STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MOTOR FUELS UNDERGROUND STORAGE TANK TRUST

FUND ADVISORY BOARD

The above-entitled meeting was held at the LSU AgCenter Research and Extension, 8105 Tom Bowman Drive, Alexandria, Louisiana, beginning at 1:12 p.m., on August 9, 2018.

BEFORE:

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

APPEARANCES

Steve Burnham Chairman

Kerry Hill, via telephone
Durwood Franklin
Jeff Baker
Gary Fulton
Cy Morin
Roger Bright
Theresa Delafosse
Perry Theriot
Joe McCartney
Nick St. Romain

Melissa Vizinat Natalie Isaacks Jason Efferson Samuel Broussard Shawn King Rhonda Cook Kristine Stanley Ian Kelly Michelle Gibbs

* * * * *

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	EXAMINATION		PAGE (S)
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None

EXHIBITS:

None

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REPORTER'S CERTIFICATE 68

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* * * * *
 1
 2
          MR. BURNHAM:
 3
                Okay. Our meeting is officially
          called to order. We'll start with a roll
 4
 5
          call. My name is Steve Burnham. I'm with
 6
          Engineering Associates.
 7
          MR. ST. ROMAIN:
 8
                Nick St. Romain with St. Romain Oil
 9
          and LOMA.
          MS. DELAFOSSE:
10
11
                Theresa Delafosse with the Louisiana
12
          DEQ.
13
          MR. MORIN:
14
               Cy Morin, LDEQ.
15
          MS. VIZINAT:
16
               Melissa Vizinat, DEQ Trust Fund.
17
          MR. BRIGHT:
                Roger Bright, Jones Environmental.
18
          MR. McCARTNEY:
19
                Joe McCarntey with LOMA.
20
21
          MR. FULTON:
22
                Gary Fulton, LDEQ.
23
          MR. BAKER:
24
              Jeff Baker, LDEQ.
25
          MR. FRANKLIN:
```

```
1
                Durwood Franklin, DEQ.
 2
         MR. THERIOT:
 3
                Perry Theriot, DEQ.
         MR. BROUSSARD:
 4
 5
                Sam Broussard, DEQ.
          MR. KING:
 6
 7
                Shawn King, Jones Environmental.
 8
          MS. ISAACKS:
9
             Natalie Isaacks, Louisiana Oil.
          MS. GIBBS:
10
11
            Michelle Gibbs.
12
         MS. Stanley:
13
                Kristine Stanley, PPM.
14
          MS. COOK:
15
               Rhonda Cook, PPM.
          MR. EFFERSON:
16
17
               Jason Efferson, DEQ Trust Fund.
          MR. BURNHAM:
18
                Thank you. Do I hear a motion to
19
20
          adopt the minutes from our last meeting?
          MR. BRIGHT:
21
22
                Motion.
23
         MR. BURNHAM:
24
                Motion by Roger. Second?
25
         MR. ST. ROMAIN:
```

```
1
              I'll second.
         MR. BURNHAM:
 2
                Second. All in favor say aye.
 3
         (All indicating "aye".)
 4
         MR. BURNHAM:
 5
 6
               Any opposed?
 7
         (No response.)
          MR. BURNHAM:
 8
 9
                Okay. We'll move on to third party
10
          claims.
         MS. VIZINAT:
11
                Steve, can you have Kerry introduce
12
         himself.
13
         MR. BURNHAM:
14
15
               Oh, Kerry, would you introduce
          yourself on the phone, please. I'm sorry.
16
17
          MS. VIZINAT:
18
              For the log.
         MR. HILL:
19
                I'm sorry too. Kerry Hill with
20
         Louisiana Oil Marketers and Convenience
21
22
          Store Association.
23
         MR. BURNHAM:
                Thank you.
24
                Okay. Mr. Theriot, third party
25
```

```
claims.
 1
          MR. THERIOT:
 2
 3
                I'm pleased to announce that the trust
          fund has not received any new third party
          claims. And things on the horizon, we
 5
          haven't heard a word on. So we're doing
 6
 7
          pretty well. We're down to, I believe, only
 8
          one outstanding case that is probably
          abandoned. And so, we may have a clear
9
          docket on third party cases currently.
10
          MR. BURNHAM:
11
12
                Excellent. Does anybody have any
13
          questions for Perry before we move on to the
          next item?
14
          (No response.)
15
          MR. THERIOT:
16
                I've got -- we got the legislative
17
18
          update on here.
          MR. BURNHAM:
19
                Oh, I'm sorry.
20
          MR. ST. ROMAIN:
21
                With -- with the third party claims,
22
23
          just real quick for my refreshment. Is that
24
          still sitting with the attorney general or
          has that -- some of that money been
25
```

