

PETROLEUM TANK RELEASE COMPENSATION BOARD
MINUTES
February 9, 2026
IN-PERSON AND TELECONFERENCE HYBRID MEETING

Board Members in attendance were John Monahan, Curt Kelley, Grant Jackson, Calvin Wilson, and Jess Stenzel, with Cody O'Connor in attendance via Zoom, with Kristi Kline being absent. Also in attendance were Terry Wadsworth, Executive Director; Garnet Pirre and Ann Root, Board Staff; and Stuart Segrest, Board Attorney.

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

Approval of November 10, 2025, Minutes

Mr. Jackson moved to approve the November 10, 2025 minutes as written. Mr. Wilson seconded. Motion passed unanimously by voice vote.

Eligibility Ratification

Mr. Wadsworth presented the Board with a summary of the eligibility recommendations for ratification. There were two (2) releases recommended to be eligible.

<i>Location</i>	<i>Site Name</i>	<i>Facility ID #</i>	<i>DEQ Rel # Release Year</i>	<i>Staff Recommendation Date - Eligibility Determination</i>
Butte	Rocker Flying J	4709893 TID 28472	6698 April 2025	Reviewed 1/15/26. Recommended Eligible.
Hardin	Good 2 Go #808	0200538 TID 17731	5050 Sept 2014	Reviewed 1/26/26. Recommended Eligible.

Mr. Monahan recused himself from any matters regarding Jackson Energy, and any of their dealer locations or customers. Mr. Stenzel recused himself from any matters regarding Marsh & McLennan or its legacy company, Payne West Insurance. Mr. O'Connor recused himself from any matters related to Tank Management Services. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank's customers. Mr. Wilson recused himself from any matter regarding EnergiSystems and customers. Mr. Jackson expressed no known conflict of interest.

Mr. Stenzel moved to ratify the two (2) eligibility applications as recommended eligible by the Board staff. Mr. Wilson seconded. Motion passed unanimously by voice vote.

Weekly Reimbursements

Mr. Wadsworth presented a summary of weekly claim reimbursements for the weeks of October 29, 2025 to January 14, 2026.

WEEKLY CLAIM REIMBURSEMENTS November 10, 2025, BOARD MEETING		
Week of	Number of Claims	Funds Reimbursed
10-29-25	12	\$110,611.02
11-5-25	19	\$314,076.00
11-19-25	20	\$181,730.95
2-3-25	22	\$333,667.16
2-10-25	23	\$167,713.13
12-17-25	22	\$60,761.48
12-24-25	22	\$135,069.08
1-7-26	17	\$135,527.12
1-14-26	15	\$64,911.08
Total	172	\$1,504,067.02

Mr. Wadsworth presented the Board with a summary of the denied claims. There were six (6) denied claims, see table.

<i>Denied Claims</i> November 10, 2025 Board Meeting	
Claim ID	Reason Denied
20251009G	Total amount of claim adjusted at consultant's request. Consultant has since resubmitted the costs on a claim consistent with DEQ's determination of cost split.
20250811A	Task 8 - Consultant requested to withdraw the claim.
20250710F	Claim's invoice was incorrectly split with unrelated workplan/facility. Consultant's correcting reissue of Form 3 necessitates a new claim, thereby effectively voiding the claim. Consultant will claim the invoiced activities on a future claim.
20250710G	Invoice from which claim costs arise is not related to this work plan, release, or facility.
20251016A	Claim withdrawn by consultant – wrong payee listed.
20221117B	All costs in this claim were incurred outside the agreed date range of the Emergency Response.

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Mr. Kelley moved to ratify the weekly reimbursements and six (6) denied claims as presented. Mr. Jackson seconded. The motion passed unanimously by voice vote.

Board Claims

Mr. Wadsworth presented the Board with the three (3) claims for an amount greater than \$25,000. He stated that the Board staff recommended ratifying the reimbursement of the claims over \$25,000.

