

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
MOTOR FUELS UNDERGROUND STORAGE TANK TRUST
FUND ADVISORY BOARD

The above-entitled meeting was held at the LDEQ, Galvez Building, Conference Center, 602 North 5th Street, Baton Rouge, Louisiana, beginning at 1:08 p.m., on August 20, 2015.

BEFORE:

Lori B. Overland
Certified Court Reporter
In and For the State of
Louisiana

A P P E A R A N C E S

Kerry Hill
Chairman

Durwood Franklin
Jeff Baker
Gary Fulton
Shawn Ivey
Karyn Andrews
Cy Morin
Frank Marcello
Perry Theriot
Nick St. Romain

Melissa Vizinat
Jason Efferson
Ian Kelley
Heather Pettus
Meagan Arnold
Natalie Isaacks
Jennifer Boudreaux

* * * * *

I N D E X

EXAMINATION:

PAGE(S):

None

EXHIBITS:

None

REPORTER'S PAGE

34

REPORTER'S CERTIFICATE

35

* * * * *

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

MR. HILL:

I would like to call this meeting to order. Could we have a roll -- roll call and consideration and adoption of the June 24, 2015 board minutes.

Start with (indicating).

MR. FRANKLIN:

Durwood Franklin, DEQ Trust Fund.

MR. BAKER:

Jeff Baker, DEQ Trust Fund.

MR. THERIOT:

Perry Theriot, DEQ Legal.

MR. FULTON:

Gary Fulton, UST Administrator.

MR. IVEY:

Shawn Ivey, PPM Consultants.

MR. HILL:

Kerry Hill, Louisiana Oil Marketers.

MR. ST. ROMAIN:

Nick St. Romain, Louisiana Oil
Marketers.

MR. MARCELLO:

Frank Marcello, Louisiana Oil
Marketers.

1 MS. ANDREWS:

2 Karyn Andrews, DEQ Financial Services.

3 MR. MORIN:

4 Cy Morin, DEQ Audit.

5 MS. VIZINAT:

6 Melissa Vizinat, DEQ Trust Fund.

7 MR. McNEELY:

8 Chance McNeely, DEQ Assistant
9 Secretary over the Office of Environmental
10 Compliance.

11 MS. ISAACKS:

12 Natalie Isaacks, Louisiana Oil
13 Marketers.

14 MR. EFFERSON:

15 Jason Efferson, DEQ Trust Fund.

16 MS. ARNOLD:

17 Meagan Arnold, Trust Fund.

18 MR. KELLEY:

19 Ian Kelley, DEQ Trust Fund.

20 MR. HILL:

21 Thank ya'll.

22 At this time, we'd like to ask Karyn
23 Andrews for the financial service report.

24 MS. ANDREWS:

25 Do we want to adopt the minutes,

1 first?

2 MR. HILL:

3 Oh, I'm sorry. Yes. We would like to
4 adopt the last board meeting, June 24th,
5 board minutes.

6 MR. MARCELLO:

7 So moved, Mr. Chair.

8 MR. IVEY:

9 Second.

10 MR. HILL:

11 First by Frank Marcello and second by
12 Shawn Ivey.

13 Now, at this time, can I ask Karyn
14 Andrews to give us the financial service
15 report?

16 MS. ANDREWS:

17 Thank you. Good afternoon. And we're
18 going to flip to tab three.

19 At the beginning of the year, we had
20 transferred \$70,252,211 into the trust fund.
21 As of June 30th, we made deposits totaling
22 \$22,778,627. Total disbursements for sites
23 equals \$10,529,855. We also made an
24 additional deposit into the fund, which were
25 covered cost from the Department of Justice

1 legal fees. That was an additional deposit
2 into the fund of \$2,052,369. Current
3 liabilities on the sites now stand at
4 \$74,244,826. This leaves a balance after
5 our obligations of \$3,798,458.

6 Does anybody have any questions about
7 this page?

8 MR. MARCELLO:

9 Would you kindly explain what -- what
10 you classify as a -- a warrant from fund?

11 MS. ANDREWS:

12 That's where we actually pull the
13 money out of the Motor Fuel Trust Fund and
14 pay to the RACs --

15 MR. MARCELLO:

16 Okay.

17 MS. ANDREWS:

18 -- for the remediation of the site.

19 MR. MARCELLO:

20 Okay.

21 MS. ANDREWS:

22 That's what those are.

23 MR. MARCELLO:

24 And D-O -- Department of Justice
25 reimbursement, would that classify as what

1 we went into executive session last time
2 for?

3 MS. ANDREWS:

4 That would be correct.

5 MR. MARCELLO:

6 Yes.

7 MS. ANDREWS:

8 We recouped the legal fees back into
9 the fund that had been paid out.

10 MR. MARCELLO:

11 Thank you very much.

12 MS. ANDREWS:

13 Okay.

14 You can go ahead and turn the page.

15 This is an information report for the
16 interest revenue from the trust fund. And
17 interest collected since inception of the
18 program is at \$6,675,116. Expenditures out
19 of the program for interest revenue were
20 \$1,229,930. And it would be noted that
21 there were no expenditures from this
22 interest revenue designated for the cleanup
23 of abandon tanks in fiscal year 2015.

24 If you'll go ahead and turn the page,
25 unless anyone has some questions.

1 MR. MARCELLO:

2 Just to clear up in my mind,
3 reimbursement received, Randazzo's Amoco
4 site cost, if -- I know that location. This
5 property was sold. That -- those monies
6 were derived from the sale and --

7 MS. ANDREWS:

8 These are -- this is actually the
9 expenditures that we made from the fund.
10 Oh, you're talking about the --

11 MR. MARCELLO:

12 Yeah.

13 MS. ANDREWS:

14 -- recoupment.

15 MR. MARCELLO:

16 Yes, ma'am.

17 MS. ANDREWS:

18 It -- that could be. I could go get
19 some -- some specific details and -- and --

20 MR. MARCELLO:

21 But wouldn't that -- wouldn't that --

22 MS. ANDREWS:

23 It -- it -- that's -- in all
24 likelihood, it could be. Durwood, do you
25 know any information about that specific --

1 MR. FRANKLIN:

2 That -- that, I don't know, as far as

3 --

4 MR. MARCELLO:

5 Any time it comes in, it has to be
6 the site was either sold or what have you,

7 so --

8 MS. ANDREWS:

9 That is correct.

10 MR. MARCELLO:

11 Okay.

12 MS. ANDREWS:

13 They have to be abandon sites to be
14 eligible for the money. So we would -- we
15 may've recovered some -- some of it --
16 recouped the cost from owners or through the
17 American Recovery and Reinvestment Act. I'm
18 not sure which one of those. And I can get
19 you that specific, if you'd like it so you
20 can have it.

21 MR. MARCELLO:

22 Not necessary. Thank you.

23 MS. ANDREWS:

24 Okay. So on the next page, this
25 report details how we calculate the amount

1 transferred from the Motor Fuel Trust Fund
2 to the Environmental Trust Fund. We've got
3 details of revenues and expenditures. And
4 we have closed out the fiscal year of 2015.
5 Reimbursements to the Environmental Trust
6 Fund total \$5,327,246. That's the total
7 amount that was transferred to reimburse the
8 Environmental Trust Fund for expenses.

9 And again, we have closed the books
10 out for the year. We are finishing up our
11 financial statements right now. And they
12 will be completed before September 30th and
13 referred to the legislative auditor. And so
14 we would anticipate, it'll be towards the
15 end of the year. And we'll have a board
16 meeting before then with those final
17 financial statements before we -- before
18 they come in for their audit.

19 Does anybody have any questions?

20 MR. MARCELLO:

21 I have another question, please.

22 MS. ANDREWS:

23 Sure.

24 MR. MARCELLO:

25 On the first page, you were referring

1 to liability on current sites. That
2 includes monies paid as well as allocated
3 monies, as well?

4 MS. ANDREWS:

5 That would be sites that we have
6 already determined as eligible that we know
7 have the potential or cost that will become
8 --

9 MR. MARCELLO:

10 Correct.

11 MS. ANDREWS:

12 -- liable on the site. We have a --
13 we have a determination on how we come up
14 with this calculation.

15 MR. MARCELLO:

16 Correct.

17 MS. ANDREWS:

18 And I think Jeff may talk a little bit
19 more --

20 MR. MARCELLO:

21 Thank you.

22 MS. ANDREWS:

23 -- when he --

24 MR. MARCELLO:

25 Okay.

1 MS. ANDREWS:

2 -- does his presentation. But we do
3 recalculate this on a quarterly basis to
4 update this. We go back and we look at all
5 the sites that are out there to ensure that
6 we have the correct liability for the fund.

7 Thank you.

8 MR. HILL:

9 Okay. Do we have anymore questions
10 related to the financial statements that
11 Karyn just delivered?

12 (No response.)

13 MR. HILL:

14 If not, do I hear a motion to accept
15 them?

16 MR. MARCELLO:

17 So moved, Mr. Chairman.

18 MR. HILL:

19 Do I have a second?

20 MR. IVEY:

21 Second.

22 MR. HILL:

23 Okay. We got a first by Frank and a
24 second by Shawn. So thank you, Karyn.

25 MS. ANDREWS:

1 Thank you.

2 MR. HILL:

3 At this time, we'd like item number
4 four, auditor's status report by Cy Morin.

5 MR. MORIN:

6 Yes, sir.

7 Please turn to tab four. This two-
8 page report details 30 open motor fuel cases
9 initiated since fiscal year 2013.

10 One case has been sent to legal, as
11 indicated in the status column. One case
12 has been sent to legal for collection of
13 \$4,016.58. A default judgment was entered
14 against the defendant on April 14th. The
15 next step is to enter the confirmation.

16 We are awaiting payment for two cases
17 totaling \$4,973.13.

18 Followup is in progress on one case
19 for additional documentation clarification.

20 Eighteen cases are under review or
21 awaiting review. Pending final review,
22 these represent one potential credit of
23 \$3,292.22; four potential assessments
24 totaling \$751.68; and 13 potential clean
25 audits with no assessment.

1 Six cases are still in progress,
2 representing three potential assessments
3 totaling \$11,972.12 of which \$9,700.70 has
4 been collected, as indicated on the second
5 page.

6 Three potential clean audits with no
7 assessment, as well.

8 And finally, two cases have been
9 started or scheduled so far for fiscal year
10 2016. We plan to do 18 again in fiscal year
11 '16.

12 Go ahead and turn the page. Four
13 cases are being pursued legally. The first
14 case listed -- for the first case listed,
15 the petition was filed on July 20th.
16 Service was made on -- on the defendant on
17 July 23rd. And the defendant filed an
18 answer on August 14th. The second case
19 listed, legal has sent an Office of Debt
20 Recovery notice letter to the business
21 owner, which states that the department can
22 allow the business to make payments. If the
23 business misses a payment and 60 days
24 have lapsed, legal will refer it to the
25 Office of Debt Recovery. On June 26th,

1 2015, the third case listed was also mailed
2 an Office of Debt Recovery 60-day notice
3 letter, and will be referred to the Office
4 of Debt Recovery at the end of the month, if
5 payment is not made. The fourth case listed
6 has already been discussed when discussing
7 the first document.

8 Any questions?

9 MR. HILL:

10 Any questions on the audits for Cy?

11 (No response.)

12 MR. HILL:

13 Do I hear a motion to accept the audit
14 report?

15 MR. ST. ROMAIN:

16 I move.

17 MR. HILL:

18 I've got a motion. Do I hear a
19 second?

20 MR. IVEY:

21 Second.

22 MR. HILL:

23 Motion by Nick. Second by Shawn.

24 Thank you, Cy.

25 MR. MORIN:

1 You're welcome.

2 MR. HILL:

3 Item number five, the trust fund
4 status report. That's done by Jeff Baker.

5 MR. BAKER:

6 Yes, sir. Good afternoon. If ya'll
7 will turn to tab five in your packets.
8 These are the figures for the fourth quarter
9 of fiscal year 2015.

10 During the fourth quarter of fiscal
11 year 2015, the trust fund received 287
12 applications, totaling \$3,895,498. 247
13 applications were processed for payment
14 during the fiscal quarter, totaling
15 \$3,244,931. And 59 applications were
16 returned with deficiencies.

17 For sites in the corrective action
18 phase, the outstanding liability for the
19 corrective action plan budget and estimated
20 cost to reach closure at the end of June
21 30th, 2015 was \$30,514,975.

22 The additional obligation recognized
23 for the non-capped sites, plus the projected
24 motor fuel trust fund to environmental trust
25 fund transfer is \$43,033,802.

1 As of the end of June 2015, the trust
2 fund had 117 pending applications to
3 process, which had requested amounts of
4 \$1,439,504. Of this amount, the estimated
5 requested obligations relating to CAP
6 budgets and closure costs was \$743,455.

7 If you'll note the legal-sized page,
8 the last page of your packets. The number
9 of trust fund sites that have received the
10 no further action status for fiscal year
11 2015 was 28 sites. The number of potential
12 trust fund sites that were reviewed and made
13 eligible during the current fiscal year was
14 37, which represented 43 active releases or
15 incidents.

16 Just some points of interest. The
17 trust fund is continuing to work on the
18 draft of the next revision of the motor fuel
19 trust fund cost control guidance document.
20 Our review of the current document has
21 revealed a number of issues and
22 modifications needing to be addressed.
23 Several of these have been documented and
24 will be provided to the guidance document
25 workgroup within the next couple of weeks.

1 Our goal is to seek their assistance and
2 guidance on how best to address these
3 concerns and modifications. Once these
4 issues have been resolved, we will be moving
5 forward, providing a draft document to the
6 board for their review.

7 Also, the trust fund has lost two of
8 our application reviewers, and has recently
9 hired two new reviewers, Ms. Tracy Vidrine
10 and Ms. Meagan Arnold. Tracy was not able
11 to be here today, but Meagan is out in the -
12 - in the crowd.

13 Senate Bill 244 was passed by the
14 legislature and was signed by the Governor,
15 becoming Act 277. This act increases the
16 national dollars available for the eligible
17 releases cleanup from one million to one
18 point five million dollars.

19 Board members were asked to provide
20 feedback to Secretary Hatch after the last
21 board meeting, relating to how best
22 implement the new law. This information was
23 reviewed and Secretary Hatch sent out
24 letters to the board, documenting the
25 department's approach towards implementation

1 of the new maximum rate. The option that
2 was chosen was the most inclusive, allowing
3 existing sites approaching the current cap
4 to participate, thus extending their
5 available maximum expenditures to one point
6 five million dollars.

