installed at facilities that are in or near a neighborhood. Mr. Wadsworth reiterated that carbon filtration systems were not something used with SVE/AS systems that remediate petroleum contaminated sites in the State of Montana and are not required by State law and there remains no sufficient scientific or legal evidence for the Board staff to consider it to be a necessary expenditure.

Mr. Pointer noted that every gas station in the state was required to have a vapor recovery system installed when they had an output of 100,000 gallons a month. He stated that it did not matter if this was over one (1) month or 12 months, as they were still required to have it. He stated that the carbon filtration system could be regulated the same way. He stated while it was air quality laws and not the Department enforcing this, but that the entire idea behind the gas stations' vapor recovery was to contain the vapor so that it didn't spread into the environment, whereas, at the Robins Service facility, the vapors were being intentionally emitted into the atmosphere. Because of this, he noted that one would expect there to be something in place to control the vapors emitted. He stated that, even if the Petroleum Tank Cleanup Section was not regulating the vapor recovery, the Air Quality Division of the Department was.

Mr. Monahan asked if it would be reasonable to reimburse the carbon filtration system if Ms. Pankratz stated that the Department required it by air quality law. Mr. Wadsworth stated that this was correct. He stated that a legal requirement for the carbon filtration would provide the data to indicate that air quality exceeded state standards, and the Board staff could then agree to the reimbursement of the carbon filtration system.

Ms. Pankratz stated that the Department did regulate air emissions, that this was of interest to the Department, and that the Department would be interested in obtaining additional information on the topic to report back on. Mr. Monahan stated that the Board would appreciate this.

Mr. Franks indicated that three (3) workers were needed to be present at the site because it was his intention to complete the SVE/AS system installation work as quickly as possible to minimize disruption to the owner's business. There was discussion about the costs of the extra people and the additional costs for mobilization, lodging and per diem. Mr. Franks also indicated that discussions had been held with the Executive Director concerning report costs, but a final resolution had not yet been reached.

#### *Town Pump Columbus, Facility #48-08691, TID 28607, Rel #4028, WP #716834982, Columbus, Priority 3.0*

Ms. Pankratz presented the Board with a summary of WP 716834982. She stated that Town Pump was the responsible party for the release, and that they had retained AJM, Inc. as their environmental consultant. The consultant had provided a WP on behalf of Town Pump, which proposed an excavation of petroleum-contaminated soil, application of PetroFix®, removal of the former remediation system, and well abandonment. The estimated cost for the WP was \$302,274.66. The release was reported in 2001 when a line tightness test failed and perforated piping was found.

Mr. Monahan asked if Mr. Wadsworth had any comments from the Board staff. Mr. Wadsworth stated that the proposed scope of work included the removal of around 1,000 cubic yards of contaminated soil from the UST basin, the dispensers, and anywhere else it was needed. There would be ORC® and PetroFix® added into the excavation area, along with the abandonment of 16 wells. Town Pump was going to build a new facility adjacent to the property so all the current fueling components were being removed. The Board staff had already reviewed the proposed excavation in-depth, and found the proposed scope of work reasonable, with the exception of the addition of the ORC® and PetroFix®. In the sanitarian review, the Board staff has asked why both ORC® and PetroFix® were needed. He stated that Regenesis, Inc. had recommended the ORC® and PetroFix® combination. The Board staff agreed that the ORC® would assist the local microbes in the biodegradation of the hydrocarbons present in the source area where there was groundwater, but the PetroFix® was what trapped the contamination. Mr. Wadsworth stated that, if there was PetroFix® in place to trap the contamination, there was enough bacteria in the soil to biodegrade it without the use of ORC®. He stated that most of the cost reductions the Board staff had performed on this WP were associated with the mobilization, excavation oversight, and the well abandonment oversight. He stated that it was worth noting that the Board staff did not reimburse for well abandonment oversight. Rather, the authorized water well constructor had to do the work. The Board staff did not allow the consultant to do the oversight when there was a licensed professional on the site to do the work. Because of this, well abandonment oversight had been an adjusted cost to the WP.

Mr. Monahan noted that there was a \$50,000 reduction on the WP. Mr. Wadsworth stated that the adjustments included the mobilization costs, the labor for the oversight, and the reduction to some of the products used, such as the ORC®. He stated that the bulk of the reductions likely came from the decrease in ORC® and Petrofix® products, as these are expensive products.

Mr. Monahan asked if the ORC® was being removed from the budget altogether because the Board staff had deemed it unnecessary. Mr. Wadsworth stated that was correct. PetroFix® was a carbon injectate that would trap the contaminants, and then the contamination would naturally biodegrade over time. There was no benefit to enhancing the biodegradation with ORC® if the contamination was already trapped. If enough carbon was injected into the soil, one could trap petroleum inside the carbon without a need to biodegrade it. He stated that he understood the benefit of getting rid of the chemistry altogether by using both, but that if the contamination was no longer leaching into groundwater or an issue for dermal contact, it was also not an issue that needed to be biodegraded.

Mr. Pointer asked if there had been a reduction in excavation costs made to the WP. Mr. Wadsworth stated that he believed there had been a reduction only on the excavation oversight, but not on the excavation costs themselves. He stated that most of the reductions present entailed field work oversight, most of which was to the oversight of well abandonment. Once the oversight costs were adjusted out, this also saved associated costs related to mobilization, lodging and per diem.

With regard to well abandonment oversight, Mr. Monahan asked if there was an administrative rule that covered this. Mr. Wadsworth indicated that costs are not considered reasonable costs of responding to the release and that the Board staff had compiled a large amount of information as to why it was not reasonable for the Fund to pay for well abandonment oversight. He added that this was a discussion that had gone on for a number of years. Mr. Monahan noted that whoever was abandoning the well was someone certified by the State. Mr. Wadsworth agreed that abandonment was done by a state licensed professional and that if the owner wanted the consultant there for any reason in this scenario, they could pay for it out of their pocket. He stated that there was no reason for the state of Montana to license an individual, only to have an unlicensed individual oversee the licensed individual perform the work. He stated that it did not make sense to have a state special revenue account pay to have an unlicensed worker oversee a licensed one. He stated that this would be similar to having someone oversee a licensed professional dispense drugs.

Mr. Pointer asked if the reductions would affect Mr. Franks' work as far as the Board staff being unable to reimburse the oversight tasks. He asked if there would also be additional monitoring conducted after the excavation to ensure that everything had been taken care of. Mr. Wadsworth indicated the work can be performed, it just won't receive reimbursement from the Fund and that it was likely another WP would be created after this WP had been completed to perform the additional monitoring. He stated that, after a cleanup activity was performed, there would be a number of activities in the following years such as groundwater monitoring. He stated that it would not likely occur as part of the current WP, but it would likely come later on a separate WP. It was noted that follow-up work would be done to assess if cleanup was complete.

Mr. Pointer asked Mr. Franks what part of the WP would be affected by the adjustments as far as the job was concerned. Mr. Franks stated that one thing he noted was the cost of soil removal, which was over \$115,000. He stated that he had originally submitted the WP with it at an estimated cost of over \$146,000 for this task. He stated that he had received three (3) competitive bids for it at \$250,000, \$200,000, and \$146,000. He stated that, because of the bid process, they had already been able to save \$100,000 on the excavation costs. He stated that, because of this, he was unsure why the Board staff had adjusted the costs by another \$30,000. As far as the labor and fieldwork, he had projected it at \$30,000 while the Board staff had allocated around \$8,500 for it. He noted that the lab analysis task was at over \$44,000, which was a lot of samples for one analyst to handle. As far as the PetroFix® and ORC® were concerned, Mr. Franks stated that PetroFix® was an excellent product, as it was carbon-based, and worked well to absorb the hydrocarbons in the groundwater. He added that the ORC® provided oxygen to local microbes, which then would eat at the hydrocarbons off of the PetroFix®. He stated that he believed this interaction was important, and that the usage of both was beneficial.

Mr. Wadsworth stated that the Board staff would go back and look at the information available to see if there were additional costs to correct. Mr. Monahan stated that this was what these discussions were for, as the Board could receive information from the department and consultant and then go back to the WP to make more accurate adjustments to each task item. Mr. Wadsworth added that these discussions also helped provide better documentation for why the Board staff made different decisions and why certain other costs were allowed.

Mr. Monahan asked if the Board staff were not required to reimburse these expenses without the right data. Mr. Wadsworth answered that the staff would likely resist it, as this was what the Board staff had proposed already in their comments. He stated that this related back to the current release and WP, because when it came to excavation at the site, one of the challenges was that excavation oversight came down to whether other work was being done at the site at the same time the excavation was occurring. He added that a representative of Town Pump could add further information to the discussion. He stated that if the only activity at the site was excavating contaminated soils and transportation, the work would happen fairly quickly. However,

if the excavation activity was occurring during site redevelopment that was happening at the site, then the redevelopment would affect the speed at which excavation could be completed and, in that case, additional oversight would result. But the additional oversight cause by the redevelopment was still not something the Fund could reimburse. He stated that the Fund could only reimburse what was permitted in the rules within their statistical allowances. He stated that an exception would be if the soils were unlike any previous release excavation seen in the state of Montana, or if the consultants somehow had unseen complications such as excavating around dinosaur bones. He stated that, normally, what the Fund considered reasonable was their statistic.

Mr. Franks stated that he had an additional comment regarding the site. He stated that he agreed with Mr. Wadsworth in that they were not abandoning the wells, however, he noted that at other sites, there could be a large number of wells that were either buried in gravel or difficult to locate. In these cases, his company worked alongside the driller to find the location of and marking of such wells, while allowing the licensed professional to perform the removal. He stated that, with sites like these, there were often wells buried in gravel, which would have to be located with metal detectors. In this, he stated that they wanted the well contractor to perform this task too, but that there would be expenditures for this task either way.

There was no further discussion.

### **Public Forum**

There was no discussion at the Public Forum.

The next meeting is scheduled for September 15, 2025. The place of the meeting will be sent out to all parties and published on the website.

The meeting was adjourned at 12:30 a.m.

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Signature - Presiding Officer

## Executive Summary

**Montana City Store – Montana City**  
**DEQ Facility ID # 22-01822 (TID 22494)**  
**Eligibility (DEQ Release #2709)**

### **Reimbursement Adjustment Dispute (DEQ Release #2709 and Release #206)**

**TYPE OF ACTION:** Board review of Board staff's recommendation of eligibility to the Fund with 0% reimbursement, and Board review of owner's dispute of 0% reimbursement of all suspended and future claims due to greater than 180 days of noncompliance.

**ACTIONS REQUESTED:** Request Board review of the facts and circumstances pertaining to the eligibility of Release #2709 and the violations for Facility ID 22-01822 (TID 22494), which affect reimbursement percentages for Release #2709 and Release #206.

#### **BOARD STAFF RECOMMENDATIONS:**

- **Eligibility**

The Board staff recommends that Release #2709 be determined eligible to the Fund.

Tank #	Tank Tag	Capacity	Product	Closed Date	Tank Type	Recommendation
1		4000	Gasoline	10/12/1988	Underground	Eligible
2		4000	Gasoline	10/12/1988	Underground	Eligible
3		4000	Gasoline	10/12/1988	Underground	Eligible
4		4000	Gasoline	10/12/1988	Underground	Eligible
5	1668	4000	Diesel		Underground	Eligible
6	1669	10000	Gasoline		Underground	Eligible
7	1670	10000	Gasoline		Underground	Eligible

- **Reimbursement**

Due to violations at the facility, the staff recommends that Release #2709 be reimbursed at 0% . In addition, due to violations at the facility the staff recommends that reimbursement for Release# 206, which is currently eligible, be reduced to 0%.

The period of noncompliance is determined to be greater than 180 days. Therefore, consistent with ARM 17.58.336(7)(a), the staff is required to recommend release #2709 to be eligible with 0% reimbursement of all suspended and future claims, and that reimbursement for Release #206 be reduced to 0% reimbursement of all suspended and future claims.

**ISSUE:** The Board has jurisdiction to make a determination of eligibility under Mont. Code Ann. §75-11-301, et seq. The owner is eligible for reimbursement as provided by law if the owner/operator is found to be in compliance with the applicable laws and rules at the time the

release was discovered. The site was determined to be in compliance with the laws in place at the time of the release discovery and is therefore recommended to be eligible.

The owner remains eligible for reimbursement from the Fund following the discovery of the release if the petroleum storage tanks remain in compliance with applicable state and federal laws and rules that the board determines pertain to prevention and mitigation of petroleum releases.

The staff has reviewed the files and determined that there are violations of applicable state and federal regulations for the petroleum storage tanks listed below.

Tank #	Tank Tag	Capacity	Product	Tank Type	Recommendation
5	1668	4000	Diesel	Underground	Eligible
6	1669	10000	Gasoline	Underground	Eligible
7	1670	10000	Gasoline	Underground	Eligible

The period of noncompliance is determined to be greater than 180 days. Therefore, consistent with ARM 17.58.336(7)(a), the staff is required to recommend release #2709 to be reimbursed 0% for all suspended and future claims, and that reimbursement for Release #206 be reduced to 0% for all suspended and future claims.

The owner has requested a hearing before the Board to contest the Board staff's recommendation of 0% reimbursement for releases at the facility.

**BACKGROUND:** The 2025 Legislature passed, and the Governor signed House Bill 189, which amended the Board's eligibility statute (75-11-308, MCA) to allow releases discovered after January 1, 1984 to seek reimbursement from the Petroleum Tank Release Cleanup Fund (Fund). Before this amendment, releases discovered prior to April 13, 1989 were statutorily excluded from the Fund. Petroleum release #2709 was discovered October 12, 1988 and has been granted the opportunity to apply to the Fund as a result of this statutory change. The Board staff is recommending that the release be determined eligible for reimbursement. However, due to violations that have occurred at the facility since the date of discovery of Release #2709, Board staff is recommending that the release be reimbursed at 0%. In addition, as a result of the violations at the facility, Board staff is recommending the reimbursement for Release #206, which was granted eligibility to the Fund on August 20, 1990, be reduced to 0%.

Release #2709 was discovered during removal of four (4) tanks in 1988. These tanks are shown as tanks 1-4 on the table below. The facility was in compliance with applicable federal and state rules at the time the release was discovered.

Tank #	Tank Tag	Capacity	Product	Closed Date	Tank Type	Recommendation
1		4000	Gasoline	10/12/1988	Underground	Eligible
2		4000	Gasoline	10/12/1988	Underground	Eligible
3		4000	Gasoline	10/12/1988	Underground	Eligible

4		4000	Gasoline	10/12/1988	Underground	Eligible
5	1668	4000	Diesel		Underground	Eligible
6	1669	10000	Gasoline		Underground	Eligible
7	1670	10000	Gasoline		Underground	Eligible

In reviewing the Application for Eligibility, the Board staff contacted the Underground Storage Tank and Petroleum Release Sections of Department of Environmental Quality (DEQ) and the Fire Prevention and Investigation Bureau of the Department of Justice regarding compliance with applicable state and federal regulations that the Board determines pertain to the prevention and mitigation of a petroleum release, (§75-11-308 & 309, MCA (2025)) and ARM 17.58.326. The staff has reviewed the files and determined that the tank systems at the facility fell out of compliance with applicable state and federal regulations. Information obtained from the Underground Storage Tank Program indicates the following violations:

Compliance and oversight inspections between the date of the release and the present indicate:

- ◆ Violations in excess of 180 days for missing tank and piping leak detection records.
- ◆ Violations in excess of 180 days for failure to ensure that your sumps are liquid tight.
- ◆ Violations, for a period of 90 days, of the requirement for automatic shutdown on any 0.2 gph periodic system test failure for tank and piping gauging systems.
- ◆ Violations, for a period of 90 days, for debris, dirt, water, and or/fuel present in spill containers.
- ◆ Violation, for a period of 30 days, for failure to obtain required corrosion protection testing by the required deadline.
- ◆ Violation in excess of 180 days for the absence of adequate corrosion protection on your vent standpipes.
- ◆ Violations for failure to obtain a compliance inspection more than 90-days before expiration of the site's operating permit.

## CHRONOLOGY:

10/12/1988      Release #2709 is discovered.

04/13/1989      Petroleum Tank Release Cleanup Fund and Petroleum Tank Release Compensation Board are established.

02/22/1990      Release #206 is discovered.

08/20/1990      Board ratifies Release #206 eligible for the Fund.

05/21/2008      Compliance inspection shows violations concerning shear valves, corrosion protection on vent risers, and automatic shutdown capability. These are classified as major and minor violations. All violations closed as of 6/8/2010. A violation period of 748 days.

05/24/2010 Compliance inspection shows violations concerning missing tank leak detection records, and absence of adequate corrosion protection on vent standpipes. These are classified as minor violations. All violations closed as of 3/7/2013. A violation period of 1018 days.

02/23/2012 Transfer of Release Eligibility for Release #206 to Montana City Properties LLC received by PTRCB.

02/21/2013 Compliance inspection shows violations concerning failure to ensure sumps are liquid tight (sump tightness testing). This is classified as a moderate violation. A violation period of 188 days.

03/24/2016 Violation for failure to conduct compliance inspection at least 90 days before permit expiration. This is classified as a major violation.

04/21/2016 Violation for failure to conduct compliance inspection at least 90 days before permit expiration. This is classified as a major violation.

06/29/2016 Oversight inspection shows violations concerning automatic shutdown of submersible turbine pump upon a failed 0.2 gph periodic tank test, programing system to temporarily disable pumping system upon failed 0.2 gph ELLD test, and failure to keep spill containers free of dirt, water, and/or fuel. These are classified as a major, moderate, and minor violations. All violations closed as of 9/27/2016. A violation period of 90 days.

03/21/2019 Violation for failure to conduct compliance inspection at least 90 days before permit expiration. This is classified as a major violation.

04/16/2019 Compliance inspection shows violations concerning missing monthly line leak detection records for tanks #1668, #1669, and #1670, and failure to conduct corrosion protection test on steel tanks, due before 4/05/2019. These are classified as major violations, moderate and minor. All violations closed as of 9/9/2020. A violation period of 512 days.

??/??/2025 Governor signs House Bill 189, amending the statute to allow releases discovered after January 1, 1984 potential access to the Fund.

05/09/2025 Compliance inspection shows violations concerning missing monthly line leak detection records (**7 of the last 12 months**) for all tanks (#1668, #1669, and #1670) and missing monthly tank leak detection records (**6 of the last 12 months**) for all tanks (#1668, #1669, and #1670). These are classified as major violations. Violations closed as of 8/12/2025. A violation period of 84 days.

5/19/2025 Application for Fund assistance on Release #2709 received by PTRCB.

07/15/2025 Suspension of Claims letter provided to Montana City Properties, Inc. for claims related to Release #206. Notified owner that all current and future claims were suspended due to violation.

08/12/2025 Re-inspection shows violations concerning missing monthly tank leak detection records (**3 of the last 12 months**) for all tanks (#1668, #1669, and #1670). This is classified as a minor violation. Violation remains open.

08/13/2025 DEQ issuance of Operating Permit in Partial status for all tanks.

08/18/2025 Re-inspection shows violations concerning missing 0.2gph line leak detection records for all tanks. Primary form of piping leak detection is now annual line tightness testing. Recommend continuing to log monthly 0.2 gph records. This is classified as a recommendation.

08/19/2025 DEQ issuance of Operating Permit in Partial status for all tanks (#1668, #1669, and #1670).

08/21/2025 Request for opportunity to appear before the Board concerning non-compliance issues at Facility 22-01822.

08/27/2025 Letter notifying Montana City Properties LLC that violations had been satisfied and the Board staff recommended reimbursement of 0% for all suspended and future claims for Release #206.

08/28/2025 Letter notifying Montana City Properties LLC that Board staff recommended Release #2709 be determined eligible with reimbursement of 0%.

### STATUTES AND RULES:

**75-11-309, MCA**, Procedures for reimbursement of eligible costs. (3) The board shall review each claim received under subsections (1)(i) and (1)(j), make the determination required by this subsection, inform the owner or operator of its determination, and, as appropriate, reimburse the owner or operator from the fund. Before approving a reimbursement, the board shall affirmatively determine that:

(b) the owner or operator:

(i) is eligible for reimbursement under 75-11-308; and

(ii) has complied with this section and any rules adopted pursuant to this section. 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.

**ARM 17.58.336 (7)** Claims subject to the provisions of 75-11-309(2) or (3)(b)(ii), MCA, must be reimbursed according to the following:

(a) Except as provided in (7)(e), such claims must be paid pursuant to the following schedule:

Period of Noncompliance	Percent of allowed claim to be reimbursed
1 to 30 days 90%	90%
31 to 60 days 75%	75%
61 to 90 days 50%	50%
91 to 180 days 25%	25%
greater than 180 days	no reimbursement

(c) For claims subject to the provisions of **75-11-309(3)(b)(ii), MCA**, the period of noncompliance must begin on the date upon which the board determines that the owner or operator has not complied with **75-11-309** MCA, or rules adopted pursuant to **75-11-309** MCA. The period of noncompliance must end on the date upon which the board determines that the owner or operator has returned to compliance.

