

Petroleum Tank Stakeholder Workgroup Meeting

January 25, 2023

Metcalf

Room 111

Tank Stakeholder Workgroup Meeting

January 25, 11:00 Teams and DEQ Metcalf, room 111

Agenda:

Introduction- Ground rules, purpose of stakeholder workgroup meetings -Terri Lynn Mavencamp (5 min)

Process improvement subgroup update – Reed Miner (5 min)

Stakeholder outreach updates – consultant/UST training, Feb. 27 & 28– Shannon Cala (5 min)

Consultant's Day [2023 Consultants Day Tickets, Mon, Feb 27, 2023 at 8:00 AM | Eventbrite](#)

Annual Licensee Refresher Training [2023 DEQ-sponsored Licensee Refresher Training Tickets, Tue, Feb 28, 2023 at 8:15 AM | Eventbrite](#)

Legislative updates Terri Lynn Mavencamp/Terry Wadsworth– (10 min)

Helpful Information updates (15 min)

Tanks Source Cause Report – Marla Stremcha

UST Boot camp question – Not required specifically in ARM. UST staff looking at online training that would be equivalent. Brett Smith

General email for Tanks questions

Discussion (open 15 min)

Amy Steinmetz- Tank Stakeholder Workgroup Background and Vision

Agenda ideas for next meeting

Introduction and Meeting Purpose

Online (Teams) and in person information

- **Tank Stakeholder Workgroup purpose** is to increase government transparency and consistency and to increase education, outreach, and communication among the Underground Storage Tank Section (UST), the Petroleum Tank Cleanup Section (PTC) (DEQ) and the Petroleum Tank Release Compensation Board (PTRCB).
- **Deliverables** will vary based on issues addressed by the Workgroup. The workgroup's role is advisory in nature.

Christopher
Dorrington
Director

Deputy
Director
James
Fehr

Air Energy
and Mining
Sonja
Nowakowski

Water Quality
Division
Lindsey
Krywaruchka

Waste
Management
and Remediation
Division
Amy Steinmetz

Chief Legal
Angie
Colamaria

FSCB
Garcin

CSCB
Mavencamp

WUTMB
Thompson

PTRCB

Petroleum
Tank
Cleanup
Section

SSU

CPRS

Underground
Storage Tank
Leak
Prevention
Section

Administratively attached

Christopher
Dorrington
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Air Energy
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Lindsey
Krywaruchka

Waste
Management
and Remediation
Division
Amy Steinmetz

Chief Legal
Angie
Colamaria

Superfund
and
Construction
Bureau
Garcin

SSU

Tanks,
Brownfields and
Federal Facilities
Bureau
Mavencamp

WMB
Thompson

PTRCB

Petroleum
Tank Cleanup
Section
Stremcha

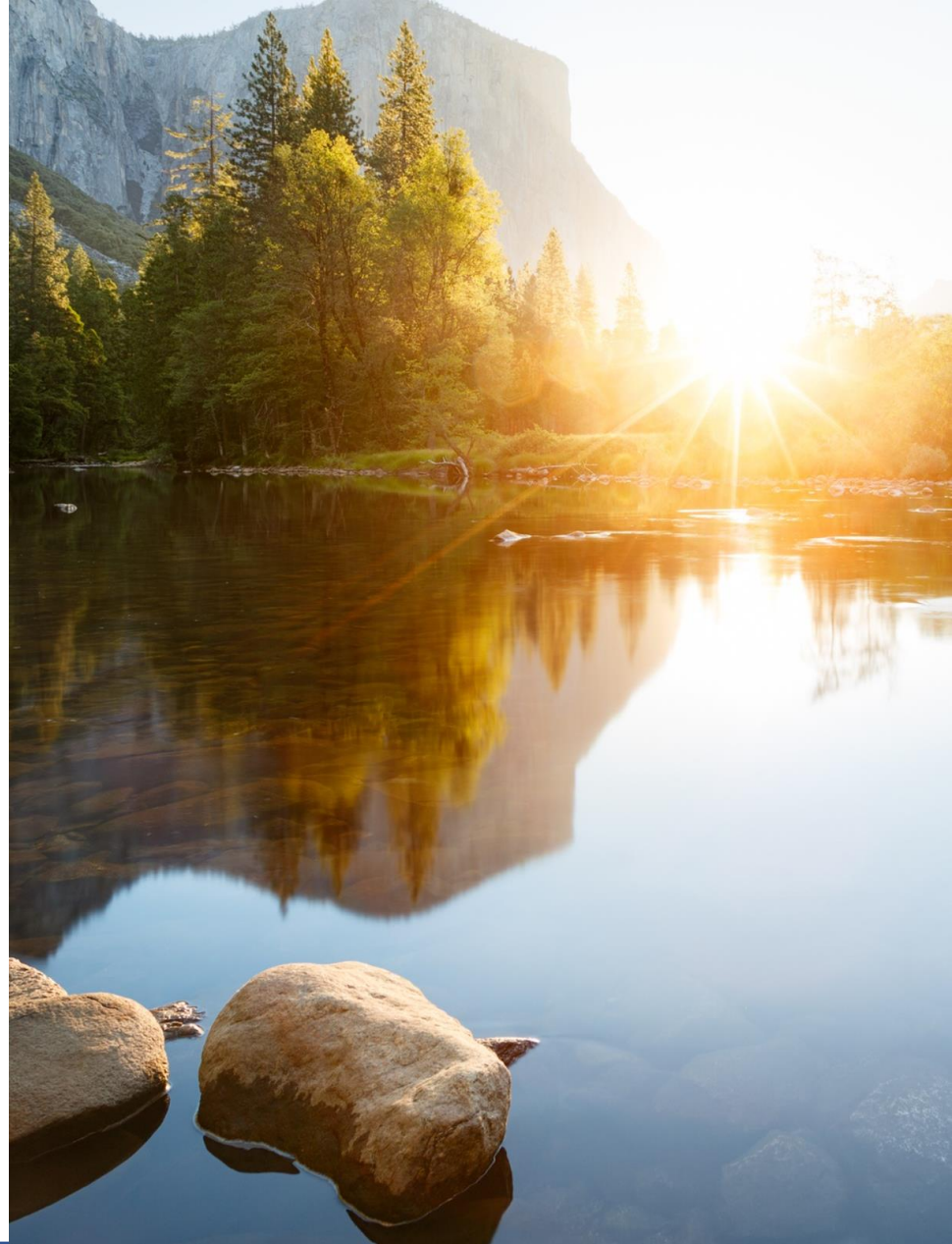
Underground
Storage Tank
Leak
Prevention
Section
Ewart