7 The trust fund has been working to
8 develop a more accurate approach to the
9 determination of potential obligation
10 liabilities towards the trust fund, as Mr.
11 Marcello, you were asking about earlier.
12 This new methodology will include several
13 potential liabilities not currently
14 included. In order to get the board's input
15 on this new approach, we will be sending out
16 our draft versions of this new approach,
17 along with the supporting documentation to
18 the board members within the next couple of
19 weeks. And we seek -- we will be seeking
20 your -- the board's opinions and review.

21 That concludes my comments. Does
22 anybody have any questions?

23 MR. HILL:

24 Thank you, Jeff.

25 (An off-the-record discussion followed.)

1 MR. HILL:

2 Thank you, Jeff, for that report.

3 We'll go to number six now, the third
4 party claim status. Perry, if you don't
5 mind.

6 MR. THERIOT:

7 I'm happy to report, we have received
8 no new third party claims in the last
9 quarter. And we have no new developments
10 that was not reported on in the previous
11 meeting. So we're doing fine on that.

12 MR. HILL:

13 That's good.

14 Does anybody have any questions?

15 MR. MARCELLO:

16 Regarding? In general?

17 MR. HILL:

18 In general, regarding Mr. Perry's
19 report?

20 MR. MARCELLO:

21 No.

22 MR. HILL:

23 Or, anything else, in general, at this
24 time?

25 MR. MARCELLO:

1 I have a couple.

2 MR. HILL:

3 Okay. Frank?

4 MR. MARCELLO:

5 I want to go back to the financials,
6 please. I had a question mark and I forgot
7 to ask about it.

8 Would you -- on the third page of your
9 report, Ms. Andrews, indirect cost, 28.54
10 percent of personnel costs --

11 MS. ANDREWS:

12 Yes.

13 MR. MARCELLO:

14 -- what is in -- what do you classify
15 as an indirect cost?

16 MS. ANDREWS:

17 Okay. So the underground storage tank
18 charges that we have are -- only include
19 salaries and related benefits. We do not
20 direct charge any other expenses to this
21 program. And rather than going and trying
22 to determine, piecemeal, fuel, electricity,
23 cost of IT components, we use an indirect
24 cost rate. DEQ submits this indirect cost
25 rate proposal for a cognizant federal agency

1 to approve and review on an annual basis.
2 And we use one half of that approved rate
3 for a cost recovery from the trust fund for
4 environmental trust fund overhead expenses.

5 MR. MARCELLO:

6 Okay. Which would lead me to -- if --
7 if you follow the pattern of '08 and '09 --

8 MS. ANDREWS:

9 Yes.

10 MR. MARCELLO:

11 -- fiscal year and all of a sudden,
12 two years ago, it -- it went from zero to
13 one --

14 MS. ANDREWS:

15 That's correct.

16 MR. MARCELLO:

17 -- million and then --

18 MS. ANDREWS:

19 And prior to -- this was before you
20 became a board member.

21 MR. MARCELLO:

22 Yes, ma'am.

23 MS. ANDREWS:

24 We had a lot of discussions on this
25 very topic, and -- and achieved agreement

1 and guidance with the board before we
2 implemented this. In the -- in the past, we
3 use to attempt to direct charge things to
4 the underground tanks. And we did not get
5 nearly any -- I don't want to say any. We
6 didn't get nearly all of the direct --
7 indirect expenditures --

8 MR. MARCELLO:

9 Correct.

10 MS. ANDREWS:

11 -- back and recouped, because we were
12 really only charging salaries and related
13 benefits to this program. And we have rent
14 to pay on all of our regional offices. Here
15 at headquarters, we've got IT costs and
16 things of that nature. And the only way to
17 recoup those is using an overhead or
18 indirect rate. And so what we did -- and we
19 came to the board and we had a lot of
20 discussions about it over probably three
21 meetings, and rather than the little bits
22 that we were able to direct charge, they
23 agreed to allow us to use one half of our
24 approved rate. And every year, we get a new
25 rate. And I believe this year, it's about

1 61 percent, so we would, again, do half of
2 that rate --

3 MR. MARCELLO:

4 Okay.

5 MS. ANDREWS:

6 -- rather than the entire rate.

7 MR. MARCELLO:

8 Thank you.

9 MS. ANDREWS:

10 And that's the reason at fiscal year
11 '12 to '13, you see it was nothing --

12 MR. MARCELLO:

13 Right.

14 MS. ANDREWS:

15 -- and then it went up.

16 MR. MARCELLO:

17 Right. Okay.

18 Mr. Chairman, I have two other matters
19 before the UST board. Item A, I understand
20 that the five parish non-attainment area is
21 now in attainment; am I correct?

22 MR. THERIOT:

23 I -- I don't -- I don't believe we've
24 received official notification. We've
25 applied to be told that we're in attainment

1 --

2 MR. MARCELLO:

3 Which is where -- right.

4 MR. THERIOT:

5 -- is my understanding.

6 MR. MARCELLO:

7 Right. And my point is, if we -- if
8 we are and it was on the news and what have
9 you and -- sometime ago, and my point is, I
10 would like to see the Louisiana Department
11 of Environmental Quality apply, ask,
12 whatever means possible to EPA to get that
13 designation sent to us.

14 MR. THERIOT:

15 I think that has been done.

16 MR. MARCELLO:

17 Okay.

18 MR. THERIOT:

19 That's my understanding. And we are
20 anxiously awaiting. And I believe that
21 there may have actually been some legal
22 action taken by the Attorney General, but I
23 -- I -- Office to -- it's tied up with the
24 SIP, which is our State Implementation Plan.

25 MR. MARCELLO:

1 Right.

2 MR. THERIOT:

3 And -- and with the attainment versus
4 non-attainment, it's my understanding that
5 we've done what we can do to get EPA to make
6 -- make their move. So --

7 MR. MARCELLO:

8 Good. It's something I was concerned
9 about.

10 MR. THERIOT:

11 We're -- we're aware of it --

12 MR. MARCELLO:

13 I was following up on it.

14 MR. THERIOT:

15 Yes.

16 MR. MARCELLO:

17 All right. Thank you.

18 The next thing I have is, I want to
19 read a prepared statement, if you will. I
20 am Chairman of the Executive -- I'm sorry,
21 of the Environmental Committee for the
22 Louisiana Department -- the Louisiana Oil
23 Marketers Association. And I'll just read
24 this, please.

25 I would like to advise Louisiana

1 Department of Environmental Quality UST
2 Division that -- excuse me -- Louisiana Oil
3 Marketers and Convenience Store Association
4 is working to provide the LDEQ with an RVP
5 technical demonstration to eliminate the 7.8
6 RVP requirement in 16 parishes.

7 Currently, all the data is being
8 collected and prepared to complete the
9 demonstration, which will be submitted to
10 Louisiana Department of Environmental
11 Quality next month. We are then hopeful
12 that you, as LDEQ, will then petition EPA to
13 allow a revision to our state implementation
14 -- to -- to our SIP plan to eliminate the
15 7.8 RVP requirement.

16 And I wanted to read that and just put
17 it in the record.

18 So away from that statement, we -- as
19 you know, we have what we call that RVP 9.0
20 and 7.8 gas. It's effecting a lot of our
21 marketers in -- in areas that are -- that --
22 that have boundaries next to non-attainment
23 areas -- I'm sorry, attainment versus non-
24 attainment areas. And it -- it becomes a --
25 MR. HILL:

1 Challenge.

2 MR. MARCELLO:

3 -- a challenge, if you will, marketing
4 petroleum products. So some other states
5 have done it. So other state agencies have
6 done it on behalf of their marketing
7 associations, and Louisiana Oil Marketers is
8 currently trying to get this information up
9 to EPA through DEQ so we can eliminate that
10 RVP requirement.

11 Thank you so much.

12 MR. HILL:

13 Thank you, Frank. Good information.

14 Does anybody else have any questions
15 or any comments they'd like to make at this
16 time?

17 MR. ST. ROMAIN:

18 I've got one question. Is the -- the
19 outstanding balances on, I guess, future
20 damages, is that adjusted for the new 1.5
21 million dollar CAP?

22 MR. BAKER:

23 The calculation doesn't take that into
24 consideration. It looks at existing
25 expenditures and compares that to new sites.

1 But most sites don't actually ever reach
2 that point.

3 MR. ST. ROMAIN:

4 Right.

5 MR. BAKER:

6 We did look at that when we were
7 making our comments to the legislative. But
8 when we were doing our calculations, we
9 actually look at an average cost of closed
10 sites over the last three years. And since
11 most of them didn't reach the 1.5, then that
12 doesn't really come into play. Over time,
13 that average, as those -- as we have more
14 and more sites that go over the million
15 dollars, that average will adjust up. So
16 over time, that will come into play, but not
17 right now.

18 MR. ST. ROMAIN:

19 Okay. Thank you.

20 MR. HILL:

21 It's just a worst-case scenario, isn't
22 it, Jeff? I mean -- or maybe a CAP, or I
23 don't know.

24 MR. BAKER:

25 Well, it's really not a worse-case.

1 We -- we try to emulate what is actually
2 happening, we look at the average cost of
3 the sites. We we're -- the changes that
4 we're going to be sending ya'll, we found
5 that a number of the sites were not being
6 included in the calculation. Just to give
7 you an example of that, right now, any site
8 that we had determined to be eligible but
9 had not submitted a request for
10 expenditures, were not being included in the
11 calculation. And right now, I think we have
12 30 or 40 sites like that. So when we were
13 calculating our average cost, they were not
14 included at all in that obligation. So
15 that's going to increase it fairly
16 substantially. So -- and that's just one
17 example. We -- we've addressed two or three
18 things like that. And we're trying to make
19 it a more accurate depiction. Not really as
20 much of a worse-case but as more of a more
21 accurate depiction of what's going on.

22 MS. ANDREWS:

23 And I think we would hope that the
24 cost control document that we currently have
25 in place would not artificially change the

1 maximums that we would be seeing that
2 substantially.

3 Jeff, how many sites have actually
4 reached the million dollars?

5 MR. BAKER:

6 In the last three years, I think we
7 had two, maybe three.

8 MS. ANDREWS:

9 So the likelihood that that would
10 really be effecting the CAP may -- may not
11 be as -- as -- as an indicator of that.

12 MR. HILL:

13 Yes.

14 MS. ANDREWS:

15 It could be. But we're not going to
16 know until we get several years into it.

17 MR. BAKER:

18 We would anticipate -- there's some --
19 somewhere around the order of 15 or 16 sites
20 that are over the \$900,000 mark. We would
21 anticipate them to kind of get in more
22 active basis and -- and we'll see those
23 quickly approaching that number.

24 MR. HILL:

25 Okay. Do we have anymore questions or

1 comments?

2 (No response.)

3 MR. HILL:

4 If not, do I -- or any other business
5 we want to discuss?

6 (No response.)

7 MR. HILL:

8 If not, at this time, do I hear a
9 motion to adjourn?

10 MR. IVEY:

11 Motion to adjourn.

12 MR. MARCELLO:

13 Second.

14 MR. HILL:

15 Okay. Thank ya'll for the productive
16 meeting. Until we meet again.

17 **THE MEETING ADJOURNED AT 1:34 P.M.**

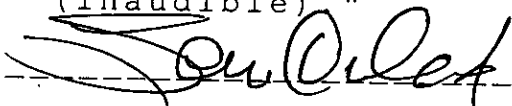
18 * * * * *

R E P O R T E R ' S P A G E

1
2 I, Lori B. Overland, Certified Court
3 Reporter, in and for the State of Louisiana, the
4 officer, as defined in Rule 28 of the Federal
5 Rules of Civil Procedure and/or Article 1434(b)
6 of the Louisiana code of Civil Procedure, before
7 whom this sworn testimony was taken, do hereby
8 state on the Record

9 That due to the interaction in the
10 spontaneous discourse of this proceeding, dashes
11 (--) have been used to indicate pauses, changes
12 in thought, and/or talk overs; that same is the
13 proper method for a Court Reporters's
14 transcription of proceeding, and that the dashes
15 (--) do not indicated that words or phrases have
16 been left out of this transcript;

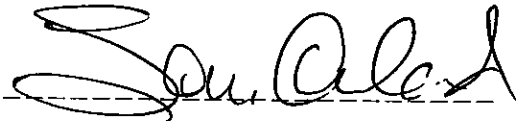
17 That any words and/or names which could not
18 be verified through reference material have been
19 denoted with the phrase "(inaudible) "

20 
21 _____
22 Lori Overland, C.C.R.

97083

C E R T I F I C A T I O N

1
2 I, Lori B. Overland, Certified Court Reporter in
3 and for the State of Louisiana, as the officer
4 before whom this testimony was taken, do hereby
5 certify that the above referenced individual to whom
6 oath was administered, after having been duly sworn
7 by me upon authority of R.S. 37:2554, did testify as
8 hereinbefore set forth in the foregoing pages, that
9 this testimony was reported by me in the stenomask
10 reporting method, was prepared and transcribed by me
11 or under my personal direction and supervision, and
12 is a true and correct transcript to the best of my
13 ability and understanding; that the transcript has
14 been prepared in compliance with transcript format
15 guidelines required by statute or by rules of the
16 board, that I have acted in compliance with the
17 prohibition on contractual relationships, as defined
18 by Louisiana Code of Civil Procedure Article 1434
19 and in rules and advisory opinions of the board;
20 that I am not related to counsel or to the parties
21 herein, nor am I otherwise interested in the outcome
22 of this matter.



Lori Overland C.C.R.