```
1
          transferred back?
 2
          MR. THERIOT:
 3
                That money was transferred back to us.
 4
          I think our finance people would be able to
 5
          give you some of the figures on it. But --
 6
          (An off-the-record discussion followed.)
 7
          MR. THERIOT:
                Not -- not all the money that was
 8
 9
          sweep has been given back, but the -- what
          was in the trust account was given back.
10
          MS. ISAACKS:
11
12
                The seven.
          MS. DELAFOSSE:
13
14
                None of the seven has been returned.
15
          MS. ISAACKS:
16
                None of the seven.
17
          MS. DELAFOSSE:
18
                The remaining settlement proceeds that
19
          were not part of that have been moved to the
          fund. That's still an issue.
20
21
          MR. THERIOT:
22
                We are currently in negotiations to
          settle one of our cost recovery suits.
23
          We're fairly close on it. We should be
24
25
          hearing something soon on it. But it is
```

1	there. So actively negotiating the
2	settlement amount and the counteroffer
3	offer. That's not a third party suit. That
4	is a cost recovery suit. So yes, that is
5	still pending. And we have, I believe, one
6	small one and one large one left. So
7	there's still more money that we expect to
8	be coming into the fund from the cost
9	recovery.
10	MR. ST. ROMAIN:
11	Okay. Thanks.
12	MR. THERIOT:
13	The legislative update, we only had
14	one bill that goes into effect as of eight
15	days ago nine days now. Act 150, which
16	went into effect on August 1st.
17	(An off-the-record discussion followed.)
18	MR. THERIOT:
19	Act 150 puts a couple of changes into
20	effect into the trust fund statute. First
21	of all, it requires that this board meet
22	once every fiscal year and make a
23	recommendation well, in one of the
24	meetings during the fiscal year would be
25	more correct to meet and make a

1 recommendation to the secretary for the 2 amount they believe should be the fee on the 3 -- the first withdrawal from bulk on the gasoline that funds the -- the trust fund. 4 That is -- that will be in order for us to 5 begin adjusting the amount of money that we 6 7 take in to attempt to have it match the amount of money that goes out. At least 8 9 within a close amount. Rather than, right 10 now, we've been building reserves. Now -and we're getting close to having to stop 11 collecting the fee and come back on the fee. 12 But this will enable us, if we believe we're 13 collecting too much, for the board to 14 15 recommend to the secretary that we reduce the amount of the fee to better match our 16 obligations and therefore stop building any 17 further excesses that become attractive to 18 other folks to use. 19 So that is -- that went into effect 20 21 August 1st. The other -- the other provision is 22 very simply a requirement on the DEQ to 23

forward to the board a copy of -- copies of

any of our proposed regulations before going

24