CPRS
Morris

Administratively attached

Process Improvement Subgroup Update

- **Reed Miner**
- **Petroleum Tank Cleanup
Section Project Officer,
DEQ**



Stakeholder Outreach Updates: Consultant/ UST Training

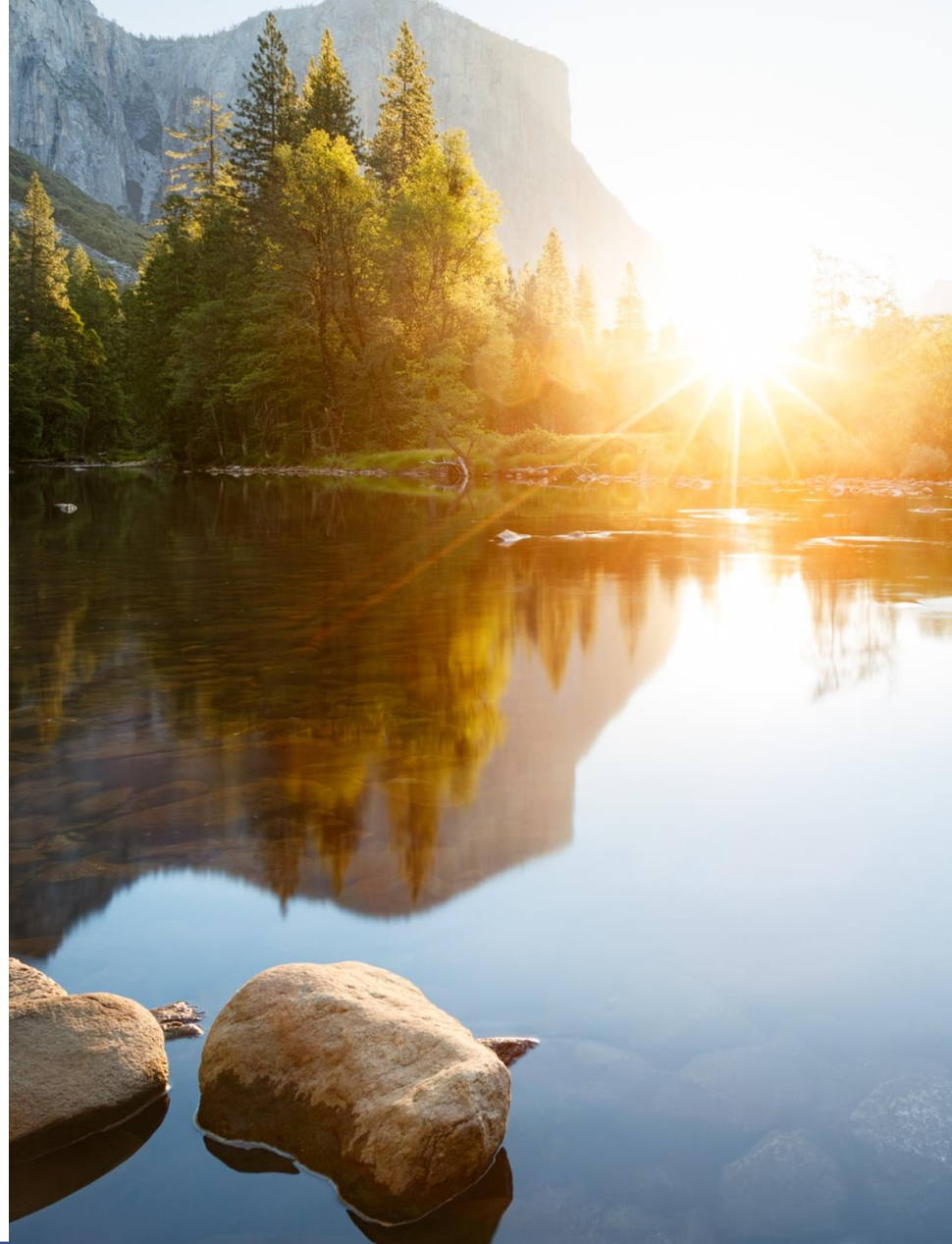
Feb 27 and 28

- **Consultant's Day** 2023 Consultants Day
Tickets, Mon, Feb 27, 2023 at 8:00 AM |
Eventbrite
- **Annual Licensee Refresher Training** 2023
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Eventbrite