Facility Name Location	Facility- Release ID#	Claim#	Claimed Amount	Adjustments	Penalty	Co- pay	**Estimated Reimbursement
Former Flying J Inc Belgrade	1605753 6598	20251218A	\$64,805.55	\$10.00	-0-	-0-	\$64,795.55
SOCO Express 15 th & Brdwtr Billings	56049556 5261	20251014C	\$26,158.42	-0-	-0-	-0-	\$26,158.42
MDT White Sulfur Springs	3012376 6522	20250919B	\$25,251.11	\$4,180.25	-0-	-0-	\$21,070.86
Total			\$116,215.08	4,190.25	-0-	-0-	\$112,024.83

*** In accordance with the Board delegation of authority to the Executive Director signed on December 8, 2003, the Board staff will review the claims for the Board. If the dollar amount of the claim is \$25,000.00 or greater, the claim must be approved and ratified by the Board at a regularly scheduled meeting before reimbursement can be made.**

****In the event that other non-Board claims are paid in the period between preparation for this Board meeting and payment of the claim listed above, the amount of co-payment remaining may differ from that projected at this time, which may change the estimated reimbursement.**

Mr. Monahan recused himself from any matters regarding Jackson Energy, and any of their dealer locations or customers. Mr. Stenzel recused himself from any matters regarding Marsh & McLennan or its legacy company, Payne West Insurance. Mr. O'Connor recused himself from any matters related to Tank Management Services. Mr. Kelley recused himself from any matters pertaining to Little Horn State Bank and Little Horn State Bank's customers. Mr. Wilson recused himself from any matter regarding EnergiSystems and customers. Mr. Jackson expressed no known conflict of interest.

Mr. Wilson moved to ratify the three (3) Board claims as presented. Mr. Kelley seconded. The motion passed unanimously by voice vote.

Attorney Report

Mr. Segrest presented the Board with the Board Attorney Report. He stated that not much had happened legally since the previous meeting, but he still had a couple of updates. In the matter of *Cascade Cnty v. Mont. Petroleum Tank Release Comp. Bd.* case, the Montana Supreme Court had remanded the matter back to the Lewis & Clark District Court (District Court). Because of this, the jurisdiction fell to the District Court, and it would be the District Court's decision whether to take action to send it back to the Board. He noted that this had not happened yet, and that the Board did not have a duty to make it happen. Cascade County had not asked for action, and because of this, the case was sitting in place at present. He stated that Ms. Jackie Papez, counsel for Cascade County, had reached out and suggested discussions of potential settlement or another way to resolve the case. Mr. Segrest stated that he had told her he was open to talking to her about this, but she had yet to schedule a meeting or call.

Mr. Segrest stated that in the matter of the Northern Cheyenne Tribe (NCT) communications, he had responded by letter to Mr. Brian Chestnut, attorney, Ziontz Chestnut LLP on November 11, 2025 with the explanation that the Board could not reimburse the claims that had been submitted for reimbursement because the remediation costs were paid with grant funds. The Northern Cheyenne Tribe admitted this fact, and it was shown in the record. He stated that no response to the letter had been received, and because of this, the Board's answer at the time was to deny the claims for which the communication had taken place. He added that, at some point, it would need to be determined if additional action needed to be taken, but that there was no action that needed to be taken at present because the NCT had not yet responded.

Mr. Monahan asked if Cascade County would lose their ability to challenge the court's ruling if they waited too long. Mr. Segrest answered that there was not an explicit time limit on it, but that what would happen was something called a 'failure to prosecute.' He stated that, because of this, if nothing happened in about a year or more, the Board could petition the court to dismiss the case for failure to prosecute or move the case forward.

Fiscal Report SeptFY26

Mr. Wadsworth presented the Board with a summary of the Fiscal Report.

Mr. Monahan stated that he noted the Board's revenue was continuing to exceed the program's expenditures, and that some months had significant exceedances. One such case was August 2025, when there had been a balance of about half of a million dollars. He asked if he was reading the data correctly and noted that the only months when the Board had spent more than the incoming revenue had been in October 2025 and December 2025.

Mr. Wilson asked about the reimbursement for line tests and if there had been any applications submitted for this. Mr. Wadsworth answered that the Board staff had not received any preventive claim applications yet and added that these were not claims exclusively for line tests but were rather claims for reimbursing a wide variety of preventative work. The process for the receipt of preventive claims had begun on January 1, 2026. Town Pump had been working with the Board staff to provide test cases so that the Board staff's internal system for processing these claims could be tested. Mr. Wilson asked if the claims would come before the Board. Mr. Wadsworth stated that they would be provided in a weekly format, similar to the remediation claims for the Board. The way the prevention claims are compiled to be viewed by the Board will depend on the volume received. It could be for a week or for month depending on volume.