97083

In The Matter Of:
DEPARTMENT OF ENVIRONMENTAL QUALITY
MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND

MEETING
August 20, 2015

Associated Reporters, Incorporated
225-216-2036

This Page Intentionally Left Blank

	achieved (1) 23:25	10:17	5:8	19:13
\$	Act (3) 10:17;19:15,15	Amoco (1) 9:3	Association (2) 27:23;28:3	bit (1) 12:18
\$1,229,930 (1) 8:20	action (4) 17:17,19;18:10; 26:22	amount (3) 10:25;11:7;18:4	associations (1) 29:7	bits (1) 24:21
\$1,439,504 (1) 18:4	active (2) 18:14;32:22	amounts (1) 18:3	attainment (5) 25:21,25;27:3;28:23, 24	board (13) 4:6;6:4,5;11:15;19:6, 19,21,24;20:18;23:20; 24:1,19;25:19
\$10,529,855 (1) 6:23	actually (7) 7:12;9:8;26:21;30:1, 9;31:1;32:3	and/or (3) 34:5,12,17	attempt (1) 24:3	board's (2) 20:14,20
\$11,972.12 (1) 15:3	additional (4) 6:24;7:1;14:19; 17:22	ANDREWS (40) 5:1,2,23,24;6:14,16; 7:11,17,21;8:3,7,12; 9:7,13,17,22;10:8,12, 23;11:22;12:4,11,17, 22;13:1,25;22:9,11,16; 23:8,14,18,23;24:10; 25:5,9,14;31:22;32:8, 14	Attorney (1) 26:22	books (1) 11:9
\$2,052,369 (1) 7:2	address (1) 19:2	annual (1) 23:1	Audit (3) 5:4;11:18;16:13	boundaries (1) 28:22
\$22,778,627 (1) 6:22	addressed (2) 18:22;31:17	anticipate (3) 11:14;32:18,21	auditor (1) 11:13	budget (1) 17:19
\$3,244,931 (1) 17:15	adjourn (2) 33:9,11	anxiously (1) 26:20	auditor's (1) 14:4	budgets (1) 18:6
\$3,292.22 (1) 14:23	ADJOURNED (1) 33:17	anymore (2) 13:9;32:25	audits (3) 14:25;15:6;16:10	business (4) 15:20,22,23;33:4
\$3,798,458 (1) 7:5	adjust (1) 30:15	application (1) 19:8	August (1) 15:18	
\$3,895,498 (1) 17:12	adjusted (1) 29:20	applications (4) 17:12,13,15;18:2	available (2) 19:16;20:5	C
\$30,514,975 (1) 17:21	Administrator (1) 4:15	applied (1) 25:25	average (5) 30:9,13,15;31:2,13	calculate (1) 10:25
\$4,016.58 (1) 14:13	adopt (2) 5:25;6:4	apply (1) 26:11	awaiting (3) 14:16,21;26:20	calculating (1) 31:13
\$4,973.13 (1) 14:17	adoption (1) 4:5	approach (4) 19:25;20:8,15,16	aware (1) 27:11	calculation (4) 12:14;29:23;31:6,11
\$43,033,802 (1) 17:25	advise (1) 27:25	approaching (2) 20:3;32:23	away (1) 28:18	calculations (1) 30:8
\$5,327,246 (1) 11:6	afternoon (2) 6:17;17:6	approve (1) 23:1	B	call (3) 4:3,4;28:19
\$6,675,116 (1) 8:18	again (4) 11:9;15:10;25:1; 33:16	approved (2) 23:2;24:24	back (4) 8:8;13:4;22:5;24:11	came (1) 24:19
\$70,252,211 (1) 6:20	against (1) 14:14	April (1) 14:14	BAKER (9) 4:10,11;17:4,5; 29:22;30:5,24;32:5,17	can (7) 6:13;8:14;10:18,20; 15:21;27:5;29:9
\$74,244,826 (1) 7:4	agencies (1) 29:5	area (1) 25:20	balance (1) 7:4	CAP (5) 18:5;20:3;29:21; 30:22;32:10
\$743,455 (1) 18:6	agency (1) 22:25	areas (3) 28:21,23,24	balances (1) 29:19	case (8) 14:10,11,18;15:14, 14,18;16:1,5
\$751.68 (1) 14:24	ago (2) 23:12;26:9	ARNOLD (3) 5:16,17;19:10	basis (3) 13:3;23:1;32:22	cases (6) 14:8,16,20;15:1,8,13
\$9,700.70 (1) 15:3	agreed (1) 24:23	around (1) 32:19	became (1) 23:20	CCR (1) 34:21
\$900,000 (1) 32:20	agreement (1) 23:25	Article (1) 34:5	become (1) 12:7	Certified (1) 34:2
A	ahead (3) 8:14,24;15:12	artificially (1) 31:25	becomes (1) 28:24	Chair (1) 6:7
abandon (2) 8:23;10:13	allocated (1) 12:2	assessment (2) 14:25;15:7	becoming (1) 19:15	Chairman (3) 13:17;25:18;27:20
able (2) 19:10;24:22	allow (3) 15:22;24:23;28:13	assessments (2) 14:23;15:2	beginning (1) 6:19	Challenge (2) 29:1,3
accept (2) 13:14;16:13	allowing (1) 20:2	assistance (1) 19:1	behalf (1) 29:6	Chance (1) 5:8
accurate (3) 20:8;31:19,21	along (1) 20:17	Assistant (1)	benefits (2) 22:19;24:13	change (1) 31:25
	American (1)		best (2) 19:2,21	changes (2) 31:3;34:11
			Bill (1)	

<p>charge (3) 22:20;24:3,22</p> <p>charges (1) 22:18</p> <p>charging (1) 24:12</p> <p>chosen (1) 20:2</p> <p>Civil (2) 34:5,6</p> <p>claim (1) 21:4</p> <p>claims (1) 21:8</p> <p>clarification (1) 14:19</p> <p>classify (3) 7:10,25;22:14</p> <p>clean (2) 14:24;15:6</p> <p>cleanup (2) 8:22;19:17</p> <p>clear (1) 9:2</p> <p>closed (3) 11:4,9;30:9</p> <p>closure (2) 17:20;18:6</p> <p>code (1) 34:6</p> <p>cognizant (1) 22:25</p> <p>collected (3) 8:17;15:4;28:8</p> <p>collection (1) 14:12</p> <p>column (1) 14:11</p> <p>comments (4) 20:21;29:15;30:7; 33:1</p> <p>Committee (1) 27:21</p> <p>compares (1) 29:25</p> <p>complete (1) 28:8</p> <p>completed (1) 11:12</p> <p>Compliance (1) 5:10</p> <p>components (1) 22:23</p> <p>concerned (1) 27:8</p> <p>concerns (1) 19:3</p> <p>concludes (1) 20:21</p> <p>confirmation (1) 14:15</p> <p>consideration (2) 4:5;29:24</p>	<p>Consultants (1) 4:17</p> <p>continuing (1) 18:17</p> <p>control (2) 18:19;31:24</p> <p>Convenience (1) 28:3</p> <p>corrective (2) 17:17,19</p> <p>cost (16) 6:25;9:4;10:16;12:7; 17:20;18:19;22:9,15, 23,24,24;23:3;30:9; 31:2,13,24</p> <p>costs (3) 18:6;22:10;24:15</p> <p>couple (3) 18:25;20:18;22:1</p> <p>Court (2) 34:2,13</p> <p>covered (1) 6:25</p> <p>credit (1) 14:22</p> <p>crowd (1) 19:12</p> <p>Current (5) 7:2;12:1;18:13,20; 20:3</p> <p>currently (4) 20:13;28:7;29:8; 31:24</p> <p>Cy (4) 5:4;14:4;16:10,24</p>	<p>6:25;7:24;15:21; 26:10;27:22;28:1,10</p> <p>department's (1) 19:25</p> <p>depiction (2) 31:19,21</p> <p>deposit (2) 6:24;7:1</p> <p>deposits (1) 6:21</p> <p>DEQ (11) 4:9,11,13;5:2,4,6,8, 15,19;22:24;29:9</p> <p>derived (1) 9:6</p> <p>designated (1) 8:22</p> <p>designation (1) 26:13</p> <p>details (4) 9:19;10:25;11:3; 14:8</p> <p>determination (2) 12:13;20:9</p> <p>determine (1) 22:22</p> <p>determined (2) 12:6;31:8</p> <p>develop (1) 20:8</p> <p>developments (1) 21:9</p> <p>direct (4) 22:20;24:3,6,22</p> <p>disbursements (1) 6:22</p> <p>discourse (1) 34:10</p> <p>discuss (1) 33:5</p> <p>discussed (1) 16:6</p> <p>discussing (1) 16:6</p> <p>discussion (1) 20:25</p> <p>discussions (2) 23:24;24:20</p> <p>Division (1) 28:2</p> <p>D-O (1) 7:24</p> <p>document (6) 16:7;18:19,20,24; 19:5;31:24</p> <p>documentation (2) 14:19;20:17</p> <p>documented (1) 18:23</p> <p>documenting (1) 19:24</p> <p>dollar (1) 29:21</p>	<p>dollars (5) 19:16,18;20:6;30:15; 32:4</p> <p>done (5) 17:4;26:15;27:5; 29:5,6</p> <p>draft (3) 18:18;19:5;20:16</p> <p>due (1) 34:9</p> <p>During (3) 17:10,14;18:13</p> <p>Durwood (2) 4:9;9:24</p>	<p>28:2</p> <p>executive (2) 8:1;27:20</p> <p>existing (2) 20:3;29:24</p> <p>Expenditures (8) 8:18,21;9:9;11:3; 20:5;24:7;29:25;31:10</p> <p>expenses (3) 11:8;22:20;23:4</p> <p>explain (1) 7:9</p> <p>extending (1) 20:4</p>
	D		E	F
	<p>damages (1) 29:20</p> <p>dashes (2) 34:10,14</p> <p>data (1) 28:7</p> <p>days (1) 15:23</p> <p>Debt (4) 15:19,25;16:2,4</p> <p>default (1) 14:13</p> <p>defendant (3) 14:14;15:16,17</p> <p>deficiencies (1) 17:16</p> <p>defined (1) 34:4</p> <p>delivered (1) 13:11</p> <p>demonstration (2) 28:5,9</p> <p>denoted (1) 34:19</p> <p>Department (7)</p>	<p>earlier (1) 20:11</p> <p>effecting (2) 28:20;32:10</p> <p>EFFERSON (2) 5:14,15</p> <p>Eighteen (1) 14:20</p> <p>either (1) 10:6</p> <p>electricity (1) 22:22</p> <p>eligible (5) 10:14;12:6;18:13; 19:16;31:8</p> <p>eliminate (3) 28:5,14;29:9</p> <p>else (2) 21:23;29:14</p> <p>emulate (1) 31:1</p> <p>end (4) 11:15;16:4;17:20; 18:1</p> <p>ensure (1) 13:5</p> <p>enter (1) 14:15</p> <p>entered (1) 14:13</p> <p>entire (1) 25:6</p> <p>Environmental (10) 5:9;11:2,5,8;17:24; 23:4;26:11;27:21;28:1, 10</p> <p>EPA (4) 26:12;27:5;28:12; 29:9</p> <p>equals (1) 6:23</p> <p>estimated (2) 17:19;18:4</p> <p>example (2) 31:7,17</p> <p>excuse (1)</p>	<p>fairly (1) 31:15</p> <p>far (2) 10:2;15:9</p> <p>federal (2) 22:25;34:4</p> <p>feedback (1) 19:20</p> <p>fees (2) 7:1;8:8</p> <p>figures (1) 17:8</p> <p>filed (2) 15:15,17</p> <p>final (2) 11:16;14:21</p> <p>finally (1) 15:8</p> <p>Financial (6) 5:2,23;6:14;11:11, 17;13:10</p> <p>financials (1) 22:5</p> <p>fine (1) 21:11</p> <p>finishing (1) 11:10</p> <p>first (7) 6:1,11;11:25;13:23; 15:13,14;16:7</p> <p>fiscal (12) 8:23;11:4;14:9;15:9, 10;17:9,10,14;18:10, 13;23:11;25:10</p> <p>five (5) 17:3,7;19:18;20:6; 25:20</p> <p>flip (1) 6:18</p> <p>follow (1) 23:7</p> <p>followed (1) 20:25</p> <p>following (1) 27:13</p> <p>Followup (1)</p>	

<p>14:18 forgot (1) 22:6 forward (1) 19:5 found (1) 31:4 four (4) 14:4,7,23;15:12 fourth (3) 16:5;17:8,10 Frank (5) 4:24;6:11;13:23; 22:3;29:13 FRANKLIN (3) 4:8,9;10:1 Fuel (6) 7:13;11:1;14:8; 17:24;18:18;22:22 FULTON (2) 4:14,15 Fund (33) 4:9,11;5:6,15,17,19; 6:20,24;7:2,10,13;8:9, 16;9:9;11:1,2,6,8;13:6; 17:3,11,24,25;18:2,9, 12,17,19;19:7;20:7,10; 23:3,4 further (1) 18:10 future (1) 29:19</p>	<p>headquarters (1) 24:15 hear (4) 13:14;16:13,18;33:8 hereby (1) 34:7 HILL (30) 4:2,18,19;5:20;6:2, 10;13:8,13,18,22;14:2; 16:9,12,17,22;17:2; 20:23;21:1,12,17,22; 22:2;28:25;29:12; 30:20;32:12,24;33:3,7, 14 hired (1) 19:9 hope (1) 31:23 hopeful (1) 28:11</p>	<p>initiated (1) 14:9 input (1) 20:14 interaction (1) 34:9 interest (5) 8:16,17,19,22;18:16 into (9) 6:20,24;7:2;8:1,8; 29:23;30:12,16;32:16 ISAACKS (2) 5:11,12 issues (2) 18:21;19:4 item (3) 14:3;17:3;25:19 IVEY (7) 4:16,17;6:8,12; 13:20;16:20;33:10</p>	<p>23:6 leaves (1) 7:4 left (1) 34:16 Legal (8) 4:13;7:1;8:8;14:10, 12;15:19,24;26:21 legally (1) 15:13 legal-sized (1) 18:7 legislative (2) 11:13;30:7 legislature (1) 19:14 letter (2) 15:20;16:3 letters (1) 19:24 liabilities (3) 7:3;20:10,13 liability (3) 12:1;13:6;17:18 liable (1) 12:12 likelihood (2) 9:24;32:9 listed (5) 15:14,14,19;16:1,5 little (2) 12:18;24:21 location (1) 9:4 look (4) 13:4;30:6,9;31:2 looks (1) 29:24 Lori (2) 34:2,21 lost (1) 19:7 lot (3) 23:24;24:19;28:20 Louisiana (13) 4:19,21,24;5:12; 26:10;27:22,22,25; 28:2,10;29:7,34;3,6</p>	<p>11:20,24;12:9,15,20, 24;13:16;20:11;21:15, 20,25;22:4,13;23:5,10, 16,21;24:8;25:3,7,12, 16;26:2,6,16,25;27:7, 12,16;29:2;33:12 mark (2) 22:6;32:20 Marketers (7) 4:19,25;5:13;27:23; 28:3,21;29:7 marketing (2) 29:3,6 material (1) 34:18 matters (1) 25:18 maximum (2) 20:1,5 maximums (1) 32:1 may (4) 12:18;26:21;32:10, 10 maybe (2) 30:22;32:7 may've (1) 10:15 McNEELY (2) 5:7,8 Meagan (3) 5:17;19:10,11 mean (1) 30:22 means (1) 26:12 meet (1) 33:16 meeting (7) 4:3;6:4;11:16;19:21; 21:11;33:16,17 meetings (1) 24:21 Melissa (1) 5:6 member (1) 23:20 members (2) 19:19;20:18 method (1) 34:13 methodology (1) 20:12 million (7) 19:17,18;20:6;23:17; 29:21;30:14;32:4 mind (2) 9:2;21:5 minutes (3) 4:6;5:25;6:5 misses (1) 15:23 modifications (2)</p>
<p>G</p>	<p>I</p>	<p>J</p>	<p>M</p>	
<p>Gary (1) 4:15 gas (1) 28:20 general (4) 21:16,18,23;26:22 goal (1) 19:1 Good (5) 6:17;17:6;21:13; 27:8;29:13 Governor (1) 19:14 guess (1) 29:19 guidance (4) 18:19,24;19:2;24:1</p>	<p>Ian (1) 5:19 implement (1) 19:22 implementation (3) 19:25;26:24;28:13 implemented (1) 24:2 inaudible (1) 34:19 inception (1) 8:17 incidents (1) 18:15 include (2) 20:12;22:18 included (4) 20:14;31:6,10,14 includes (1) 12:2 inclusive (1) 20:2 increase (1) 31:15 increases (1) 19:15 indicate (1) 34:11 indicated (3) 14:11;15:4;34:15 indicating (1) 4:7 indicator (1) 32:11 indirect (6) 22:9,15,23,24;24:7, 18 information (5) 8:15;9:25;19:22; 29:8,13</p>	<p>Jason (1) 5:15 Jeff (7) 4:11;12:18;17:4; 20:24;21:2;30:22;32:3 judgment (1) 14:13 July (2) 15:15,17 June (6) 4:5;6:4,21;15:25; 17:20;18:1 Justice (2) 6:25;7:24</p>	<p>L</p>	
<p>H</p> <p>half (3) 23:2;24:23;25:1 happening (1) 31:2 happy (1) 21:7 Hatch (2) 19:20,23</p>		<p>K</p> <p>Karyn (5) 5:2,22;6:13;13:11,24 KELLEY (2) 5:18,19 Kerry (1) 4:19 kind (1) 32:21 kindly (1) 7:9</p> <p>L</p> <p>lapsed (1) 15:24 last (7) 6:4;8:1;18:8;19:20; 21:8;30:10;32:6 law (1) 19:22 LDEQ (2) 28:4,12 lead (1)</p>	<p>M</p> <p>ma'am (2) 9:16;23:22 mailed (1) 16:1 making (1) 30:7 many (1) 32:3 MARCELLO (48) 4:23,24;6:6,11;7:8, 15,19,23;8:5,10;9:1,11, 15,20;10:4,10,21;</p>	