Legislative Updates

2023 Session
Jan 2 – May 10





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Our mission

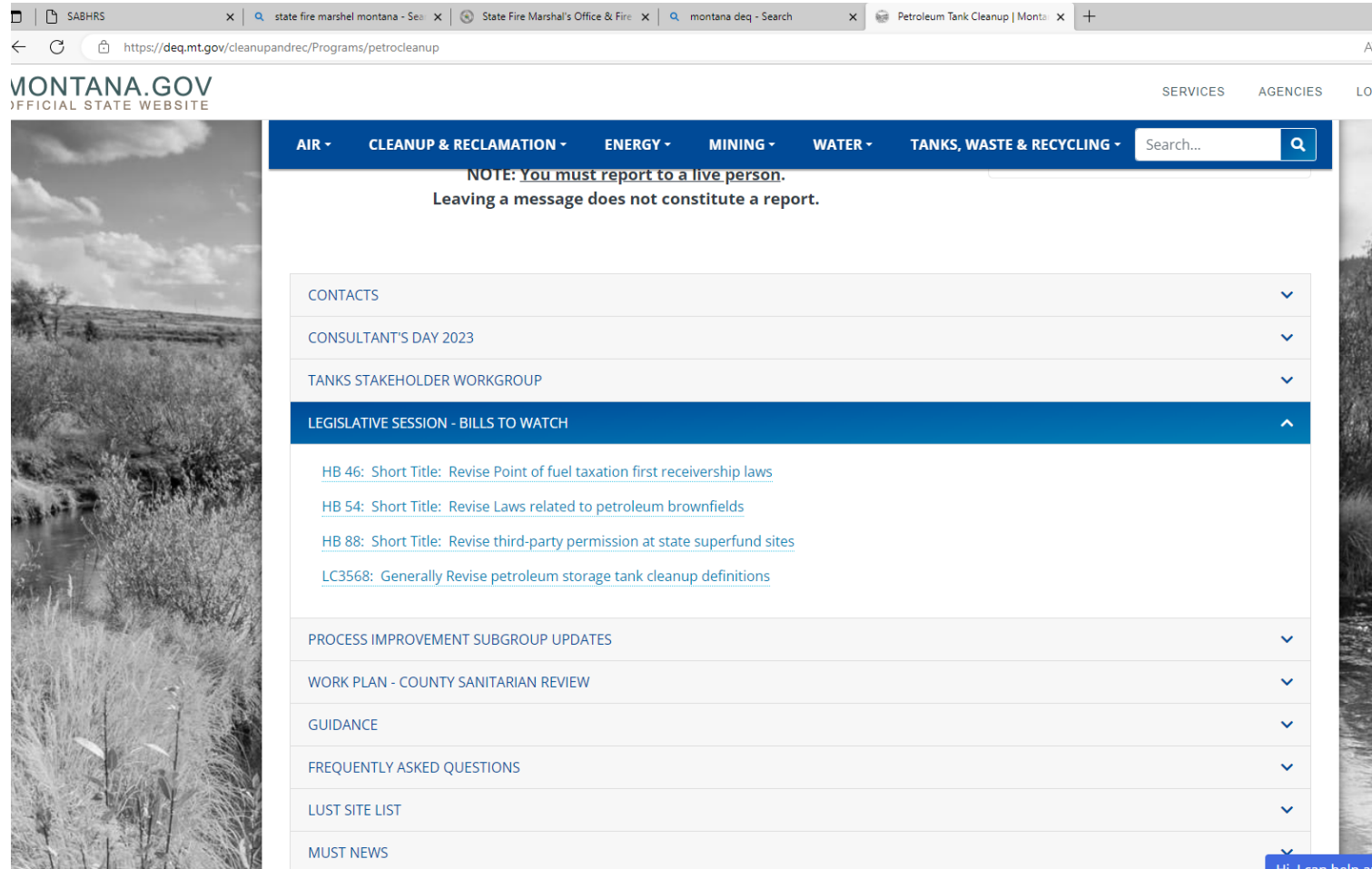
environment for a

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Quick Links

News

Webpage Addition: Bills to Watch



The screenshot shows a web browser with multiple tabs open, including 'SABHRS', 'state fire marshal montana', 'State Fire Marshal's Office & Fire', 'montana deq - Search', and 'Petroleum Tank Cleanup | Mont'. The address bar shows the URL 'https://deq.mt.gov/cleanupandrec/Programs/petrocleanup'. The page header includes 'MONTANA.GOV OFFICIAL STATE WEBSITE' and navigation links for 'SERVICES', 'AGENCIES', and 'LO'. A dark blue navigation bar contains links for 'AIR', 'CLEANUP & RECLAMATION', 'ENERGY', 'MINING', 'WATER', and 'TANKS, WASTE & RECYCLING', along with a search bar. Below this bar, a note states: 'NOTE: You must report to a live person. Leaving a message does not constitute a report.' A list of menu items is displayed, with 'LEGISLATIVE SESSION - BILLS TO WATCH' highlighted in blue. This section lists four bills: 'HB 46: Short Title: Revise Point of fuel taxation first receivership laws', 'HB 54: Short Title: Revise Laws related to petroleum brownfields', 'HB 88: Short Title: Revise third-party permission at state superfund sites', and 'LC3568: Generally Revise petroleum storage tank cleanup definitions'. Other menu items include 'CONTACTS', 'CONSULTANT'S DAY 2023', 'TANKS STAKEHOLDER WORKGROUP', 'PROCESS IMPROVEMENT SUBGROUP UPDATES', 'WORK PLAN - COUNTY SANITARIAN REVIEW', 'GUIDANCE', 'FREQUENTLY ASKED QUESTIONS', 'LUST SITE LIST', and 'MUST NEWS'.

https://deq.mt.gov/cleanupandrec/Programs/petrocleanup

MONTANA.GOV
OFFICIAL STATE WEBSITE

SERVICES AGENCIES LO

AIR CLEANUP & RECLAMATION ENERGY MINING WATER TANKS, WASTE & RECYCLING Search...