(d) Reimbursement of claims filed during the period of noncompliance must be suspended by the board. If the owner or operator returns to compliance as provided in (7)(b) or (c), the board may allow reimbursement of the suspended and future claims as provided in (7)(a). Any such reimbursement is subject to the requirements of **75-11-309(3)(a), MCA**.

(e) The percentages of reimbursement set forth in (7)(a) may be adjusted by the board according to the procedures in (6) upon a substantial showing by the owner or operator that one or more of the following factors applies and would entitle the owner or operator to an adjustment:

- (i) the noncompliance has not presented a significant increased threat to public health or the environment;
- (ii) there has been no significant additional cost to the fund;
- (iii) the delay in compliance was caused by circumstances outside of the control of the owner or operator;
- (iv) there was an error in the issuance of the administrative order or an error in the determination of the date an administrative order was satisfied; or
- (v) any other factor that would render use of the reimbursement schedule in (7)(a) demonstrably unjust.

## BOARD OPTIONS:

- **Eligibility - Release #2709:**
  - 1) Ratify the staff recommendation of **eligibility to the Fund**.
  - 2) Reject the staff's recommendation and propose alternative motion based upon provisions of statute and/or rule. If the staff recommendation is rejected, provide rationale for the decision.
- **Reimbursement Percentage of 0% for Release #2709:**
  - 3) Ratify the staff recommendation of reimbursement at 0%.
  - 4) Reject the staff's recommendation and propose alternative motion based upon provisions of statute and/or rule. If the staff recommendation is rejected, provide rationale for the decision.
- **Reimbursement Adjustment to 0% for Release #206:**
  - 5) Ratify the staff recommendation of reduction of reimbursement percentage to 0%.
  - 6) Reject the staff's recommendation and propose alternative motion based upon provisions of statute and/or rule. If the staff recommendation is rejected, provide rationale for the decision.

## Montana City Store, Facility ID 22-01822 (TID 22949), Compliance History

Inspection Date	Inspection Type	Citation Number	Violation Comment	Significance	Issued Date	Due Date	Closed Date	Enforcement Request Date	Options	Days	Major Days	Moderate Days	Minor Days	Tanks/ Piping Months	Tank Months	
8/18/2025	Compliance Inspection - Re-inspection	253	Your compliance inspection documents missing 0.2 gph line leak detection records for all tanks. While your primary form of piping leak detection is now annual line tightness testing, the Department recommends that you continue to log monthly 0.2 gph records.	Recommendation	8/19/2025											
8/12/2025	Compliance Inspection - Re-inspection	402	Your compliance inspection documents show that you are missing 3 of the last 12 monthly tank leak detection records for all tanks. You are missing records for September 2024 through November 2024. A history of passing leak detection records generated by your automatic tank gauge is not sufficient evidence of monthly leak detection monitoring because, if your tank was leaking, you wouldn't have known it until you printed a leak detection history report. Provide your compliance inspector and the DEQ with CSLD reports for the months on September, October, and November 2025. If you are able to find monthly test reports for those missing months, please submit them to you inspector and the DEQ.	Minor	8/13/2025	12/1/2027								3	3	9
5/9/2025	Compliance Inspection - Routine	405	Your compliance inspection documents that you are missing 7 of the last 12 monthly passing piping leak detection records for all of your tanks. You are missing records for September 2024 through March 2025. Continue to print your PLLD report at least once per month to confirm that there is no liquid or fuel in your sumps. Maintain the monthly PLLD reports for at least 12 months. If you discover PLLD printouts for these missing months, please submit them to your compliance inspector and the DEQ. Provide passing PLLD records for the months of September through November 2025 to your compliance inspector and the DEQ.	Major	5/20/2025	10/20/2025	8/12/2025			84	84			7	3	21
5/9/2025	Compliance Inspection - Routine	401	Your compliance inspection documents show that you are missing six of the last 12 monthly <b>tank leak detection records for all tanks</b> . You are missing records for June 2024 through November 2024. A history of passing leak detection records generated by your automatic tank gauge is not sufficient evidence of monthly leak detection monitoring because, if your tank was leaking, you wouldn't have known it until you printed a leak detection history report. Provide your compliance inspector and the DEQ with CSLD reports for the months on June, July, and August 2025. If you are able to find monthly test reports for those missing months, please submit them to you inspector and the DEQ.	Major	5/20/2025	8/20/2025	8/12/2025			84	84			6	3	18
4/16/2019	Compliance Inspection - Routine	287	Your compliance inspection documents that you are missing four of the last 12 <b>monthly line leak detection records for tank tag #1669</b> . You are missing records for June, July, August, and December of 2018.	Moderate	4/16/2019	10/13/2019	10/17/2019			184	184			12	1	12
4/16/2019	Compliance Inspection - Routine	200	Your compliance inspection documents that you are missing one of the last 12 <b>monthly line leak detection records for tank tag #1668</b> . You are missing records for December 2018.	Minor	4/16/2019	3/3/2022	9/9/2020			512	512			1	1	1
4/16/2019	Compliance Inspection - Routine	200	Your compliance inspection documents that you are missing two of the last 12 <b>monthly line leak detection records for tank tag #1670</b> . You are missing records for June and December 2018.	Minor	4/16/2019	3/3/2022	9/9/2020			512	512			2	1	2
4/16/2019	Compliance Inspection - Routine	72	Your compliance inspection documents that the last corrosion protection test on your steel tanks was conducted on 4/5/2016. The next corrosion protection test was due before 4/5/2019. You are required to test your corrosion protection system at least every three years. Contact a corrosion protection tester as soon as possible.	Major	4/16/2019	5/18/2019	5/16/2019			30	30					
3/21/2019	254	254	Failure to obtain inspection 90 days prior to operating permit expiration.	Major	3/21/2019	3/21/2019				0	0					

### Montana City Store, Facility ID 22-01822 (TID 22949), Compliance History

Inspection Date	Inspection Type	Citation Number	Violation Comment	Significance	Issued Date	Due Date	Closed Date	Enforcement Request Date	Options	Days	Major Days	Moderate Days	Minor Days	Tanks/ Piping		
														Months	Tank Months	Piping Months
6/29/2016	Oversight Inspection - Oversight	278	Your UST oversight inspection does document that your automatic tank gauge is currently not properly programed to meet UST section requirements of shutting down the submersible turbine pumps on a failed 0.2 gph tank test ( <b>periodic tank test</b> ). You are required to have your service provider correctly program your tank monitor to shutdown each of your turbine pumps on any 0.2 gph periodic tank test failure (programming is found in PLLD Line Disable Setup). Currently this section of your programming has no alarm assignments.	Major	6/29/2016	11/10/2016	9/27/2016			90	90					
6/29/2016	Oversight Inspection - Oversight	266	Your UST oversight inspection does document that the power light on your automatic tank gauge is not functioning. Your power light bulb appears to be out and needs to be replaced. Have your service provider investigate the cause and correct this issue. All of your console lights are required to be functioning properly.	Minor	6/29/2016	11/10/2016	9/27/2016			90			90			
6/29/2016	Oversight Inspection - Oversight	21	Your UST oversight inspection does document that all of your spill containers are not free of debris, dirt, water, and/or fuel. You are required to clean out each of your spill containment devices and keep them clean and dry in the future. Routine maintenance is essential.	Moderate	6/29/2016	11/10/2016	9/27/2016			90		90				
6/29/2016	Oversight Inspection - Oversight	282	Your UST oversight inspection does document that your tank monitor is currently not properly programmed to temporarily disable your pumping system when a 0.2 gph <b>ELLD test</b> detects a failure (applies to Tank 3 Super Unleaded tank). You are required to have your service provider change Tank 3's programming to properly shutdown your turbine pump for any 0.2 gph ELLD test failure (found in the PLLD Line Setup shutdown rate).	Major	6/29/2016	11/10/2016	9/27/2016			90	90					
4/21/2016	254	254	Failure to obtain inspection 90 days prior to operating permit expiration.	Major	4/21/2016											
3/24/2016	254	254	Failure to obtain inspection 90 days prior to operating permit expiration.	Major	3/24/2016											
2/21/2013	Compliance Inspection - Routine	218	Your compliance inspection does document that the primary method of piping leak detection is interstitial monitoring. Therefore, your sumps must be tightness tested at least once every three years to verify that they are liquid tight. You have failed to ensure that your sumps are liquid tight. You must have a state licensed inspector test your sumps for liquid tightness. Sumps that are not liquid tight will need to be repaired or replaced. The department is aware of your intentions to install and utilize ELLDs as your primary method of line leak detection.	Moderate	2/21/2013	8/27/2013	8/28/2013			188		188				
<b>Form 1-T dated 2/13/2012 (received 2/23/2012 )</b>																
5/24/2010	Compliance Inspection - Routine	89	Your compliance inspection shows that you are missing 1 of the last 12 tank leak detection records. You are missing a passing record for Sept 2009 for all of your tanks.	Minor	5/24/2010	3/1/2013	3/7/2013			1018		1018		1	3	3
5/24/2010	Compliance Inspection - Routine	47	Your compliance inspection shows the absence of adequate corrosion protection on your vent standpipes. Your vent stand pipes have been tape-wrapped which is not an acceptable corrosion protection method. You are required to have an adequate form of corrosion protection installed on your vent stand pipes by 3/1/13. This work must be performed by a licensed installer.	Minor	5/24/2010	3/1/2013	3/7/2013			1018		1018				
5/21/2008	Compliance Inspection - Routine	353	Your compliance inspection documents that shear valves under several dispensers are not properly anchored.	Major	5/21/2008	8/14/2008	7/31/2008			71	71					
5/21/2008	Compliance Inspection - Routine	47	Your compliance inspection documents that the vent risers are isolated from the soil by tape wrap.	Minor	5/21/2008	10/1/2012	6/8/2010			748		748				
5/21/2008	Compliance Inspection - Routine	196	Your compliance inspection documents that a 3.0 gallon per hour leak could go undetected during night fueling. The department recommends that automatic shut-down capability be installed. An auto-dialer is allowable.	Major	5/21/2008	8/14/2008	7/31/2008			71	71					

**Montana City Properties**  
**#1 Jackson Creek Road PMB 2249**  
**Montana City, MT 59634-9714**

August 21, 2025

Terry Wadsworth, Director  
Montana Petroleum Tank Release Compensation Board  
PO Box 200902  
Helena, MT. 59620

Dear Mr. Wadsworth:

I am requesting the opportunity to appear before the board and request that penalties provided in 17.58.336 not be applied due to non-compliance of Montana City Properties for 34 days.

The non-compliance was created by a failure on our part to maintain adequate records. Our manager took another job. Despite the assurance of both the outgoing manager and our assistant manager who we promoted that they were aware of all the responsibilities of Underground Storage Tank compliance that was not the case. The new manager failed to print out the tank reports and compare them to the invoices for 5 of the last 12 months.

That was discovered during an DEQ inspection. The inspector showed our manager what needed to be done and reports are being maintained correctly. In addition, we had the inspector perform a line test on all of our tanks which we passed. As a result, we now have a minor violation and will have a full 12 months of records by November.

There were no spills or leakage during the time records were not correctly maintained. We believe we meet the criteria of the Montana Administrative Rules 17.58.336 (7) for the board to have the authority to adjust the percentages.

"The noncompliance did not present a significant increased threat to public health or the environment." There were no spill or leakage of fuels. All the lines passed inspections.

"There have been no significant additional costs to the fund." In fact, there are no additional costs and there will be none as there were no releases. The current location of the tanks is unrelated to the historical releases.

Thank you for your consideration

Sincerely,



David Hunter  
Secretary

## Executive Summary

### Final Adoption of MAR 2025-195.2 pro-arm PTRCB Rule Package

**BACKGROUND:** Senate Bill 315 was enacted during Montana's 69<sup>th</sup> legislative session. This bill adds language to the Petroleum Tank Release Compensation Board's statutory framework that allows the Board to reimburse costs up to \$2,000 every 1000 days (~3-years) for preventive measures incurred by the owners of actively dispensing facilities for preventive measures identified in Section 1 of the bill. The Board has undertaken the required rulemaking to facilitate the appropriate form and manner these reimbursements will be considered.

Also included in this rule package is the clean-up of rules no longer used, or out of effect due to either statutory or Secretary of State changes as well as an updated allowed cost for sampling fees due to the statistical analysis of costs impacted by inflation.

The rulemaking package that has been proposed and is in the process of being promulgated meets the criteria of the newly enacted language, the cleanup of obsolete references as directed by the Red Tape Relief Initiative and adopting the correct version of Model Rules in compliance with recently enacted rules by the Secretary of State. For each amended rule, there is a summary of the reasons for the proposed changes.

**PROCESS:** Before the Board is the Final Adoption Notice required by law to be filed with the Montana Secretary of State (SOS), along with the Administrative Order. The rulemaking process included a public comment period from July 25, 2025 through August 22, 2025. In addition, there was a public hearing presided over by the Garnet Pirre, Board Program Specialist, on August 18, 2025, wherein the public could submit oral testimony. There was no testimony offered, and no attendees in person or via Zoom.

The intake of comments requires the following:

- The number and substance of the comments are summarized based on both public oral testimony and written comments received to evaluate if the comments are substantive in causing the Board to reject the current rules as proposed and either amend them before Final Adoption or reject the package as a whole and start over.
- The summarized comments are added to the Final Adoption Notice and the Board is required to consider the comments and provide a Board response to each summarized comment. These responses will be discussed as an action item during the February 5, 2024 meeting and either ratified as presented or amended in the Final Adoption Notice before submittal to the SOS, if the Board so agrees.

The remaining steps of the rulemaking process, after ratification of Final Adoption by the Board, are to file the ratified Notices with the SOS, send out public notice when the SOS publishes the Final Adoption, and submit replacement pages for the Administrative Rules of Montana Register

so that the newly adopted language will be included in the correct places in the law. Board staff recommend approval of the Final Adoption Notice and Administrative Order, as presented.

**BOARD OPTIONS:**

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



## PETROLEUM TANK RELEASE COMPENSATION BOARD

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### NOTICE OF ADOPTION

**MAR NOTICE NO. 2025-195.2**

#### **Summary**

Amendment of rules pertaining to Senate Bill 315 (2025) and Red Tape Relief Initiative

#### **Previous Notice(s) and Hearing Information**

Notice given on July 25, 2025 and Public Meeting held on August 18, 2025 at 3:00 p.m.

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#### **Final Rulemaking Action – Effective January 1, 2026**

##### **AMEND AS PROPOSED**

The agency has amended the following rules as proposed:

**17.58.201 MODEL RULES**

**17.58.311 DEFINITIONS**

**17.58.336 REVIEW AND DETERMINATION OF CLAIMS FOR REIMBURSEMENT**

**17.58.342 OTHER CHARGES ALLOWED OR DISALLOWED**

**17.58.343 REVIEW AND DETERMINATION OF THIRD-PARTY DAMAGE COSTS**

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#### **Statement of Reasons**

No comments were received.

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**Contact**

Garnet Pirre  
(406) 444-9713  
gpirre@mt.gov

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**Rule Reviewer**

Garnet Pirre

**Approval**

Petroleum Tank Release Compensation Board

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF AMENDMENT  
ARM 17.58.201, 17.58.311, )  
17.58.336, 17.58.342 and 17.58.343 )  
pertaining updated model rules )  
adopted by SOS, the passage of )  
SB315, rising costs of samples, )  
review of claims for preventative )  
costs and cleanup of administrative )  
rules no longer utilized )

On August 18, 2025, at 3:00 p.m. the Petroleum Tank Release Compensation Board held a public hearing in the Bitterroot Conference Room of the Cedar Street Building, 1225 Cedar St, Helena, Montana, to consider the proposed amendments, of the above-stated rules. Notice of this hearing was originally published in the 2025 Montana Administrative Register, Notice Number 2025-195-1pro-arm, published on July 25, 2025, in Issue No. 14.

As Presiding Officer, I hereby make the following report of the public hearing:

The hearing began at 3:00 p.m. and the proceedings concluded at 3:10 p.m. A transcript of the proceedings was taken by Cheryl Romsa, certified court reporter. At the outset of the hearing, the Presiding Officer read a prepared statement, including the notice of function of the administrative rule committee and a summary of the proposed rulemaking. A copy of the Presiding Officer's pre-hearing statement is attached to this report. There was no testimony presented at the hearing:

The attached Transcript of the Proceedings, which is incorporated herein by this reference, provides an accurate representation of the oral comments received at the hearing. The written comments received at the hearing, as well as the hearing sign-in sheets are also attached and incorporated as part of this report by this reference. This approach was taken not only for brevity but to assure accurate reporting of all comments received.

Respectfully submitted this 18th day of August, 2025



Garnet Pirre  
Presiding Officer

BEFORE THE PETROLEUM TANK RELEASE COMPENSATION BOARD  
OF THE STATE OF MONTANA

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In the matter of the amendment of )  
ARM 17.58.201, 17.58.311, )  
17.58.336, 17.58.342 and 17.58.343 )  
pertaining to updated model rules )  
adopted by SOS, the passage of )  
SB315, rising costs of samples, )  
review of claims for preventative )  
costs and cleanup of administrative )  
rules no longer utilized. )

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TRANSCRIPT OF THE PUBLIC HEARING

Heard before Garnet Pirre, Presiding Officer  
1225 Cedar Street  
Helena, Montana

August 18, 2025  
3:00 P.M.

REPORTED BY: CHERYL ROMSA  
CHERYL ROMSA COURT REPORTING  
1 NORTH LAST CHANCE GULCH, SUITE 1  
P. O. BOX 1278  
HELENA, MONTANA 59624  
(406) 449-6380

1                   WHEREUPON, the proceedings were had as follows:

2                   MS. PIRRE: This hearing is called to order. Let  
3 the record show that it is August 18th, 2025, at 3:00 p.m.  
4 This is a hybrid hearing taking place in the Bitterroot  
5 Conference Room of the Department of Environmental Quality  
6 at the Cedar Street Building, 1225 Cedar Street, Helena,  
7 Montana, as well as online via Zoom. This is the time and  
8 place set for the public hearing in the matter of the  
9 amendment of ARM 17.58.201, 17.58.311, 17.58.336,  
10 17.58.342, and 17.58.343 pertaining to updated model rules  
11 adopted by SOS, the passage of SB315, rising costs of  
12 samples, review of claims for preventative costs, and  
13 cleanup of administrative rules no longer utilized.

14                   The court reporting of this public hearing is being  
15 done by Cheryl Romsa.

16                   My name is Garnet Pirre. I'm a Program Specialist for  
17 the Petroleum Tank Release Compensation Board and  
18 designated to preside over and conduct this public  
19 hearing, and I am therefore acting as the presiding  
20 officer for this hearing.

21                   Copies of the Notice of Public Hearing on the proposed  
22 rule amendment are available on the Petroleum Tank Release  
23 Compensation Board's website, the Department of  
24 Environmental Quality's Public Participation website, as  
25 well as the Secretary of State's website and can be

1 e-mailed to all interest persons. If you do not have a  
2 copy and wish to have a copy, please state that request  
3 now and the document will be given to you at this meeting.

4 Montana Code Annotated Section 2-4-302(7)(a) requires  
5 presiding officers at rule hearings to read the Notice of  
6 Functions of Administrative Rule Review Committee. The  
7 notice that I'm required to read is as follows:

8 Notice of Functions of Administrative Rule Review  
9 Committee. Administrative rule review is a function of  
10 interim committees and the Environmental Quality Council.  
11 These interim committees and the EQC have administrative  
12 rule review, program evaluation, and monitoring functions  
13 for executive branch agencies and the entities attached to  
14 agencies for administrative purposes.

15 In this case, the EQC has those functions for the  
16 Petroleum Tank Release Compensation Board.

17 These interim committees and EQC have the authority to  
18 make recommendations to an agency regarding the adoption,  
19 amendment, or repeal of a rule or to request that the  
20 agency prepare a statement of the estimated economic  
21 impact of a proposal. They also may poll the members of  
22 the Legislature to determine if a proposed rule is  
23 consistent with the intent of the Legislature or, during a  
24 legislative session, introduce a bill repealing a rule, or  
25 directing an agency to adopt or amend a rule, or a

1       Joint Resolution recommending that an agency adopt, amend,  
2       or repeal a rule.

3       The interim committees and the EQC welcome comments  
4       and invite members of the public to appear before them or  
5       to send written statements in order to bring to their  
6       attention any difficulties with existing or proposed  
7       rules. The mailing address is P.O. Box 201706, Helena,  
8       Montana 59620-1706.

9       That completes the reading of the Notice of Functions  
10      of Administrative Rule Review Committee.

11      Montana Code Annotated Section 2-4-302(2)(a) requires  
12      each agency, which includes boards, to create and maintain  
13      a list of interested persons and the rulemaking subject or  
14      subjects in which each person on the list is interested.  
15      A person who submits a written comment or attends a  
16      hearing regarding proposed agency rulemaking must be  
17      informed of the list by the agency. The Petroleum Tank  
18      Release Compensation Board maintains a list of interested  
19      persons in various areas of rulemaking conducted by the  
20      Board so that the Board can provide these persons with  
21      notice of proposed rulemaking actions.