<p>18:22;19:3 money (2) 7:13;10:14 monies (3) 9:5;12:2,3 month (2) 16:4;28:11 more (8) 12:19;20:8;30:13,14; 31:19,20,20;32:21 MORIN (5) 5:3,4;14:4,5;16:25 most (3) 20:2;30:1,11 motion (6) 13:14;16:13,18,23; 33:9,11 Motor (5) 7:13;11:1;14:8; 17:24;18:18 move (2) 16:16;27:6 moved (2) 6:7;13:17 moving (1) 19:4 much (3) 8:11;29:11;31:20</p>	<p>note (1) 18:7 noted (1) 8:20 notice (2) 15:20;16:2 notification (1) 25:24 number (8) 14:3;17:3;18:8,11, 21;21:3;31:5;32:23</p>	<p>owner (1) 15:21 owners (1) 10:16</p>	<p>15:10;17:19;26:24; 28:14 play (2) 30:12,16 please (4) 11:21;14:7;22:6; 27:24 plus (1) 17:23 PM (1) 33:17 point (5) 19:18;20:5;26:7,9; 30:2 points (1) 18:16 possible (1) 26:12 potential (9) 12:7;14:22,23,24; 15:2,6;18:11;20:9,13 PPM (1) 4:17 prepared (2) 27:19;28:8 presentation (1) 13:2 previous (1) 21:10 prior (1) 23:19 probably (1) 24:20 Procedure (2) 34:5,6 proceeding (2) 34:10,14 process (1) 18:3 processed (1) 17:13 productive (1) 33:15 products (1) 29:4 program (4) 8:18,19;22:21;24:13 progress (2) 14:18;15:1 projected (1) 17:23 proper (1) 34:13 property (1) 9:5 proposal (1) 22:25 provide (2) 19:19;28:4 provided (1) 18:24 providing (1) 19:5</p>	<p>pull (1) 7:12 pursued (1) 15:13 put (1) 28:16</p>
<p style="text-align: center;">N</p>	<p style="text-align: center;">O</p>	<p style="text-align: center;">P</p>		<p style="text-align: center;">Q</p>
<p>names (1) 34:17 Natalie (1) 5:12 national (1) 19:16 nature (1) 24:16 nearly (2) 24:5,6 necessary (1) 10:22 needing (1) 18:22 new (11) 19:9,22;20:1,12,15, 16;21:8,9;24:24;29:20, 25 news (1) 26:8 next (8) 10:24;14:15;18:18, 25;20:18;27:18;28:11, 22 Nick (2) 4:21;16:23 non- (1) 28:23 non-attainment (3) 25:20;27:4;28:22 non-capped (1) 17:23</p>	<p>obligation (3) 17:22;20:9;31:14 obligations (2) 7:5;18:5 Office (6) 5:9;15:19,25;16:2,3; 26:23 officer (1) 34:4 offices (1) 24:14 official (1) 25:24 off-the-record (1) 20:25 Oil (7) 4:19,21,24;5:12; 27:22;28:2;29:7 Once (1) 19:3 one (13) 10:18;14:10,11,18, 22;19:17,17;20:5;23:2, 13;24:23;29:18;31:16 only (3) 22:18;24:12,16 open (1) 14:8 opinions (1) 20:20 option (1) 20:1 order (3) 4:4;20:14;32:19 out (10) 7:13;8:9,18;11:4,10; 13:5;19:11,23;20:15; 34:16 outstanding (2) 17:18;29:19 over (7) 5:9;24:20;30:10,12, 14,16;32:20 overhead (2) 23:4;24:17 Overland (2) 34:2,21 overs (1) 34:12</p>	<p>packets (2) 17:7;18:8 page (11) 7:7;8:14,24;10:24; 11:25;14:8;15:5,12; 18:7,8;22:8 paid (2) 8:9;12:2 parish (1) 25:20 parishes (1) 28:6 participate (1) 20:4 party (2) 21:4,8 passed (1) 19:13 past (1) 24:2 pattern (1) 23:7 pauses (1) 34:11 pay (2) 7:14;24:14 payment (4) 14:16;15:23;16:5; 17:13 payments (1) 15:22 Pending (2) 14:21;18:2 percent (2) 22:10;25:1 Perry (2) 4:13;21:4 Perry's (1) 21:18 personnel (1) 22:10 petition (2) 15:15;28:12 petroleum (1) 29:4 phase (1) 17:18 phrase (1) 34:19 phrases (1) 34:15 piecemeal (1) 22:22 place (1) 31:25 plan (4)</p>	<p>Quality (3) 26:11;28:1,11 quarter (4) 17:8,10,14;21:9 quarterly (1) 13:3 quickly (1) 32:23</p>	<p style="text-align: center;">R</p>
<p>money - refer (4)</p>				<p>RACs (1) 7:14 Randazzo's (1) 9:3 rate (9) 20:1;22:24,25;23:2; 24:18,24,25;25:2,6 rather (3) 22:21;24:21;25:6 reach (3) 17:20;30:1,11 reached (1) 32:4 read (3) 27:19,23;28:16 really (5) 24:12;30:12,25; 31:19;32:10 reason (1) 25:10 recalculate (1) 13:3 received (5) 9:3;17:11;18:9;21:7; 25:24 recently (1) 19:8 recognized (1) 17:22 record (2) 28:17;34:8 recoup (1) 24:17 recouped (3) 8:8;10:16;24:11 recoupment (1) 9:14 recovered (1) 10:15 Recovery (6) 10:17;15:20,25;16:2, 4;23:3 refer (1)</p>

15:24 reference (1) 34:18 referred (2) 11:13;16:3 referring (1) 11:25 Regarding (2) 21:16,18 regional (1) 24:14 reimburse (1) 11:7 reimbursement (2) 7:25;9:3 Reimbursements (1) 11:5 Reinvestment (1) 10:17 related (3) 13:10;22:19;24:12 relating (2) 18:5;19:21 releases (2) 18:14;19:17 remediation (1) 7:18 rent (1) 24:13 report (12) 5:23;6:15;8:15; 10:25;14:4,8;16:14; 17:4;21:2,7,19;22:9 reported (1) 21:10 Reporter (1) 34:3 Reporters's (1) 34:13 represent (1) 14:22 represented (1) 18:14 representing (1) 15:2 request (1) 31:9 requested (2) 18:3,5 requirement (3) 28:6,15;29:10 resolved (1) 19:4 response (4) 13:12;16:11;33:2,6 returned (1) 17:16 revealed (1) 18:21 revenue (3) 8:16,19,22 revenues (1) 11:3	review (7) 14:20,21,21;18:20; 19:6;20:20;23:1 reviewed (2) 18:12;19:23 reviewers (2) 19:8,9 revision (2) 18:18;28:13 right (11) 11:11;25:13,17;26:3, 7;27:1,17;30:4,17; 31:7,11 roll (2) 4:4,4 ROMAIN (6) 4:20,21;16:15;29:17; 30:3,18 Rule (1) 34:4 Rules (1) 34:5 RVP (5) 28:4,6,15,19;29:10	8:1 Several (3) 18:23;20:12;32:16 Shawn (4) 4:17;6:12;13:24; 16:23 signed (1) 19:14 SIP (2) 26:24;28:14 site (5) 7:18;9:4;10:6;12:12; 31:7 sites (21) 6:22;7:3;10:13;12:1, 5;13:5;17:17,23;18:9, 11,12;20:3;29:25;30:1, 10,14;31:3,5,12;32:3, 19 Six (2) 15:1;21:3 sold (2) 9:5;10:6 sometime (1) 26:9 somewhere (1) 32:19 sorry (3) 6:3;27:20;28:23 specific (3) 9:19,25;10:19 spontaneous (1) 34:10 ST (6) 4:20,21;16:15;29:17; 30:3,18 stand (1) 7:3 Start (1) 4:7 started (1) 15:9 State (5) 26:24;28:13;29:5; 34:3,8 statement (2) 27:19;28:18 statements (3) 11:11,17;13:10 states (2) 15:21;29:4 status (5) 14:4,11;17:4;18:10; 21:4 step (1) 14:15 still (1) 15:1 storage (1) 22:17 Store (1) 28:3 submits (1)	22:24 submitted (2) 28:9;31:9 substantially (2) 31:16;32:2 sudden (1) 23:11 supporting (1) 20:17 sure (2) 10:18;11:23 sworn (1) 34:7	transfer (1) 17:25 transferred (3) 6:20;11:1,7 Trust (27) 4:9,11;5:6,15,17,19; 6:20;7:13;8:16;11:1,2, 5,8;17:3,11,24,24;18:1, 9,12,17,19;19:7;20:7, 10;23:3,4 try (1) 31:1 trying (3) 22:21;29:8;31:18 turn (5) 8:14,24;14:7;15:12; 17:7 two (8) 14:16;15:8;19:7,9; 23:12;25:18;31:17; 32:7 two- (1) 14:7
	S		T	U
	salaries (2) 22:19;24:12 sale (1) 9:6 same (1) 34:12 scenario (1) 30:21 scheduled (1) 15:9 Second (11) 6:9,11;13:19,21,24; 15:4,18;16:19,21,23; 33:13 Secretary (3) 5:9;19:20,23 seeing (1) 32:1 seek (2) 19:1;20:19 seeking (1) 20:19 Senate (1) 19:13 sending (2) 20:15;31:4 sent (5) 14:10,12;15:19; 19:23;26:13 September (1) 11:12 service (3) 5:23;6:14;15:16 Services (1) 5:2 session (1)		tab (3) 6:18;14:7;17:7 talk (2) 12:18;34:12 talking (1) 9:10 tank (1) 22:17 tanks (2) 8:23;24:4 technical (1) 28:5 testimony (1) 34:7 THERIOT (10) 4:12,13;21:6;25:22; 26:4,14,18;27:2,10,14 third (4) 16:1;21:3,8;22:8 thought (1) 34:12 three (8) 6:18;15:2,6;24:20; 30:10;31:17;32:6,7 thus (1) 20:4 tied (1) 26:23 today (1) 19:11 told (1) 25:25 topic (1) 23:25 Total (3) 6:22;11:6,6 totaling (6) 6:21;14:17,24;15:3; 17:12,14 towards (3) 11:14;19:25;20:10 Tracy (2) 19:9,10 transcript (1) 34:16 transcription (1) 34:14	under (1) 14:20 underground (2) 22:17;24:4 unless (1) 8:25 up (8) 9:2;11:10;12:13; 25:15;26:23;27:13; 29:8;30:15 update (1) 13:4 use (4) 22:23;23:2;24:3,23 used (1) 34:11 using (1) 24:17 UST (3) 4:15;25:19;28:1
				V
				verified (1) 34:18 versions (1) 20:16 versus (2) 27:3;28:23 Vidrine (1) 19:9 VIZINAT (2) 5:5,6
				W
				warrant (1)

7:10	14th (2) 14:14;15:18		
way (1) 24:16	15 (1) 32:19	6	
weeks (2) 18:25;20:19	16 (3) 15:11;28:6;32:19	60 (1) 15:23	
welcome (1) 17:1	18 (1) 15:10	60-day (1) 16:2	
what's (1) 31:21		61 (1) 25:1	
within (2) 18:25;20:18	2		
words (2) 34:15,17	2013 (1) 14:9	7	
work (1) 18:17	2015 (9) 4:6;8:23;11:4;16:1; 17:9,11,21;18:1,11	7.8 (3) 28:5,15,20	
workgroup (1) 18:25	2016 (1) 15:10	9	
working (2) 20:7;28:4	20th (1) 15:15	9.0 (1) 28:19	
worse-case (2) 30:25;31:20	23rd (1) 15:17	97083 (1) 34:22	
worst-case (1) 30:21	24 (1) 4:6		
Y	244 (1) 19:13		
ya'll (4) 5:21;17:6;31:4; 33:15	247 (1) 17:12		
year (16) 6:19;8:23;11:4,10, 15;14:9;15:9,10;17:9, 11;18:10,13;23:11; 24:24,25;25:10	24th (1) 6:4		
years (4) 23:12;30:10;32:6,16	26th (1) 15:25		
Z	277 (1) 19:15		
zero (1) 23:12	28 (2) 18:11;34:4		
0	28.54 (1) 22:9		
08 (1) 23:7	287 (1) 17:11		
09 (1) 23:7	3		
1	30 (2) 14:8;31:12		
1.5 (2) 29:20;30:11	30th (3) 6:21;11:12;17:21		
1:34 (1) 33:17	37 (1) 18:14		
117 (1) 18:2	4		
12 (1) 25:11	40 (1) 31:12		
13 (2) 14:24;25:11	43 (1) 18:14		
1434b (1) 34:5	5		
	59 (1) 17:15		