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CONTACTS

CONSULTANT'S DAY 2023

TANKS STAKEHOLDER WORKGROUP

LEGISLATIVE SESSION - BILLS TO WATCH

HB 46: Short Title: Revise Point of fuel taxation first receivership laws

HB 54: Short Title: Revise Laws related to petroleum brownfields

HB 88: Short Title: Revise third-party permission at state superfund sites

LC3568: Generally Revise petroleum storage tank cleanup definitions

PROCESS IMPROVEMENT SUBGROUP UPDATES

WORK PLAN - COUNTY SANITARIAN REVIEW

GUIDANCE

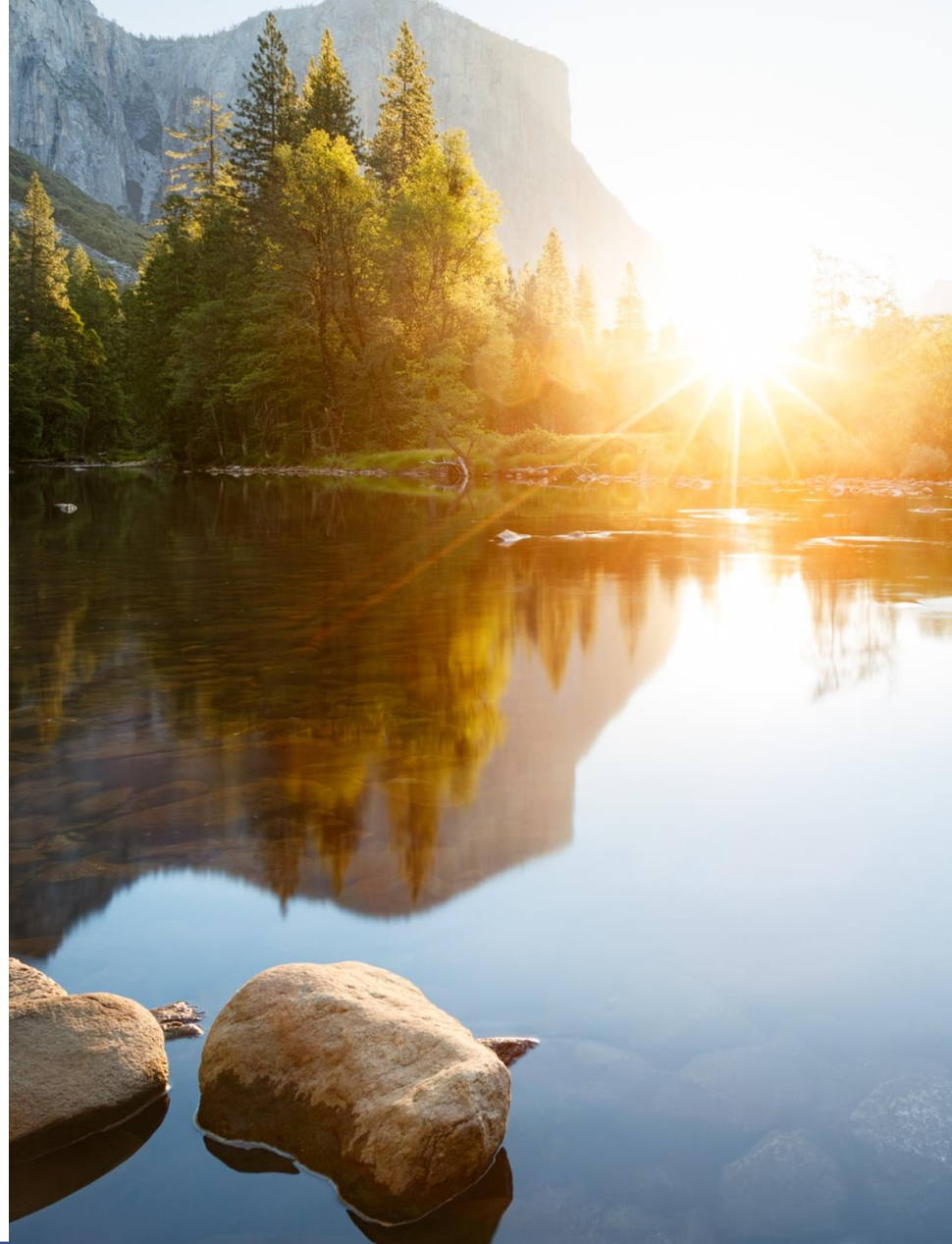
FREQUENTLY ASKED QUESTIONS

LUST SITE LIST

MUST NEWS

DEQ Website updates- Bill tracking

- HB 46: Short Title: Revise Point of fuel taxation first receivership laws: [LAWS Detailed Bill Information Page \(mt.gov\)](#)
- HB 54: Short Title: Revise Laws related to petroleum brownfields: [LAWS Detailed Bill Information Page \(mt.gov\)](#)
- HB 88: Short Title: Revise third-party permission at state superfund sites: [LAWS Detailed Bill Information Page \(mt.gov\)](#)
- LC3568: Generally Revise petroleum storage tank cleanup definitions: [LAWS Detailed Bill Information Page \(mt.gov\)](#)