Mr. Monahan asked if most of the owners were now aware of the preventative claims program. Mr. Wadsworth said that the Board staff had been somewhat delayed in getting the information out, because publication of both the statute and rule changes was delayed within the State. Ms. Pirre added, for clarity, that:

- Legislative Services had also had a significant delay this year in getting Montana Code Annotated (MCA) updated.
- She was unsure whether it had been fully updated yet, and that Legislative Services hoped to have everything ready by the end of February 2026.
- The Secretary of State's administrative rules software had been set to update on January 1, 2026, as this was built into the language of the law as well as the software. However, the software that was being used for rulemaking had date logic that didn't work but the Secretary of State had to push the rules through when it was recognized that the rules hadn't automatically been published.
- To date, the rules (Secretary of State's Office) had been published, but the actual law (Montana Legislative Services) had yet to be published.
- Because of this, it was difficult to include legal citations in an email communication sent to a mass audience when the reference was not yet published.

Mr. Monahan asked Ms. Pirre if, once all the items were in place, they could notify the owners. Ms. Pirre confirmed this would be done.

Mr. Monahan asked if anyone who was creating these expenses at present would still be reimbursed. Mr. Wadsworth indicated that if the expenses currently being incurred were sent in for reimbursement and found to be eligible costs, they would be reimbursed. He stated that the Board staff had also reached out to the Montana Petroleum Marketers and Convenience Store Association, and that Mr. Brad Longcake, the Executive Director, had been extensively reaching out to his stakeholders regarding the matter. Mr. Wadsworth added that the Board staff were hoping to receive responses from the outreach and for the laws to be published before they planned to send out notices.

Ms. Pirre stated that, in addition to this, the Board staff did have a published claim form (Form 13) available, as well as an instruction sheet. These were available in the Forms section of the Board's website. She had an example of the Form 13 with her at the current meeting to show anyone who was interested. The instructions and the Form 13 were created with assistance from Mr. Paul Townsend, Environmental Remediation Technician, Town Pump. Mr. Townsend reviewed the instructions to see if they made sense from a consultant's perspective. She believed that because of this, the Form 13 had been streamlined as much as possible for the benefit of all parties involved. Board staff would remain open to further comments or questions as people started to use the form and instructions.

Mr. Wadsworth stated that Mr. Longcake had reached out to the Board staff and asked the Board staff to provide a presentation on the Form 13 and preventative claim process at the upcoming Petroleum Marketers Conference in June 2026. He stated that this would help spread information within that organization regarding how the process worked. Ms. Pirre and Mr. Wadsworth indicated that, at the Department of Environmental Quality's (Department) Underground Storage Tank (UST) Program's request, a presentation was also going to be made at the UST Program's tank installer/removal training.

Mr. Monahan asked if notifications would be sent to every UST owner when the Board staff sent out the notifications about the preventative claims. Mr. Wadsworth answered that notification would go to the people who had signed up for notifications in the states broadcast notification system. He added that, on the Department's website, there was a link where one could sign up to receive notifications. He added that the Board staff could provide to the Board members with a link to this page on the website, and by extension, anyone the Board might know who would need this information.

Mr. Monahan asked if this information would be helpful for other contractors in the state to know, as there were times when an owner was hesitant to get these preventative tests done, and the knowledge that the tests had available reimbursement could become a catalyst to encourage them happen. Mr. Wadsworth stated that he agreed, and that one of the things to recognize was that if there were inspections currently being done, the owner still had quite a bit of time to apply for reimbursement on those inspection activities. He stated if an inspection was conducted today, and then the paperwork for reimbursement was sent in a couple of months afterwards, it would not be a reimbursement issue.