22      If you would like to be placed on a rulemaking  
23      interested parties list, please e-mail Garnet Pirre at  
24      gpirre@mt.gov or call Ms. Pirre at 406-444-9713.

25      Notice of this hearing was contained in the Montana

1       Administrative Register, Notice No. 2025-195.1, published  
2       on July 25th, 2025, in Issue 14. ARM 1.4.101 of the  
3       Attorney General's Model Rules for the Montana  
4       Administrative Procedure Act, adopted by the Department of  
5       Environmental Quality, to which the Petroleum Tank Release  
6       Compensation Board is administratively attached, requires  
7       summarizing the major provisions of the Notice of Public  
8       Hearing.

9           Section 1 gives a summary of the notice of the  
10      proposed rulemaking.

11       Section 2 of the Notice gives notice of this hearing.

12       Section 3 states how commenters can submit comments.

13       Section 4 states the Board will make reasonable  
14      accommodations for persons with disabilities who wish to  
15      participate in this public hearing and gives details and  
16      contact information for requesting an accommodation.

17       Section 5 gives the contact information.

18       Section 6 of the Notice provides the text of the  
19      proposed amendment of rules and reasons given by the Board  
20      for the amendments.

21       Section 7 of the notice states the requirements of  
22      Montana Code Annotated Section 2-4-111 regarding  
23      significant impacts to small businesses have been applied  
24      and the Board has determined that the adoption of the  
25      above-referenced rules will not significantly and directly

1 impact small businesses.

2 Section 8 states the requirements of Montana Code  
3 Annotated Section 2-4-302 regarding bill sponsor  
4 notification have been applied.

5 Section 9 gives notice that the Board maintains a  
6 rulemaking interested persons list and indicates how a  
7 person may have his or her name placed on the list to  
8 receive notification from the Board of rulemaking matters.

9 As stated in Section 3 of the Notice, written comments  
10 submitted after this hearing should be addressed to the  
11 Board and delivered to Garnet Pirre, Program Specialist,  
12 Petroleum Tank Release Compensation Board, P.O.  
13 Box 200902, Helena, Montana, 59620-0902 or faxed to  
14 406-444-9711 or e-mailed to [gpirre@mt.gov](mailto:gpirre@mt.gov). To guarantee  
15 consideration by the Board, comments must be received in  
16 person or postmarked no later than 5:00 p.m. on  
17 August 22nd, 2025.

18 A complete copy of the Notice of Public Hearing will  
19 be included in the official record of this hearing.

20 The authority of the Petroleum Tank Release  
21 Compensation Board to undertake this rulemaking is  
22 contained in Montana Code Annotated Section 75-11-318.

23 A presiding officer may ask questions of persons  
24 making statements at a hearing and may allow others to ask  
25 questions upon request. Persons making statements do not

1 have an automatic right to provide rebuttal or other  
2 additional information after they have completed their  
3 statements. However, a presiding officer may request  
4 further information and may allow further statements for  
5 good cause if requested.

6 The order of presentation by persons making statements  
7 will be follows: First, the Board has provided the  
8 reasons for the proposed rules within MAR 2025-195.1 as  
9 published. The Board can provide further supplementing  
10 information if required.

11 Second, there will be an opportunity for statements of  
12 proponents -- that is, persons in favor of the  
13 rulemaking -- in the room, then we will move to those who  
14 are online via Zoom.

15 Third, there will be an opportunity for statements of  
16 opponents -- that is, persons opposed to the rulemaking --  
17 in the room, then we will move to those who are online via  
18 Zoom.

19 Fourth, there will be an opportunity for statements of  
20 anyone else wishing to be heard in the room, then we will  
21 move to those who are online via Zoom.

22 I will call on persons to make their statements based  
23 on the following order: Proponents, opponents, and then  
24 anyone wishing to be heard.

25 Because this is being transcribed verbatim by

1 court reporting, please speak clearly, and before making  
2 your statement, please identify yourself by name, address,  
3 affiliation, and whether you are a proponent, opponent, or  
4 otherwise. If you intend to offer a document for  
5 consideration, please make sure that the document can be  
6 identified by reference to your name.

7 Are there any proponents present online today?

8 Seeing none, I will move on to opponents. Are there  
9 any opponents present online today?

10 Seeing none, I would move on to any others that wish  
11 to be heard online.

12 The public comment portion of this hearing is hereby  
13 concluded. I will report to the Petroleum Tank Release  
14 Compensation Board about this hearing and give the Board a  
15 summary of comments that are received within the time  
16 allowed. The Board will consider the matter at the public  
17 meeting scheduled on September 15th, 2025.

18 This hearing is now adjourned at 3:10 p.m.

19 \* \* \* \* \*

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## COURT REPORTER'S CERTIFICATE

STATE OF MONTANA )  
COUNTY OF LEWIS AND CLARK ) ss.

I, CHERYL A. ROMSA, Court Reporter, residing in Helena, Montana, do hereby certify:

That the foregoing proceedings were reported by me in shorthand and later transcribed into typewriting; and that the foregoing transcript of the proceedings consisting of -8- pages of typewritten material constitute a full, true, and accurate transcript of my stenotype notes of the proceedings had and taken in the above-entitled matter at the time and place hereinbefore mentioned.

DATED this the 25th day of August, 2025.

/s/Cheryl A. Romsa  
CHERYL A. ROMSA

September 15, 2025

ACTION ITEM

## ELIGIBILITY RATIFICATION

[Back to Agenda](#)

*Board Staff Recommendations Pertaining to Eligibility*

*From May 29, 2025, through August 27, 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>
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. Recommended Eligible with 0% reimbursement.

September 15, 2025

ACTION ITEM

[Back to Agenda](#)

## RATIFICATION OF WEEKLY REIMBURSEMENTS

<b>WEEKLY CLAIM REIMBURSEMENTS</b> <b>September 15, 2025, BOARD MEETING</b>		
<b>Week of</b>	<b>Number of Claims</b>	<b>Funds Reimbursed</b>
6-4-25	23	\$200,812.76
6-18-25	19	\$131,951.45
6-25-25	11	\$31,376.66
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
<b>Total</b>	<b>125</b>	<b>\$853,935.97</b>



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 6/4/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20230818I	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$13,181.24	\$219,381.88	\$11,734.14	Mobilization
20230818J	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$18,673.00	\$219,381.88	\$4,873.79	Soil Removal
20230821H	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$17,559.04	\$219,381.88	\$7,143.26	Soil Removal
20230821I	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$13,055.99	\$219,381.88	\$9,327.63	Miscellaneous
20230821K	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$6,655.00	\$219,381.88	\$4,326.80	Miscellaneous
20231218I	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$5,446.52	\$219,381.88	\$3,168.00	Soil Removal
20231218K	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$5,412.00	\$219,381.88	\$4,990.20	Report
20240311C	2410647	6500	Mountain View Cenex	Saint Ignatius	9/14/2023	\$21,452.39	\$103,785.45	\$3,373.85	Well Installation
20241004A	2100088	4806	Short Stop Havre	Havre	11/2/2011	\$490.00	\$342,463.03		Report
20250127A	708700	2584	Town Pump Inc Great Falls 1	Great Falls	8/14/2000	\$500.00	\$380,410.38		Report
20250227A	1500065	473	Roy Stanley Chevrolet	Kalispell	9/29/1992	\$4,335.13	\$822,997.79	\$619.19	Project Management
20250324A	2405517	482	Arnies Gas and Tire Center Inc	Ronan	4/12/1996	\$4,240.39	\$307,086.68	\$148.55	Monitoring
20250324S	2410647	6500	Mountain View Cenex	Saint Ignatius	9/14/2023	\$2,040.00	\$103,785.45		Rem Sys Rental
20250325A	5100104	3333	H and R #3	Shelby	8/6/1999	\$2,554.04	\$170,374.44		Mobilization
20250404B	4706099	4250	Bruces Quick Lube Inc	Butte	3/4/2005	\$9,301.35	\$390,213.71		Miscellaneous
20250414G	2108068	3537	Circle K Store 2746272	Havre	4/16/1999	\$12,818.68	\$182,402.28	\$1,820.20	Rem Sys Install
20250429A	302291	3585	Johnies Standard	Chinook	10/12/2000	\$10,012.79	\$81,497.93		Report
20250501A	4708686	6541	Town Pump Inc Butte 8	Butte	3/10/2025	\$2,390.00	\$7,369.33	\$2,390.00	Report
20250505A	701930	3624	Pro Lube 1	Great Falls	8/1/2001	\$9,352.91	\$94,248.84		Well Installation
20250512B	2802043	2496	McLeod Mercantile Formerly Elser Oil Comp	Sheridan	4/12/1995	\$8,732.61	\$155,163.26		Laboratory Analysis w/fee
20250519B	2102475	3259	C & H Tires Inc Formerly Toners Tire Rama	Rudyard	9/29/2016	\$19,871.23	\$131,333.19		Well Installation
20250324R	2410647	6500	Mountain View Cenex	Saint Ignatius	9/14/2023	\$8,277.90	\$103,785.45	\$75.00	Monitoring
20250414A	1108061	3375	Circle K Store 2746271	Glendive	4/24/1998	\$4,460.55	\$167,817.37	\$0.00	Report

Monday, June 23, 2025

Page 1 of 2

Payment Reports \_ Weekly Reimbursement by Date

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim Reimbursement	Cumulative Reimb	Adjustments	Task Description	
23 claims in the report		<b>Total Reimbursement: \$200,812.76</b>							

Reviewed for Reimbursement by: Ann Reed Date 6-23-2025

Approved for Reimbursement by: Jay Wadsworth Date 6/25/2025



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 6/18/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250218A	9995091	4729	Guaranteed Muffler Shop	Helena	2/17/2010	\$2,695.00	\$41,043.92	\$2,140.00	Report
20250414I	2108068	5212	Circle K Store 2746272	Havre	8/15/2019	\$46,147.52	\$333,880.18	\$12,408.30	Rem Sys Install
20250324N	3203617	4769	Swan Valley Centre	Condon	1/21/2010	\$4,696.97	\$352,571.40		Rem Sys Modification/Repair
20250414E	1108061	3375	Circle K Store 2746271	Glendive	4/24/1998	\$26,150.97	\$167,817.37	\$279.93	Monitoring
20250324T	1508709	2567	Town Pump Inc Kalispell 1	Kalispell	3/8/1996	\$3,753.70	\$173,755.95		Mobilization
20250324V	1506101	1850	Kelly Raes	Kalispell	9/30/1994	\$942.83	\$314,917.29		GW Interim Data Submittal
20250404A	6015308	5215	Janet Martinson	Whitefish	11/13/2017	\$1,476.60	\$153,245.07		Well Abandonment
20250414D	5605083	138	Fastlane C Stores Frmer Kwik Way 15	Laurel	3/6/1990	\$11,950.00	\$107,541.57	\$4,552.74	Fieldwork
20250414F	2108068	3537	Circle K Store 2746272	Havre	4/16/1999	\$1,937.83	\$182,402.28	\$1,028.23	Laboratory Analysis w/fee
20250418B	5613911	6274	Town Pump Inc Butte 4	Butte	1/27/2022	\$1,501.50	\$25,582.82	\$6,255.50	Report
20250516A_CA	3606672	1454	Ezzies Saco Station	Saco	11/24/2006	\$0.00	\$3,438.93	\$8,315.23	Report
20250527D	4703007	2692	Office Stop	Butte	10/11/1995	\$1,050.13	\$116,459.16		Rel Closure Plan
20250529A	704147	1662	Highway Grocery	Cascade	7/23/1993	\$4,213.32	\$207,138.08		Report
20250602L	1108663	1479	Norm & Rays Car Truckstop Inc	Glendive	10/7/1993	\$4,474.00	\$425,432.52		Mobilization
20250606D	5614111	4310	Small Dog Investments	Billings	5/10/2006	\$6,806.00	\$302,520.40		Report
20250609A	1711117	902	6 Ds Inc	Jordan	2/28/1992	\$8,247.58	\$347,389.07		Monitoring
20250609C	4002755	4948	Farmers Union Oil Bulk Plant	Terry	4/27/2015	\$1,300.00	\$145,915.16		Laboratory Analysis w/fee
20250609D	4002755	2619	Farmers Union Oil Bulk Plant	Terry	8/31/1995	\$1,300.00	\$269,305.53		Laboratory Analysis w/fee
20250428B	2710131	3287	Moore Oil Bulk Facility	Libby	5/12/1999	\$3,307.50	\$831,947.86	\$62.50	Report

19 claims in the report

**Total Reimbursement: \$131,951.45**

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim Reimbursement	Cumulative Reimb	Adjustments	Task Description
Reviewed for Reimbursement by:	<u>Am R Reet</u>				Date <u>6/25/25</u>			
Approved for Reimbursement by:	<u>Tony Wadsworth</u>				Date <u>6/25/2025</u>			



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 6/25/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250414H	2108068	5212	Circle K Store 2746272	Havre	8/15/2019	\$6,976.26	\$333,880.18	\$4,888.08	Laboratory Analysis w/fee
20250219A_CA	3108719	6498	Town Pump Inc Superior	Superior	2/19/2025	\$0.00	\$0.00	\$40,418.14	Soil Removal
20250428A	2710130	1664	Moore Oil Inc Kardguard	Libby	5/6/1996	\$2,652.28	\$366,415.48	\$163.30	Mobilization
20250428C	2413301	3249	Pacific Pride Polson	Polson	10/6/1998	\$2,029.50	\$398,348.43		Monitoring
20250501B	4711251	539	Montana Agri Food Industrial Com	Butte	6/29/1990	\$1,445.76	\$329,001.06	\$100.00	Miscellaneous
20250602D	4002755	2619	Farmers Union Oil Bulk Plant	Terry	8/31/1995	\$126.30	\$269,305.53		Miscellaneous
20250602E	4002755	4948	Farmers Union Oil Bulk Plant	Terry	4/27/2015	\$126.30	\$145,915.16		Miscellaneous
20250602K	4203363	3606	Horizon Resources Fairview Store	Fairview	5/24/2001	\$7,417.32	\$65,682.94	\$8,044.87	Mobilization
20250606C	5614111	4310	Small Dog Investments	Billings	5/10/2006	\$2,000.00	\$302,520.40		Report
20250613A	5613941	3855	Chevron Gas Station & Bulk Plant	Miles City	7/19/2013	\$4,363.30	\$50,252.56		Monitoring
20250613B	5613941	3855	Chevron Gas Station & Bulk Plant	Miles City	7/19/2013	\$4,239.64	\$50,252.56		Laboratory Analysis w/fee

11 claims in the report

**Total Reimbursement: \$31,376.66**

Reviewed for Reimbursement by: Ann R. Reet

Date 6-25-2025

Approved for Reimbursement by: Tony Wadsworth

Date 6/26/2025



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 7/9/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250319B	812588	3806	Scooters Sinclair	Big Sandy	2/23/2000	\$8,040.99	\$556,892.14	\$2,355.00	Laboratory Analysis w/fee
20250613C	5613941	3855	Chevron Gas Station & Bulk Plant	Miles City	7/19/2013	\$20,506.13	\$70,758.69		Laboratory Analysis w/fee
20250324U	3201458	6643	Paws Up Ranch LLC	Greenough	7/1/2024	\$1,162.50	\$84,085.46	\$670.00	Work Plan
20250428D	2410647	6500	Mountain View Cenex	Saint Ignatius	9/14/2023	\$6,633.65	\$110,419.10	\$161.00	Monitoring
20250602I	2906376	3803	Farmers Union Oil Co Circle	Circle	3/26/2001	\$263.85	\$214,446.72		Miscellaneous
20250701H	3613519	2573	Greens Sales Inc	Malta	5/27/1997	\$7,866.21	\$127,858.25		Laboratory Analysis w/fee
20250530A	4709893	3374	Rocker Flying J	Butte	9/18/1998	\$12,310.89	\$629,229.69	\$4,890.68	Laboratory Analysis w/fee
20250530B	9995174	5094	Bennett Motors Office Lot	Great Falls	11/20/2017	\$2,202.78	\$493,221.73		GW Interim Data Submittal
20250602H	2906376	3689	Farmers Union Oil Co Circle	Circle	4/15/2015	\$263.84	\$503,765.96		Miscellaneous
20250417A	1500065	473	Roy Stanley Chevrolet	Kalispell	9/29/1992	\$46,965.16	\$869,962.95	\$4,941.00	Miscellaneous
20250529B	4708687	6653	Town Pump Inc Butte 10	Butte	5/29/2025	\$715.00	\$715.00	\$1,265.00	Work Plan
20250530E	9995062	4125	Big Hole Petroleum Bulk Plant	Wisdom	7/23/2008	\$9,963.35	\$457,696.52	\$88.50	Laboratory Analysis w/fee

12 claims in the report

Total Reimbursement: \$116,894.35

Reviewed for Reimbursement by: Ann Reed

Date 7-22-2025

Approved for Reimbursement by: Jay Wadsworth

Date 7/28/2025



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 7/23/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250701G	1711117	902	6 Ds Inc	Jordan	2/28/1992	\$19,705.29	\$367,094.36		Laboratory Analysis w/fee
20250428E	2508659	2988	Sams High Country Travel Plaza	Helena	11/15/1996	\$10,691.57	\$461,151.30	\$1,617.44	Laboratory Analysis w/fee
20250609E	6015311	5242	Mountain View Coop	Black Eagle	5/7/2018	\$2,750.00	\$163,304.51		Laboratory Analysis w/fee
20250620A	5614033	5388	Northwest Petroleum Facility	Butte	3/1/2021	\$4,234.17	\$155,351.89		Report
20250701F	5608671	2007	On Your Way 105	Billings	1/19/1994	\$6,563.75	\$465,193.88		Laboratory Analysis w/fee
20250502A	9995030	4486	Scotts Auto Body	Chinook	6/4/2007	\$816.42	\$20,319.63	\$149.33	Work Plan
20250603A	4711251	539	Montana Agri Food Industrial Com	Butte	6/29/1990	\$794.87	\$329,795.93	\$87.50	Project Management
20250604A	3407600	3013	Dales Conoco	Clyde Park	1/4/2001	\$5,445.00	\$50,925.00		Laboratory Analysis w/fee
20250701O	701930	3624	Pro Lube 1	Great Falls	8/1/2001	\$3,761.96	\$105,457.72		Laboratory Analysis w/fee
20250606B	701930	3624	Pro Lube 1	Great Falls	8/1/2001	\$7,446.92	\$105,457.72		Monitoring
20250710B	5610270	638	Deans Sinclair Service	Laurel	6/25/1991	\$2,147.50	\$447,423.44		Monitoring
20250710C	5206316	2589	Friendly Corner	Hysham	11/20/2023	\$7,003.60	\$56,385.20		Fieldwork

12 claims in the report

Total Reimbursement: \$71,361.05

Reviewed for Reimbursement by: Ann Kleast

Date 7-29-2025

Approved for Reimbursement by: Jerry Wadsworth

Date 8/1/2025



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 8/6/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250606E	1408711	5278	Town Pump Inc Lewistown	Lewistown	2/6/2019	\$6,684.84	\$161,029.54		Laboratory Analysis w/fee
20250401A	4808691	4028	Town Pump Inc Columbus	Columbus	7/19/2001	\$2,900.00	\$503,884.77	\$0.00	Work Plan
20250707D	701418	3212	Keiths Country Store	Great Falls	10/5/2000	\$5,623.06	\$616,429.46		Laboratory Analysis w/fee
20250710E	4705148	4397	Cenex Zip Trip #72	Butte	12/16/2005	\$6,385.42	\$58,108.30		Laboratory Analysis w/fee
20250707C	102173	5349	Pintler Station	Wisdom	10/26/2023	\$438.07	\$16,432.14	\$535.43	Work Plan
20240429G	5608161	2574	Cenex Convenience Store Laurel	Laurel	9/27/1995	\$14,244.28	\$101,367.77	\$2,223.00	Laboratory Analysis w/fee
20250529D	3908694	3473	Town Pump Inc Deer Lodge	Deer Lodge	4/23/2012	\$1,430.00	\$60,343.72		Work Plan
20250710A	9995118	4835	CarQuest Store	Havre	3/25/2013	\$5,799.16	\$548,869.36		Monitoring
20250606A	705777	3529	Brake Time 253722	Great Falls	11/25/1998	\$164.75	\$80,720.49	\$494.25	Project Management
20250623B	4708591	955	Lyons Motor Inc	Butte	3/31/1992	\$112.50	\$296,891.99	\$991.55	Project Management
20250530D	1800856	4725	Bell Motor Co	Cut Bank	6/3/2010	\$2,451.80	\$25,669.71		GW Interim Data Submittal
20250714E	6015311	5242	Mountain View Coop	Black Eagle	5/7/2018	\$3,190.08	\$166,494.59		Monitoring