In The Matter Of:

*DEPARTMENT OF ENVIRONMENTAL QUALITY
MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND*

*MEETING
August 20, 2015*

*Associated Reporters, Incorporated
225-216-2036*

This Page Intentionally Left Blank

Page 1

1
2
3 STATE OF LOUISIANA
4 DEPARTMENT OF ENVIRONMENTAL QUALITY
5 MOTOR FUELS UNDERGROUND STORAGE TANK TRUST
6 FUND ADVISORY BOARD
7
8
9
10
11
12 The above-entitled meeting was held at the
13 LDEQ, Galvez Building, Conference Center, 602
14 North 5th Street, Baton Rouge, Louisiana,
beginning at 1:08 p.m., on August 20, 2015.
15
16
17
18
19 BEFORE:
20 Lori B. Overland
21 Certified Court Reporter
22 In and For the State of
23 Louisiana
24
25

Page 2

1 APPEARANCES
2
3 Kerry Hill
Chairman
4 Durwood Franklin
5 Jeff Baker
6 Gary Fulton
7 Shawn Ivey
8 Karyn Andrews
9 Cy Morin
10 Frank Marcello
11 Perry Theriot
12 Nick St. Romain
13
14
15
16
17
18
19
20
21
22
23
24
25
Melissa Vizinat
Jason Efferson
Ian Kelley
Heather Pettus
Meagan Arnold
Natalie Isaacks
Jennifer Boudreaux
* * * * *

Page 3

I N D E X

1
2
3 EXAMINATION: PAGE (S) :
4 None
5
6 EXHIBITS:
7 None
8
9 REPORTER'S PAGE 34
10 REPORTER'S CERTIFICATE 35
11
12 * * * * *
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 4

1 * * * * *
2 MR. HILL:
3 I would like to call this meeting to
4 order. Could we have a roll -- roll call
5 and consideration and adoption of the June
6 24, 2015 board minutes.
7 Start with (indicating).
8 MR. FRANKLIN:
9 Durwood Franklin, DEQ Trust Fund.
10 MR. BAKER:
11 Jeff Baker, DEQ Trust Fund.
12 MR. THERIOT:
13 Perry Theriot, DEQ Legal.
14 MR. FULTON:
15 Gary Fulton, UST Administrator.
16 MR. IVEY:
17 Shawn Ivey, PPM Consultants.
18 MR. HILL:
19 Kerry Hill, Louisiana Oil Marketers.
20 MR. ST. ROMAIN:
21 Nick St. Romain, Louisiana Oil
22 Marketers.
23 MR. MARCELLO:
24 Frank Marcello, Louisiana Oil
25 Marketers.

Page 5

1 MS. ANDREWS:
2 Karyn Andrews, DEQ Financial Services.
3 MR. MORIN:
4 Cy Morin, DEQ Audit.
5 MS. VIZINAT:
6 Melissa Vizinat, DEQ Trust Fund.
7 MR. McNEELY:
8 Chance McNeely, DEQ Assistant
9 Secretary over the Office of Environmental
10 Compliance.
11 MS. ISAACKS:
12 Natalie Isaacks, Louisiana Oil
13 Marketers.
14 MR. EFFERSON:
15 Jason Efferson, DEQ Trust Fund.
16 MS. ARNOLD:
17 Meagan Arnold, Trust Fund.
18 MR. KELLEY:
19 Ian Kelley, DEQ Trust Fund.
20 MR. HILL:
21 Thank ya'll.
22 At this time, we'd like to ask Karyn
23 Andrews for the financial service report.
24 MS. ANDREWS:
25 Do we want to adopt the minutes,

Page 6

1 first?
2 MR. HILL:
3 Oh, I'm sorry. Yes. We would like to
4 adopt the last board meeting, June 24th,
5 board minutes.
6 MR. MARCELLO:
7 So moved, Mr. Chair.
8 MR. IVEY:
9 Second.
10 MR. HILL:
11 First by Frank Marcello and second by
12 Shawn Ivey.
13 Now, at this time, can I ask Karyn
14 Andrews to give us the financial service
15 report?
16 MS. ANDREWS:
17 Thank you. Good afternoon. And we're
18 going to flip to tab three.
19 At the beginning of the year, we had
20 transferred \$70,252,211 into the trust fund.
21 As of June 30th, we made deposits totaling
22 \$22,778,627. Total disbursements for sites
23 equals \$10,529,855. We also made an
24 additional deposit into the fund, which were
25 covered cost from the Department of Justice

Page 7

1 legal fees. That was an additional deposit
2 into the fund of \$2,052,369. Current
3 liabilities on the sites now stand at
4 \$74,244,826. This leaves a balance after
5 our obligations of \$3,798,458.
6 Does anybody have any questions about
7 this page?
8 MR. MARCELLO:
9 Would you kindly explain what -- what
10 you classify as a -- a warrant from fund?
11 MS. ANDREWS:
12 That's where we actually pull the
13 money out of the Motor Fuel Trust Fund and
14 pay to the RACs --
15 MR. MARCELLO:
16 Okay.
17 MS. ANDREWS:
18 -- for the remediation of the site.
19 MR. MARCELLO:
20 Okay.
21 MS. ANDREWS:
22 That's what those are.
23 MR. MARCELLO:
24 And D-O -- Department of Justice
25 reimbursement, would that classify as what

Page 8

1 we went into executive session last time
2 for?
3 MS. ANDREWS:
4 That would be correct.
5 MR. MARCELLO:
6 Yes.
7 MS. ANDREWS:
8 We recouped the legal fees back into
9 the fund that had been paid out.
10 MR. MARCELLO:
11 Thank you very much.
12 MS. ANDREWS:
13 Okay.
14 You can go ahead and turn the page.
15 This is an information report for the
16 interest revenue from the trust fund. And
17 interest collected since inception of the
18 program is at \$6,675,116. Expenditures out
19 of the program for interest revenue were
20 \$1,229,930. And it would be noted that
21 there were no expenditures from this
22 interest revenue designated for the cleanup
23 of abandon tanks in fiscal year 2015.
24 If you'll go ahead and turn the page,
25 unless anyone has some questions.

Page 9

1 MR. MARCELLO:
2 Just to clear up in my mind,
3 reimbursement received, Randazzo's Amoco
4 site cost, if -- I know that location. This
5 property was sold. That -- those monies
6 were derived from the sale and --
7 MS. ANDREWS:
8 These are -- this is actually the
9 expenditures that we made from the fund.
10 Oh, you're talking about the --
11 MR. MARCELLO:
12 Yeah.
13 MS. ANDREWS:
14 -- recoupment.
15 MR. MARCELLO:
16 Yes, ma'am.
17 MS. ANDREWS:
18 It -- that could be. I could go get
19 some -- some specific details and -- and --
20 MR. MARCELLO:
21 But wouldn't that -- wouldn't that --
22 MS. ANDREWS:
23 It -- it -- that's -- in all
24 likelihood, it could be. Durwood, do you
25 know any information about that specific --

Page 10

1 MR. FRANKLIN:
2 That -- that, I don't know, as far as
3 --
4 MR. MARCELLO:
5 Any time it comes in, it has to be
6 the site was either sold or what have you,
7 so --
8 MS. ANDREWS:
9 That is correct.
10 MR. MARCELLO:
11 Okay.
12 MS. ANDREWS:
13 They have to be abandon sites to be
14 eligible for the money. So we would -- we
15 may've recovered some -- some of it --
16 recouped the cost from owners or through the
17 American Recovery and Reinvestment Act. I'm
18 not sure which one of those. And I can get
19 you that specific, if you'd like it so you
20 can have it.
21 MR. MARCELLO:
22 Not necessary. Thank you.
23 MS. ANDREWS:
24 Okay. So on the next page, this
25 report details how we calculate the amount

Page 11

1 transferred from the Motor Fuel Trust Fund
2 to the Environmental Trust Fund. We've got
3 details of revenues and expenditures. And
4 we have closed out the fiscal year of 2015.
5 Reimbursements to the Environmental Trust
6 Fund total \$5,327,246. That's the total
7 amount that was transferred to reimburse the
8 Environmental Trust Fund for expenses.
9 And again, we have closed the books
10 out for the year. We are finishing up our
11 financial statements right now. And they
12 will be completed before September 30th and
13 referred to the legislative auditor. And so
14 we would anticipate, it'll be towards the
15 end of the year. And we'll have a board
16 meeting before then with those final
17 financial statements before we -- before
18 they come in for their audit.
19 Does anybody have any questions?
20 MR. MARCELLO:
21 I have another question, please.
22 MS. ANDREWS:
23 Sure.
24 MR. MARCELLO:
25 On the first page, you were referring

Page 12

1 to liability on current sites. That
2 includes monies paid as well as allocated
3 monies, as well?
4 MS. ANDREWS:
5 That would be sites that we have
6 already determined as eligible that we know
7 have the potential or cost that will become
8 --
9 MR. MARCELLO:
10 Correct.
11 MS. ANDREWS:
12 -- liable on the site. We have a --
13 we have a determination on how we come up
14 with this calculation.
15 MR. MARCELLO:
16 Correct.
17 MS. ANDREWS:
18 And I think Jeff may talk a little bit
19 more --
20 MR. MARCELLO:
21 Thank you.
22 MS. ANDREWS:
23 -- when he --
24 MR. MARCELLO:
25 Okay.

Page 13

1 MS. ANDREWS:
2 -- does his presentation. But we do
3 recalculate this on a quarterly basis to
4 update this. We go back and we look at all
5 the sites that are out there to ensure that
6 we have the correct liability for the fund.
7 Thank you.
8 MR. HILL:
9 Okay. Do we have anymore questions
10 related to the financial statements that
11 Karyn just delivered?
12 (No response.)
13 MR. HILL:
14 If not, do I hear a motion to accept
15 them?
16 MR. MARCELLO:
17 So moved, Mr. Chairman.
18 MR. HILL:
19 Do I have a second?
20 MR. IVEY:
21 Second.
22 MR. HILL:
23 Okay. We got a first by Frank and a
24 second by Shawn. So thank you, Karyn.
25 MS. ANDREWS:

Page 14

1 Thank you.
2 MR. HILL:
3 At this time, we'd like item number
4 four, auditor's status report by Cy Morin.
5 MR. MORIN:
6 Yes, sir.
7 Please turn to tab four. This two-
8 page report details 30 open motor fuel cases
9 initiated since fiscal year 2013.
10 One case has been sent to legal, as
11 indicated in the status column. One case
12 has been sent to legal for collection of
13 \$4,016.58. A default judgment was entered
14 against the defendant on April 14th. The
15 next step is to enter the confirmation.
16 We are awaiting payment for two cases
17 totaling \$4,973.13.
18 Followup is in progress on one case
19 for additional documentation clarification.
20 Eighteen cases are under review or
21 awaiting review. Pending final review,
22 these represent one potential credit of
23 \$3,292.22; four potential assessments
24 totaling \$751.68; and 13 potential clean
25 audits with no assessment.

Page 15

1 Six cases are still in progress,
2 representing three potential assessments
3 totaling \$11,972.12 of which \$9,700.70 has
4 been collected, as indicated on the second
5 page.
6 Three potential clean audits with no
7 assessment, as well.
8 And finally, two cases have been
9 started or scheduled so far for fiscal year
10 2016. We plan to do 18 again in fiscal year
11 '16.
12 Go ahead and turn the page. Four
13 cases are being pursued legally. The first
14 case listed -- for the first case listed,
15 the petition was filed on July 20th.
16 Service was made on -- on the defendant on
17 July 23rd. And the defendant filed an
18 answer on August 14th. The second case
19 listed, legal has sent an Office of Debt
20 Recovery notice letter to the business
21 owner, which states that the department can
22 allow the business to make payments. If the
23 business misses a payment and 60 days
24 have lapsed, legal will refer it to the
25 Office of Debt Recovery. On June 26th,

Page 16

1 2015, the third case listed was also mailed
2 an Office of Debt Recovery 60-day notice
3 letter, and will be referred to the Office
4 of Debt Recovery at the end of the month, if
5 payment is not made. The fourth case listed
6 has already been discussed when discussing
7 the first document.
8 Any questions?
9 MR. HILL:
10 Any questions on the audits for Cy?
11 (No response.)
12 MR. HILL:
13 Do I hear a motion to accept the audit
14 report?
15 MR. ST. ROMAIN:
16 I move.
17 MR. HILL:
18 I've got a motion. Do I hear a
19 second?
20 MR. IVEY:
21 Second.
22 MR. HILL:
23 Motion by Nick. Second by Shawn.
24 Thank you, Cy.
25 MR. MORIN:

Page 17

1 You're welcome.
2 MR. HILL:
3 Item number five, the trust fund
4 status report. That's done by Jeff Baker.
5 MR. BAKER:
6 Yes, sir. Good afternoon. If ya'll
7 will turn to tab five in your packets.
8 These are the figures for the fourth quarter
9 of fiscal year 2015.
10 During the fourth quarter of fiscal
11 year 2015, the trust fund received 287
12 applications, totaling \$3,895,498. 247
13 applications were processed for payment
14 during the fiscal quarter, totaling
15 \$3,244,931. And 59 applications were
16 returned with deficiencies.
17 For sites in the corrective action
18 phase, the outstanding liability for the
19 corrective action plan budget and estimated
20 cost to reach closure at the end of June
21 30th, 2015 was \$30,514,975.
22 The additional obligation recognized
23 for the non-capped sites, plus the projected
24 motor fuel trust fund to environmental trust
25 fund transfer is \$43,033,802.