Board Staff Report

Mr. Wadsworth presented the Board with a summary of the Board staff report. He stated that the graphs in the report were published with data up through December 2025. On the eligibility graph provided by the staff, he identified two (2) pending eligibilities that were in the eligibility table and had been ratified eligible during the eligibility ratification portion of this meeting. He stated that there was a third eligibility that was received in December of 2025 for which the ineligibility recommendation had been sent to the owner. It had been recommended ineligible because it appeared as though the fuel had come from the fueling truck rather than a UST. He stated that this appeared to have occurred when the owner was refilling the UST, and the pipe underneath the truck had become disconnected. As a result, the fuel spilled from the truck onto the ground, and not from the UST. Therefore, this third eligibility application in December 2025 had been recommended ineligible, while the other two (2) had been recommended eligible.

Mr. Monahan asked if the spill that had occurred from the truck was something the owners had to cover with insurance. Mr. Wadsworth confirmed that in circumstances like this it was usually an insurance claim made on behalf of the delivery organization, and that reimbursement would be dependent on whether the spill had been caused by somebody else. He stated that, for this case, it appeared it would be at the expense of the operator of the fuel truck, as it came from a leak on the truck's hose rather than from the UST itself.

Mr. Wadsworth stated that the eligibility received in October 2025 was from the Equity Co-Op Association. There had been issues with the eligibility application, it was sent back to the owners to fill in missing information, and in the interim, an

insurance agent reached out to Board staff about the business process and it was determined that the owners would pursue reimbursement through their insurance first.

Mr. Wadsworth stated that the eligibility from September 2025 was for the Gilligan's Island facility in Great Falls. He stated that this was a release that had been affected by House Bill 189 (HB-189), which had moved back the earliest date a release could be eligible to January 1, 1984 instead of the April 13, 1989. He stated that, because of the release's initial discovery date, the release had been denied eligibility upon first submission of an eligibility application. The ratification of HB-189 allowed the owner to submit a new eligibility application.

Mr. Wadsworth stated that, in November 2024, the RY Timber facility had applied for eligibility. The application had to be returned to sender because of issues with it, and the Board staff had yet to receive the form back with the corrections.

Mr. Wadsworth noted that, similarly, the last application for eligibility that the Board staff had not yet processed was from February 2024. He stated that this one had been from Generational Properties LLC, and the Board staff returned the application to sender for similar issues. Generally, these issues tended to result from missing information that the owners had not provided on the forms. In these cases, there were tanks that used to be present but were no longer there, from which residual contamination could still be present, and those tanks still needed to be included for informational purposes on the form.

Awaiting the resubmission when there was missing information holds up the eligibility process and that is the issue with the pending applications from October 2025 and earlier shown on the graph. Board staff are waiting on the owners to complete and resubmit.

Mr. Monahan asked Mr. Wadsworth, in the case of instances such as the February 2024 eligibility, what would cause the owner to wait over two (2) years to send a corrected form back. Mr. Wadsworth answered that he did not know for certain, but that the owner could potentially be waiting to see how much cleanup work is necessary or how severe the release is before completing the application process with the Fund.

Mr. Monahan asked if a potential cause for the delay was that there had not yet been any work on-site. Mr. Wadsworth stated that this could also be the case. It was often the case that when the Department does not require any work from the owner the application for eligibility will sit until funding is needed. The Board staff's issue is that there were items that the owner had not included on their application for eligibility that needed to be included, and the Board staff would need the owner to confirm these items in order to process the application.

Mr. Stenzel asked how the Board staff knew about the legacy tanks. Mr. Wadsworth stated that the Board staff had looked at the Department's UST file on the facility for information, and the Board staff also had information in their database that indicated there was a legacy release from tanks present in 1973 that had since been removed in 1994. This was something the past or current owner may not know about, but it could be found with some research. Mr. Wadsworth stated that the Board staff would still need the owners to agree that these legacy tanks had existed to ensure that the records kept by the Department or Board staff were not in error. This was to ensure that, when eligibility was granted, all parties were on the same page and in agreement as to what storage tanks were present at the site, so as to not end up with complications later in the process due to contamination coming from an undocumented tank.

Mr. Wadsworth noted that Mr. Monahan had asked him at the November 10, 2025 Board meeting about the Voluntary Registrations. He noted that Mr. Monahan had stated that he wanted to see data at the next meeting on how many Voluntary Registrations the Board staff had encountered during the year. The Board staff had looked into the question and found that there was an average of one (1) voluntary registration submitted every year for the past decade.