```
1
          through the enactment process. And that's a
          -- now required. It's not -- it's something
 2
          we've been doing anyway, so the department
 3
          will continue to forward -- we have
 4
 5
          workgroups with our stakeholders before we
          ever put regulations into place. So we're
 6
 7
          going to -- it's now formalized that the
          board will get a copy prior to, for it to
 8
          consider, before we go to adoption. Prior
 9
10
          to that.
                That's all that we changed this year.
11
          MR. BURNHAM:
12
13
                Okay. Any questions for Perry before
          we move on?
14
15
          (No response.)
16
          MR. THERIOT:
17
                Theresa -- before we go any further,
18
          Theresa, you're going to address the second
19
          part of what we plan to do with this?
          MS. DELAFOSSE:
20
                Yes.
21
22
          MR. THERIOT:
23
                Okay.
          MR. BURNHAM:
24
25
                Okay. We'll move on to Theresa.
```

1 MS. DELAFOSSE:

there. I planned to address the other part that we need deal with, with regards to the fee. We mentioned at our last board meeting that Jeff and I and Perry had spoken to some actuarial firms who work on similar programs in other states and got quotes from them as far as what -- what they can do to -- to review our trust fund and make recommendations both with regards to how to set the fee on an annual basis and with regard to the obligation calculation that we currently undertake on a monthly basis.

So we spoke to two firms, which I believe we mentioned at the last meeting. And we've spent some time since then reviewing the proposals and discussing them internally. And this is the one that we wanted -- so this is the one that we were more impressed with on the phone. When we had the conversation with them, they asked a lot of questions about how we did certain things with the program, things that had changed over time, asked questions about

1	what our concerns were, et cetera. They
2	also provided a report that they had done
3	for another state, that we have a copy of
4	and can share via email. If anybody is
5	interested in seeing that for Utah. It's
6	incredibly comprehensive. It goes through
7	detailed analyses about all the facets of
8	the program and and makes some great
9	recommendations. And this so this
10	actuarial group is familiar with these types
11	of programs. They indicated that as part of
12	their work, they'd like to visit DEQ at
13	least twice, I think they said, to to
1.4	discuss things with our staff and get a
15	great understanding of the program and
16	and what our concerns are. You know, maybe
17	even attend a board meeting if if that
18	works out, or maybe do some some
19	alternate meeting with with external
20	stakeholders as well so it's not just the
21	internal DEQ staff that has the input.
22	So, you know, as I was saying, we
23	we think Pinnacle is probably going to do a
24	more thorough job and has perhaps the, you
25	know botton regume as far as reviewing

1		these type programs are concerned. However,
2		their quote was a good bit higher than the
3		other one. But it was in the ballpark of
4		what we expected.
5		Jeff, if you can get to those parts?
6		MR. BAKER:
7		That John Wade that I was showing his
8		his resume there, I've actually been to
9		conferences and he has spoken and and was
10		highly respected and and really in the
11		conversations we had, he was very
12		impressive. We were very impressed with
13		what he was saying and and the level of
14		review we think he could do.
15		MS. DELAFOSSE:
16	, P	Right.
17		So here's kinda a timeline of the
18		you know, the when they'd like to begin
19		and, you know, obviously, we're a little
20		behind that because they have some June
21		dates on there. But we wanted to discuss
22	. ,	this with the board before we officially
23		began the contracting process with the
24		Office of State Procurement.
25		So you see, their quote here is

```
89,500. If any -- you know, I think -- and
1
2
          then what was the other quote, about?
 3
          MR. BAKER:
                23.
 4
5
          MS. DELAFOSSE:
                23. So there's a -- there's a
 6
7
          significant difference between the two.
          However, our -- our estimate when we began
9
          this process was that we anticipated the
          contract would be anywhere from 75 to
10
11
          100,000. So this is still within that
12
          range.
13
                Their work was about four months of
          work versus the other firm that just --
14
15
          MR. BAKER:
16
                Five weeks.
17
          MS. DELAFOSSE:
18
                Oh, that just -- just said five weeks.
          So it's a lot more comprehensive. And I
19
20
          think since we've never engaged an actuary
21
          for this type of review, something more
22
          comprehensive, I think, would be beneficial,
23
          especially because we do have the change
24
          with the fee and we're going to need to have
25
          a process established for that.
```

1	So again, that's our our
2	recommendation. We've got a a better
3	feel for for their work and just a little
4	were a little more impressed with their
5	experience and the questions that they asked
6	us during the background. And then with
7	their you know, the work they sent us, as
8	well, that they done for Utah.
9	So, you know, they're both
10	obviously, you know, it's about three times
11	as much but it's it's still very
12	affordable for the trust fund and I think it
13	would be a a good use of funds to hire.
14	somebody. You know, Jeff works Jeff has
15	made lots of updates to the obligation
16	calculation and we do our best to to
17	figure all these things out, but neither of
18	us are actuaries and that's a special a
19	special talent and a special skill. And I
20	think retaining one would be in the best
21	interest of the group.
22	So I don't know if ya'll have any
23	questions about the proposals or thoughts?
24	MR. ST. ROMAIN:
25	The purpose of them is to determine

1	tuture liabilities, to help determine what
2	this adjustable fee will be?
3	MS. DELAFOSSE:
4	Exactly. Exactly. So they'll look
5	they can look at the obligation calculation
6	and determine if we've over-estimated
7	certain elements of it or if we've under-
8	estimated other elements. And they they
9	use a lot more complex analyses than we'd
.0	be able to. And then from that, once they
1	review the obligation, they can determine a
.2	mechanism to identify what the fee should
.3	be, based on, you know, a new I guess a
.4	new obligation calculation essentially.
.5	MR. McCARTNEY:
.6	That doesn't seem to be a little
.7	overkill? I mean, I'm just curious.
.8	MS. DELAFOSSE:
.9	In my opinion, no. I mean, we've
20	never had an actuary review the program. I
21	would rather be right than to set a fee
22	that's too low or too high. And, you know -
23	- too high, I guess, is is less of a
2.4	concern, because, you know, then we'll learn
25	from our mistakes and we can set it a little

lower in the future. But, you know, you
hate to set it too low and -- and go -- you
know, dip into your reserves too much and -and leave the program in a -- in a -- not a
good position where it's in such a great
position now. So --

And there -- you know, Jeff and I discussed too, the task D that they have listed here is a little more of some kinda extra work that we had discussed with them. And what we could consider is eliminating the task D for their initial work and just focus on the claim reserves and project the liabilities et cetera and just leave that part out for now. And then, if we wanted to revisit that later and, you know, enter into another contract with the firm, then that's something we could do. And it would require less startup work at that time because they would be familiar with the program and the data et cetera, so --

MR. BRIGHT:

Is this one -- is this like a one-time thing, or do they have to come back and revisit it later on or is --

1 MS. DELAFOSSE: 2 It's pretty much a one-time thing, in 3 my opinion. I think you would maybe need some consulting on a minimal basis after 4 that point, you know, maybe every other year 5 or something like that, but nothing to this 6 7 extent. MR. BRIGHT: 8 Nothing like that? 9 10 MS. DELAFOSSE: No. It wouldn't be an annual cost to 11 12 this -- I -- I mean, I would say it'd be \$5,000 or less, after that for maintenance. 13 MR. BAKER: 14 15 And from the board's perspective -and like I said, these people -- when we 16 17 spoke to them on the phone, they were extremely knowledgeable of the UST universe. 18 Okay? And if you look at that report -- and 19 we'll be happy to provide it to ya'll. If 20 ya'll look at that report, it is in great 21 detail about trends with the industry and 22 23 whatnot. They -- they -- they really 24 impressed us with what they knew. And I

think that's valuable. I think that adds a