LC 3658

Current Language in Rule	Proposed Statutory Definition
<p>(2) "Actually incurred," for purposes of reimbursing eligible costs caused by a release from a petroleum storage tank, means:</p> <p>(a) costs actually expended to complete the work required to prepare or implement a corrective action plan, in an amount less than or equal to the corrective action plan budget, as shown by a dated invoice and receipt; or</p> <p>(b) documented compensation made to a third party for bodily injury or property damage caused by a release.</p>	<p><i>Proposed statutory definition:</i></p> <p>(2) "Actual Cost" means a cost:</p> <p>(a) associated with the preparation or implementation of a corrective action plan supported by an invoice, receipt, or statement by contractor; or</p> <p>(b) documented compensation made to a third party for bodily injury or property damage caused by a release.</p>

LC 3658

Current Language in Rule

Current language in rule:

(20) "Necessarily incurred," for purposes of reimbursing eligible costs caused by a release from a petroleum storage tank, means:

- (a) only those costs incurred that are needed to prepare or implement a corrective action plan, in an amount less than or equal to the costs listed in the corrective action plan budget;
- (b) costs incurred to complete work, approved by the department in writing, to respond to an emergency at the site of a release, in order to prevent more extensive damage or injury than would have occurred without such approval; or
- (c) in the case of third party damages, payment for damages that are a direct and proximate consequence of the release.

Proposed Statutory Definition

Proposed statutory definition:

(18) "Necessary Cost" means a cost associated with an action approved by the Department to prepare or implement an approved corrective action plan.

LC 3658

Current Language in Rule	Proposed Statutory Definition
<p><u>Reasonable:</u> <i>Current language in rule:</i> (24) "Reasonably incurred," for purposes of reimbursing eligible costs caused by a release from a petroleum storage tank, means: (a) the costs incurred: (i) to complete the work required to prepare or implement an approved corrective action plan, in an amount less than or equal to the costs listed in the corrective action plan budget; (ii) to complete work, approved by the department in writing, to respond to an emergency at the site of a release in order to prevent more extensive damage or injury than would have occurred without such approval; or (iii) in accordance with ARM <u>17.58.341</u> and <u>17.58.342</u> and that are not presumed to be unreasonable by those rules; or (b) compensation paid to third parties for bodily injury or property damage when it is more likely than not that such injury or damage was caused by a release.</p>	<p><i>Proposed statutory definition:</i> (26) "Reasonable Cost" means: (a) an actual cost that falls within the range of allowable costs established by the board; (b) an actual cost submitted after an approved competitive bidding process; (c) an actual cost approved by the department in writing, to respond to an emergency at the site of a release in order to prevent more extensive damage or injury than would have occurred without such approval; or (d) an actual cost approved by the department in writing, detailing the number of hours needed to complete a task, submitted with an approved hourly rate.</p>



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LEGISLATIVE AUDIT CORRECTIVE ACTION PLAN UPDATES - 2022 ▴

Legislative Audit Document

- [Performance Audit – Administration of the Petroleum Tank Release Cleanup Fund – October 2021](#)

PTRCB/DEQ Corrective Action Plan for the Audit

- [Corrective Action Plan](#)
- [Excel August 2022 Corrective Action Plan Status Summary](#)
- [DEQ Corrective Action Plan January 2022 Update](#)
- [DEQ Corrective Action Plan March 2022 Update](#)
- [DEQ Corrective Action Plan June 2022 Update](#)
- [DEQ Corrective Action Plan August 2022 Update](#)
- [DEQ Corrective Action Plan November 2022 Update](#)

Audit Corrective Action Plan Proposals

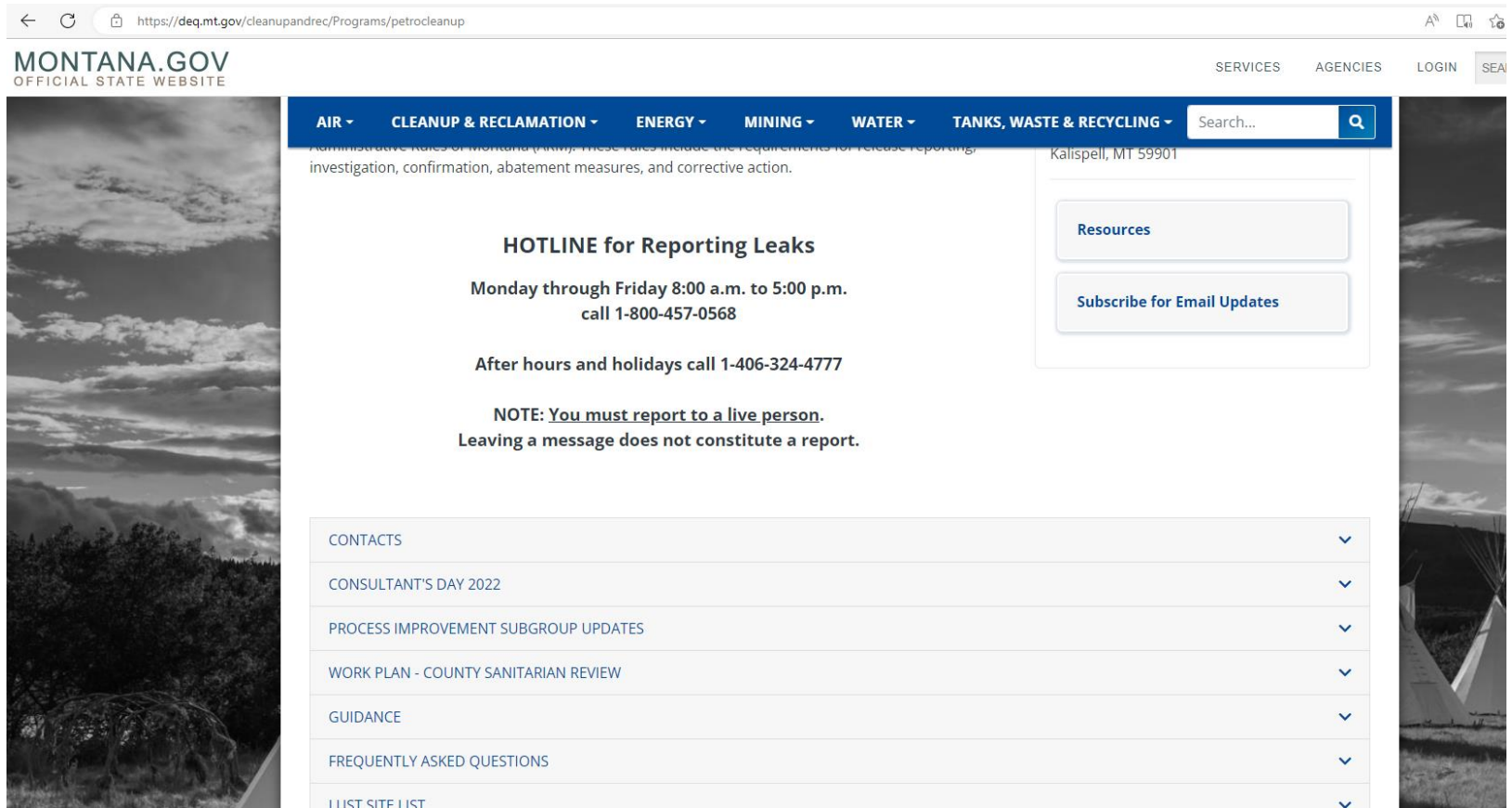
- [Audit Finding #2 - DEQ Draft Changes to Petroleum Storage Tank Cleanup Laws](#)
- [Audit #2 Corrective Action Plan Stakeholder Comments & Letters](#)