Mr. Monahan asked Mr. Wadsworth for a definition of the Voluntary Registration. Mr. Wadsworth stated that the Board staff generally received the Voluntary Registration when an owner was trying to sell their property and wanted to provide information to the buyer that the facility being sold was in compliance, currently or previously had tanks, and that said tanks were eligible for the Fund. This documentation was often part of what would be normally seen in a buy and sell situation. He stated that, if there was an owner of a fueling station who was trying to sell and transfer the property to a new owner, the buyer may be interested in knowing what tanks were eligible for the Fund. He stated that Voluntary Registrations were processed by the Board staff as if they were eligibility applications. The Board staff would check for all the details on a Voluntary Registration that would normally be checked for an eligibility application. The Board staff would obtain the necessary information needed from the Fire Marshall and Department and would make a determination on the Voluntary Registration as if there was an actual release at the site. Fundamentally, what was really being done was checking whether the facility would

be eligible in the event of a release discovery. Mr. Wadsworth stated that back in the 1990s, there was a push to have owners register their tanks. This was how the document obtained the name of “Voluntary Registration.”

DEO Petroleum Tank Cleanup Section Report (PTCS)

Summary of Confirmed and Resolved Petroleum Releases

Ms. Latysa Pankratz, Section Supervisor, Petroleum Tank Cleanup Section (PTCS) presented the Board with the Summary of Confirmed and Resolved Petroleum Releases. She stated that, since the November 10, 2025 Board meeting, there had been one (1) suspect release, two (2) confirmed releases, and four (4) resolved releases. She stated that there was a cumulative total of 4,887 confirmed releases, 3,992 total resolved releases, and a remaining total of 895 open releases. Of the 895 open releases, 586 were Fund eligible, with 309 having not been deemed eligible or otherwise.

Ms. Pankratz added that, since it had been brought up at the November 10, 2025 Board meeting, there had been 37 reminder letters sent out for releases that were confirmed in November 2025, December 2025, and January 2026. She stated that the PTCS was just starting on their February letters. She stated that of the 37 letters that had been sent out, there had been a response to nine (9) of them, and because of this, they were seeing about a 25% response on those reminder letters. She added that most of these responses had been from new owners that did not know they had a release and were now working towards getting these releases moved forward.

Mr. Monahan asked about the 37 legacy release reminder letters that had been sent out and asked if he was correct to assume that these were all legacy releases that had not had any activity in a significant amount of time. Ms. Pankratz stated that this was so, and that the notices had been sent out to releases that had usually not had in work in the past five (5) or more years.

Mr. Monahan asked, additionally, about the 895 total open releases. He noted that, back during the November 10, 2026 Board meeting, there had been a reported 856 open releases. He noted that there had been an increase in the total open number of releases in the last year and asked if this sounded correct. Ms. Pankratz stated that she had noticed this earlier, too, and that the total number of releases managed by PTCS should be different from the number of open releases. She stated that there were open releases that were managed by the State Superfund Section, the Environmental Protection Agency, and other entities that were not PTCS. She stated that this would need to be corrected for future reports, but that she believed PTCS was still at around 850 open releases managed by them.

Mr. Monahan stated that the confusion he had with this report was that it did not show the number of releases the Board was responsible for versus PTCS and other organizations. Because of this, he asked Ms. Pankratz if she had the ability to create a breakdown of what releases were the Board’s responsibility and if a section for this could be created for the PTCS report. Ms. Pankratz stated that she could generate a report like this for the resolved releases, but that suspect releases did not apply for eligibility until they became confirmed. She stated that, depending on if they applied or not on the confirmed releases, PTCS might or might not know, but that they would know for certain with regards to the resolved releases. Mr. Monahan asked if reports like this could be generated also for All Petroleum Release Activity and the Summary of Petroleum Releases Managed by the Board. Ms. Pankratz stated that she believed this was possible, and that she would look into this matter with her database analyst to see if additional information could be added regarding releases that were eligible for the Fund.