12 claims in the report

Total Reimbursement: \$49,423.96

Reviewed for Reimbursement by: Deborah Fine

Date 8/13/25

Approved for Reimbursement by: Ann R. Reest

Date 8/18/2025

Tony Wadsworth

8/19/2025



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 8/13/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250407C	1509705	6241	CHS - Central	Kalispell	2/16/2021	\$2,744.70	\$90,873.44	\$1,253.15	Work Plan
20250721B	1509705	5036	CHS - Central	Kalispell	1/14/2016	\$650.00	\$283,033.93	\$13.40	Work Plan
20250407D	1509705	5036	CHS - Central	Kalispell	1/14/2016	\$5,531.68	\$283,033.93	\$1,110.31	Laboratory Analysis w/fee
20250731A	1102466	3854	Robins Conoco Service	Glendive	8/23/2000	\$48,523.85	\$265,336.10		Miscellaneous
20250804B	707572	4078	9th Street Conoco	Great Falls	1/16/2002	\$850.81	\$491,686.48		Monitoring
20250804C	701930	3624	Pro Lube 1	Great Falls	8/1/2001	\$8,483.98	\$113,941.70		Laboratory Analysis w/fee
20250527A	2502093	441	Sinclair Retail 25009	Helena	6/19/1991	\$7,897.93	\$507,726.95	\$455.55	Project Management
20250602B	2405517	482	Arnies Gas and Tire Center Inc	Ronan	4/12/1996	\$2,245.00	\$309,331.68		Laboratory Analysis w/fee
20250602C	3209722	4280	Fort Lolo Hot Springs	Lolo	5/4/2005	\$110.45	\$742,875.11		Miscellaneous
20250602F	2413301	3249	Pacific Pride Polson	Polson	10/6/1998	\$920.00	\$399,268.43		GW Interim Data Submittal
20250602G	5100104	3333	H and R #3	Shelby	8/6/1999	\$550.00	\$170,924.44		GW Interim Data Submittal
20250707B	306204	1547	Conoco C Store	Chinook	9/3/2013	\$8,609.05	\$333,414.26		Laboratory Analysis w/fee
20250710D	4705148	4397	Cenex Zip Trip #72	Butte	12/16/2005	\$721.25	\$58,829.55	\$643.75	Work Plan
20250721E	1400095	6268	Rindals Fort Lewis Trading Post Frmly Gasa	Lewistown	10/27/2022	\$35,884.81	\$51,788.98	\$1,595.82	Well Installation
20250714C	1711117	902	6 Ds Inc	Jordan	2/28/1992	\$3,461.00	\$370,555.36		Laboratory Analysis w/fee
20250714F	1401292	3040	Winifred Farmers Oil	Winifred	6/23/1997	\$42,406.00	\$214,952.57		Miscellaneous
20250708C	4711251	539	Montana Agri Food Industrial Com	Butte	6/29/1990	\$2,641.07	\$333,148.29	\$1,860.00	Project Management

17 claims in the report

Total Reimbursement: \$172,231.58

Reviewed for Reimbursement by: Ann Reest

Date 9-2-2025

Approved for Reimbursement by: Tony Wadsworth

Date 9/3/2025



# Petroleum Tank Release Compensation Board

## Weekly Reimbursement Summary for 8/27/2025

Org Unit: 993050  
Account: 67201

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim	Reimbursement	Cumulative Reimb	Adjustments	Task Description
20250710I	2110030	833	Farmers Union Oil Co	Kremlin	10/2/1991	\$2,681.25	\$527,761.63	\$166.25	Laboratory Analysis w/fee
20240201N	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$3,949.41	\$245,863.00		Soil Removal
20250725F	9995030	4486	Scotts Auto Body	Chinook	6/4/2007	\$2,161.20	\$22,480.83	\$317.49	
20231218L	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$1,450.00	\$245,863.00	\$1,850.00	Work Plan
20240201E	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$7,833.83	\$245,863.00		Miscellaneous
20240201H	5109749	2896	Town Pump Inc Shelby	Shelby	11/16/2022	\$13,247.88	\$245,863.00		Soil Removal
20250527C	1507361	2697	Bigfork Outdoor Rentals Inc	Bigfork	2/27/1996	\$1,941.02	\$210,826.33	\$180.00	Fieldwork
20250701I	3609844	730	Petes Conoco	Malta	3/6/1992	\$1,790.50	\$300,683.52		Laboratory Analysis w/fee
20250530C	1808553	3110	Oil West Services	East Glacier Par	4/23/1999	\$4,935.60	\$745,275.32		Report
20250602A	1503915	4392	Zip Trip 39 formerly Noons 437	Kalispell	9/6/2005	\$1,347.31	\$15,569.25	\$1,479.80	Project Management
20250708A	2106480	3280	Roberts Big Sky Exxon	Havre	5/12/1999	\$1,880.15	\$63,175.91	\$1,369.71	Mobilization
20250805C	4711251	539	Montana Agri Food Industrial Com	Butte	6/29/1990	\$711.29	\$333,248.29		Miscellaneous
20250805D	805931	3645	Chouteau County EOC	Fort Benton	9/20/2000	\$6,507.11	\$748,967.81		Rem Sys Start Up
20250804D	705777	3529	Brake Time 253722	Great Falls	11/25/1998	\$4,523.81	\$85,244.30	\$0.00	Free Product Activities
20250808C	9995118	4835	CarQuest Store	Havre	3/25/2013	\$4,860.00	\$553,729.36		Laboratory Analysis w/fee
20250811E	2110030	833	Farmers Union Oil Co	Kremlin	10/2/1991	\$2,970.77	\$527,761.63		Monitoring
20250813A	4708591	955	Lyons Motor Inc	Butte	3/31/1992	\$2,396.15	\$300,243.14	\$40.00	Laboratory Analysis w/fee
20250818G	2808832	3404	Former Teds Car Wash	Twin Bridges	11/1/2022	\$5,675.50	\$109,235.54	\$65.00	Report
20250805A	4701126	4866	Walter Lawrence (Husky Station)	Butte	4/10/2013	\$1,362.15	\$35,301.57	\$236.85	GW Interim Data Submittal

19 claims in the report

**Total Reimbursement: \$72,224.93**

Claim ID	Facility ID	Release ID	Facility Name	City	Initial Claim Reimbursement	Cumulative Reimb	Adjustments	Task Description
Reviewed for Reimbursement by:	<u>Ann Blaet</u>				Date <u>9-2-2025</u>			
Approved for Reimbursement by:			<u>Tony Wadsworth</u>		Date <u>9/4/2025</u>			



## Petroleum Tank Release Compensation Board

Claims Denied Between 01/01/2023 and 07/31/2025 and Not Ratified

**Facility ID/Alt ID:** 308688 / 03-08688      **Facility Name:** Chinook, Town Pump Inc Chinook

<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20240528J	5339	\$21,745.34	10/2/2024	Olympus invoice 16216 costs previously claimed on claim 20200724E.
<b>Total:</b>	<b>\$21,745.34</b>			

**Facility ID/Alt ID:** 2106481 / 21-06481      **Facility Name:** Havre, Heltnes Service Center

<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20250410C	3453	\$2,160.00	5/1/2025	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.
<b>Total:</b>	<b>\$2,160.00</b>			

**Facility ID/Alt ID:** 4709420 / 47-09420      **Facility Name:** Butte, Cenex Petroleum Inc Butte

<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20250407A	813	\$146.78	5/19/2025	Task 9 (Utilities) claimed costs exceed available budget.
<b>Total:</b>	<b>\$146.78</b>			

**Facility ID/Alt ID:** 5109749 / 51-09749      **Facility Name:** Shelby, Town Pump Inc Shelby

<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20231218J	2896	\$1,914.00	3/19/2025	Task 2 - Project management costs exceed the established standards as set forth in ARM 17.58.341.
<b>Total:</b>	<b>\$1,914.00</b>			

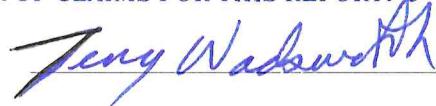
**Facility ID/Alt ID:** 5614033 / 56-14033      **Facility Name:** Butte, Northwest Petroleum Facility

<b>ClaimID</b>	<b>Release ID</b>	<b>Amount</b>	<b>Date Denied</b>	<b>Reason Denied</b>
20250527B	5388	\$4,234.17	6/9/2025	Claim withdrawn on consultant's request.
<b>Total:</b>	<b>\$4,234.17</b>			

**Grand Total:** **\$30,200.29**

**TOTAL NUMBER OF CLAIMS FOR THIS REPORT:** **5**

Reviewed By:



Date:



Board Approval By:

Date:

**CLAIMS OVER \$25,000.00 \***  
**September 15, 2025**

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
<b>Total</b>			<b>\$40,164.09</b>	<b>-0-</b>	<b>-0-</b>	<b>\$17,500</b>	<b>\$22,664.09</b>

\* 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 9/3/2025

Board Approval by:

Date \_\_\_\_\_



# Petroleum Tank Release Compensation Board

## Initial Claim Review

Claim Ordinal 1

Facility Name: **Gasamat 564**

Facility: **704618**

City: **Great Falls**

County: **Cascade**

Claim ID: **20250804A**

Release ID: **6619**

Region: **2**

Date Claimed: **8/4/2025**

Eligible: **Eligible**

AO: **AJ Pate**

Amount: **\$40,164.09**

Reimbursed to date:

PRS Mgr: **Christopher Herman**

Contact Company

**Big Sky Civil & Environmental Inc**

**Big Sky Civil & Environmental Inc**

Contact

**Joe Murphy**

**Paxton Ellis**

Assent LDR POP

See Invoice Summary

Initial Review

**REVIEWED**

*By Taylor Pirre at 11:16 am, Aug 19, 2025*

Tech Review

**REVIEWED**

*By A.J. Pate at 12:52 pm, Aug 19, 2025*

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

**FORM 3**

**20250804A**

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 copay 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.

Petroleum Tank Release  
Compensation Board  
RECEIVED ON

1. Facility and Petroleum Release Information		JUL 21 2025
Name of Facility:	Gasamat 564	
Street Address:	5701 2nd Ave N	Petroleum Compensation Board
City:	Great Falls, MT	RECEIVED ON
DEQ Facility Identification Number:	704618	AUG 04 2025
DEQ Petroleum Release Number: (only one release #)	6619	

2. Owner – Name and Address		3. Operator – Name and Address		4. Payable to: – Name and Address (Required)	
Mark Kohoutek 1507 Meadowlark Dr Great Falls, MT 59404		(same as 2.)		Big Sky Civil & Environmental, Inc. PO Box 3625 Great Falls, MT 59403	
Attn:		Attn:		Attn:	Joseph Murphy
Phone Number:		Phone Number:		Phone Number:	406-727-2185
Fax Number:		Fax Number:		Fax Number:	406-727-3656
Email Address:	markkohoutek@gmail.com	Email Address:		Email Address:	jmurphy@bigskyce.com
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"/>	Do you want to receive Email about this claim?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

5. Claimant – Name and Address		6. Consultant – Name and Address		7. Any other person – Name and Address	
(same as 4.)		(same as 4.)			
Attn:		Attn:	Paxton Ellis	Attn:	
Phone Number:		Phone Number:	406-727-2185	Phone Number:	
Fax Number:		Fax Number:		Fax Number:	
Email Address:		Email Address:	pellis@bigskyce.com	Email Address:	
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 type="checkbox"/> No <input type="checkbox"/>

**8. Total amount of this claim (including all page 2's): \$40,164.09**

**E-MAILED**  
8/15/2025

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

Please review Form 3 Instructions for detailed information.

The work claimed must be in accordance with an approved DEQ CAP. The costs of each different corrective action plan must be on a separate page 2. Multiple tasks may be submitted on a single claim. Submit itemized invoices and other support documentation with this claim. (Additional copies of this page may be included in each claim.)

Corrective Action Plan (CAP): CAP ID #: 716834947 CAP Date: 10/27/2024

CAP Modification (Form 8) Date(s) \_\_\_\_\_

View the Task Names on our web site. Enter the PTRCB task number, task name, budget, amount claimed and corresponding invoice number(s) for each task in the table below. The PTRCB task number is assigned by the Board staff in the CAP Review Letter.

**COMPLETED TASKS SUBMITTED FOR REIMBURSEMENT**

Task #	Task Name	Budget	Amount Claimed	Invoice Numbers
1	Work Plan	\$ 1,430.00	\$ 1,430.00	23BY-2
2	Project Management	\$ 4,849.50	\$ 3,660.00	23BY-2
3	Mobilization	\$ 2,362.00	\$ 1,837.50	23BY-2
4	Well Installation (subcontracted)	\$ 15,949.42	\$ 13,300.04	23BY-2
5	Fieldwork (well installation oversight)	\$ 4,240.00	\$ 3,710.00	23BY-2
6	Equipment	\$ 752.00	\$ 608.80	23BY-2
7	Well Development	\$ 1,932.60	\$ 1,389.75	23BY-2
8	Survey	\$ 1,605.00	\$ 1,605.00	23BY-2
9	Monitoring	\$ 6,000.00	\$ 2,265.00	23BY-2
10	Laboratory Analysis w/fee	\$ 20,526.00	\$ 10,358.00	23BY-2
11	GW Interim Data Submittal	\$ 600.00		
12	Data Valid Form DVSF	\$ 397.50		
13	Rel Closure Plan (create)	\$ 1,545.00		
14	Report (remedial investigation)	\$ 3,750.00		
			Petroleum Tank Release Compensation Board RECEIVED ON	
			JUL 21 2025	
			Petroleum Tank Release Compensation Board RECEIVED ON	
			AUG 04 2025	
<b>Total</b>		<b>\$65,939.02</b>	<b>\$40,164.09</b>	

**10. Acknowledgement of Payment (Form 6). Refer to Section 10 of the Form 3 Instructions for PTRCB Requirements.**  
Reimbursement will be issued and mailed to the party identified as Payee in Section 4 on page 1.

**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.**

**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

Petroleum Tank Release  
Compensation Board  
RECEIVED ON

Typed Name of Owner/Operator

State of \_\_\_\_\_

JUL 21 2025

County of \_\_\_\_\_

Petroleum Tank Release  
Compensation Board  
RECEIVED ON

Signed and Sworn before me on this day \_\_\_\_\_

by \_\_\_\_\_

Date

Person who signed above

AUG 04 2025

(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

7-17-25

Date

Joseph N. Murphy

Typed Name of Claimant

State of Montana

County of Cascade

Signed and Sworn before me on this day 7/17/25

by Joseph N. Murphy

Date

Person who signed above

Keesha Isakson

Notary Public Signature

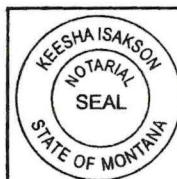
Keesha Isakson

Printed or typed

Notary Public for the State of Montana

Residing at Great Falls, MT

My Commission Expires 12/12/2028



KEESHA ISAKSON  
NOTARY PUBLIC for the  
State of Montana  
Residing at Great Falls, MT  
My Commission Expires  
December 12, 2028

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

## Work Plan Task Costs

**Facility ID:** 704618    **FacilityName:** Gasamat 564

**City:** Great Falls

**Release ID:** 6619

**WP ID:** 716834947

**WP Name:** R-B-WI/GWM

**WP Complete:**

**WP Date:** 10/27/2024

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan		\$1,430.00	\$1,430.00	\$0.00	
2	Project Management		\$4,849.50	\$3,660.00	\$1,189.50	
3	Mobilization		\$2,362.00	\$1,837.50	\$524.50	
4	Well Installation		\$15,949.42	\$13,300.04	\$2,649.38	
5	Fieldwork		\$4,240.00	\$3,710.00	\$530.00	
6	Equipment		\$752.00	\$608.80	\$143.20	
7	Well Development		\$1,932.60	\$1,389.75	\$542.85	
8	Survey		\$1,605.00	\$1,605.00	\$0.00	
9	Monitoring		\$6,000.00	\$2,265.00	\$3,735.00	
10	Laboratory Analysis w/fee		\$20,526.00	\$10,358.00	\$10,168.00	
11	GW Interim Data Submittal		\$600.00			
12	Data Valid Form DVSF		\$397.50			
13	Rel Closure Plan		\$1,545.00			
14	Report		\$3,750.00			
<b>Total:</b>			<b>\$65,939.02</b>	<b>\$40,164.09</b>	<b>\$25,774.93</b>	



Facility Name: Horizon Resources Fairview  
(Former Farmers Union Oil Company)  
Physical Address: 605 S Ellery Avenue, Fairview  
Facility ID: 42-03363  
TREADS ID: 27175  
Release Number: 3606  
Priority: 3.0

[Back to Agenda](#)

### **Cleanup Work Plan 34989**

Horizon Resources Cooperative is the current responsible party for Release 3606 and has chosen WGM Group (WGM) as their environmental consultant. WGM prepared and submitted cleanup work plan 34989 (WP) on behalf of Horizon Resources. The DEQ approved cleanup work plan is for utility location, remedial injection, confirmation soil boring installation, groundwater monitoring, and disposal of soil cores and/or purge water. The work plan is intended to address petroleum contamination in the smear zone that contributes to persistent petroleum contamination in groundwater. The estimated cost for the cleanup work plan is \$75,927.32.

### **Release Closure Plan**

WGM submitted a Release Closure Plan (RCP) following groundwater monitoring on December 27, 2024. Based on evaluation of site conditions, including but not limited to: the apparent attenuation rates, feasibility of implementation, and estimated costs, WGM recommended injection of an activated carbon product. WP 34989 is for utility location, remedial injection, confirmation soil boring installation, groundwater monitoring, and disposal of soil cores and/or purge water.

### **Site History**

The site is located at 605 S Ellery Ave, Fairview, Richland County, Montana. The Release was reported to DEQ on December 3, 1998, when petroleum contaminated soil was encountered during the removal and replacement of the dispensers. Laboratory results confirmed a petroleum release.

**Nov./Dec. 1998:** As part of system upgrades, underground storage tanks (USTs), piping, and dispensers were removed and replaced. Petroleum contaminated soil (~60 to 80 cubic yards) found under the north dispensers was excavated and disposed of at the Richland County Landfill.

**1999-2000:** Four groundwater monitoring wells were installed and sampled at the facility. Groundwater monitoring sample results indicated that the petroleum contaminated groundwater at concentrations greater than Risk-Based Screening Levels (RBSLs) was present. Petroleum concentrations in groundwater were found to be greatest in the northern area of the Facility.

**2001:** Three USTs were found and removed from the northern area of the Facility. During UST removal, about 630 cubic yards of petroleum contaminated soil was excavated and disposed of at a licensed facility. The excavation was partially limited by the site building to the south.

**2002:** Another Remedial Investigation was conducted. Five monitoring wells were installed in and down-gradient of the former source area in the northern area of the Facility.

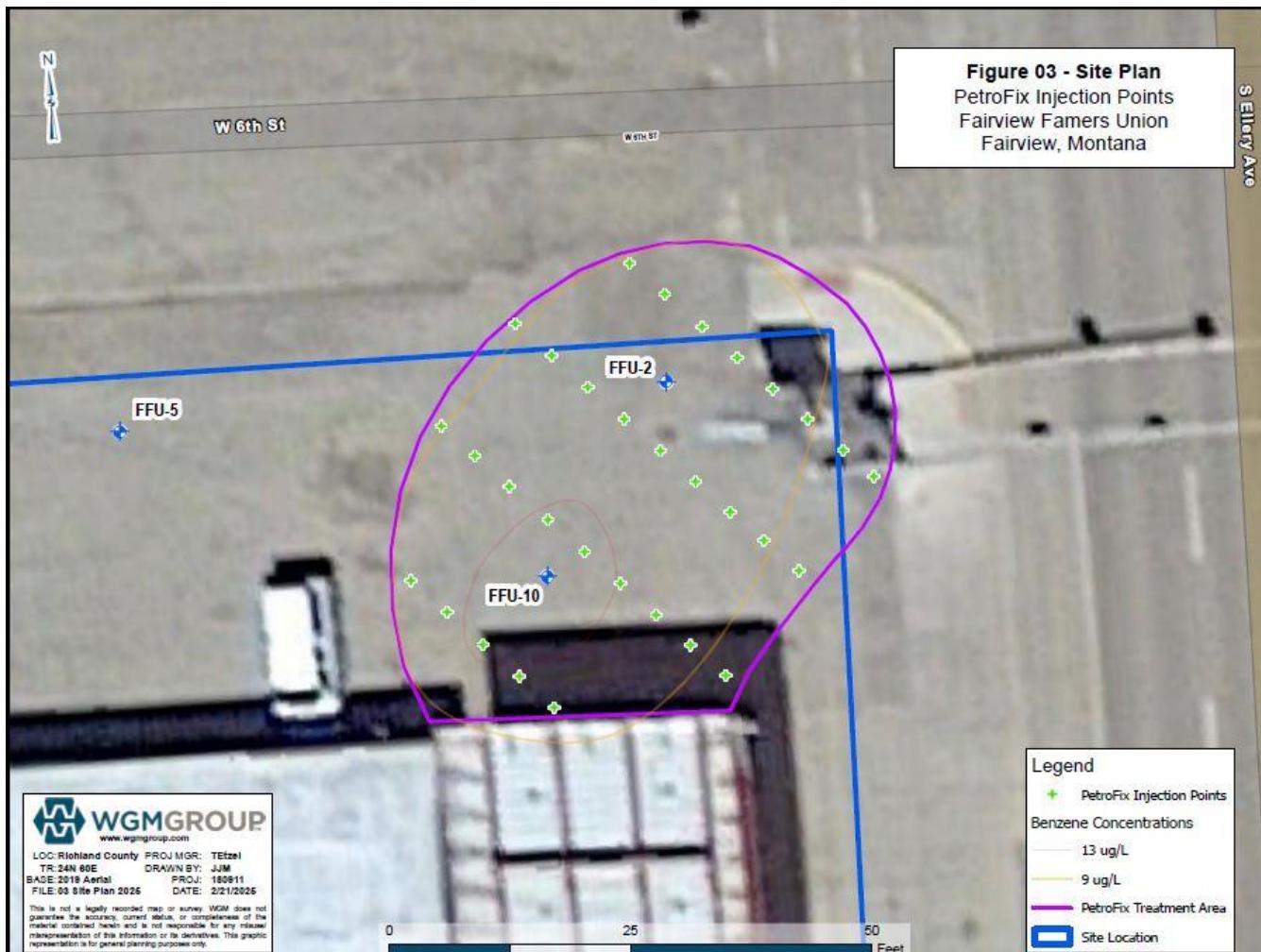
**2002-2004, 2012:** Groundwater monitoring continued to assess attenuation rates and the effectiveness of the excavation.