State summaries prepared by DEQ and reviewed by each state:

- [Colorado Petroleum Tank Cleanup Process Summary](#)

Hi, I can help answer your questions

Also where you can subscribe to email updates...



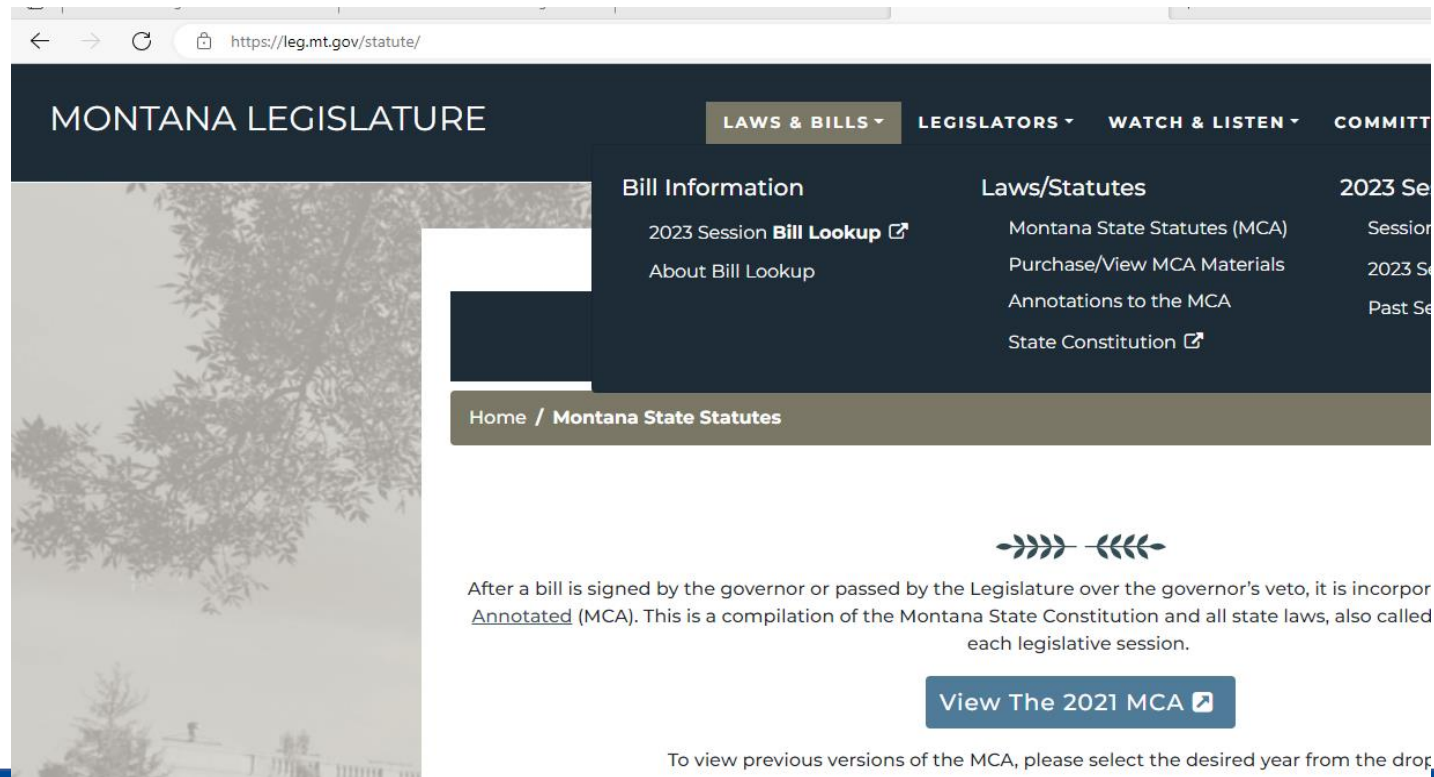
The screenshot shows the Montana DEQ website at the URL <https://deq.mt.gov/cleanupandrec/Programs/petrocleanup>. The page features a navigation bar with links for AIR, CLEANUP & RECLAMATION, ENERGY, MINING, WATER, and TANKS, WASTE & RECYCLING. A search bar is also present. The main content area highlights the 'HOTLINE for Reporting Leaks' with the following information:

- HOTLINE for Reporting Leaks**
- Monday through Friday 8:00 a.m. to 5:00 p.m.
call 1-800-457-0568
- After hours and holidays call 1-406-324-4777
- NOTE: You must report to a live person.**
Leaving a message does not constitute a report.