Former McGaffick Service, Facility #25-01709, TID 23433, Rel #656, WP #716835083, Helena, Priority 3.0

Ms. Pankratz presented the Board with a summary of workplan (WP#716835083). Stockman Bank is the responsible party for release #656, and had retained Air Water Soil, LLC (AWS) as their consultant. The WP proposed excavation, in-situ system remediation, and groundwater monitoring. The estimated total cost was \$403,404.19. She stated that this work was being performed in conjunction with site redevelopment activities. The release was reported to the Department in January 1991 based on soil samples from removal of some of the USTs. There had been remedial investigation conducted in the early 1990s, after which a newer remedial investigation to obtain updated data was conducted in 2024. The latest report had been a soil boring investigation report in 2024, prior to the submission of this cleanup WP.

Mr. Monahan asked why the proposed cost of the WP was \$603,533.22 while the allowed cost was only \$42,973.68. Mr. Wadsworth stated that the facility was located on the corner of Euclid Avenue and Last Chance Gulch in Helena, Montana. He stated that it appeared to the Board staff that the consultant was putting every contingency possible into the WP. He stated that, as an example, they had included costs for removal of a few underground storage tanks (USTs) at the site, and the Fund would not be reimbursing for the removal of the USTs. This was because tank removal was not an expenditure covered by the Fund. There was also some excavation in the WP that was to install support piers for the building rather than for remediation, which

the Fund would also not be reimbursing. Board staff would reimburse for the disposal of any contaminated soil that was found during the excavation. However, the excavation associated with the building's construction and redevelopment would not be reimbursed. There was also the proposed use of a soil-vapor extraction (SVE) system, but there was not sufficient evidence of soil chemistry in the site's investigation reports to justify its implementation. Mr. Wadsworth stated that there were a lot of contingencies that were built into the WP related to the redevelopment of the property that the Board staff did not have the evidence to support reimbursement for. He stated that his biggest concern was that there were USTs at the site that had not yet been removed and the soil beneath them had not been tested. Testing of those soils would be part of the tank removal costs that would also not be reimbursable. Since that testing has not been done, the full extent of contamination at the site was still unknown. Despite this, the consultant had already pre-planned the cleanup methodology for the contamination that was beneath the property. Mr. Wadsworth believed that the bank wanted to know ahead of time what the highest reasonable estimate of expenses were going to be, and that the consultant created a WP accounting for every potential cost to give the bank a maximum estimate that won't be exceeded. He stated that this was what he believed was happening from his as well as the Board staff's perspective. He mentioned that this was the first time an environmental consultant had reached out to the Board staff with questions on what costs the Fund might be willing to cover during the redevelopment. He stated that, in terms of costs the Fund would reimburse, it would cover any expenditure for contaminated soil found under the USTs. However, the Fund could not reimburse for soil handling or disposal when it was unknown whether said soil was contaminated or not. He stated that this was why the difference between the WP's proposed cost and the allowed cost was so significant.

Mr. Monahan asked if this meant that the highest cost was for the worst-case scenario given to the bank in the case that contamination was found. Mr. Wadsworth confirmed he believed this was the case. A remedial investigation had been carried out, but the tanks had not been removed. It was possible more contamination could be discovered once the tanks were removed. The chemistry that is known to exist is up against Euclid Avenue, and the concentrations are high enough to consider excavating into the street to remove the contamination, but that is not what is being proposed in the work plan. There appears to be a significant amount of redevelopment work planned for the site given the style of the bank and other features of the redevelopment such as placement of the bank's vault and a parking garage. The bank's vault will be in a 12-foot basement based on the redevelopment plans. In addition, a two (2) story garage is planned to the west of the building resulting in a significant amount of soil to be excavated to implement the parking garage structure. There is no known contaminated soil in the garage area. The building is planned to be put in the corner of the property near the intersection. A significant amount of soil shoring and excavation is being required near the streets to accomplish the redevelopment. This is the area where the Board staff expect that excavation will encounter known contaminated soil. The Board staff agreed to reimburse the disposal of any sufficiently contaminated soil found in the redevelopment process. Mr. Wadsworth noted that there was not a lot of evidence to justify the reimbursement of all of the current scope of work proposed in the WP.