**2004-2012, 2015-2018:** Based on the remedial actions completed at the site and influenced by DEQ staffing issues and staff priorities, DEQ did not have an active project manager for the Release for the bulk of this period.

**2019:** Three additional monitoring wells and three soil borings were installed to assess data gaps and evaluate soil and groundwater conditions at the Facility.

**2020-2024:** Groundwater was monitored to assess attenuation rates and evaluate remedial options.

**Treatment Area Map**



## Executive Summary

### **Horizon Resources, Former Farmers Union Oil Company, Fairview DEQ Facility ID #42-03363, DEQ Release #3606, WP ID #716834989 Required Meeting as per SB 334 - Amendment to 75-11-309(1)(d), MCA Cleanup Costs Expected to Exceed \$100,000**

**TYPE OF ACTION:** The 2023 Legislature passed and the Governor signed an amendment to Mont. Code Annotated §75-11-309 to include a requirement that, for a release in which the corrective action costs are expected to *exceed \$100,000*, an owner or operator, a representative of the owner or operator, the department, the Board, and Board staff shall meet to discuss the response to the release.

**ACTIONS REQUESTED:** Meeting of stakeholders to discuss the site background and response to release 3606.

**BOARD STAFF RECOMMENDATIONS:** The Board staff recommend that the Board ensure that the fund is being used in the most efficient manner and that costs are reasonable and necessary costs of responding to the release.

**ISSUE:** The budget of the Montana Department of Environmental Quality (MDEQ) approved Work Plan 716834989 (\$75,927.32) plus co-pay and cumulative reimbursements to date have reached the cost threshold requiring stakeholders to meet under MCA §75-11-309(1)(d), 2023.

**BACKGROUND:** The Site is currently used as a Cenex fueling station. The earliest recorded UST installation date for the Site is July 6, 1980. The release was discovered during tank and piping removal-replacement activities. Petroleum-impacted soil was excavated and disposed from both the north and south dispenser islands, and from the northern UST basin in August 2001. The 30-day report also states that soil samples were collected beneath the north and south dispenser island excavation areas according to permit requirements (WGM, 2019).

The WGM Group, environmental consulting firm, has conducted groundwater monitoring at the Site since 2019. Two wells, FFU-2 and FFU-10, have shown a slower trend of decreasing concentrations. In the most recent groundwater monitoring event conducted in September 2024, FFU-2 and FFU-10 both showed slightly higher detections of petroleum hydrocarbons than the previous groundwater monitoring event conducted in January 2023. These higher concentrations are presumed to be due to high groundwater leaching petroleum from the contaminated smear zone in subsurface soil, smear zone impacts ranging from approximately 12 ft bgs to the groundwater interface (15 to 17 ft bgs) in the northeastern corner of the site (WGM, 2025).

**COMMENTS:** The proposed scope of work includes injecting 3,200 lbs of Petrofix with a direct push (Geoprobe) into a proposed treatment area of 1,850 square feet, mixed with 8,843 gallons of water into 31 points, 13-25 ft bgs. The injection is followed by 2 events of groundwater monitoring for wells FFU-2 and FFU-10. The scope of work is intended to reduce benzene in groundwater to less than 5 ppb in monitoring wells FFU-2 and FFU-10. Given that the benzene concentrations from the most recent groundwater monitoring event on 9/25/24, for FFU-2 was at 9.3 ppb and

FFU-10 at 13 ppb, the Petro Fund does not find the proposed injection necessary. Alternatively, we have found that adding nutrients such as nitrogen and sucrose, and enzymes to the 2 wells is a more cost-effective solution, given the low concentrations.

By adding nutrients to petroleum-contaminated soil, the growth of naturally occurring petroleum-degrading microbes is stimulated, accelerating the breakdown of hydrocarbon contaminants into less harmful substances. This process, known as bio stimulation, enhances the environment's ability to recover from petroleum pollution. Nutrient addition, or bio stimulation, is a widely used technique that involves adding essential nutrients, primarily nitrogen, and phosphorus, to enhance the growth of indigenous hydrocarbon-degrading microorganisms. This method has been shown to help speed up the biodegradation process in various environments. Studies have demonstrated that adding water-soluble nutrients to petroleum hydrocarbon contamination results in substantial hydrocarbon degradation compared to untreated. The introduction of nutrients stimulates microbial activity and leads to faster breakdown of hydrocarbons. Stimulation strategies for petroleum hydrocarbon contamination in the soil can be accelerated by the in-situ addition of the most prevalent nutrients that promote microbial growth (nitrogen, phosphate, sugars, and salts) as well as adding highly efficient hydrocarbon-degrading microbes (Enzymes). The concentration of added nutrients needs to be controlled, as it may cause a nutrient imbalance in the microflora. Nitrogen levels should be maintained below 1200 milligrams of nitrogen per kilogram of soil/water ( $\text{mg N kg}^{-1}$ ) and above 250  $\text{mg N kg}^{-1}$ , with the optimal around 600  $\text{mg N kg}^{-1}$ .

The expense of PetroFix is not necessary in this circumstance. A single application of PetroFix is effective at reducing benzene concentrations in groundwater from median levels of 100  $\text{ug/L}$  to below detection limits, which is below the required MCLs, and PetroFix has been shown to reduce total BTEX from over 2,000  $\text{ug/L}$  to 1  $\text{ug/L}$  or less. This site does not have those high levels of water contamination. PetroFix is often used for long-term plume control, there is no need for long-term plume control for this release where concentrations are near the MCLs.

Therefore, the Board staff do not recommend reimbursing for the proposed Petrofix Injection. Instead, the Fund should be used to reimburse the more cost-effective alternative of amendment application. The budget shows an additional task (T12) for the amendment application activity, which includes estimated quantities of nutrients, enzymes, and necessary supplies for the application.

#### CHRONOLOGY:

December 3, 1998	Release 3606 discovered.
April 28, 1999	Applied for Eligibility to the Petro-Fund.
January 18, 2000	Board ratified release as eligible, with no penalty.
July 25, 2003	Work plan 1511 (\$5,189) (Groundwater Monitoring).
August 23, 2004	Work plan 1852 (\$8,560) (Groundwater Monitoring).
April 25, 2012	Work plan 6811 (\$3,508.6) (Groundwater Monitoring) approved by DEQ.
June 27, 2012	Work plan 6896 (\$8,981) (Well Abandonment/Well Install/Groundwater Monitoring) approved by DEQ. <i>Not Completed.</i>
April 30, 2019	Work plan 10921 (\$57,037) (Soil Boring/Well Install/Groundwater Monitoring) approved by DEQ.

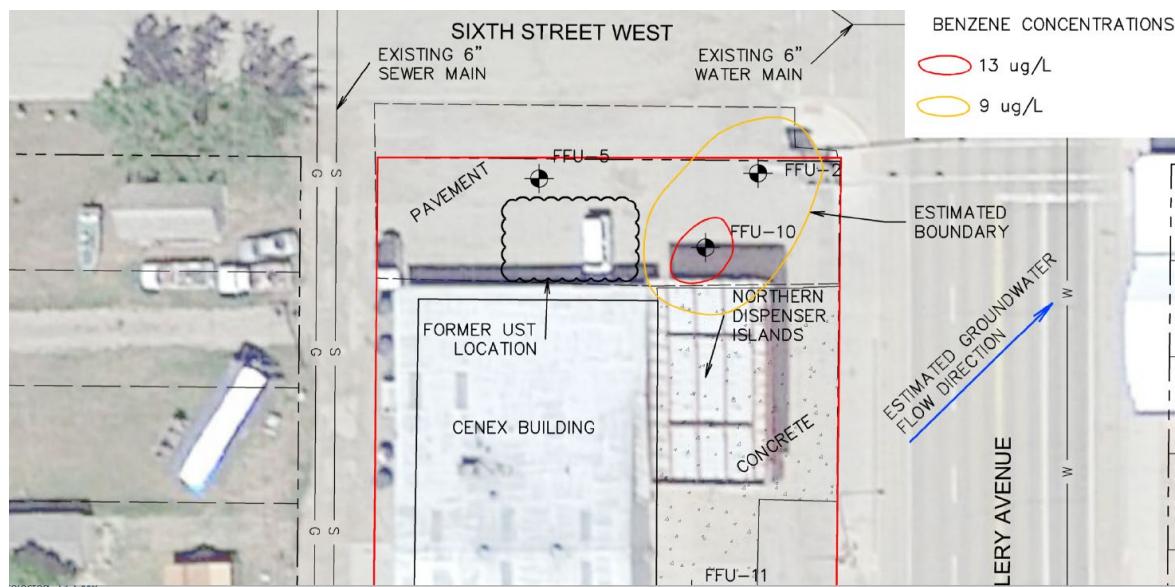
February 1, 2022

Work plan 716834460 (\$28,028.95) (Groundwater Monitoring) approved by DEQ.

August 5, 2025

Work plan 716834989 (\$75,927.32) (Reagent Treatment/Groundwater Monitoring) approved by DEQ.

Task #	Standardized Task	Proposal	Eligible	Reduce
1	Work Plan (Cleanup)	3,574.00	3,260.00	314.00
2	Project Management	6,252.00	2,281.00	3,971.00
3	Mobilization	7,420.00	7,420.00	0.00
4	Lodging/Per Diem	1,295.00	1,252.80	42.20
5	Fieldwork (Oversight)	5,300.00		5,300.00
6	Misc (Petrofix Product)	21,032.32		21,032.32
7	Misc (Direct Push Injection Contractor)	19,790.00		19,790.00
8	Groundwater Monitoring (2e,2w) post injection	2,460.00	952.00	1,508.00
9	Laboratory Analysis w/fee (xs,4w)	1,348.00	414.00	934.00
10	IDS	700.00	601.00	99.00
11	Report (Cleanup)	6,756.00	3,991.00	2,765.00
12	Misc (Amendments & Application)		6,000.00	-6,000.00
		<b>\$75,927.32</b>	<b>\$26,171.80</b>	<b>\$49,755.52</b>





# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 4203363    **FacilityName:** Horizon Resources Fairview Store

**City:** Fairview

**Release ID:** 3606

**WP ID:** 716834989

**WP Name:** C-B-RT/GWM

**WP Complete:**

**WP Date:**

03/04/2025 DRAFT-INFORMATIONAL

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan		\$3,260.00			
2	Project Management		\$2,281.00			
3	Mobilization		\$7,420.00			
4	Lodging/Per Diem		\$1,252.80			
5	Fieldwork		\$0.00			
6	Miscellaneous (Petrofix Product)		\$0.00			
7	Miscellaneous (Direct Push Injection Contractor)		\$0.00			
8	Monitoring		\$952.00			
9	Laboratory Analysis w/fee		\$414.00			
10	GW Interim Data Submittal		\$601.00			
11	Report		\$3,991.00			
12	Miscellaneous (Amendments & Application)		\$6,000.00			
		<b>Total:</b>	<b>\$26,171.80</b>			

**THE PROPOSED MEETING DATES BELOW AND THE ANNUAL ELECTION OF PRESIDING  
OFFICERS WILL BE ACTION ITEMS AT THE NOVEMBER 15, 2025 MEETING.**

### **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	<b>February 9, 2026</b>
April 1, 2026	April 8, 2026	<b>April 20, 2026</b>
June 3, 2026	June 10, 2026	<b>June 22, 2026</b>
August 26, 2026	September 2, 2026	<b>September 14, 2026</b>
October 21, 2026	October 28, 2026	<b>November 9, 2026</b>

#### **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.

**September 15, 2025**  
**DISCUSSION ITEM**

**2026**

**Holidays & Observances**

**January**

Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**February**

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

**March**

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**April**

Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

**May**

Su	M	Tu	W	Th	F	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**July**

Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**August**

Su	M	Tu	W	Th	F	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**October**

Su	M	Tu	W	Th	F	Sa
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**November**

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

**December**

Su	M	Tu	W	Th	F	Sa
			1	2	3	4
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		



## **LEGAL REPORT**

August 21, 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 was conveyed by then Board Attorney, Terisa Oomens, to the Board as indicated in italics below. The order was remanded back to the Lewis & Clark District Court which received that order in June of 2025 and no further action has been taken as of August 21, 2025.
  - *The Montana Supreme Court had stated that the Board had previously not denied or approved the costs, as the Board had stated that the costs could not be approved or denied until they were sorted into the releases. The Montana Supreme Court wanted the Board to either deny or approve the costs.*
- 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**  
**June 30, 2025**

	Legislative Approp.	Standard Budget	Rev/Exp through 6/30/2025	Projected Rev/Exp	Total FY25 Projected Rev/Exp	Projected Fiscal Year End Balance
<b>Revenues:</b>						
MDT Fee Revenue Estimate	8,566,437	8,566,437	7,752,248	0	7,752,248	(814,189)
Estimated STIP interest earnings	260,000	260,000	345,079	0	345,079	85,079
Misc Revenue & Settlements	3,320	3,320	0	0	0	(3,320)
<b>Total Revenues:</b>	<b>8,829,757</b>	<b>8,829,757</b>	<b>8,097,327</b>	<b>0</b>	<b>8,097,327</b>	<b>(732,430)</b>
<b>Expenditures:</b> (Includes current year expenses only)						
Board	Personal Services*	569,692	569,692	635,822	635,822	(66,130)
	Contracted Services	20,000	20,000	14,724	14,724	5,276
	Operating	319,834	319,834	207,932	207,932	111,902
	Subtotal	909,526	909,526	858,478	858,478	51,048
DEQ Regulatory	Personal Services*	1,538,667	1,538,667	1,521,448	1,521,448	17,219
	Contracted Services	40,000	40,000	35,129	35,129	4,871
	Operating & Transfers	862,100	862,100	489,582	489,582	372,518
	Subtotal	2,440,767	2,440,767	2,046,159	2,046,159	394,608
<b>Administrative Budget Remaining</b>						<b>445,656</b>
<b>Claims/Loan</b>						
Regular Claim Payments	4,480,000	4,480,000	3,436,171	0	3,436,171	1,043,829
Accrual - FY25 for use in FY26	770,000	770,000	0	834,155	834,155	(64,155)
Subtotal	5,250,000	5,250,000	3,436,171	834,155	4,270,326	979,674
<b>Total Expenses:</b>	<b>8,600,293</b>	<b>8,600,293</b>	<b>6,340,808</b>	<b>834,155</b>	<b>7,174,963</b>	<b>1,425,330</b>
<b>Increase/(Decrease) of Revenues over Exp as of June 30, 2025</b>						
			<b>\$1,756,518</b>	<b>(\$834,155)</b>	<b>\$922,363</b>	

Accrual Information	
<b>Claims</b>	
Accrued in FY2024 for use in FY2025	<b>1,579,882</b>
Total Payments	950,316
Accrual Balance - written off	<b>629,566</b>

	Fund Balance	Cash Balance
Beginning Balance	6,106,641	6,727,464
Revenues	8,097,327	8,097,327
Expenditures (affecting balance)	6,550,637	7,533,872
Actual Balance at 6/30/25	7,653,331	7,290,919

Average Monthly Claims	
FY25 to 06/30/25 - Current Year Only	<b>286,348</b>
FY25 to 06/30/25 - Current Year + Accruals	<b>365,541</b>
Actual Claims Paid in FY 2025 (Current Year + Accruals)	<b>4,386,487</b>

Revenue		
Revenue & Transportation Interim Committee		
Revenue Estimate for FY25 updated Nov 2024 mtg		7,674,000
Biennial Report Revenue Estimate for FY25		7,820,000
MDT FY25 Revenue Estimate		8,566,437
MDT FY25 Revenues Collected	90%	<b>7,752,248</b>

At \$0.0075 per gallon sold, the revenue collected this year is equivalent to 1,033.6 million gallons sold.	
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Settlements		
Settlements received during FY2025		
Settlements received to date		<b>2,511,687</b>

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

8/12/2025  
REPORT ITEM  
INFORMATIONAL

### Cash Flow Analysis - FY25

Actual

	July-24	August-24	September-24	October-24	November-24	December-24
<b>Beginning Cash Balance</b>	<b>6,727,464.44</b>	<b>5,496,420.08</b>	<b>7,110,446.78</b>	<b>7,334,487.89</b>	<b>7,554,283.27</b>	<b>7,579,683.81</b>
<b>Revenue</b>						
MDT Revenue (\$.0075/gallon)	-697,559.00	2,039,153.00	853,626.00	833,034.00	708,741.00	712,521.00
STIP Earnings	0.00	27,461.96	30,301.75	29,049.66	29,538.68	30,007.98
Settlements						
Other Misc Revenue	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>-697,559.00</b>	<b>2,066,614.96</b>	<b>883,927.75</b>	<b>862,083.66</b>	<b>738,279.68</b>	<b>742,528.98</b>
<b>Expenditures</b>						
Petro Board Claims	0.00	18,780.55	217,067.10	189,997.24	306,846.33	333,238.48
Petro Board Staff	25,491.54	63,245.57	77,105.71	90,428.80	71,236.00	67,143.35
Prior Year Adj & Accrual Adj	433,522.18	205,322.68	187,976.56	154,181.93	175,848.58	11,520.39
DEQ Regulatory	74,471.64	165,239.46	177,737.27	207,680.31	158,948.23	158,397.83
<b>Total Expenditures</b>	<b>533,485.36</b>	<b>452,588.26</b>	<b>659,886.64</b>	<b>642,288.28</b>	<b>712,879.14</b>	<b>570,300.05</b>
<b>Ending Cash Balance</b>	<b>5,496,420.08</b>	<b>7,110,446.78</b>	<b>7,334,487.89</b>	<b>7,554,283.27</b>	<b>7,579,683.81</b>	<b>7,751,912.74</b>

8/12/2025  
REPORT ITEM  
INFORMATIONAL

### Cash Flow Analysis - FY25

Actual

	January-25	February-25	March-25	April-25	May-25	June-25
<b>Beginning Cash Balance</b>	<b>7,751,912.74</b>	<b>7,861,373.64</b>	<b>7,811,898.84</b>	<b>7,618,044.78</b>	<b>7,791,837.34</b>	<b>7,453,079.53</b>
<b>Revenue</b>						
MDT Revenue (\$.0075/gallon)	610,363.00	549,403.00	519,393.00	512,308.00	563,538.00	547,727.00
STIP Earnings	31,014.45	29,539.49	26,647.11	29,492.70	28,640.66	53,384.21
Settlements						
Other Misc Revenue	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>641,377.45</b>	<b>578,942.49</b>	<b>546,040.11</b>	<b>541,800.70</b>	<b>592,178.66</b>	<b>601,111.21</b>
<b>Expenditures</b>						
Petro Board Claims	301,804.86	334,470.44	500,113.22	157,315.83	578,890.03	497,647.20
Petro Board Staff	66,912.61	63,861.85	66,259.61	91,426.04	73,985.26	101,381.70
Prior Year Adj & Accrual Adj	3,463.80	78,747.16	20,525.25	20,437.23	0.00	101,435.18
DEQ Regulatory	159,735.28	151,337.84	152,996.09	98,829.04	278,061.18	62,808.06
<b>Total Expenditures</b>	<b>531,916.55</b>	<b>628,417.29</b>	<b>739,894.17</b>	<b>368,008.14</b>	<b>930,936.47</b>	<b>763,272.14</b>
<b>Ending Cash Balance</b>	<b>7,861,373.64</b>	<b>7,811,898.84</b>	<b>7,618,044.78</b>	<b>7,791,837.34</b>	<b>7,453,079.53</b>	<b>7,290,918.60</b>