```
1
          lot of value.
                Now, like Theresa said, down the line,
 2
          you know, I think ya'll, as a board, are
 3
          going to appreciate this level of review
 4
          because ya'll are going to be the ones
 5
          recommending to the secretary what that rate
 6
          is gonna be. And I'm sure ya'll want to
 7
          make sure that you've got something solid to
 8
          stand on when you're making those
 9
          recommendations. And -- but in the future -
10
          - and I'm like Theresa -- I think, you know,
11
          you can probably -- they can probably give
12
          us an algorithm of what to do on an annual
1.3
          basis and maybe every couple of three years
14
15
          come in and kinda review it and make sure
          we're still on the right path and -- and I'm
16
          sure that would be dramatically less than
17
          what we're talking about.
18
          MS. DELAFOSSE:
19
20
                For sure.
          MR. McCARTNEY:
21
                You might run that by them before you
22
23
          sign the contract.
24
          MR. BAKER:
```

I -- probably a good question.

```
1
          MR. BURNHAM:
2
                Yes. Probably ought to include that.
 3
          MS. DELAFOSSE:
 4
                Sure.
5
          MR. BURNHAM:
 6
                Do they -- is it part of their scope
7
          of work to make any suggestions regarding
8
          efficiencies of our program, or that's
9
          really not in their --
10
          MR. BAKER:
                No. Actually, there is. Actually,
11
12
          that is part of it. That's what really
13
          impressed us. He came in and talked about
14
          actually bringing somebody in that -- that
15
          Perry knew from -- from his ASTSWMO
16
          interaction. And they were very
          knowledgeable of -- of the UST universe in -
17
          - and other funds and could make
18
19
          recommendations along those lines.
20
          MR. ST. ROMAIN:
21
                Is that kinda the part D --
22
          MR. BAKER:
23
                And I think that's kinda task C.
          MR. ST. ROMAIN:
24
25
                Oh, okay.
```

1 MR. BAKER:

When you've got high cost, no cost or

-- or long-term claims, things -- you know,
recommendations to reduce losses, things of
that nature.

And, Nick, like you said, you would also take them into D and down the line, you know, we may -- that may be something we do in three or four years, if ya'll are -- if ya'll like what we got from these -- you know, then we -- then come along and -- MS. DELAFOSSE:

And -- and that may be a good thing about separating off those -- maybe -- you know, little extra things, because then -- then we're not involving them and doing \$90,000 worth of work. We just do more -- maybe more the core stuff and then we can engage them again if we really, you know, were impressed with their work and we want them to look into things that they weren't able to within the scope of the first contract. If that's something that the board would be more comfortable with too.

But, you know, it seems -- it sounds

1	like a lot, but I think actuaries are
2	they're expensive. There aren't many of
3	them. They have certainly very impressive
4	credentialing and they had a long list of
5	actuaries that they have on their on
6	their staff. I use to, you know,
7	anecdotally do some work with actuaries when
8	I worked at the legislative auditor's office
9	and it's a a definitely a unique line
10	of work and as far as getting the type of
11	output that they can get, you're not going
12	to get that from anybody but an actuary.
13	And and this is this is, we believe,
14	the crew that is the most experienced with
15	the trust fund programs.
16	MR. BAKER:
17	And as you can see here, they they
18	done one for the Georgia fund, the Utah
19	fund, Kentucky fund, Tennessee. I mean, a
20	number of other similar funds. And then, if
21	you go down here, there's some other some
22	some but anyway, they this is not
23	their first rodeo.
24	MS. DELAFOSSE:
25	Any other questions or comments?

