

**MINUTES**  
**Petroleum Storage Tank Insurance Fund**  
**Board of Trustees Meeting**  
**March 31, 2020 \*\***

**Via Conference Call**  
**Start Time: 1:01 p.m.**

Chairman Greer called the meeting to order, with all persons participating by conference call. Roll was called to confirm Trustees' participation. Chairman Greer then asked all members of the audience to identify themselves for the record. He noted that all votes would be taken by roll call.

**Trustees Present:**

James Greer, Chairman  
Jim Ford, Vice Chairman  
Bill Abbott  
Chuck Adamson (for DNR)  
Tom Kolb  
Don McNutt  
Kristi Naught  
Nikki Loethen

**Trustees Absent:**

Ski Mariea  
Danny Opie

**Staff Present:**

Carol R. Eighmey, Executive Director  
Pat Eriksen, Williams & Company Consulting  
Craig Jacobs, Assistant Attorney General  
Diane James, Executive Assistant  
Kelley Ogletree, Deputy Director

**Others Present:**

Carol Comer, Department of Natural Resources  
Troy Howe, Twin Creek Environmental  
Mark Jordan, Wallis Oil Company  
John Jurgensmeyer, DNR Environmental Remediation Program  
Dan Knaebel, Tanks Section, DNR Environmental Remediation Program  
Ken Koon, Tanks Section, DNR Environmental Remediation Program  
Mike Martin, Tanks Section, DNR Environmental Remediation Program  
Darryl Slade, Tanks Section, DNR Environmental Remediation Program  
Jason Smith, Environmental Works, Inc.  
Katie Jo Wheeler, Department of Natural Resources

**Approval of Minutes – January 29, 2020 – Open Session**

James Greer moved to approve the minutes as presented. Bill Abbott seconded. After a brief discussion, a roll call vote was taken. Motion carried with Trustees Ford and Loethen abstaining.

\*\* This meeting was originally scheduled for March 18, 2020, but did not happen due to connectivity issues due to the COVID-19 pandemic; it was rescheduled and held via conference call on March 31, 2020.

## **Monthly Reports**

Chairman Greer directed Trustees' attention to the financial statements and monthly activity reports; there were no questions about those reports. Ms. Eighmey highlighted aspects of the large-loss claims. Don McNutt requested information about the reserves set by Williams & Company during the life of one claim; Ms. Eighmey committed to providing him with the requested information.

## **DNR Mid-Year Report**

There were no questions or comments on the mid-year report from DNR.

## **Report on “Liability Shift Sites”**

Ms. Eighmey reviewed this report, noting it would likely be the last report on this project. She emphasized the Board is holding reserves for all of these 55 claims, including the claims for which no cleanup activity is underway.

## **Claim Appeal – Former Sterling Auto, Claim 52901**

Chairman Greer reminded Trustees they heard this claim appeal at their last meeting. Ms. Eighmey said she had confirmed information Pat Eriksen provided at the prior meeting was correct; the claim payment included all costs for hauling and disposing of impacted soil.

Jim Ford moved to deny the request for additional payment. Don McNutt seconded. After a brief discussion, a roll call vote was taken. Motion carried unanimously.

## **Legislative Report**

Kelley Ogletree reported the Senate hearing on the PSTIF bill was cancelled when the General Assembly suspended all activities due to COVID-19. She said discussions were underway with DNR staff about a possible amendment that would direct up to \$4 of the transport load fee to DNR and eliminate DNR's \$15/tank registration fee; this would obviate the Department's annual funding request to the Board. She asked for permission from the Board to amend the bill with this provision if agreement is reached with DNR.

Jim Ford moved to authorize staff to finalize a funding amendment, subject to reaching agreement with DNR. Kristi Naught seconded. After brief discussion, a roll call vote was taken. Motion carried unanimously.

## **Recent EPA Correspondence and PSTIF/DNR Memorandum of Understanding**

Chairman Greer said copies of recent correspondence were provided for information only, noting the Trustees had received an additional letter from EPA a couple days before the meeting.