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

8/12/2025  
 REPORT ITEM  
 INFORMATIONAL

EXPENDITURE SUMMARY		PERIOD ENDING 07/31/24	PERIOD ENDING 08/31/24	PERIOD ENDING 09/30/24	PERIOD ENDING 10/31/24	PERIOD ENDING 11/30/24	PERIOD ENDING 12/31/24	PERIOD ENDING 01/31/25	PERIOD ENDING 02/28/25	PERIOD ENDING 03/31/25	PERIOD ENDING 04/30/25	PERIOD ENDING 05/31/25	PERIOD ENDING 06/30/25	FY25 TOTALS
<b>REVENUE</b>														
	MDT Fees	-697,559.00	2,039,153.00	853,626.00	833,034.00	708,741.00	712,521.00	610,363.00	549,403.00	519,393.00	512,308.00	563,538.00	547,727.00	7,752,248.00
	Stip Earnings	0.00	27,461.96	30,301.75	29,049.66	29,538.68	30,007.98	31,014.45	29,539.49	26,647.11	29,492.70	28,640.66	53,384.21	345,078.65
	Misc Revenue	0.00											0.00	
	<b>Total Revenue</b>	<b>-697,559.00</b>	<b>2,066,614.96</b>	<b>883,927.75</b>	<b>862,083.66</b>	<b>738,279.68</b>	<b>742,528.98</b>	<b>641,377.45</b>	<b>578,942.49</b>	<b>546,040.11</b>	<b>541,800.70</b>	<b>592,178.66</b>	<b>601,111.21</b>	<b>8,097,326.65</b>
<b>BOARD</b>														
	Personal Services	24,433.81	45,275.80	48,547.60	69,540.54	54,643.17	49,287.11	49,465.98	50,409.02	49,840.90	71,406.50	49,808.94	73,162.43	635,821.80
	Contracted Services	0.00	4,200.10	4,200.10	0.00		3,327.99	1,453.80	225.00	1,563.40	679.70	389.30	2,884.50	14,723.79
	Operating	1,057.73	17,969.77	24,358.01	20,888.26	16,592.83	14,528.25	15,992.83	13,227.83	14,855.31	19,339.84	23,787.02	25,334.77	207,932.45
	Subtotal	25,491.54	63,245.57	77,105.71	90,428.80	71,236.00	67,143.35	66,912.61	63,861.85	66,259.61	91,426.04	73,985.26	101,381.70	858,478.04
<b>CLAIMS</b>														
	Regular CY Claim Payments	0.00	18,780.55	217,067.10	189,997.24	306,846.33	333,238.48	301,804.86	334,470.44	500,113.22	157,315.83	578,890.03	497,647.20	3,436,171.28
	Subtotal	0.00	18,780.55	217,067.10	189,997.24	306,846.33	333,238.48	301,804.86	334,470.44	500,113.22	157,315.83	578,890.03	497,647.20	3,436,171.28
<b>DEQ Regulatory</b>														
	Personal Services	66,898.74	117,296.13	118,250.39	162,363.02	119,592.40	117,414.69	116,662.16	117,681.85	115,031.43	62,754.96	207,533.94	199,968.30	1,521,448.01
	Contracted Services	801.41	6,665.45	10.86	3,381.66	8,422.62	4,699.31	96.04	616.09	3,781.06	3,946.18	2,708.08	35,128.76	
	Operating	7,572.90	47,141.92	52,821.43	45,306.43	35,974.17	32,560.52	38,373.81	33,559.95	37,348.57	32,293.02	66,581.06	60,048.55	489,582.33
	Subtotal	74,471.64	165,239.46	177,737.27	207,680.31	158,948.23	158,397.83	159,735.28	151,337.84	152,996.09	98,829.04	278,061.18	262,724.93	2,046,159.10
	<b>CURRENT YEAR EXPENDITURE TOTALS</b>	<b>99,963.18</b>	<b>247,265.58</b>	<b>471,910.08</b>	<b>488,106.35</b>	<b>537,030.56</b>	<b>558,779.66</b>	<b>528,452.75</b>	<b>549,670.13</b>	<b>719,368.92</b>	<b>347,570.91</b>	<b>930,936.47</b>	<b>861,753.83</b>	<b>6,340,808.42</b>
	<b>PRIOR YEAR EXPENDITURES</b>	<b>-336.34</b>	<b>3,976.50</b>	<b>336.34</b>					<b>3,463.80</b>					<b>0.00</b>
	<b>TOTAL EXPENDITURES</b>	<b>99,626.84</b>	<b>251,242.08</b>	<b>472,246.42</b>	<b>488,106.35</b>	<b>537,030.56</b>	<b>558,779.66</b>	<b>531,916.55</b>	<b>549,670.13</b>	<b>719,368.92</b>	<b>347,570.91</b>	<b>930,936.47</b>	<b>861,753.83</b>	<b>6,348,248.72</b>
	<b>Board &amp; DEQ Non-Claim costs</b>	<b>99,963.18</b>	<b>228,485.03</b>	<b>254,842.98</b>	<b>298,109.11</b>	<b>230,184.23</b>	<b>225,541.18</b>	<b>226,647.89</b>	<b>215,199.69</b>	<b>219,255.70</b>	<b>190,255.08</b>	<b>352,046.44</b>	<b>364,106.63</b>	<b>2,904,637.14</b>
	<b>Claims Accrual Payments</b>	<b>199,980.18</b>	<b>187,640.22</b>	<b>154,181.93</b>	<b>175,848.58</b>	<b>11,520.39</b>	<b>0.00</b>	<b>78,747.16</b>	<b>20,525.25</b>	<b>20,437.23</b>	<b>0.00</b>	<b>101,435.18</b>	<b>950,316.12</b>	<b>0.00</b>
	<b>Guarantee of Reimbursement (A Accruals)</b>													
PROJECTION SUMMARY		PERIOD ENDING 07/31/24	PERIOD ENDING 08/31/24	PERIOD ENDING 09/30/24	PERIOD ENDING 10/31/24	PERIOD ENDING 11/30/24	PERIOD ENDING 12/31/24	PERIOD ENDING 01/31/25	PERIOD ENDING 02/28/25	PERIOD ENDING 03/31/25	PERIOD ENDING 04/30/25	PERIOD ENDING 05/31/25	PERIOD ENDING 06/30/25	FY25 TOTALS
<b>REVENUE</b>														
	MDT Fees													0.00
	Stip Earnings													0.00
	<b>TOTAL REVENUE PROJECTED</b>	<b>0.00</b>	<b>0.00</b>											
<b>BOARD</b>														
	Personal Services													0.00
	Contracted Services													0.00
	Operating													0.00
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>CLAIMS</b>														
	Regular CY Claim Payments													0.00
	FYE25 Accrual													834,154.94
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	834,154.94
<b>DEQ Regulatory</b>														
	Personal Services													0.00
	Contracted Services													0.00
	Operating													0.00
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<b>PROJECTION TOTALS</b>	<b>0.00</b>	<b>834,154.94</b>	<b>834,154.94</b>										

Petroleum Tank Release Compensation Fund Budget Status Report Operating Statement July 31, 2025						
	Legislative Approp.	Standard Budget	Rev/Exp through 7/31/2025	Projected Rev/Exp	Total FY26 Projected Rev/Exp	Projected Fiscal Year End Balance
<b>Revenues:</b>						
MDT Fee Revenue Estimate	8,050,000	8,050,000	661,360	7,199,188	7,860,548	(189,452)
Estimated STIP interest earnings	300,000	300,000	0	302,637	302,637	2,637
Misc Revenue & Settlements	0	0	0	0	0	0
<b>Total Revenues:</b>	<b>8,350,000</b>	<b>8,350,000</b>	<b>661,360</b>	<b>7,501,825</b>	<b>8,163,185</b>	<b>(186,815)</b>
<b>Expenditures:</b> (Includes current year expenses only)						
Board	Personal Services*	612,357	612,357	27,067	605,000	632,067
	Contracted Services	25,000	25,000	0	22,000	22,000
	Operating	316,221	316,221	6,496	198,000	204,496
	Subtotal	953,578	953,578	33,563	825,000	858,563
DEQ Regulatory	Personal Services*	1,551,615	1,551,615	58,876	1,485,000	1,543,876
	Contracted Services	95,000	95,000	4,991	77,000	81,991
	Operating	823,499	823,499	16,241	473,000	489,241
	Subtotal	2,470,114	2,470,114	80,109	2,035,000	2,115,109
<b>Administrative Budget Remaining</b>						<b>450,020</b>
<b>Claims/Loan</b>						
Regular Claim Payments	4,500,000	4,500,000	7,866	4,020,951	4,028,817	471,183
Accrual - FY26 for use in FY27	750,000	750,000	0	750,000	750,000	0
Subtotal	5,250,000	5,250,000	7,866	4,770,951	4,778,817	471,183
<b>Total Expenses:</b>	<b>8,673,692</b>	<b>8,673,692</b>	<b>121,539</b>	<b>7,630,951</b>	<b>7,752,490</b>	<b>921,202</b>
<b>Increase/(Decrease) of Revenues over Exp as of July 31, 2025</b>						
				<b>\$539,821</b>	<b>(\$129,126)</b>	<b>\$410,695</b>

Accrual Information	
<b>Claims</b>	
Accrued in FY2025 for use in FY2026	<b>834,155</b>
Total Payments	109,028
Accrual Balance	<b>725,127</b>

	Fund Balance	Cash Balance
Beginning Balance	7,653,331	7,290,919
Revenues	8,163,185	8,163,185
Expenditures (affecting balance)	6,071,792	7,234,742
Projected Balance at 6/30/26	9,744,724	8,219,361

Average Monthly Claims	
FY26 to 07/31/25 - Current Year Only	<b>7,866</b>
FY26 to 07/31/25 - Current Year + Accruals	<b>116,894</b>
Actual Claims Paid in FY 2026 (Current Year + Accruals)	<b>116,894</b>

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	8% <b>661,360</b>

At \$0.0075 per gallon sold, the revenue collected this year is equivalent to 88.2 million gallons sold.	
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Settlements	
Settlements received during FY2026	
Settlements received to date	<b>2,511,687</b>

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

8/12/2025  
REPORT ITEM  
INFORMATIONAL

### Cash Flow Analysis - FY26

	Actual July-25	August-25	September-25	Projected October-25	November-25	December-25
<b>Beginning Cash Balance</b>	<b>7,290,918.60</b>	<b>7,598,487.20</b>	<b>7,739,770.82</b>	<b>7,787,729.82</b>	<b>7,835,688.82</b>	<b>7,883,647.82</b>
<b>Revenue</b>						
MDT Revenue (\$.0075/gallon)	661,360.00	739,188.00	646,000.00	646,000.00	646,000.00	646,000.00
STIP Earnings	0.00	27,636.62	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
<b>Total Revenue</b>	<b>661,360.00</b>	<b>766,824.62</b>	<b>673,500.00</b>	<b>673,500.00</b>	<b>673,500.00</b>	<b>673,500.00</b>
<b>Expenditures</b>						
Petro Board Claims	7,866.21	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00
Petro Board Staff	33,563.29	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Prior Year Adj & Accrual Adj	232,252.76	0.00	0.00	0.00	0.00	0.00
DEQ Regulatory	80,109.14	185,000.00	185,000.00	185,000.00	185,000.00	185,000.00
<b>Total Expenditures</b>	<b>353,791.40</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>
<b>Ending Cash Balance</b>	<b>7,598,487.20</b>	<b>7,739,770.82</b>	<b>7,787,729.82</b>	<b>7,835,688.82</b>	<b>7,883,647.82</b>	<b>7,931,606.82</b>

8/12/2025  
REPORT ITEM  
INFORMATIONAL

## Cash Flow Analysis - FY26

Projected

	January-26	February-26	March-26	April-26	May-26	June-26
<b>Beginning Cash Balance</b>	<b>7,931,606.82</b>	<b>7,979,565.82</b>	<b>8,027,524.82</b>	<b>8,075,483.82</b>	<b>8,123,442.82</b>	<b>8,171,401.82</b>
<b>Revenue</b>						
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
<b>Total Revenue</b>	<b>673,500.00</b>	<b>673,500.00</b>	<b>673,500.00</b>	<b>673,500.00</b>	<b>673,500.00</b>	<b>673,500.00</b>
<b>Expenditures</b>						
Petro Board Claims	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00
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
<b>Total Expenditures</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>	<b>625,541.00</b>
<b>Ending Cash Balance</b>	<b>7,979,565.82</b>	<b>8,027,524.82</b>	<b>8,075,483.82</b>	<b>8,123,442.82</b>	<b>8,171,401.82</b>	<b>8,219,360.82</b>

**Petroleum Tank Release Compensation Fund  
Budget Status Report  
Monthly Expenditure/Projection Summary  
July 31, 2025**

8/12/2025  
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
<b>REVENUE</b>														
	MDT Fees	661,360.00												661,360.00
	Stip Earnings													0.00
	Misc Revenue													0.00
	<b>Total Revenue</b>	<b>661,360.00</b>	<b>0.00</b>	<b>661,360.00</b>										
<b>BOARD</b>														
	Personal Services	27,067.17												27,067.17
	Contracted Services	0.00												0.00
	Operating	6,496.12												6,496.12
	<b>Subtotal</b>	<b>33,563.29</b>	<b>0.00</b>	<b>33,563.29</b>										
<b>CLAIMS</b>														
	Regular CY Claim Payments	7,866.21												7,866.21
	<b>Subtotal</b>	<b>7,866.21</b>	<b>0.00</b>	<b>7,866.21</b>										
<b>DEQ Regulatory</b>														
	Personal Services	58,876.32												58,876.32
	Contracted Services	4,991.48												4,991.48
	Operating	16,241.34												16,241.34
	<b>Subtotal</b>	<b>80,109.14</b>	<b>0.00</b>	<b>80,109.14</b>										
	<b>CURRENT YEAR EXPENDITURE TOTALS</b>	<b>121,538.64</b>	<b>0.00</b>	<b>121,538.64</b>										
	<b>PRIOR YEAR EXPENDITURES</b>	<b>185.83</b>												<b>0.00</b>
	<b>TOTAL EXPENDITURES</b>	<b>121,724.47</b>	<b>0.00</b>	<b>121,724.47</b>										
	<b>Board &amp; DEQ Non-Claim costs</b>	<b>113,672.43</b>	<b>0.00</b>	<b>113,672.43</b>										
	<b>Claims Accrual Payments</b>	<b>109,028.14</b>												<b>109,028.14</b>
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
<b>REVENUE</b>														
	MDT Fees	739,188.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	646,000.00	7,199,188.00
	Stip Earnings	27,636.62	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	27,500.00	27,500.00	302,636.62
	<b>TOTAL REVENUE PROJECTED</b>	<b>0.00</b>	<b>766,824.62</b>	<b>673,500.00</b>	<b>7,501,824.62</b>									
<b>BOARD</b>														
	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	55,000.00	55,000.00	55,000.00	605,000.00
	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	2,000.00	2,000.00	2,000.00	22,000.00
	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	18,000.00	18,000.00	18,000.00	198,000.00
	<b>Subtotal</b>	<b>0.00</b>	<b>75,000.00</b>	<b>825,000.00</b>										
<b>CLAIMS</b>														
	Regular CY Claim Payments	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	365,541.00	4,020,951.00
	FYE26 Accrual													750,000.00
	<b>Subtotal</b>	<b>0.00</b>	<b>365,541.00</b>	<b>1,115,541.00</b>	<b>4,770,951.00</b>									
<b>DEQ Regulatory</b>														
	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	135,000.00	135,000.00	135,000.00	1,485,000.00
	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	7,000.00	7,000.00	7,000.00	77,000.00
	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	43,000.00	43,000.00	43,000.00	473,000.00
	<b>Subtotal</b>	<b>0.00</b>	<b>185,000.00</b>	<b>2,035,000.00</b>										
	<b>PROJECTION TOTALS</b>	<b>0.00</b>	<b>625,541.00</b>	<b>1,375,541.00</b>	<b>7,630,951.00</b>									



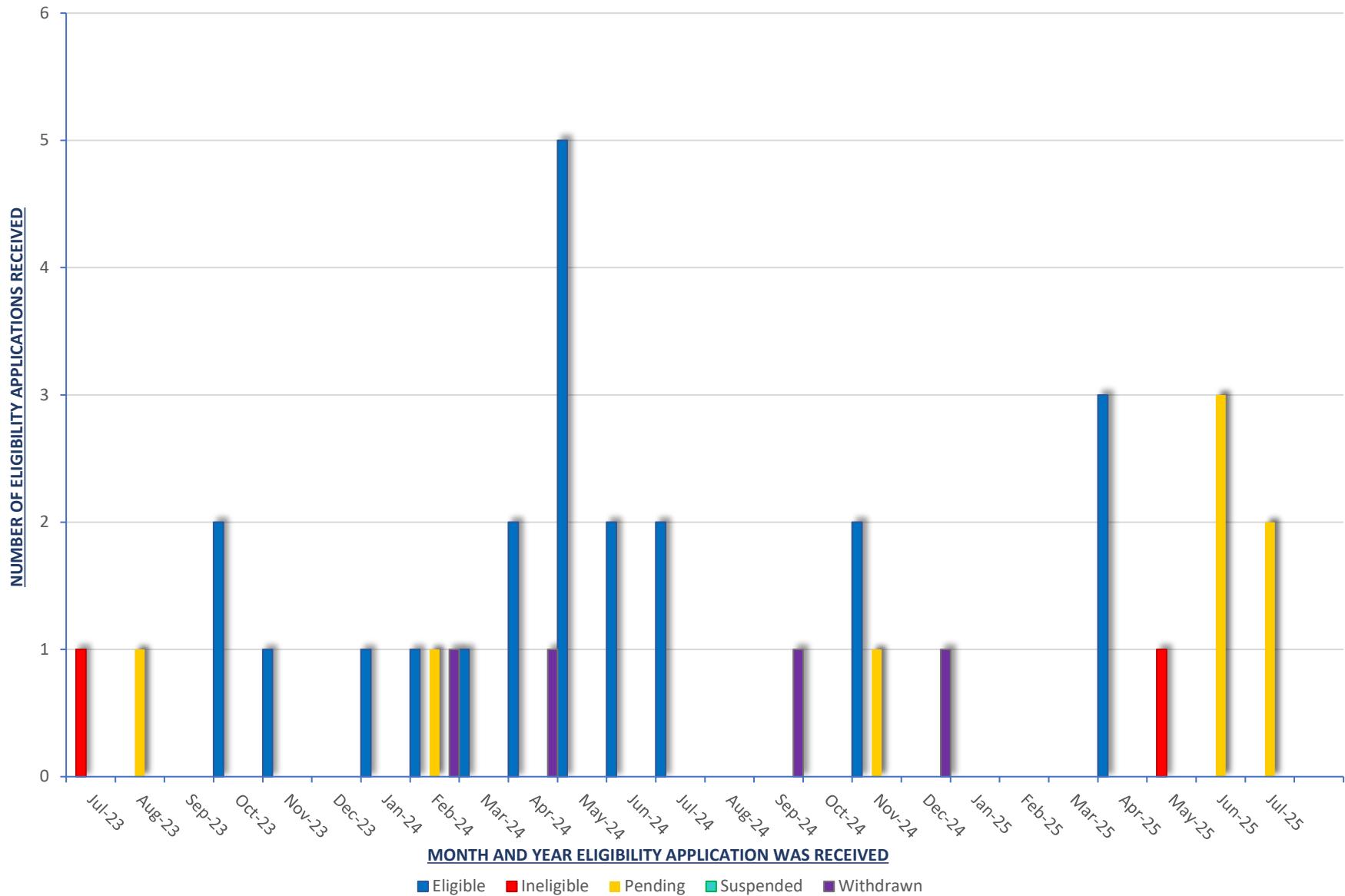
# Petroleum Tank Release Compensation Board