Page 18

1 As of the end of June 2015, the trust
2 fund had 117 pending applications to
3 process, which had requested amounts of
4 \$1,439,504. Of this amount, the estimated
5 requested obligations relating to CAP
6 budgets and closure costs was \$743,455.
7 If you'll note the legal-sized page,
8 the last page of your packets. The number
9 of trust fund sites that have received the
10 no further action status for fiscal year
11 2015 was 28 sites. The number of potential
12 trust fund sites that were reviewed and made
13 eligible during the current fiscal year was
14 37, which represented 43 active releases or
15 incidents.
16 Just some points of interest. The
17 trust fund is continuing to work on the
18 draft of the next revision of the motor fuel
19 trust fund cost control guidance document.
20 Our review of the current document has
21 revealed a number of issues and
22 modifications needing to be addressed.
23 Several of these have been documented and
24 will be provided to the guidance document
25 workgroup within the next couple of weeks.

Page 19

1 Our goal is to seek their assistance and
2 guidance on how best to address these
3 concerns and modifications. Once these
4 issues have been resolved, we will be moving
5 forward, providing a draft document to the
6 board for their review.
7 Also, the trust fund has lost two of
8 our application reviewers, and has recently
9 hired two new reviewers, Ms. Tracy Vidrine
10 and Ms. Meagan Arnold. Tracy was not able
11 to be here today, but Meagan is out in the -
12 - in the crowd.
13 Senate Bill 244 was passed by the
14 legislature and was signed by the Governor,
15 becoming Act 277. This act increases the
16 national dollars available for the eligible
17 releases cleanup from one million to one
18 point five million dollars.
19 Board members were asked to provide
20 feedback to Secretary Hatch after the last
21 board meeting, relating to how best
22 implement the new law. This information was
23 reviewed and Secretary Hatch sent out
24 letters to the board, documenting the
25 department's approach towards implementation

Page 20

1 of the new maximum rate. The option that
2 was chosen was the most inclusive, allowing
3 existing sites approaching the current cap
4 to participate, thus extending their
5 available maximum expenditures to one point
6 five million dollars.
7 The trust fund has been working to
8 develop a more accurate approach to the
9 determination of potential obligation
10 liabilities towards the trust fund, as Mr.
11 Marcello, you were asking about earlier.
12 This new methodology will include several
13 potential liabilities not currently
14 included. In order to get the board's input
15 on this new approach, we will be sending out
16 our draft versions of this new approach,
17 along with the supporting documentation to
18 the board members within the next couple of
19 weeks. And we seek -- we will be seeking
20 your -- the board's opinions and review.
21 That concludes my comments. Does
22 anybody have any questions?
23 MR. HILL:
24 Thank you, Jeff.
25 (An off-the-record discussion followed.)

Page 21

1 MR. HILL:
2 Thank you, Jeff, for that report.
3 We'll go to number six now, the third
4 party claim status. Perry, if you don't
5 mind.
6 MR. THERIOT:
7 I'm happy to report, we have received
8 no new third party claims in the last
9 quarter. And we have no new developments
10 that was not reported on in the previous
11 meeting. So we're doing fine on that.
12 MR. HILL:
13 That's good.
14 Does anybody have any questions?
15 MR. MARCELLO:
16 Regarding? In general?
17 MR. HILL:
18 In general, regarding Mr. Perry's
19 report?
20 MR. MARCELLO:
21 No.
22 MR. HILL:
23 Or, anything else, in general, at this
24 time?
25 MR. MARCELLO:

Page 22

1 I have a couple.
2 MR. HILL:
3 Okay. Frank?
4 MR. MARCELLO:
5 I want to go back to the financials,
6 please. I had a question mark and I forgot
7 to ask about it.
8 Would you -- on the third page of your
9 report, Ms. Andrews, indirect cost, 28.54
10 percent of personnel costs --
11 MS. ANDREWS:
12 Yes.
13 MR. MARCELLO:
14 -- what is in -- what do you classify
15 as an indirect cost?
16 MS. ANDREWS:
17 Okay. So the underground storage tank
18 charges that we have are -- only include
19 salaries and related benefits. We do not
20 direct charge any other expenses to this
21 program. And rather than going and trying
22 to determine, piecemeal, fuel, electricity,
23 cost of IT components, we use an indirect
24 cost rate. DEQ submits this indirect cost
25 rate proposal for a cognizant federal agency

Page 23

1 to approve and review on an annual basis.
2 And we use one half of that approved rate
3 for a cost recovery from the trust fund for
4 environmental trust fund overhead expenses.
5 MR. MARCELLO:
6 Okay. Which would lead me to -- if --
7 if you follow the pattern of '08 and '09 --
8 MS. ANDREWS:
9 Yes.
10 MR. MARCELLO:
11 -- fiscal year and all of a sudden,
12 two years ago, it -- it went from zero to
13 one --
14 MS. ANDREWS:
15 That's correct.
16 MR. MARCELLO:
17 -- million and then --
18 MS. ANDREWS:
19 And prior to -- this was before you
20 became a board member.
21 MR. MARCELLO:
22 Yes, ma'am.
23 MS. ANDREWS:
24 We had a lot of discussions on this
25 very topic, and -- and achieved agreement

Page 24

1 and guidance with the board before we
2 implemented this. In the -- in the past, we
3 use to attempt to direct charge things to
4 the underground tanks. And we did not get
5 nearly any -- I don't want to say any. We
6 didn't get nearly all of the direct --
7 indirect expenditures --
8 MR. MARCELLO:
9 Correct.
10 MS. ANDREWS:
11 -- back and recouped, because we were
12 really only charging salaries and related
13 benefits to this program. And we have rent
14 to pay on all of our regional offices. Here
15 at headquarters, we've got IT costs and
16 things of that nature. And the only way to
17 recoup those is using an overhead or
18 indirect rate. And so what we did -- and we
19 came to the board and we had a lot of
20 discussions about it over probably three
21 meetings, and rather than the little bits
22 that we were able to direct charge, they
23 agreed to allow us to use one half of our
24 approved rate. And every year, we get a new
25 rate. And I believe this year, it's about

Page 25

1 61 percent, so we would, again, do half of
2 that rate --
3 MR. MARCELLO:
4 Okay.
5 MS. ANDREWS:
6 -- rather than the entire rate.
7 MR. MARCELLO:
8 Thank you.
9 MS. ANDREWS:
10 And that's the reason at fiscal year
11 '12 to '13, you see it was nothing --
12 MR. MARCELLO:
13 Right.
14 MS. ANDREWS:
15 -- and then it went up.
16 MR. MARCELLO:
17 Right. Okay.
18 Mr. Chairman, I have two other matters
19 before the UST board. Item A, I understand
20 that the five parish non-attainment area is
21 now in attainment; am I correct?
22 MR. THERIOT:
23 I -- I don't -- I don't believe we've
24 received official notification. We've
25 applied to be told that we're in attainment

Page 26

1 --
2 MR. MARCELLO:
3 Which is where -- right.
4 MR. THERIOT:
5 -- is my understanding.
6 MR. MARCELLO:
7 Right. And my point is, if we -- if
8 we are and it was on the news and what have
9 you and -- sometime ago, and my point is, I
10 would like to see the Louisiana Department
11 of Environmental Quality apply, ask,
12 whatever means possible to EPA to get that
13 designation sent to us.
14 MR. THERIOT:
15 I think that has been done.
16 MR. MARCELLO:
17 Okay.
18 MR. THERIOT:
19 That's my understanding. And we are
20 anxiously awaiting. And I believe that
21 there may have actually been some legal
22 action taken by the Attorney General, but I
23 -- I -- Office to -- it's tied up with the
24 SIP, which is our State Implementation Plan.
25 MR. MARCELLO:

Page 27

1 Right.
2 MR. THERIOT:
3 And -- and with the attainment versus
4 non-attainment, it's my understanding that
5 we've done what we can do to get EPA to make
6 -- make their move. So --
7 MR. MARCELLO:
8 Good. It's something I was concerned
9 about.
10 MR. THERIOT:
11 We're -- we're aware of it --
12 MR. MARCELLO:
13 I was following up on it.
14 MR. THERIOT:
15 Yes.
16 MR. MARCELLO:
17 All right. Thank you.
18 The next thing I have is, I want to
19 read a prepared statement, if you will. I
20 am Chairman of the Executive -- I'm sorry,
21 of the Environmental Committee for the
22 Louisiana Department -- the Louisiana Oil
23 Marketers Association. And I'll just read
24 this, please.
25 I would like to advise Louisiana

Page 28

1 Department of Environmental Quality UST
2 Division that -- excuse me -- Louisiana Oil
3 Marketers and Convenience Store Association
4 is working to provide the LDEQ with an RVP
5 technical demonstration to eliminate the 7.8
6 RVP requirement in 16 parishes.
7 Currently, all the data is being
8 collected and prepared to complete the
9 demonstration, which will be submitted to
10 Louisiana Department of Environmental
11 Quality next month. We are then hopeful
12 that you, as LDEQ, will then petition EPA to
13 allow a revision to our state implementation
14 -- to -- to our SIP plan to eliminate the
15 7.8 RVP requirement.
16 And I wanted to read that and just put
17 it in the record.
18 So away from that statement, we -- as
19 you know, we have what we call that RVP 9.0
20 and 7.8 gas. It's effecting a lot of our
21 marketers in -- in areas that are -- that --
22 that have boundaries next to non-attainment
23 areas -- I'm sorry, attainment versus non-
24 attainment areas. And it -- it becomes a --
25 MR. HILL:

Page 29

1 Challenge.
2 MR. MARCELLO:
3 -- a challenge, if you will, marketing
4 petroleum products. So some other states
5 have done it. So other state agencies have
6 done it on behalf of their marketing
7 associations, and Louisiana Oil Marketers is
8 currently trying to get this information up
9 to EPA through DEQ so we can eliminate that
10 RVP requirement.
11 Thank you so much.
12 MR. HILL:
13 Thank you, Frank. Good information.
14 Does anybody else have any questions
15 or any comments they'd like to make at this
16 time?
17 MR. ST. ROMAIN:
18 I've got one question. Is the -- the
19 outstanding balances on, I guess, future
20 damages, is that adjusted for the new 1.5
21 million dollar CAP?
22 MR. BAKER:
23 The calculation doesn't take that into
24 consideration. It looks at existing
25 expenditures and compares that to new sites.

Page 30

1 But most sites don't actually ever reach
2 that point.
3 MR. ST. ROMAIN:
4 Right.
5 MR. BAKER:
6 We did look at that when we were
7 making our comments to the legislative. But
8 when we were doing our calculations, we
9 actually look at an average cost of closed
10 sites over the last three years. And since
11 most of them didn't reach the 1.5, then that
12 doesn't really come into play. Over time,
13 that average, as those -- as we have more
14 and more sites that go over the million
15 dollars, that average will adjust up. So
16 over time, that will come into play, but not
17 right now.
18 MR. ST. ROMAIN:
19 Okay. Thank you.
20 MR. HILL:
21 It's just a worst-case scenario, isn't
22 it, Jeff? I mean -- or maybe a CAP, or I
23 don't know.
24 MR. BAKER:
25 Well, it's really not a worse-case.

Page 31

1 We -- we try to emulate what is actually
2 happening, we look at the average cost of
3 the sites. We we're -- the changes that
4 we're going to be sending ya'll, we found
5 that a number of the sites were not being
6 included in the calculation. Just to give
7 you an example of that, right now, any site
8 that we had determined to be eligible but
9 had not submitted a request for
10 expenditures, were not being included in the
11 calculation. And right now, I think we have
12 30 or 40 sites like that. So when we were
13 calculating our average cost, they were not
14 included at all in that obligation. So
15 that's going to increase it fairly
16 substantially. So -- and that's just one
17 example. We -- we've addressed two or three
18 things like that. And we're trying to make
19 it a more accurate depiction. Not really as
20 much of a worse-case but as more of a more
21 accurate depiction of what's going on.
22 MS. ANDREWS:
23 And I think we would hope that the
24 cost control document that we currently have
25 in place would not artificially change the

Page 32

1 maximums that we would be seeing that
2 substantially.
3 Jeff, how many sites have actually
4 reached the million dollars?
5 MR. BAKER:
6 In the last three years, I think we
7 had two, maybe three.
8 MS. ANDREWS:
9 So the likelihood that that would
10 really be effecting the CAP may -- may not
11 be as -- as -- as an indicator of that.
12 MR. HILL:
13 Yes.
14 MS. ANDREWS:
15 It could be. But we're not going to
16 know until we get several years into it.
17 MR. BAKER:
18 We would anticipate -- there's some --
19 somewhere around the order of 15 or 16 sites
20 that are over the \$900,000 mark. We would
21 anticipate them to kind of get in more
22 active basis and -- and we'll see those
23 quickly approaching that number.
24 MR. HILL:
25 Okay. Do we have anymore questions or

1 comments?
 2 (No response.)
 3 MR. HILL:
 4 If not, do I -- or any other business
 5 we want to discuss?
 6 (No response.)
 7 MR. HILL:
 8 If not, at this time, do I hear a
 9 motion to adjourn?
 10 MR. IVEY:
 11 Motion to adjourn.
 12 MR. MARCELLO:
 13 Second.
 14 MR. HILL:
 15 Okay. Thank ya'll for the productive
 16 meeting. Until we meet again.
 17 THE MEETING ADJOURNED AT 1:34 P.M.
 18 * * * * *
 19
 20
 21
 22
 23
 24
 25

1 REPORTER'S PAGE
 2 I, Lori B. Overland, Certified Court
 3 Reporter, in and for the State of Louisiana, the
 4 officer, as defined in Rule 28 of the Federal
 5 Rules of Civil Procedure and/or Article 1434(b)
 6 of the Louisiana code of Civil Procedure, before
 7 whom this sworn testimony was taken, do hereby
 8 state on the Record
 9 That due to the interaction in the
 10 spontaneous discourse of this proceeding, dashes
 11 (--) have been used to indicate pauses, changes
 12 in thought, and/or talk overs; that same is the
 13 proper method for a Court Reporters's
 14 transcription of proceeding, and that the dashes
 15 (--) do not indicated that words or phrases have
 16 been left out of this transcript;
 17 That any words and/or names which could not
 18 be verified through reference material have been
 19 denoted with the phrase "(inaudible)."
 20
 21 _____
 22 Lori Overland, C.C.R.
 23 # 97083
 24
 25