```
MS. ISAACKS:
1
                What states were they again, Jeff? I
 2
         couldn't keep up.
 3
         MR. BAKER:
 4
 5
               Am I moving too quick?
         MS. ISAACKS:
 6
            If I'm suppose to see it, yes.
 7
          MR. BAKER:
 8
             I'm sorry. Georgia, Utah, Kentucky,
9
          Ohio -- well, that's kinda financial
10
          assurance, but it does -- it is related.
11
         MR. McCARTNEY:
12
              Have ya'll -- have ya'll talked to
13
          Georgia or any of those people to see if --
14
          MR. BAKER:
15
                They were -- they --
16
          MR. MCCARTNEY:
17
                -- some things you wanted to -- that
18
          they would do differently or add or delete?
19
          MS. DELAFOSSE:
20
                Yes. What did Georgia say?
21
          MR. BAKER:
22
                Well, they -- they -- they recommended
23
          them. Now, we didn't get into the level of
24
          detail of what you're talking about. Now,
25
```

```
we can. And I don't mind doing that.
1
          they -- they -- they came recommended to us
2
          before we even met with them. We called
 3
          ASTSWMO, got some contacts of other states
 4
          that had used different actuaries and to be
 5
          honest with you, I spent a -- a big chuck of
 6
          a day making phone calls, trying to get some
 7
          actuaries and I came up with two. So --
 8
          MR. McCARTNEY:
 9
                But, you know, that -- that would be
10
          worth it, if somebody else was telling you
11
12
          something about it.
          MR. BAKER:
13
                That's a good question.
14
          MR. HILL:
15
                This is Kerry Hill. I can -- I can
16
17
          hear a little bit but not real good. But
          there was a big difference between the
18
          90,000 and 20,000 and I couldn't hear ya'll
19
20
          explaining what that difference is.
          MS. DELAFOSSE:
21
                It -- Kerry, this is Theresa. It's
22
23
          mostly going to boil down to the scope of
          work. The -- the Pinnacle --
24
          MR. HILL:
25
```

1	Okay.
2	MS. DELAFOSSE:
3	The Pinnacle firm has four different
4	major task areas within their proposal and
5	about four or five months or estimated time
6	to complete their work. Where the other
7	firm had six weeks or five weeks of time to
8	complete their work. And, you know, a lot -
9	- a lot less comprehensive of a review.
10	MR. HILL:
11	So you don't think we're getting our
12	best bang for our buck with the \$20,000
13	quote?
14	MS. DELAFOSSE:
15	I I don't know if bang for the buck
16	is the is the term I'd look at or the
17	the way I would want to approach this, I
18	guess, because it is kinda of a I don't
19	want to say a once in a lifetime, but it's a
20	it's an occasional thing. You're not
21	hiring these people every year to to
22	review your program. It's it's a special
23	thing. We've never hired an actuary before.
24	And I know we've tweaked the obligation and
25	tried to understand where our liabilities