Mr. Monahan asked whether the tank removal with an unknown amount of contamination around them constituted an emergency response or not. Mr. Wadsworth stated that this did not constitute an emergency response, and that the consultant would take samples beneath the tanks, and the sampling could be rushed due to the site being in the midst of redevelopment. To eliminate any impacts on the redevelopment from the tank removal, it may be good to remove the tanks in advance of the redevelopment. The WP had proposed the inclusion of an SVE system and air sparging wells beneath the building, but because it had yet to be determined if there was contamination present, the Board staff was unwilling to approve those costs. Contamination could still be discovered as excavation to construct the building commenced, as the basement excavation was deep enough to be at the level contamination appeared to exist. He added that support pylons and backfill would likely be added during the redevelopment of the property. Because of this, redevelopment of the property would be a large endeavor. Mr. Wadsworth also noted that another task that would be covered by the Fund could be the abandonment of wells. It is likely that the wells could be simply removed when soil excavation was done at the site to dig out the basement area, as opposed to the filling the well with bentonite in order to abandon a well in place and then dig the bentonite out to make room for the basement.

Markle's Inc, Facility #53-03161, TID 29246, Rel #1026, WP #716834940, Glasgow, Priority 3.0

Ms. Pankratz presented the Board with a summary of WP (#716834940). Markle's Inc was the responsible party for release #1026 and had retained Water and Environmental Technologies as their consultant. The WP proposed excavation and additional groundwater monitoring. The estimated total cost was \$377,891.76. The release was reported to the Department on November 21, 1991 when petroleum-contaminated soil was found during tank removal. An initial investigation was conducted in 1992, with an additional investigation conducted in 2024 to obtain updated data.

Mr. Wadsworth presented the Board with the Board staff's comments. He stated that the Board staff did not have too many problems with the proposed scope of work. He stated that there would be a large amount of excavation performed, after which an active ingredient known as PetroBac™ would be added into the excavation area to trap the contamination in place while it

was bioremediated. There was a square area of 35 by 40 feet on the site that was northeast corner of the proposed excavation in which concentrations did not appear to be as high; however, more would be known once the consultants were working in the field. There had been a threshold established for the excavation of soils, and Mr. Wadsworth stated that it was the Board staff's hope that the excavation costs would end up being less than anticipated due to possible lower concentrations being encountered. Any reductions made to the WP were primarily due to standard rates allowed for tasks, such as reporting and mobilization.

Former Saco Conoco, Facility #36-00573, TID 26203, Rel #2763, WP #716835054, Saco, Priority 3.0

Ms. Pankratz presented the Board with a summary of WP (#716835054). She stated that Ms. Deborah Taylor, owner, was the responsible party for release #2736, and had retained Resource Technologies, Inc. (RTI) as their consultant. The WP proposed excavation and groundwater monitoring. The estimated total cost was \$389,148.47. The release was reported to the Department on September 25, 1995 when contaminated soil was discovered underneath the tanks that were being removed. Ms. Pankratz noted that the report stated there was an initial investigation conducted in 2016 but was uncertain whether it was factually correct. She stated, however, that additional investigation activities for updated data did occur in 2022.

Mr. Monahan asked if this was one of the nine (9) legacy sites that Ms. Pankratz had mentioned PTCS had reached out to the owners regarding. Ms. Pankratz answered that this was not one of them, and that this was a different site.

Mr. Wadsworth presented the Board with the Board staff comments. He stated that the Board staff did not have many recommended changes for this particular WP. He stated that this was a standard soil removal WP, and that some asphalt would be removed in this excavation as some of the contamination spread into the highway. He stated that they would be installing wells following the excavation, after which at least two (2) rounds of groundwater monitoring would be conducted. Because of this, he stated that the Board staff's reductions on this WP were related to standard rates for labor, deliverables, and mobilization.

Mr. Mark Johnson, Geological Engineer and Owner, Resource Technologies Inc., introduced himself to the Board. He stated that he noticed the estimated cost listed in the accompanying power point presentation for the Board was \$389,148.47, but had a recommended estimate of \$350,373.51, and wanted to ensure that what was listed in the Board packet was correct. Mr. Wadsworth stated that the \$387,589.13 listed on the work plan task cost sheet in the packet was the correct amount.

Public Forum

JM is John Monahan, BL is Brad Longcake, and LB is Lloyd Bondy.

JM: Mr. Longcake, did you raise your hand?