On the right side of the main content area, there are two buttons: 'Resources' and 'Subscribe for Email Updates'. Below the main content, there is a sidebar with a list of links: CONTACTS, CONSULTANT'S DAY 2022, PROCESS IMPROVEMENT SUBGROUP UPDATES, WORK PLAN - COUNTY SANITARIAN REVIEW, GUIDANCE, FREQUENTLY ASKED QUESTIONS, and LIST SITE LIST.

Other Bills to Watch

- Montana legislature page: <https://leg.mt.gov/statute/>
- Laws and bills
- 2023 session Bill Lookup





👉 **WELCOME TO THE 68th REGULAR SESSION OF THE MONTANA STATE LEGISLATURE!**

The 2023 regular legislative session starts Monday, January 2nd, 2023. 👈

• View Detailed Bill Information for a Specific...

Bill Type and Number: ▾ (example: HJ0157)

- OR -

Bill Draft Number (LC#): (example: LC0064)

- OR -

Chapter Number: (example: 123)

NOTE: Chapter numbers exist only after [session law](#) is enacted during session.

• Basic Searching for Bills...

Select a Legislator...

▾ 👈 (Legislator not on list?)

- OR -

Select a Subject...

▾ 👈

- AND/OR -

Select a Primary Sponsor...

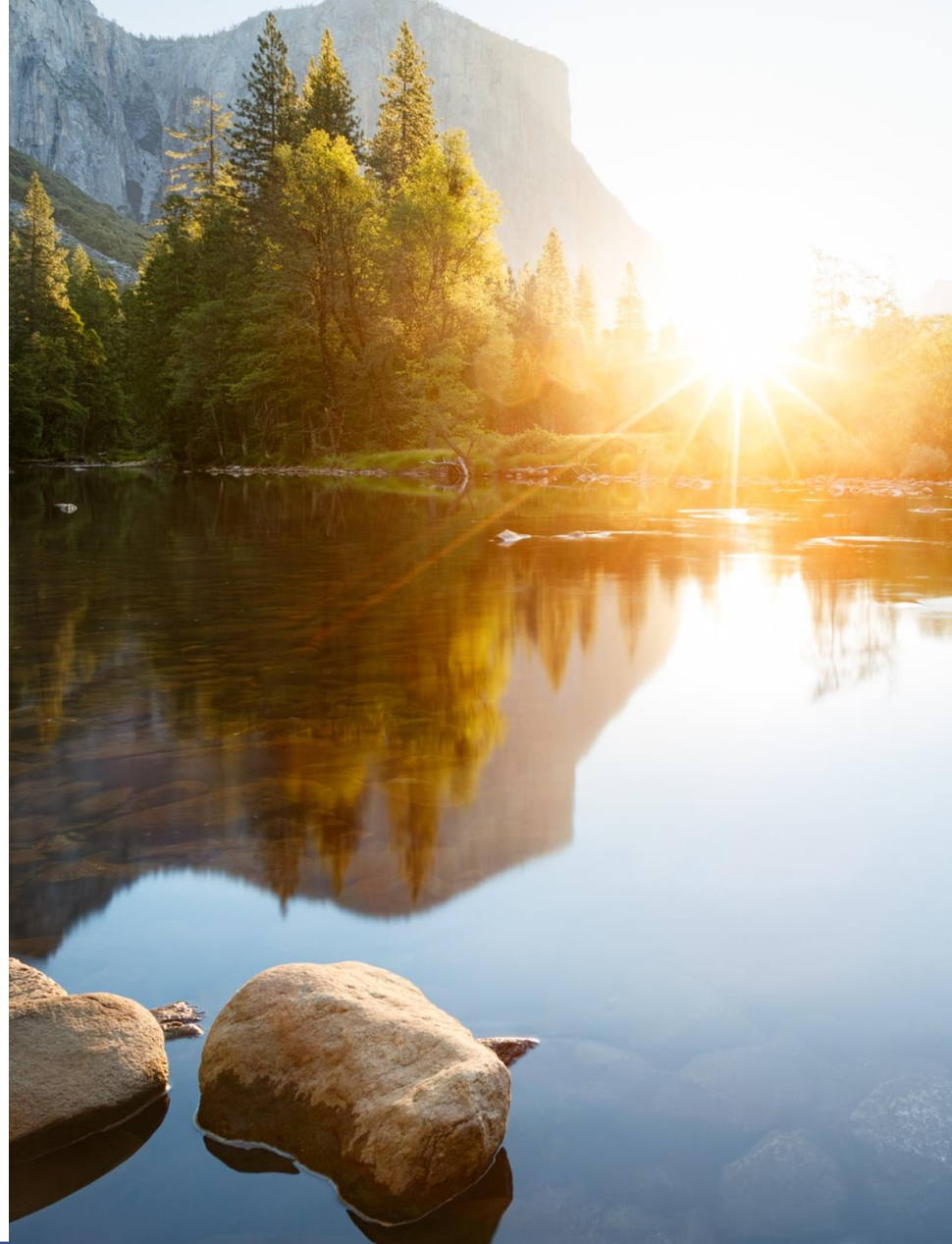
▾ 👈 (Sponsor not on list?)