## STATE OF MONTANA

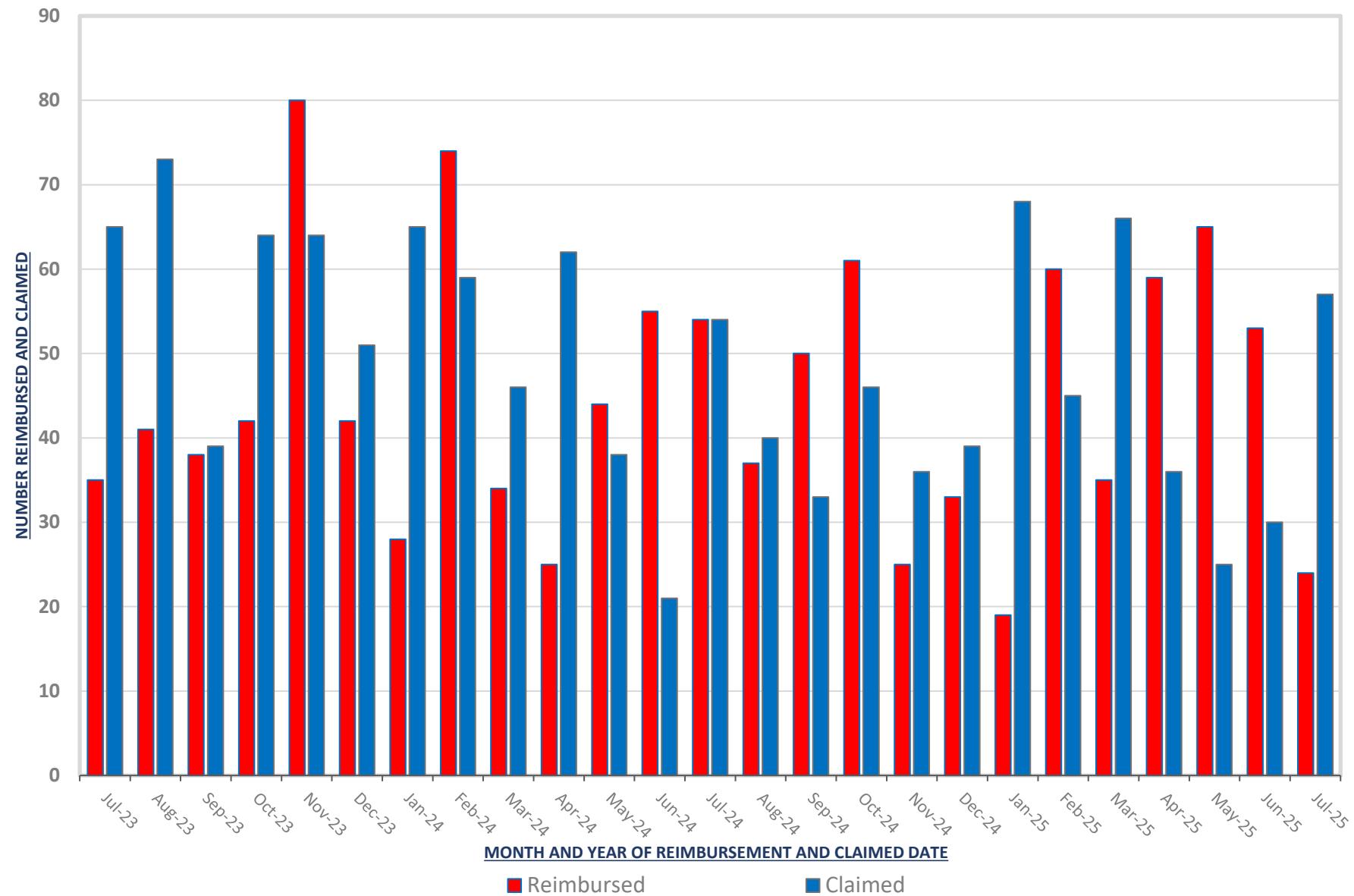
### Activity Report Through July 2025

Reporting Category	Status
Amount of Fund balance in Petroleum Tank Release Cleanup Fund	\$7,598,487.20
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

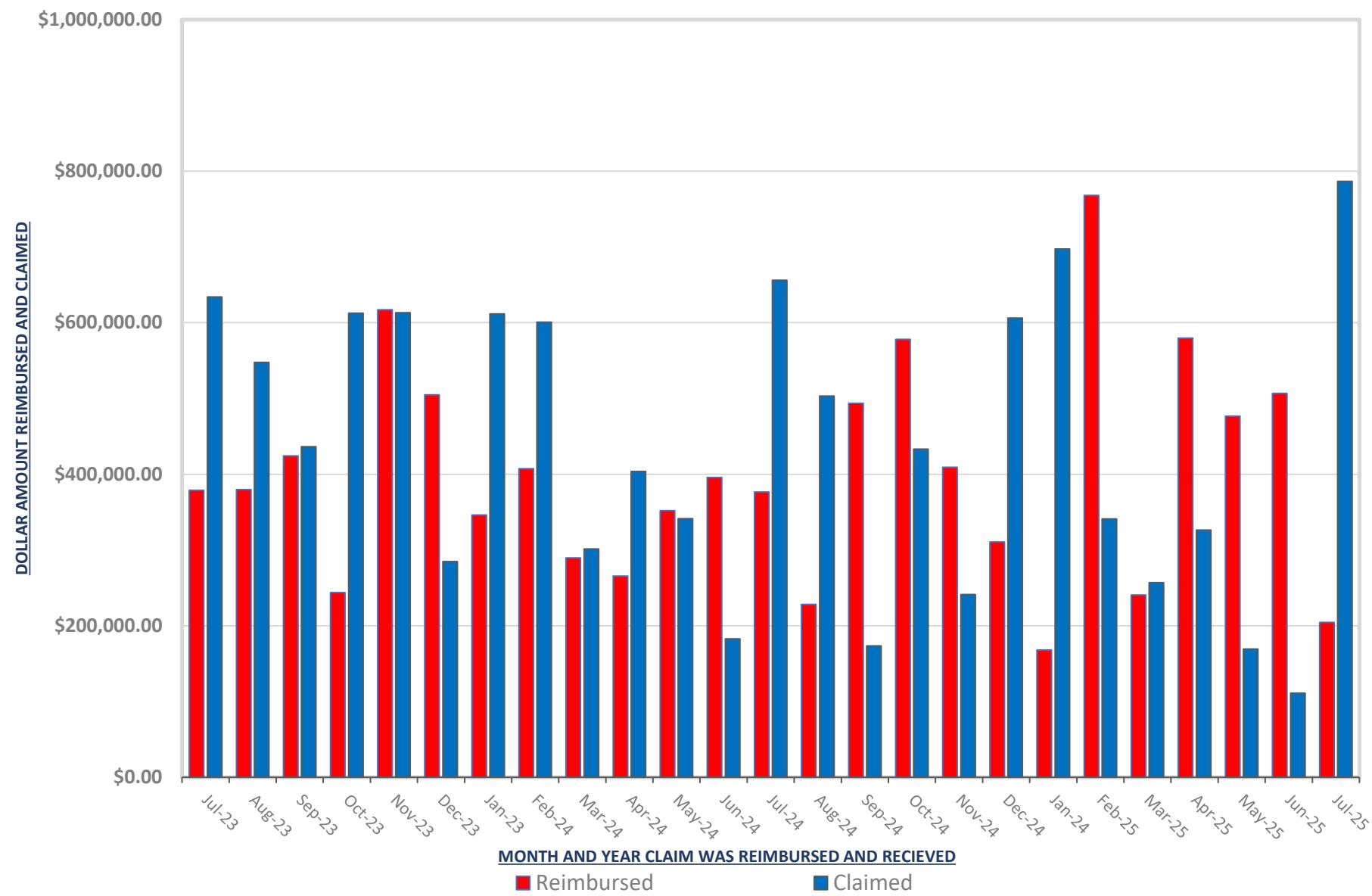
## Board Staff Eligibility Graph



## Board Staff Claim Count Graph



## Board Staff Claim Value Graph



[Back to Agenda](#)  
**Petroleum Tank Cleanup Activity Report**  
**September 2, 2024**

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### **Summary of Confirmed and Resolved Petroleum Releases**

#### **New Petroleum Release Activity June 2 – September 2, 2025**

<b>Release Status</b>	<b>Activity</b>
Suspect Releases	2
Confirmed Releases	3
Resolved Releases	13

#### **Summary of All Petroleum Release Activity through September 2, 2025**

<b>Release Status</b>	<b>Activity</b>
Total Confirmed	4884
Total Resolved	3980
Total Open	904

#### **Summary (Current) of Petroleum Releases Managed by PTCS**

<b>Release Status</b>	<b>Activity</b>
Total Open	851
Total PTRCB Eligible	578
*Other	273

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

### **Investigation Work Plans #35042 and #35043**

Circle K Stores, Inc. is the responsible party for Releases 3537 and 5212 and has retained Tetra Tech, Inc. as their environmental consultant. Tetra Tech submitted work plans (WPs) 35042 and 35043 on behalf of Circle K Stores, Inc. DEQ approved the WPs which is expected to aid in remediating petroleum contaminated soil and groundwater along with decreasing the threat of petroleum vapor intrusion into the nearby buildings. The WPs propose the pilot test of a trap and treat injection into the area around the Marden's Trailer Sales, along with continued operation and maintenance of the soil vapor extraction (SVE) system, performing free product recovery, groundwater monitoring, vapor sampling, and reporting. The cost estimate for the WPs 35042 and 35043 is \$164,070.65.

### **Remediation Recommendation**

The recommended remediation information is contained in the October 2024 Additional Corrective Action Report and the March 2025 Interim Data Submittal to include continued operation of the SVE system, free product recovery and a pilot study of an injectate. Additional information regarding remediation selection is provided as background supporting items in WPs 35042/35043.

### **Site History**

The site is located at 200 1<sup>st</sup> Street West, Havre, Hill County, Montana. The site has operated as a gas station/convenience store. Release 3537 was discovered in October 1998 when diesel contaminated soil exceeding Risk-Based Screening Levels (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 (STP) for the premium gasoline underground storage tank (UST). At that time a SVE system was installed to prevent petroleum vapors from entering the Marden's Trailer Sales building located next to the 5212 release area. A free product recovery system was also installed to remove any free phase petroleum present in the UST basin. Remediation activities for both releases have consisted of periodic free-product recovery and the installation and operation of a SVE system including expanding it below the Marden's Trailer Sales and Circle K buildings in order to limit vapor intrusion. Regular groundwater monitoring, indoor air sampling, and sub-slab vapor sampling have also occurred.

Facility Name: Circle K Store 2746272 (Former Holiday Stationstore 272)

Physical Address: 200 1<sup>st</sup> Street West, Havre, Hill County

Facility ID: 21-08068

TREADS ID: 22350

Release Numbers: 3537 and 5212

Priority: 3.0 – Medium Priority Cleanup

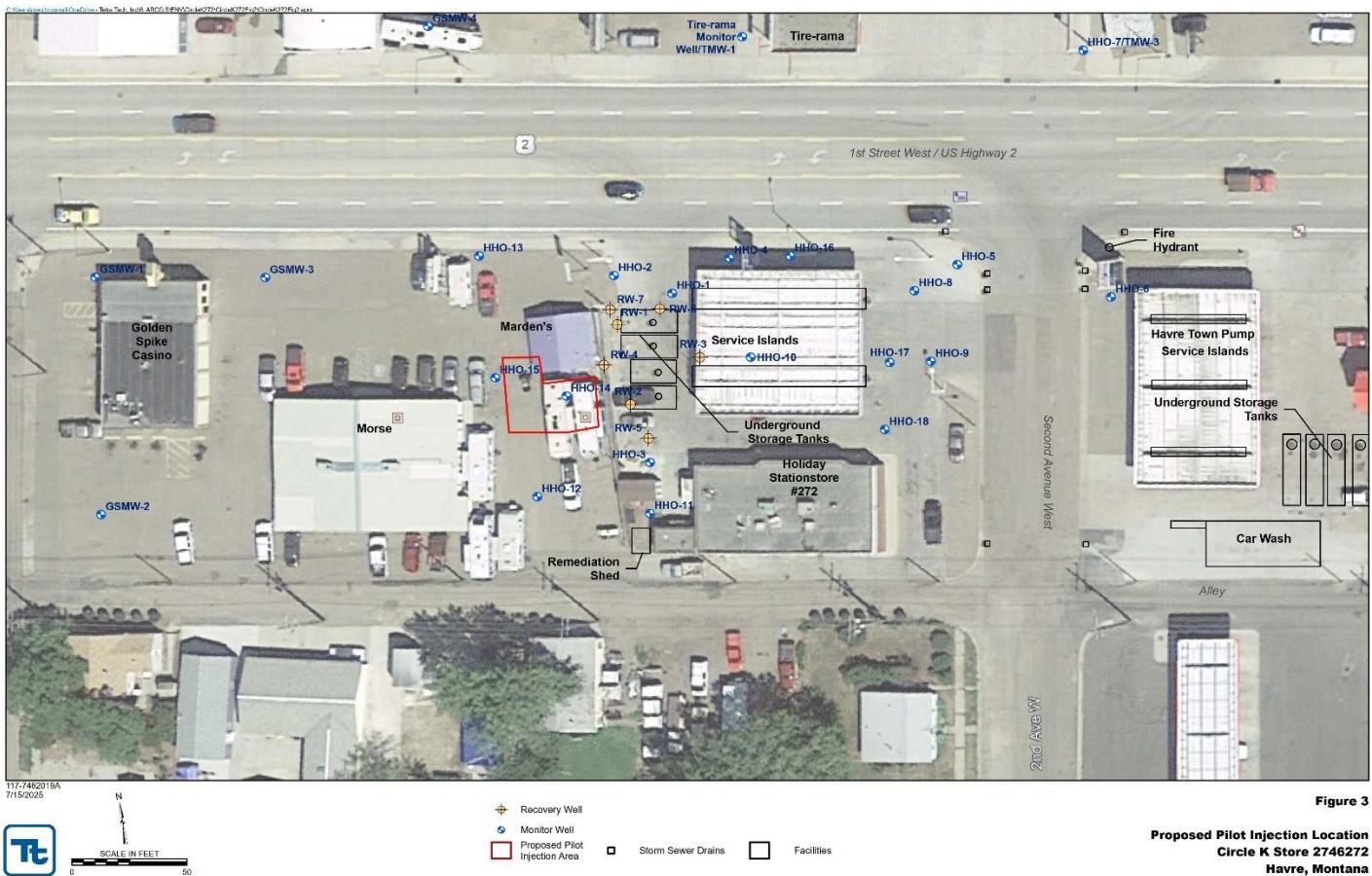


Figure 1 Map – Releases 3537 and 5212 – Site Map with proposed trap and treat injection zone.



# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 2108068

**FacilityName:** Circle K Store 2746272

**City:** Havre

**Release ID:** 3537 & 5212

**WP ID:** 716835042

**WP Name:** C-B-RT/GWM

**WP Complete:**

**WP Date:**

07/16/2025

DRAFT-INFORMATIONAL

<b>Task #</b>	<b>Task Name</b>	<b>Estimated Cost</b>	<b>Release 3537 (20%)</b>	<b>Release 5212 (80%)</b>	<b>Total (100%)</b>
1	Work Plan	\$519.00	\$2,076.00	\$2,595.00	
2	Project Management	\$2,219.00	\$8,876.00	\$11,095.00	
3	Mobilization	\$3,482.29	\$13,929.17	\$17,411.46	
4	Survey	\$535.00	\$2,140.00	\$2,675.00	
5	Miscellaneous (BOS 200, subcontracted design and injections)	\$11,731.10	\$46,924.40	\$58,655.50	
6	Miscellaneous (pilot-test labor)	\$1,014.00	\$4,056.00	\$5,070.00	
7	Miscellaneous (vapor sampling)	\$648.00	\$2,592.00	\$3,240.00	
8	Rem Sys Op & Maint	\$3,214.80	\$12,859.20	\$16,074.00	
9	Equipment	\$320.00	\$1,280.00	\$1,600.00	
10	Monitoring (post-pilot test)	\$302.40	\$1,209.60	\$1,512.00	
11	Monitoring (semi-annual gwm)	\$920.00	\$1,075.20	\$4,600.00	
12	Water Level Measurements	\$268.80	\$1,075.20	\$1,344.00	
13	Laboratory Analysis w/fee (vapor)	\$1,936.00	\$7,744.00	\$9,680.00	
14	Laboratory Analysis w/fee (gwm)	\$2,002.60	\$8,010.40	\$10,013.00	
15	Lodging/Per Diem	\$1,109.52	\$4,438.08	\$5,547.60	
16	Data Valid Form DVSF	\$294.00	\$1,176.00	\$1,470.00	
17	GW Interim Data Submittal	\$0.00	\$0.00	\$0.00	
18	Report (clean up)	\$798.00	\$3,192.00	\$3,990.00	
19	Rel Closure Plan (update)	\$130.00	\$520.00	\$650.00	
<b>Total:</b>		<b>\$31,444.51</b>	<b>\$125,778.05</b>	<b>\$157,222.56</b>	



**Facility Name: Name: Farmers Union Oil Co Circle**

Physical Address: 906 A Avenue, Circle

Facility ID: 29-06376

TREADS IDs: 24902 & 32428

Release Numbers: 3689 & 3803

Priority: 3.0 Medium Priority Cleanup

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**Cleanup Work Plan 35040 & 35041**

Farmers Union Oil Co Circle (Farmers Union) – the responsible party for petroleum releases 3689 and 3803 (Releases) – has retained West Central Environmental Consultants (WCEC) as their environmental consultant. WCEC prepared and submitted work plan 35040 & 35041 (WP) on behalf of Farmers Union. This DEQ-approved WP is for in situ treatment of the petroleum-contaminated soil and groundwater; and identify work needed to resolve the Release. The estimated cost for the WP is \$109,914.47.

**Release Closure Plan**

WCEC submitted a Release Closure Plan on behalf of Farmers Union as part of the 2024 Remedial Action Report dated August 20, 2024. WCECs recommendations were the following: Continued operation of the soil vapor extraction and air sparge (SVE/AS) remedial system; continued light non-aqueous phase liquid (LNAPL) recovery; semiannual groundwater monitoring; landfarm assessment and sampling.

**Site History**

The Farmers Union Oil Company Facility consists of the former Farmers Union Service Station, which is now a repair shop, located at 908 A Avenue. The Service Station operated circa 1920's to 1998.

Release 3803 was reported in July 1999 when contaminated soil was encountered during removal and closure of the underground storage tanks, piping and dispenser island at the former Service Station. Soil samples were collected at the time of closure but were outside of DEQ's acceptable holding temperature and time. A GeoProbe was used to collect additional shallow soil data. The release was resolved based on the laboratory analytical data of soil samples collected via GeoProbe.

Release 3803 was reopened in 2020 after review of the DEQ file and the 2016 LIF investigation which identified petroleum contamination persisted in the former dispenser island, piping, and UST locations at the former Service Station.

The Farmers Union Oil Bulk Rack is located to the south of the former Service Station across A Avenue on BNSF leased property and has operated since the 1970's. An area south of the current AST bulk rack was identified as a source of shallow contamination during the LIF investigation. This area was the location of a historical AST bulk rack.

Release 3689 was reported to DEQ in March 1999 when approximately 100-200 gallons of dyed diesel was released during fuel delivery into the aboveground storage tanks. In 2014 at the request of BNSF a phase II investigation was conducted at the Farmers Union Oil Company and several areas of contamination were identified.

In August 2022, a total of 1,225 cubic yards of petroleum contaminated soil was removed from former service station (release 3803) and near the historical AST bulk rack (release 3689). After the remedial excavation was completed, an SVE/AS system was installed to continue cleanup of residual petroleum contamination that was unable to excavated due to structural impediments.

Facility Name: Name: Farmers Union Oil Co Circle

Physical Address: 906 A Avenue, Circle

Facility ID: 29-06376

TREADS IDs: 24902 & 32428

Release Numbers: 3689 & 3803

Priority: 3.0 Medium Priority Cleanup

## Site Map





# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 2906376    **Facility Name:** Farmers Union Oil Co Circle

**City:** Circle

**Release ID:** 3689

**WP ID:** 716835040    **WP Name:** F-B-GWM/LFM/RSO    **WP Complete:**     **WP Date:** 07/24/2025    **DRAFT-INFORMATIONAL**

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan			\$577.50		
2	Project Management			\$2,464.00		
3	Mobilization			\$6,698.48		
4	Lodging/Per Diem			\$1,255.75		
5	Rem Sys Op & Maint			\$3,582.00		
6	Miscellaneous (Landfarm Tilling/Sampling)			\$6,830.94		
7	Miscellaneous (Free Product Recovery)			\$2,936.00		
8	Laboratory Analysis w/fee			\$14,040.55		
9	Miscellaneous (Electrical)			\$9,000.00		
10	Miscellaneous (Transmissivity Testing & Aquifer Tests)			\$1,541.15		
11	Water Level Measurements			\$192.00		
12	Monitoring			\$6,440.00		
13	Report			\$1,760.00		
14	Rel Closure Plan			\$357.50		
		<b>Total:</b>		<b>\$57,675.87</b>		



# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 2906376    **Facility Name:** Farmers Union Oil Co Circle

**City:** Circle

**Release ID:** 3803

**WP ID:** 716835041    **WP Name:** F-B-GWM/LFM/RSO    **WP Complete:**     **WP Date:** 07/24/2025    **DRAFT-INFORMATIONAL**

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan			\$472.50		
2	Project Management			\$2,016.00		
3	Mobilization			\$6,698.48		
4	Lodging/Per Diem			\$1,255.75		
5	Rem Sys Op & Maint			\$2,842.80		
6	Miscellaneous (Landfarm Tilling/Sampling)			\$1,205.46		
7	Miscellaneous (Free Product Recovery)			\$2,936.00		
8	Laboratory Analysis w/fee			\$10,594.45		
9	Miscellaneous (Electrical)			\$9,000.00		
10	Miscellaneous (Transmissivity Testing & Aquifer Tests)			\$1,541.15		
11	Water Level Measurements			\$192.00		
12	Monitoring			\$6,440.00		
13	Report			\$1,440.00		
14	Rel Closure Plan			\$292.50		
<b>Total:</b>				<b>\$46,927.09</b>		



**Facility Name: Name: Former Flying J Travel Plaza**  
Physical Address: I-94 at Baker Exit, Miles City  
Facility ID: 09-08661  
TREADS ID: 19483  
Release Number: 4365  
Priority: 3.0 Medium Priority Cleanup

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## Cleanup Work Plan 35009

FJ Management, Inc (FJM) – the responsible party for petroleum release 4365 (Release) – has retained Johnston Leigh, Inc. (JLI) as their environmental consultant. JLI prepared and submitted work plan 35009 (WP) on behalf of FJM. This DEQ-approved WP is for in situ treatment of the remaining petroleum-contaminated soil and groundwater; and identify work needed to resolve the Release. The estimated cost for WP 35009 is \$134,060.50.