```
1
          are and -- and how much they are and make
 2
          sure that the fund is -- is in a good
 3
          position. But we're not experts. You know,
 4
          I'm a CPA. Jeff is an engineer. But that
          certainly doesn't mean that we're --
 5
 6
          MR. HILL:
 7
                And I understand that, Theresa. And I
 8
          can hear you well. And ya'll may have
 9
          discussed that. I just couldn't hear.
10
          MS. DELAFOSSE:
11
                Sure.
12
          MR. HILL:
13
                I guess you're a little closer to the
14
          telephone.
15
          MS. DELAFOSSE:
16
                I'm just a little bit louder, maybe.
17
          MR. ST. ROMAIN:
18
                Kerry, something else she pointed out.
19
          There were -- they had broke their program
20
          into parts. And there was a part D that
21
          they said we may not need to do now, which
22
          was, I think, $24,000. So we could bring
          that 89 down to, what is that, 65.
23
24
          MR. HILL:
25
                Right.
```

```
MR. ST. ROMAIN:
 1
 2
                55.
 3
          MR. BURNHAM:
                Did we send a request for proposal --
 4
          a formal request for proposal?
 5
          MS. DELAFOSSE:
 6
               We did not.
 7
          MR. BURNHAM:
 8
                Okay. So they -- they -- they may not
 9
          be bidding apples to apples, the two firms,
10
          right? Because --
11
12
          MS. DELAFOSSE:
13
              May not be.
          MR. HILL:
14
                Okay.
15
          MR. BURNHAM:
16
17
                Okay.
          MS. DELAFOSSE:
18
                They -- and that's --
19
20
          MR. BURNHAM:
               All right.
21
          MS. DELAFOSSE:
22
23
                We had phone conversations with both
          of them to request these proposals from
24
          them. And the phone conversation with
25
```

1	Taylor & Moulder was eight minutes long.
2	They didn't really have any questions for
3	us. We shared some information we shared
4	the exact same data with them both as far as
5	some historical data from the program. And
6	they came up with the proposals based on
7	other work that they had done for other
8	states and what our phone conversations
9	yielded to them.
10	MR. BAKER:
11	And we also laid out goals, the same
12	goals to each group, of what we were kinda
13	looking for. And one fleshed it out in much
14	more detail than the other one. And if
15	you'll look at the timeline on the other
16	one, they're ready they're pretty much
17	going to have a draft report to us in 19
18	days. Whereas, the other one is four
19	months.
20	MR. HILL:
21	Okay.
22	MR. ST. ROMAIN:
23	Were they recommended by any other
24	states, the other firm?
25	MR. BAKER:

```
1
                Yes. They both were recommended. I
 2
         wouldn't -- we wouldn't have called them if
         they hadn't had a recommendation. And they
 3
         have done several with other states, as
 4
         well.
 5
 6
         MS. DELAFOSSE:
 7
                I don't -- I don't think you can go
 8
         wrong with either. I just think, based on
          our -- the -- the amount of time that we've
9
         been able to look into this and the internal
10
          conversations that we've had, we just get a
11
          better feeling for the experience and the
12
13
          knowledge of the Pinnacle firm. But again,
          I -- they're -- they're both actuarial firms
14
15
          who have experience working with these type
16
          of programs. So it's not -- you know -- it
          -- but it may be, it is a bit apples to
17
          oranges, as far as the breathe and
18
19
          scope of their work.
          MR. HILL:
20
                And that -- and that's what it's
21
          about. That's -- that's the word I really
22
          meant to use, apples or oranges. So you --
23
          you answered my question, Theresa.
24
25
          MS. DELAFOSSE:
```

```
1
                Okay. Great.
 2
                So if ya'll want, what we can do is
 3
          email ya'll the report. I don't know what
          information would be helpful for ya'll to
          see. You know, it's -- it's hard to see on
 5
          this screen with Jeff scrolling a mile a
 6
 7
          minute.
 8
          MR. BAKER:
 9
                There's a lot of information.
10
          MS. DELAFOSSE:
11
                There are. There's a lot of
12
          information. There's certainly a lot of
          information.
13
                But this is something we need to begin
14
15
          fairly soon with the recommendation that the
16
          board needs to make to the secretary in
17
          mind. It does take a little bit of time to
18
          get contracts approved by the State Office
19
          of State Procurement. But fortunately for
20
          ya'll, that contract approval process
21
          reports to me. So I've got an inside track,
22
          a little bit. But that's -- we wanted to
23
          discuss that today in light of the
24
          legislation being final.
```

MR. BAKER:

```
And recognize that what we'll -- ya'll
 1
 2
          will be making the decision as to the
 3
          recommendation in the February board
 4
          meeting.
          MR. ST. ROMAIN:
 5
 6
                Right. That was what I was about to
 7
          ask.
          MR. BAKER:
 8
                Because that gives you -- that gives
 9
10
          us three to four months to let them --
          MR. ST. ROMAIN:
11
                To get this completed.
12
13
          MR. BAKER:
                If ya'll decide to check -- drop it
14
          down below the .08, then that gives the
15
          marketers time to adjust their computers.
16
          MR. ST. ROMAIN:
17
                So if we get an email of this to
18
          review -- ya'll are looking for a decision
19
          on this today, one firm versus the other, in
20
          other to have time to have a completed
21
          report for the February meeting?
22
          MS. DELAFOSSE:
23
                I mean -- yes, and I don't know if
24
          it's a decision that has to be voted on in
25
```

```
the full board with a quorum. I think we
1
          can communicate outside of the board to
2
          discuss that. But I don't know. That -- is
 3
 4
          that -- Perry?
          MR. THERIOT:
 5
                The board doesn't -- this is not one
 6
 7
          of the things the board is empowered to do.
          MS. DELAFOSSE:
 8
9
                Right.
10
          MR. THERIOT:
                It's just we bring it up to ya'll to
11
          let ya'll know. We will get asked by you,
12
          as is usually the practice, if we show an
13
          administrative jump of $80,000 in expenses.
14
          So we would always consult with you guys to
15
          let ya'll know what we're considering, okay.
16
          And the information that they come up will
17
          be given to you because that's information
18
          that you guys are going to want to see in
19
20
          order to make that recommendation. That's -
          - that's the reason for the actuarial
21
22
          looking at the program was to supply you
23
          quys with the information that's necessary
          to make ya'll's decision.
24
          MR. McCARTNEY:
25
```

```
Do we make the call or -- or are ya'll
 1
 2
          just making us aware of it and then the DEQ
 3
          makes the call?
          MR. THERIOT:
 4
                No. We do. We -- the secretary --
 5
          this isn't going to be a contract with the
 6
 7
          state --
          MR. McCARTNEY:
 9
                Yes.
10
          MR. THERIOT:
                -- so, no, we would -- we would do it,
11
12
          but we would always want you guys to know
          ahead of time --
13
          MR. McCARTNEY:
14
15
               Yes, I just --
          MR. THERIOT:
16
                -- before we do that kinda thing. And
17
          this is what we were considering. Given the
18
          conversations that were had during the
19
          screening of these two -- these two firms,
20
          it does seem like a lot, but I sat in on
21
          some of those conversations and it was
22
          significantly different with the two of
23
          them. I'm sure you're --
24
25
          MR. MCCARTNEY:
```

1 I -- I think you're probably talking 2 about two different reports. One is just a 3 bigger -- how much money they think you're going to need and the other one is going to 4 5 give you --6 MR. THERIOT: 7 An overview of how you're operating. 8 And the people, generally speaking, it's 9 just a little rule of thumb, I would always prefer if I'm contracting with somebody who 10 asks a lot of questions and wants to know 11 12 more about my business before he jumps and 13 says here's your bid. Okay. Now, that's 14 just me. But that's been my experience, is 15 that they need to know -- in order to 16 prepare a document like this, you have to 17 know a lot about what you're going to be 18 doing, so I understand that the difference 19 in the two bids is very significant, but I sat in on the conversations and I do 20 understand that there is a difference 21 22 between what was asked by one and what was

MS. DELAFOSSE:

23

24

25

asked by the other.

But we provided the same information