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- [Advanced Bill Searching](#)
- [Search the Text of Bills Using Keywords](#)
- [Directory Listing of Introduced Bills](#)
- [Directory Listing of Unintroduced Bill Drafts](#)

- [Establish a Preference Account](#) 👈 [READ ME](#) 👈 before starting a new Account!
 - [Preference Account Login](#) (login to an already established preference account)
 - Having trouble logging in? [Reset your account HERE](#) **NEW**

Helpful Information

- **Tanks Source Cause Report – Marla Stremcha**
 - **UST Boot camp question – Not required specifically in ARM. UST staff looking at online training that would be equivalent. Brett Smith**
- **General email for Tanks questions**

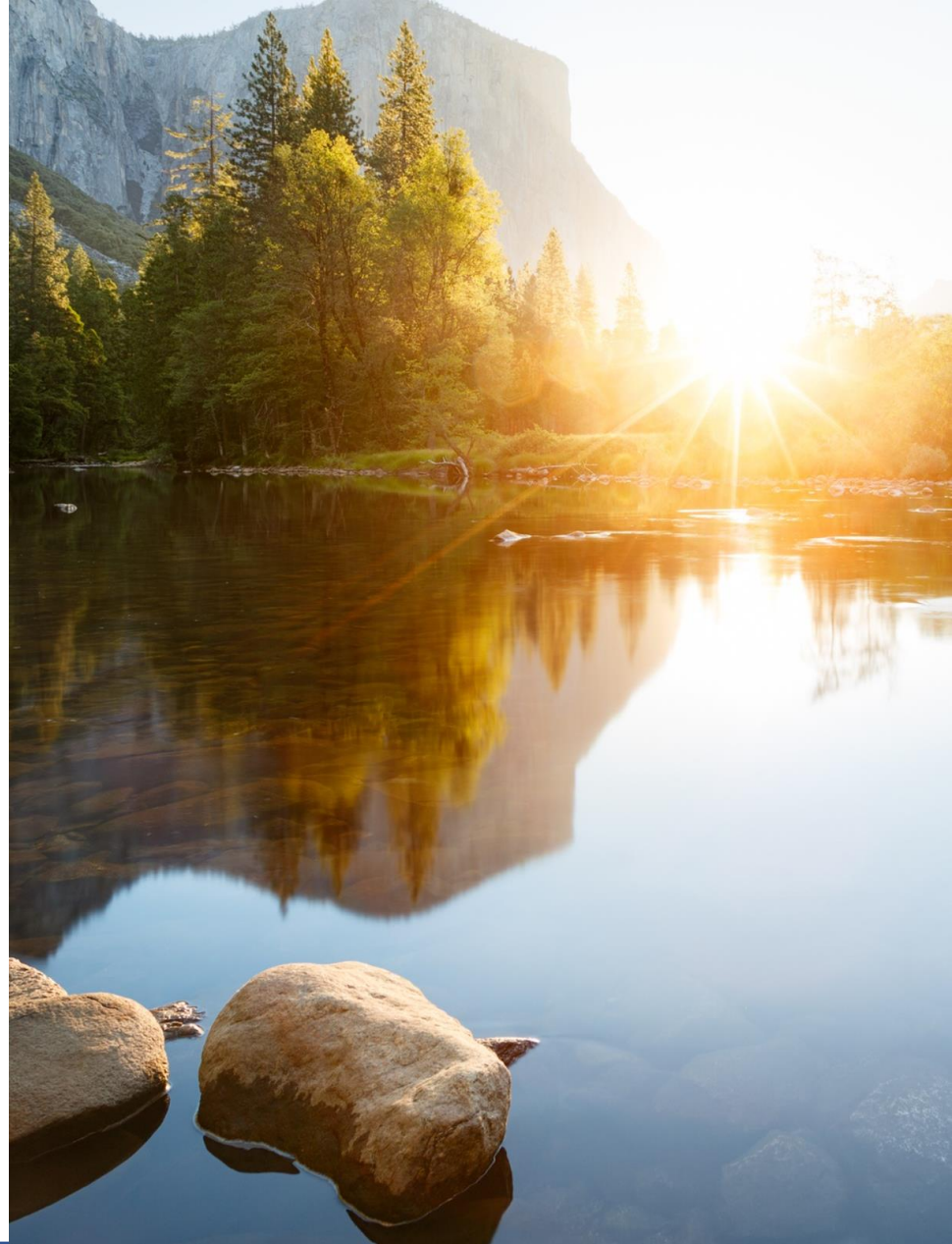


2022 Underground Storage Tank Public Records Report

- October 1, 2021 – September 30, 2022
- UST Leak Prevention Program
 - 3,932 - Number of Tanks
 - 1,240 - Facilities

Open Discussion

- Amy Steinmetz- Tank Stakeholder Workgroup Background and Vision
- Agenda ideas for next meeting
- Next Meeting February 22nd, 11:00 - 12:00
 - Ponderosa, 1225 Cedar Street, Helena Mt. Next to Woody's car wash.



Connect with us!

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DEQ*

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DEQtanks@mt.gov

DEQustprogram@mt.gov

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Program Specialist

Petroleum Tank Release Compensation Board

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Home

Page: <https://deq.mt.gov/cleanupandrec/programs/ptrcb>



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Environmental Quality**



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