## Release Closure Plan for Release 4365

JLI submitted a Release Closure Plan on behalf of FJM as part of the 2024 Groundwater Monitoring Report dated January 2025. JLI's recommendations were the following: 1<sup>st</sup> choice – soil excavation that required sheet piling and dewatering; and 2<sup>nd</sup> choice -- in situ trap and treatment of petroleum-contaminated media via injection of carbon-based compound by trapping contaminants in adsorbent material and then treating them via sulfate reduction. However, the total volume of excavation water to be treated and disposed was more than Miles City Water Treatment Plant would accept, and potential undercutting of the excavation walls adjacent to Highway 12 would require excessive bonding far outside the scope of this project.

Therefore WP 35009 tasks include the following: project management; oversight; mobilization; installation of soil borings; injection of Bos 200, gypsum, magnesium sulfate, starch and yeast via push probe; collection of soil and water samples, laboratory analyses and data validation; propose additional work for continued site remediation; update the Release Closure Plan; and reporting.

## Site History

The Facility – located about two miles northeast of Miles City at the highway junction of I-94 and US-12 – was established in the 1960s. Flying J operated the Facility from 1980 until August 2000 when it closed. Release 4365 was reported to DEQ on October 10, 1999, as a leak in an underground distribution pipe near the dispensers on the south side of the Facility (Site Map below).

2008 – 2013: Remediation work included the following: investigation via soil borings and monitoring wells; cleanup via SVE/AS system and limited soil excavation; and groundwater monitoring. Laser-induced fluorescence (LIF) soil boring investigation (2013) at the Facility demonstrated that significant volumes of petroleum-contaminated soil remained the source of the persistent petroleum-contaminated groundwater plume.

2015: Excavation of Release 4365 at the dispenser area on the south side of the Facility removed about 4,000 cubic yards of petroleum-contaminated soil resulting in about 87% reduction in the hydrocarbon mass associated with Release. Excavation of Release 1986 (not Fund eligible, under review for closure) at the former above-ground storage-tank basin located north of the former Facility building and the dispenser area to the east (Site Map below).

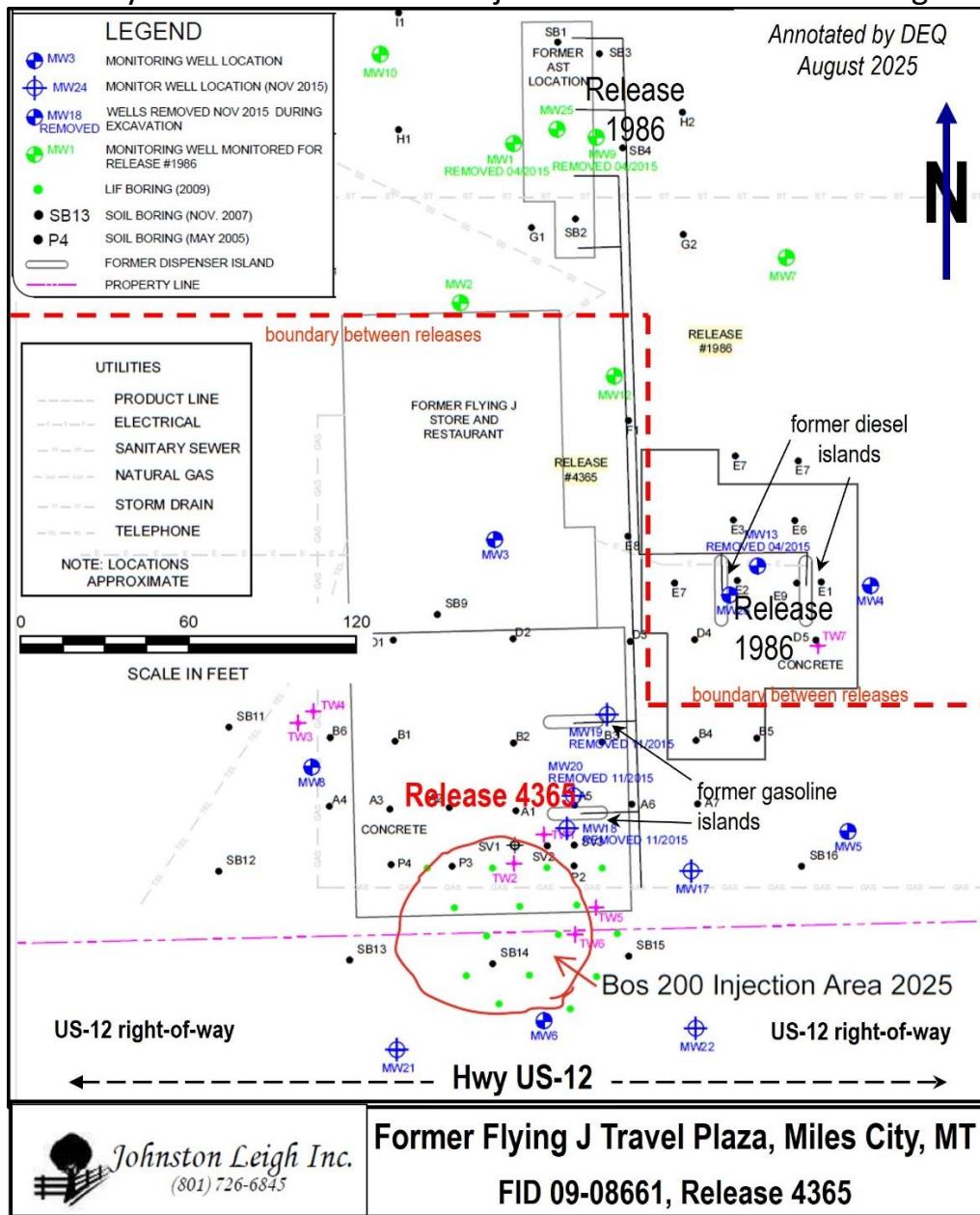
2018: Groundwater monitoring (2015 – 2018) demonstrated excavation effectively removed the petroleum source for Release 1986. However, the petroleum-contaminated soil (smear-zone) submerged below the water table remains a source for Release 4365 on the Facility's south side.

2020 – 2022: High Vacuum Dual Phase Extraction (HVDPE) and semi-annual groundwater monitoring were conducted for three continuous months. The HVDPE system temporally lowered the water table and decreased concentrations of gasoline-related compounds in soil and groundwater in the treated area. Treatment via the HVDPE system was terminated based on the field measurements of

soil-vapor emissions and groundwater influent analytical results. The HVDPE system removed an estimated 900 gallons of gasoline-related compounds from the soil below the water table.

Soil vapor concentrations measured during the most recent HVDPE event were relatively low, suggesting limited confidence in the continued effectiveness of the HVDPE system. A total of 11 monitoring wells were sampled in September 2024; those groundwater sampling results indicate a residual source of petroleum hydrocarbons is present and leaching to the groundwater. Therefore, the purpose of Work Plan 35009 is to remediate both soil and groundwater at depths below the groundwater surface using in-situ soil injection technologies near the southern property boundary.

## **Site Map – Facility features and Bos 200 Injection area at southern margin of property**





# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 908661    **FacilityName:** Flying J Inc - Miles City

**City:** Miles City

**Release ID:** 4365

**WP ID:** 716835009

**WP Name:** C-B-RT/GWM

**WP Complete:**

**WP Date:**

07/23/2025 **DRAFT-INFORMATIONAL**

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan		\$1,000.00			
2	Project Management		\$1,240.00			
3	Mobilization		\$610.00			
4	Lodging/Per Diem		\$780.80			
5	Fieldwork		\$2,900.00			
6	Miscellaneous (Injection Activity)		\$70,085.00			
7	Miscellaneous (Injection Products)		\$38,310.00			
8	Monitoring		\$2,890.00			
9	Laboratory Analysis w/fee		\$8,852.00			
10	Report		\$3,346.00			
11	Rel Closure Plan		\$650.00			
12	Data Valid Form DVSF		\$294.00			
		<b>Total:</b>	\$130,957.80			



Facility Name: MDT Nashua UST Facility  
Physical Address: 917 Front Street, Nashua  
Facility ID: 60-15325  
TREADS ID: 31022  
Release Number: 5285  
Priority: 2.0

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### **Cleanup Work Plan 35074**

Montana Department of Transportation (MDT) is the responsible party for Release 5285 and has chosen Water & Environmental Technologies (WET) as their environmental consultant. WET prepared and submitted cleanup work plan 35074 (WP) on behalf of MDT. The DEQ approved cleanup work plan is for utility locates, well abandonment, soil excavation, soil disposal, soil boring/well installation, tap water sample, groundwater monitoring, and identify work needed to resolve the Release. The estimated cost for the cleanup work plan is \$186,298.36.

### **Release Closure Plan**

MDT submitted a Release Closure Plan (RCP) as part of the Additional Remedial Investigation Report submitted on February 29, 2024. MDTs recommendations were the following: Excavation to remove contaminated soil in contact with the city water main (approximately 800 cubic yards), replace MW1/MW1S after excavation, replacement of the section of water main in contact with petroleum contaminated soil, semi-annual groundwater monitoring for two years, installation of up to 4 wells surrounding MW1S in the shallow aquifer. DEQ agrees with the recommendation to move the release towards closure.

### **Site History**

The site is located at 917 Front Street, Nashua, Valley County, Montana. The Release was reported to DEQ on July 31, 2018, when MDT encountered and removed an unknown underground storage tank (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. The UST was housed in a treated timber wooden vault. Excavation of 30 cubic yards along with the UST and the wooden vault were removed. The excavation area was backfilled shortly after groundwater was observed infiltrating open excavation area. Laboratory results confirmed a release, and the contamination as primarily gasoline.

**August 2019:** A laser-induced fluorescence (LIF) ultra-violet optical screening tool (UVOST®) investigation was performed. This investigation identified soil contamination near the former tank basin and from a source upgradient along the north side of Highway 117. This investigation also concluded that the extent of the release from the UST is not widespread throughout the site area.

**March 2021:** Six groundwater monitoring wells were installed at the facility and confirmed that petroleum contaminated soil was in contact with the water main. Groundwater monitoring sample results indicated that the deep alluvial aquifer was below Risk-Based Screening Levels (RBSLs).

**October and November 2022:** One groundwater monitoring event occurred at the 6 pre-existing wells, with an additional tap water sample taken at the Post Office. Only MW1S exceeded RBSLs. Nine soil borings were installed (SB5 – SB13) in and around the source area. Laboratory soil samples indicated RBSL exceedances at around 4 – 8 feet bgs in multiple samples.

**December 2023 and January 2024:** Another Remedial Investigation was conducted. Nine soil borings (SB14 -SB22) were advanced along front street to the north, east, and west of where the

former UST was located. SB14 was the only soil sample that showed RBSLs exceedances, indicating a separation from the petroleum contamination north of the highway (possibly former Westland Bulk Plant) and the petroleum contamination at the UST source area.

## Site Map





# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 6015325    **FacilityName:** MDT Nashua Tank

**City:** Nashua

**Release ID:** 5285

**WP ID:** 716835074

**WP Name:** C-B-SR/RT/WI/WA/

**WP Complete:**

**WP Date:**

07/14/2025 **DRAFT-INFORMATIONAL**

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan (Not Requested)		\$0.00			
2	Project Management		\$5,400.00			
3	Mobilization		\$5,005.00			
4	Lodging/Per Diem		\$734.50			
5	Fieldwork		\$9,995.00			
6	Miscellaneous (Traffic Control)		\$2,500.00			
7	Well Abandonment		\$5,253.70			
8	Soil Removal		\$108,197.33			
9	Miscellaneous (Calcium Peroxide)		\$11,020.00			
10	Miscellaneous (Soil Disposal)		\$9,267.00			
11	Well Installation		\$3,654.05			
12	Monitoring		\$270.00			
13	Laboratory Analysis w/fee		\$4,876.40			
14	Data Valid Form DVSF		\$405.00			
15	Report		\$4,376.00			
<b>Total:</b> \$170,953.98						

### **Cleanup Work Plan 35076**

Montana Department of Transportation (MDOT) – the responsible party for petroleum release 6494 (Release) – has retained Olympus Technical Services (Olympus) as their environmental consultant. Olympus prepared and submitted work plan 35076 (WP) on behalf of MDOT. This DEQ-approved WP is for excavation of petroleum-contaminated soil, addition of oxygen enhancement amendment to the excavation, backfilling and compaction, landfarming, monitoring well replacement, and soil and groundwater sampling. The estimated cost for WP 35076 is \$119,452.22.

### **Release Closure Plan for Release 6494**

A Release Closure Plan was submitted on behalf of MDOT as part of the May 2023 Remedial Investigation Report dated August 11, 2023. Remedial alternatives suitable to the site conditions (e.g. depth of contamination, soil type, surface cover, etc.) were evaluated. The recommendation presented in the Report and the Release Closure Plan was excavation of shallow contaminated soil with the addition of an amendment in the backfill. Following excavation, injection of amendment in the down-gradient smear zone may be beneficial. WP 35076 is for excavation, amendment addition to the backfill, and monitoring to assess effectiveness and evaluate the need for additional remediation.

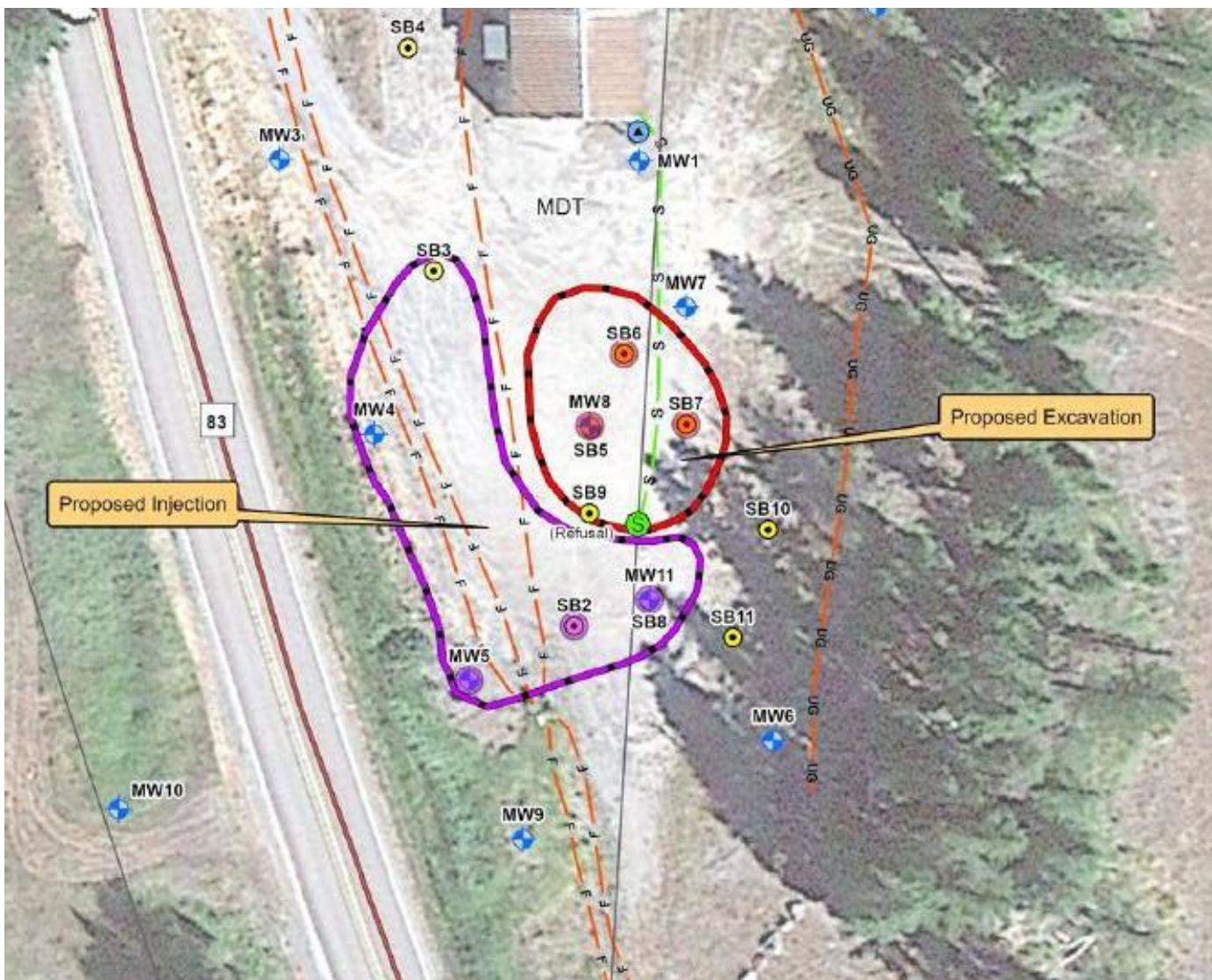
WP 35076 tasks include the following: project management; oversight; mobilization; excavation; screening and separation of soil; transport of petroleum contaminated soil to a landfarm; amendment addition to excavation/backfill; backfilling and compaction of reusable soil and imported fill; landfarm operation; monitoring well replacement; collection of soil and groundwater samples; laboratory analyses and data validation; assess remedial action effectiveness; propose additional work for continued site remediation; and reporting.

### **Site History**

The Facility – located about one mile south of Swan Lake at 24526 Highway 83 – was established in the 1960s. Underground storage tanks installed in 1966 were removed and replaced in 1992 and USTs installed in 1992 were removed in 2000. Above-ground storage tanks in the form of ConVaults were used from 2000 to 2010. Release 6494 was reported to DEQ on April 29, 2022, when soil with elevated field screening results were observed during the installation of soil borings as part of an environmental site assessment. Analytical data confirmed the release.

Investigation to date has included the installation of soil borings and monitoring wells, soil sampling, and groundwater monitoring. The investigations at the Facility demonstrate that petroleum-contaminated surface soil exceeds direct-contact risk-based screening levels. Additionally, the investigations demonstrate that petroleum-contaminated soil remains the source of the persistent petroleum-contaminated groundwater plume.

**Site Map – Facility features and Excavation Area** (The need for injection will be evaluated after the effectiveness of excavation and amendment addition in the excavation area is assessed and addressed under separate work plan if necessary)





# Petroleum Tank Release Compensation Board

## Work Plan Task Costs

**Facility ID:** 2408739    **FacilityName:** MDT Swan Lake Site

**City:** Swan Lake

**Release ID:** 6494

**WP ID:** 716835076

**WP Name:** C-B-GWM/SR

**WP Complete:**

**WP Date:**

06/23/2025 **DRAFT-INFORMATIONAL**

<b>Task #</b>	<b>Task Name</b>	<b>Phase</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Balance</b>	<b>Comment</b>
1	Work Plan		\$1,230.00			
2	Project Management		\$5,070.00			
3	Mobilization		\$0.00			
4	Mobilization (Towing Drill Rig)		\$0.00			
5	Fieldwork (Soil Removal Oversight)		\$5,880.00			
6	Soil Removal		\$66,248.50			
7	Miscellaneous (ORC-A Product)		\$0.00			
8	Well Installation		\$503.58			
9	Well Development		\$75.00			
10	Monitoring		\$2,164.00			
11	Water Level Measurements		\$144.00			
12	Miscellaneous (Landfarm Activities)		\$222.00			
13	Laboratory Analysis w/fee		\$19,500.50			
14	Lodging/Per Diem		\$2,803.50			
15	Data Valid Form DVSF		\$441.00			
16	Rel Closure Plan		\$500.00			
17	Report		\$3,465.00			
18	Miscellaneous (Contractor withholding [tax] for Construction)		\$0.00			
						<b>Total:</b> <b>\$108,247.08</b>