1 CERTIFICATION
 2 I, Lori B. Overland, Certified Court Reporter in
 3 and for the State of Louisiana, as the officer
 4 before whom this testimony was taken, do hereby
 5 certify that the above referenced individual to whom
 6 oath was administered, after having been duly sworn
 7 by me upon authority of R.S. 37:2554, did testify as
 8 hereinbefore set forth in the foregoing pages, that
 9 this testimony was reported by me in the stenomask
 10 reporting method, was prepared and transcribed by me
 11 or under my personal direction and supervision, and
 12 is a true and correct transcript to the best of my
 13 ability and understanding; that the transcript has
 14 been prepared in compliance with transcript format
 15 guidelines required by statute or by rules of the
 16 board, that I have acted in compliance with the
 17 prohibition on contractual relationships, as defined
 18 by Louisiana Code of Civil Procedure Article 1434
 19 and in rules and advisory opinions of the board;
 20 that I am not related to counsel or to the parties
 21 herein, nor am I otherwise interested in the outcome
 22 of this matter.
 23
 24 _____
 25 Lori Overland C.C.R.
 # 97083

This Page Intentionally Left Blank

7:10 way (1) 24:16	14th (2) 14:14;15:18	6	
weeks (2) 18:25;20:19	15 (1) 32:19	60 (1) 15:23	
welcome (1) 17:1	16 (3) 15:11;28:6;32:19	60-day (1) 16:2	
what's (1) 31:21	18 (1) 15:10	61 (1) 25:1	
within (2) 18:25;20:18	2	7	
words (2) 34:15,17	2013 (1) 14:9	7.8 (3) 28:5,15,20	
work (1) 18:17	2015 (9) 4:6;8:23;11:4;16:1; 17:9,11,21;18:1,11	9	
workgroup (1) 18:25	2016 (1) 15:10	9.0 (1) 28:19	
working (2) 20:7;28:4	20th (1) 15:15	97083 (1) 34:22	
worse-case (2) 30:25;31:20	23rd (1) 15:17		
worst-case (1) 30:21	24 (1) 4:6		
Y	244 (1) 19:13		
ya'll (4) 5:21;17:6;31:4; 33:15	247 (1) 17:12		
year (16) 6:19;8:23;11:4,10, 15;14:9;15:9,10;17:9, 11;18:10,13;23:11; 24:24,25;25:10	24th (1) 6:4		
years (4) 23:12;30:10;32:6,16	26th (1) 15:25		
Z	277 (1) 19:15		
zero (1) 23:12	28 (2) 18:11;34:4		
0	28.54 (1) 22:9		
08 (1) 23:7	287 (1) 17:11		
09 (1) 23:7	3		
1	30 (2) 14:8;31:12		
1.5 (2) 29:20;30:11	30th (3) 6:21;11:12;17:21		
1:34 (1) 33:17	37 (1) 18:14		
117 (1) 18:2	4		
12 (1) 25:11	40 (1) 31:12		
13 (2) 14:24;25:11	43 (1) 18:14		
1434b (1) 34:5	5		
	59 (1) 17:15		

15:24 reference (1) 34:18 referred (2) 11:13;16:3 referring (1) 11:25 Regarding (2) 21:16,18 regional (1) 24:14 reimburse (1) 11:7 reimbursement (2) 7:25;9:3 Reimbursements (1) 11:5 Reinvestment (1) 10:17 related (3) 13:10;22:19;24:12 relating (2) 18:5;19:21 releases (2) 18:14;19:17 remediation (1) 7:18 rent (1) 24:13 report (12) 5:23;6:15;8:15; 10:25;14:4,8;16:14; 17:4;21:2,7,19;22:9 reported (1) 21:10 Reporter (1) 34:3 Reporters's (1) 34:13 represent (1) 14:22 represented (1) 18:14 representing (1) 15:2 request (1) 31:9 requested (2) 18:3,5 requirement (3) 28:6,15;29:10 resolved (1) 19:4 response (4) 13:12;16:11;33:2,6 returned (1) 17:16 revealed (1) 18:21 revenue (3) 8:16,19,22 revenues (1) 11:3	review (7) 14:20,21,21;18:20; 19:6;20:20;23:1 reviewed (2) 18:12;19:23 reviewers (2) 19:8,9 revision (2) 18:18;28:13 right (11) 11:11;25:13,17;26:3, 7;27:1,17;30:4,17; 31:7,11 roll (2) 4:4,4 ROMAIN (6) 4:20,21;16:15;29:17; 30:3,18 Rule (1) 34:4 Rules (1) 34:5 RVP (5) 28:4,6,15,19;29:10	8:1 Several (3) 18:23;20:12;32:16 Shawn (4) 4:17;6:12;13:24; 16:23 signed (1) 19:14 SIP (2) 26:24;28:14 site (5) 7:18;9:4;10:6;12:12; 31:7 sites (21) 6:22;7:3;10:13;12:1, 5;13:5;17:17,23;18:9, 11,12;20:3;29:25;30:1, 10,14;31:3,5,12;32:3, 19 Six (2) 15:1;21:3 sold (2) 9:5;10:6 sometime (1) 26:9 somewhere (1) 32:19 sorry (3) 6:3;27:20;28:23 specific (3) 9:19,25;10:19 spontaneous (1) 34:10 ST (6) 4:20,21;16:15;29:17; 30:3,18 stand (1) 7:3 Start (1) 4:7 started (1) 15:9 State (5) 26:24;28:13;29:5; 34:3,8 statement (2) 27:19;28:18 statements (3) 11:11,17;13:10 states (2) 15:21;29:4 status (5) 14:4,11;17:4;18:10; 21:4 step (1) 14:15 still (1) 15:1 storage (1) 22:17 Store (1) 28:3 submits (1)	22:24 submitted (2) 28:9;31:9 substantially (2) 31:16;32:2 sudden (1) 23:11 supporting (1) 20:17 sure (2) 10:18;11:23 sworn (1) 34:7	transfer (1) 17:25 transferred (3) 6:20;11:1,7 Trust (27) 4:9,11;5:6,15,17,19; 6:20;7:13;8:16;11:1,2, 5,8;17:3,11,24,24;18:1, 9,12,17,19;19:7;20:7, 10;23:3,4 try (1) 31:1 trying (3) 22:21;29:8;31:18 turn (5) 8:14,24;14:7;15:12; 17:7 two (8) 14:16;15:8;19:7,9; 23:12;25:18;31:17; 32:7 two- (1) 14:7	
	S		T		
	salaries (2) 22:19;24:12 sale (1) 9:6 same (1) 34:12 scenario (1) 30:21 scheduled (1) 15:9 Second (11) 6:9,11;13:19,21,24; 15:4,18;16:19,21,23; 33:13 Secretary (3) 5:9;19:20,23 seeing (1) 32:1 seek (2) 19:1;20:19 seeking (1) 20:19 Senate (1) 19:13 sending (2) 20:15;31:4 sent (5) 14:10,12;15:19; 19:23;26:13 September (1) 11:12 service (3) 5:23;6:14;15:16 Services (1) 5:2 session (1)		tab (3) 6:18;14:7;17:7 talk (2) 12:18;34:12 talking (1) 9:10 tank (1) 22:17 tanks (2) 8:23;24:4 technical (1) 28:5 testimony (1) 34:7 THERIOT (10) 4:12,13;21:6;25:22; 26:4,14,18;27:2,10,14 third (4) 16:1;21:3,8;22:8 thought (1) 34:12 three (8) 6:18;15:2,6;24:20; 30:10;31:17;32:6,7 thus (1) 20:4 tied (1) 26:23 today (1) 19:11 told (1) 25:25 topic (1) 23:25 Total (3) 6:22;11:6,6 totaling (6) 6:21;14:17,24;15:3; 17:12,14 towards (3) 11:14;19:25;20:10 Tracy (2) 19:9,10 transcript (1) 34:16 transcription (1) 34:14	U	under (1) 14:20 underground (2) 22:17;24:4 unless (1) 8:25 up (8) 9:2;11:10;12:13; 25:15;26:23;27:13; 29:8;30:15 update (1) 13:4 use (4) 22:23;23:2;24:3,23 used (1) 34:11 using (1) 24:17 UST (3) 4:15;25:19;28:1
				V	
				verified (1) 34:18 versions (1) 20:16 versus (2) 27:3;28:23 Vidrine (1) 19:9 VIZINAT (2) 5:5,6	
				W	
				warrant (1)	

18:22;19:3 money (2) 7:13;10:14 monies (3) 9:5;12:2,3 month (2) 16:4;28:11 more (8) 12:19;20:8;30:13,14; 31:19,20,20;32:21 MORIN (5) 5:3,4;14:4,5;16:25 most (3) 20:2;30:1,11 motion (6) 13:14;16:13,18,23; 33:9,11 Motor (5) 7:13;11:1;14:8; 17:24;18:18 move (2) 16:16;27:6 moved (2) 6:7;13:17 moving (1) 19:4 much (3) 8:11;29:11;31:20	note (1) 18:7 noted (1) 8:20 notice (2) 15:20;16:2 notification (1) 25:24 number (8) 14:3;17:3;18:8,11, 21;21:3;31:5;32:23	owner (1) 15:21 owners (1) 10:16	15:10;17:19;26:24; 28:14 play (2) 30:12,16 please (4) 11:21;14:7;22:6; 27:24 plus (1) 17:23 PM (1) 33:17 point (5) 19:18;20:5;26:7,9; 30:2 points (1) 18:16 possible (1) 26:12 potential (9) 12:7;14:22,23,24; 15:2,6;18:11;20:9,13 PPM (1) 4:17 prepared (2) 27:19;28:8 presentation (1) 13:2 previous (1) 21:10 prior (1) 23:19 probably (1) 24:20 Procedure (2) 34:5,6 proceeding (2) 34:10,14 process (1) 18:3 processed (1) 17:13 productive (1) 33:15 products (1) 29:4 program (4) 8:18,19;22:21;24:13 progress (2) 14:18;15:1 projected (1) 17:23 proper (1) 34:13 property (1) 9:5 proposal (1) 22:25 provide (2) 19:19;28:4 provided (1) 18:24 providing (1) 19:5	pull (1) 7:12 pursued (1) 15:13 put (1) 28:16
	O	P		Q
	obligation (3) 17:22;20:9;31:14 obligations (2) 7:5;18:5 Office (6) 5:9;15:19,25;16:2,3; 26:23 officer (1) 34:4 offices (1) 24:14 official (1) 25:24 off-the-record (1) 20:25 Oil (7) 4:19,21,24,5;12; 27:22;28:2;29:7 Once (1) 19:3 one (13) 10:18;14:10,11,18, 22;19:17,17;20:5;23:2, 13;24:23;29:18;31:16 only (3) 22:18;24:12,16 open (1) 14:8 opinions (1) 20:20 option (1) 20:1 order (3) 4:4;20:14;32:19 out (10) 7:13;8:9,18;11:4,10; 13:5;19:11,23;20:15; 34:16 outstanding (2) 17:18;29:19 over (7) 5:9;24:20;30:10,12, 14,16;32:20 overhead (2) 23:4;24:17 Overland (2) 34:2,21 overs (1) 34:12	packets (2) 17:7;18:8 page (11) 7:7;8:14,24;10:24; 11:25;14:8;15:5,12; 18:7,8;22:8 paid (2) 8:9;12:2 parish (1) 25:20 parishes (1) 28:6 participate (1) 20:4 party (2) 21:4,8 passed (1) 19:13 past (1) 24:2 pattern (1) 23:7 pauses (1) 34:11 pay (2) 7:14;24:14 payment (4) 14:16;15:23;16:5; 17:13 payments (1) 15:22 Pending (2) 14:21;18:2 percent (2) 22:10;25:1 Perry (2) 4:13;21:4 Perry's (1) 21:18 personnel (1) 22:10 petition (2) 15:15;28:12 petroleum (1) 29:4 phase (1) 17:18 phrase (1) 34:19 phrases (1) 34:15 piecemeal (1) 22:22 place (1) 31:25 plan (4)		Quality (3) 26:11;28:1,11 quarter (4) 17:8,10,14;21:9 quarterly (1) 13:3 quickly (1) 32:23
				R
N				RACs (1) 7:14 Randazzo's (1) 9:3 rate (9) 20:1;22:24,25;23:2; 24:18,24,25;25:2,6 rather (3) 22:21;24:21;25:6 reach (3) 17:20;30:1,11 reached (1) 32:4 read (3) 27:19,23;28:16 really (5) 24:12;30:12,25; 31:19;32:10 reason (1) 25:10 recalculate (1) 13:3 received (5) 9:3;17:11;18:9;21:7; 25:24 recently (1) 19:8 recognized (1) 17:22 record (2) 28:17;34:8 recoup (1) 24:17 recouped (3) 8:8;10:16;24:11 recoupment (1) 9:14 recovered (1) 10:15 Recovery (6) 10:17;15:20,25;16:2, 4;23:3 refer (1)
names (1) 34:17 Natalie (1) 5:12 national (1) 19:16 nature (1) 24:16 nearly (2) 24:5,6 necessary (1) 10:22 needing (1) 18:22 new (11) 19:9,22;20:1,12,15, 16;21:8,9;24:24;29:20, 25 news (1) 26:8 next (8) 10:24;14:15;18:18, 25;20:18;27:18;28:11, 22 Nick (2) 4:21;16:23 non- (1) 28:23 non-attainment (3) 25:20;27:4;28:22 non-capped (1) 17:23				