BL: Uh, yes, Mr. Chairman. Uh, just for the record- Brad Longcake- L. O. N. G. C. A. K. E. - here on behalf of the Montana Petroleum Marketers and Convenience Store Association. I just wanted to make a couple comments. Um, I did, as mentioned, um, my staff as well as Mr. Wadsworth. I have reached out to the PTRCB a couple different times just to make sure –um- everything's working well. The process is working good with the reimbursement. Um, as indicated, there has been no- um- reimbursements submitted yet as far as I know. I plan to try to highlight this at a couple meetings that we have coming up. I have the WPMA Expo in Las Vegas next week that I'll be highlighting that to all the members that will be in attendance. And then we also will be planning on having the PTRCB staff come to our annual meeting in June to- again- to just highlight the process. Uh, the questions, and answers page that they have for individuals, we're trying to highlight this as much as we can. Obviously, from our perspective, we want this to be utilized as much as possible, and we're trying to get the word out to all of our members so that we can utilize this and provide some good data for not only the State, but also for PTRCB as well as the owner-operators across the state. I want to just quickly comment; too, on- um- Latysha's comments on the releases that are out there. I think that will be helpful. I think having categories that describe, you know, how many releases that we've had submitted, how many eligible for the Fund, and then how many are just more of those legacy releases. I think that additional information is- is greatly beneficial. And again, we just want to thank everybody that's on the call- whether you're part of the PTRCB, the public- um- a marketer, or any of the ancillary groups that are out- um- helping us. Specifically, the consultants- you know- we can't do these things without you guys, and we appreciate all the work that goes into this. Obviously, this is sometimes a very labor-intensive paperwork process, but we do appreciate everybody participating and we look forward to- um- the success of this program and continuing that outreach with all those different stakeholders. So, with that, Mr. Chairman, again, thanks for the opportunity today. I appreciate the feedback and happy to help in any way that we can. Thank you.

JM: Mr. Longcake, can I just clarify. You were talking about the Form 13.

BL: Yes, Mr. Chairman, I was talking about the Form 13. That's correct.

JM: Okay.

BL: Yes. I've sent that information out to all my members, as well as the question form that's on the website. So again, we're just trying to bring awareness to this, as you indicated and others. There's a lot of things that happen every day from an owner-operator perspective, and so we're just trying to make sure that the appropriate people have this information so that we can- uh- adequately fill out those forms and get those members reimbursed.

JM: And- uh- do you have dates for that Montana Petroleum Marketers and Convenience Store Association meeting at Fairmont?

BL: Yes. So, that will be- the entire convention is Monday, January 1st through January 3rd, which is Wednesday-

JM: You mean June- You mean June?

BL: Yeah. June, excuse me, yeah. June 1st is our Board meeting for our Board members, and then Tuesday is most of our fun socializing activities, and then Wednesday is all the informational and educational programs that we provide. And so, that'll be the day that PTRCB will be there, uh, providing that additional context on this Form 13.

JM: We'll have staff there on the 3rd.

BL: Yes.

JM: Okay! Awesome! Thank you, Mr. Longcake.- appreciate you. Um- any other comments from the Public Forum?

LB: (unintelligible) – I think-

JM: You just need to stand and state your name and affiliation.

LB: This is Lloyd Bondy with EnergiSystems- B. O. N. D. Y. is my last name. I just want to let you know I'm a compliance inspector now with the state and I take these Form 13s with me. I have them printed out in my truck. Getting really good feedback from the public- uh- from the- the- site owners. Um- delivered one to Montana Ranch- and- um- in the valley at Lone Pine and- um- they're really excited to have the ability to- to be able to be reimbursed for the compliance inspections. Um, and I- uh- so they just haven't been filled yet. So that's probably one of the reasons why you haven't seen that come through. But, anyways, just so you know- just so you get a feel for what the- the actual site owners- are really excited about it, and they like this.

JM: Thanks.

LB: -and they thank the PTRCB.

JM: Awesome!

LB: Thanks.

JM: Thank you for your input. I appreciate that. Okay! Any other comments for the Public Forum? My watch just thanked me.

There was no further discussion at this time.

The next meeting is scheduled for April 20, 2026. The place of the meeting will be sent out to all parties and published on the website.

The meeting was adjourned at 10:55 a.m.


Signature - Presiding Officer