14:18 forgot (1) 22:6 forward (1) 19:5 found (1) 31:4 four (4) 14:4,7,23;15:12 fourth (3) 16:5;17:8,10 Frank (5) 4:24;6:11;13:23; 22:3;29:13 FRANKLIN (3) 4:8,9;10:1 Fuel (6) 7:13;11:1;14:8; 17:24;18:18;22:22 FULTON (2) 4:14,15 Fund (33) 4:9,11;5:6,15,17,19; 6:20,24;7:2,10,13;8:9, 16;9:9;11:1,2,6,8;13:6; 17:3,11,24,25;18:2,9, 12,17,19;19:7;20:7,10, 23:3,4 further (1) 18:10 future (1) 29:19	headquarters (1) 24:15 hear (4) 13:14;16:13,18;33:8 hereby (1) 34:7 HILL (30) 4:2,18,19;5:20;6:2, 10;13:8,13,18,22;14:2; 16:9,12,17,22;17:2; 20:23;21:1,12,17,22; 22:2;28:25;29:12; 30:20;32:12,24;33:3,7, 14 hired (1) 19:9 hope (1) 31:23 hopeful (1) 28:11	initiated (1) 14:9 input (1) 20:14 interaction (1) 34:9 interest (5) 8:16,17,19,22;18:16 into (9) 6:20,24;7:2;8:1,8; 29:23;30:12,16;32:16 ISAACKS (2) 5:11,12 issues (2) 18:21;19:4 item (3) 14:3;17:3;25:19 IVEY (7) 4:16,17;6:8,12; 13:20;16:20;33:10	23:6 leaves (1) 7:4 left (1) 34:16 Legal (8) 4:13;7:1;8:8;14:10, 12;15:19,24;26:21 legally (1) 15:13 legal-sized (1) 18:7 legislative (2) 11:13;30:7 legislature (1) 19:14 letter (2) 15:20;16:3 letters (1) 19:24 liabilities (3) 7:3;20:10,13 liability (3) 12:1;13:6;17:18 liable (1) 12:12 likelihood (2) 9:24;32:9 listed (5) 15:14,14,19;16:1,5 little (2) 12:18;24:21 location (1) 9:4 look (4) 13:4;30:6,9;31:2 looks (1) 29:24 Lori (2) 34:2,21 lost (1) 19:7 lot (3) 23:24;24:19;28:20 Louisiana (13) 4:19,21,24;5:12; 26:10;27:22,22,25; 28:2,10;29:7;34:3,6	11:20,24;12:9,15,20, 24;13:16;20:11;21:15, 20,25;22:4,13;23:5,10, 16,21;24:8;25:3,7,12, 16;26:2,6,16,25;27:7, 12,16;29:2;33:12 mark (2) 22:6;32:20 Marketers (7) 4:19,25;5:13;27:23; 28:3,21;29:7 marketing (2) 29:3,6 material (1) 34:18 matters (1) 25:18 maximum (2) 20:1,5 maximums (1) 32:1 may (4) 12:18;26:21;32:10, 10 maybe (2) 30:22;32:7 may've (1) 10:15 McNEELY (2) 5:7,8 Meagan (3) 5:17;19:10,11 mean (1) 30:22 means (1) 26:12 meet (1) 33:16 meeting (7) 4:3;6:4;11:16;19:21; 21:11;33:16,17 meetings (1) 24:21 Melissa (1) 5:6 member (1) 23:20 members (2) 19:19;20:18 method (1) 34:13 methodology (1) 20:12 million (7) 19:17,18;20:6;23:17; 29:21;30:14;32:4 mind (2) 9:2;21:5 minutes (3) 4:6;5:25;6:5 misses (1) 15:23 modifications (2)
	I	J		
	Ian (1) 5:19 implement (1) 19:22 implementation (3) 19:25;26:24;28:13 implemented (1) 24:2 inaudible (1) 34:19 inception (1) 8:17 incidents (1) 18:15 include (2) 20:12;22:18 included (4) 20:14;31:6,10,14 includes (1) 12:2 inclusive (1) 20:2 increase (1) 31:15 increases (1) 19:15 indicate (1) 34:11 indicated (3) 14:11;15:4;34:15 indicating (1) 4:7 indicator (1) 32:11 indirect (6) 22:9,15,23,24;24:7, 18 information (5) 8:15;9:25;19:22; 29:8,13	Jason (1) 5:15 Jeff (7) 4:11;12:18;17:4; 20:24;21:2;30:22;32:3 judgment (1) 14:13 July (2) 15:15,17 June (6) 4:5;6:4,21;15:25; 17:20;18:1 Justice (2) 6:25;7:24		
		K		
		Karyn (5) 5:2,22;6:13;13:11,24 KELLEY (2) 5:18,19 Kerry (1) 4:19 kind (1) 32:21 kindly (1) 7:9		
		L		
		lapsed (1) 15:24 last (7) 6:4;8:1;18:8;19:20; 21:8;30:10;32:6 law (1) 19:22 LDEQ (2) 28:4,12 lead (1)		
			M	
			ma'am (2) 9:16;23:22 mailed (1) 16:1 making (1) 30:7 many (1) 32:3 MARCELLO (48) 4:23,24;6:6,11;7:8, 15,19,23;8:5,10;9:1,11, 15,20;10:4,10,21;	
G				
Gary (1) 4:15 gas (1) 28:20 general (4) 21:16,18,23;26:22 goal (1) 19:1 Good (5) 6:17;17:6;21:13; 27:8;29:13 Governor (1) 19:14 guess (1) 29:19 guidance (4) 18:19,24;19:2;24:1				
H				
half (3) 23:2;24:23;25:1 happening (1) 31:2 happy (1) 21:7 Hatch (2) 19:20,23				

charge (3) 22:20;24:3,22	Consultants (1) 4:17	6:25;7:24;15:21; 26:10;27:22;28:1,10	dollars (5) 19:16,18;20:6;30:15; 32:4	28:2
charges (1) 22:18	continuing (1) 18:17	department's (1) 19:25	done (5) 17:4;26:15;27:5; 29:5,6	executive (2) 8:1;27:20
charging (1) 24:12	control (2) 18:19;31:24	depiction (2) 31:19,21	draft (3) 18:18;19:5;20:16	existing (2) 20:3;29:24
chosen (1) 20:2	Convenience (1) 28:3	deposit (2) 6:24;7:1	due (1) 34:9	Expenditures (8) 8:18,21;9:9;11:3; 20:5;24:7;29:25;31:10
Civil (2) 34:5,6	corrective (2) 17:17,19	deposits (1) 6:21	During (3) 17:10,14;18:13	expenses (3) 11:8;22:20;23:4
claim (1) 21:4	cost (16) 6:25;9:4;10:16;12:7; 17:20;18:19;22:9,15, 23,24,24;23:3;30:9; 31:2,13,24	DEQ (11) 4:9,11,13;5:2,4,6,8, 15,19;22:24;29:9	Durwood (2) 4:9;9:24	explain (1) 7:9
claims (1) 21:8	costs (3) 18:6;22:10;24:15	derived (1) 9:6		extending (1) 20:4
clarification (1) 14:19	couple (3) 18:25;20:18;22:1	designated (1) 8:22	E	F
classify (3) 7:10,25;22:14	Court (2) 34:2,13	designation (1) 26:13	earlier (1) 20:11	fairly (1) 31:15
clean (2) 14:24;15:6	covered (1) 6:25	details (4) 9:19;10:25;11:3; 14:8	effecting (2) 28:20;32:10	far (2) 10:2;15:9
cleanup (2) 8:22;19:17	credit (1) 14:22	determination (2) 12:13;20:9	EFFERSON (2) 5:14,15	federal (2) 22:25;34:4
clear (1) 9:2	crowd (1) 19:12	determine (1) 22:22	Eighteen (1) 14:20	feedback (1) 19:20
closed (3) 11:4,9;30:9	Current (5) 7:2;12:1;18:13,20; 20:3	determined (2) 12:6;31:8	either (1) 10:6	fees (2) 7:1;8:8
closure (2) 17:20;18:6	currently (4) 20:13;28:7;29:8; 31:24	develop (1) 20:8	electricity (1) 22:22	figures (1) 17:8
code (1) 34:6	Cy (4) 5:4;14:4;16:10,24	developments (1) 21:9	eligible (5) 10:14;12:6;18:13; 19:16;31:8	filed (2) 15:15,17
cognizant (1) 22:25		direct (4) 22:20;24:3,6,22	eliminate (3) 28:5,14;29:9	final (2) 11:16;14:21
collected (3) 8:17;15:4;28:8	D	disbursements (1) 6:22	else (2) 21:23;29:14	finally (1) 15:8
collection (1) 14:12	damages (1) 29:20	discourse (1) 34:10	emulate (1) 31:1	Financial (6) 5:2,23;6:14;11:11, 17;13:10
column (1) 14:11	dashes (2) 34:10,14	discuss (1) 33:5	end (4) 11:15;16:4;17:20; 18:1	financials (1) 22:5
comments (4) 20:21;29:15;30:7; 33:1	data (1) 28:7	discussed (1) 16:6	ensure (1) 13:5	fine (1) 21:11
Committee (1) 27:21	days (1) 15:23	discussing (1) 16:6	enter (1) 14:15	finishing (1) 11:10
compares (1) 29:25	Debt (4) 15:19,25;16:2,4	discussion (1) 20:25	entered (1) 14:13	first (7) 6:1,11;11:25;13:23; 15:13,14;16:7
complete (1) 28:8	default (1) 14:13	discussions (2) 23:24;24:20	entire (1) 25:6	fiscal (12) 8:23;11:4;14:9;15:9, 10;17:9,10,14;18:10, 13;23:11;25:10
completed (1) 11:12	defendant (3) 14:14;15:16,17	Division (1) 28:2	Environmental (10) 5:9;11:2,5,8;17:24; 23:4;26:11;27:21;28:1, 10	five (5) 17:3,7;19:18;20:6; 25:20
Compliance (1) 5:10	deficiencies (1) 17:16	D-O (1) 7:24	EPA (4) 26:12;27:5;28:12; 29:9	flip (1) 6:18
components (1) 22:23	defined (1) 34:4	document (6) 16:7;18:19,20,24; 19:5;31:24	equals (1) 6:23	follow (1) 23:7
concerned (1) 27:8	delivered (1) 13:11	documentation (2) 14:19;20:17	estimated (2) 17:19;18:4	followed (1) 20:25
concerns (1) 19:3	demonstration (2) 28:5,9	documented (1) 18:23	example (2) 31:7,17	following (1) 27:13
concludes (1) 20:21	denoted (1) 34:19	documenting (1) 19:24	excuse (1)	Followup (1)
confirmation (1) 14:15	Department (7)	dollar (1) 29:21		
consideration (2) 4:5;29:24				

	achieved (1) 23:25	10:17	5:8	19:13
\$	Act (3)	Amoco (1) 9:3	Association (2) 27:23;28:3	bit (1) 12:18
\$1,229,930 (1) 8:20	10:17;19:15,15	amount (3) 10:25;11:7;18:4	associations (1) 29:7	bits (1) 24:21
\$1,439,504 (1) 18:4	action (4) 17:17,19;18:10; 26:22	amounts (1) 18:3	attainment (5) 25:21,25;27:3;28:23, 24	board (13) 4:6;6:4,5;11:15;19:6, 19,21,24;20:18;23:20; 24:1,19;25:19
\$10,529,855 (1) 6:23	active (2) 18:14;32:22	and/or (3) 34:5,12,17	attempt (1) 24:3	board's (2) 20:14,20
\$11,972.12 (1) 15:3	actually (7) 7:12;9:8;26:21;30:1, 9;31:1;32:3	ANDREWS (40) 5:1,2,23,24;6:14,16; 7:11,17,21;8:3,7,12; 9:7,13,17,22;10:8,12, 23;11:22;12:4,11,17, 22;13:1,25;22:9,11,16; 23:8,14,18,23;24:10; 25:5,9,14;31:22;32:8, 14	Attorney (1) 26:22	books (1) 11:9
\$2,052,369 (1) 7:2	additional (4) 6:24;7:1;14:19; 17:22	annual (1) 23:1	Audit (3) 5:4;11:18;16:13	boundaries (1) 28:22
\$22,778,627 (1) 6:22	address (1) 19:2	anticipate (3) 11:14;32:18,21	auditor (1) 11:13	budget (1) 17:19
\$3,244,931 (1) 17:15	addressed (2) 18:22;31:17	anxiously (1) 26:20	auditor's (1) 14:4	budgets (1) 18:6
\$3,292.22 (1) 14:23	adjourn (2) 33:9,11	anymore (2) 13:9;32:25	audits (3) 14:25;15:6;16:10	business (4) 15:20,22,23;33:4
\$3,798,458 (1) 7:5	ADJOURNED (1) 33:17	application (1) 19:8	August (1) 15:18	
\$3,895,498 (1) 17:12	adjust (1) 30:15	applications (4) 17:12,13,15;18:2	available (2) 19:16;20:5	C
\$30,514,975 (1) 17:21	adjusted (1) 29:20	applied (1) 25:25	average (5) 30:9,13,15;31:2,13	calculate (1) 10:25
\$4,016.58 (1) 14:13	Administrator (1) 4:15	apply (1) 26:11	awaiting (3) 14:16,21;26:20	calculating (1) 31:13
\$4,973.13 (1) 14:17	adopt (2) 5:25;6:4	approach (4) 19:25;20:8,15,16	aware (1) 27:11	calculation (4) 12:14;29:23;31:6,11
\$43,033,802 (1) 17:25	adoption (1) 4:5	approaching (2) 20:3;32:23	away (1) 28:18	calculations (1) 30:8
\$5,327,246 (1) 11:6	advise (1) 27:25	approve (1) 23:1	B	call (3) 4:3,4;28:19
\$6,675,116 (1) 8:18	afternoon (2) 6:17;17:6	approved (2) 23:2;24:24	back (4) 8:8;13:4;22:5;24:11	came (1) 24:19
\$70,252,211 (1) 6:20	again (4) 11:9;15:10;25:1; 33:16	April (1) 14:14	BAKER (9) 4:10,11;17:4,5; 29:22;30:5,24;32:5,17	can (7) 6:13;8:14;10:18,20; 15:21;27:5;29:9
\$74,244,826 (1) 7:4	against (1) 14:14	area (1) 25:20	balance (1) 7:4	CAP (5) 18:5;20:3;29:21; 30:22;32:10
\$743,455 (1) 18:6	agencies (1) 29:5	ARNOLD (3) 5:16,17;19:10	balances (1) 29:19	case (8) 14:10,11,18;15:14, 14,18;16:1,5
\$751.68 (1) 14:24	agency (1) 22:25	around (1) 32:19	basis (3) 13:3;23:1;32:22	cases (6) 14:8,16,20;15:1,8,13
\$9,700.70 (1) 15:3	ago (2) 23:12;26:9	Article (1) 34:5	became (1) 23:20	CCR (1) 34:21
\$900,000 (1) 32:20	agreed (1) 24:23	artificially (1) 31:25	become (1) 12:7	Certified (1) 34:2
	agreement (1) 23:25	assessment (2) 14:25;15:7	becomes (1) 28:24	Chair (1) 6:7
Marketers (1) 4:22	ahead (3) 8:14,24;15:12	assessments (2) 14:23;15:2	becoming (1) 19:15	Chairman (3) 13:17;25:18;27:20
A	allocated (1) 12:2	assistance (1) 19:1	beginning (1) 6:19	Challenge (2) 29:1,3
abandon (2) 8:23;10:13	allow (3) 15:22;24:23;28:13	Assistant (1)	behalf (1) 29:6	Chance (1) 5:8
able (2) 19:10;24:22	allowing (1) 20:2		benefits (2) 22:19;24:13	change (1) 31:25
accept (2) 13:14;16:13	along (1) 20:17		best (2) 19:2,21	changes (2) 31:3;34:11
accurate (3) 20:8;31:19,21	American (1)		Bill (1)	