```
1
          to each.
 2
          MR. THERIOT:
 3
                Same information was sent to both.
          MS. DELAFOSSE:
 5
                Just their response thereto was
          different.
 6
                With that said, any other questions?
 7
          Or, should we provide this information via
 8
          email and -- and maybe see if anybody has
 9
          any feedback -- additional feedback at that
10
11
          point?
12
          MR. HILL:
                That -- that's fine. That'll be fine.
13
14
          MS. DELAFOSSE:
15
          Okay.
          MR. HILL:
16
                Thank you.
17
          MS. DELAFOSSE:
18
                Okay. I guess I'll move to my -- my
19
20
          standard item now.
                I would like to share with ya'll that
21
          this will be my last appearance at this
22
          quarterly meeting for this calendar year. I
23
          will send Lacey Vitteri from my staff who
24
          presented earlier this year. I don't
25
```

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1	anticipate that she will do a full power
2	point at the November board meeting, but I
3	will not be here because I'll be on
4	maternity leave. So don't don't expect
5	to see me.

So if you'll turn to tab four, that has the financial statements, the cash basis. And this is for the end of fiscal year 2018.

Fiscal year 2018 ended on June 30th. This is the standard financial report that we present to ya'll each time. We collected pretty much exactly the same in bulk distribution fees this year, right at 22.1 million dollars. So that's very steady with relation to the .08 percent. And then, you'll see the interest earnings, though, we had a lot. As the fund grows and as the interest rates increase, we're certainly going to see some increases in revenue there, which I know Gary is pleased about. We're still working on getting those contracts in place to have those abandoned tanks remediated, either pulled or the sites -- or the releases cleaned up. So we have a

good bit of revenue available for that 1 process now, which is a -- a really great 2 thing for the program. 3 You'll see the claims for 4 reimbursement. We saw a pretty nice 5 increase there. Fiscal year 2017 was just 6 at 10.7 million. And we were right under 14 7 million for 2018. So that's good. Jeff's 8 group was busy. And we -- we had a great 9 10 vear. And so then, the main numbers I'll 11 point out now are at the bottom. As you 12 see, the total cash balance in the fund is 13 114 million dollars. Once you deduct the 14 liability of 80 million, that leaves an 15 unobligated balance of 26 million. So we 16 are really grateful that that legislation 17 was such a success this past session, 18 because I think that will give us -- that'll 19 help us, because we can collect less and -20 - and not have that large unobligated 21 balance sitting there and -- and looking so 22 appealing to the legislature. 23 So the second page, too, is our 24 underground storage tanks -- the transfer

```
1
          that we've discussed in detail, as you can
 2
          see, the transfer for 2018 was just under
 3
          5.6 million. We saw a decrease to that
 4
          transfer. And that's going to be -- it'll
 5
          be right at 5.3 million. So, you know, our
          -- our administrative cost are staying
 6
7
          pretty steady. And I'll go into these in a
 8
          little more detail in the slide show.
 9
               And ya'll stop me at any time with
10
        questions.
11
                Jeff, are you going to change the
12
          slides, or is there a clicker for me or --
13
          MR. BAKER:
14
                I'll do it.
          MS. DELAFOSSE:
15
16
                Okay.
17
          MR. BAKER:
18
                Just point at me.
          MS. DELAFOSSE:
19
20
                Okay. I'll point at you.
                Okay. So this is the -- this has a
21
22
          little more detail about the bulk
23
          distribution fees and the history of those
24
          collections. As I mentioned on the
25
          financial report, they have been steady.
```

There was a .1 percent increase from fiscal 2017 to 2018. So they were virtually the same. But as you can see with the interest income, we have seen some great growth in that area. We earned almost 1.4 million dollars in interest in fiscal year 2018, which is fantastic.

These are the final expenditures by function for fiscal year 2018. As you can see, the majority of the program expenditures are with Gary's group, the UST Core Work and the team leaders that they do working with the sites. We also have some enforcement costs. And then Jeff's group is the motor fuel trust fund section that comes in right at 19 percent. And then our support services that my group does predominantly and any -- and our indirect cost that we charge and have discussed with ya'll is right at 1.9 million dollars for a total of 25 percent of the total.

This is a new slide. I got a little bit more information for our enforcement group, as far as the work that they've done, or did in the -- in the past three fiscal

1	years that they've been able to close out
2	from an enforcement prospective. So I have
3	fiscal year 2015, 2016 and 2017. You can
4	see just a listing of all the different
5	types of actions that they issue. With the
6	most prevalent being the expedited
7	penalties. I don't know as much as maybe
8	some folks do, of course, about the
9	enforcement process, but the expedited
10	penalties are they're used often and
11	they're voluntary so if if we have
12	violations at a site and they want to just
13	basically wipe the slate clean and be done
14	with it once they get in compliance, they
15	can enter into an expedited penalty
16	agreement and then, you know, it saves them
17	a lot of time, it saves the department a lot
18	of time. It's a win, win. So the expedited
19	penalties that were accessed in each year,
20	you can see, they're just around 100,000 in
21	the two most recent years that they've
22	closed out and we've collected 57,000 and
23	51,000. So but those those revenues
24	for those penalties actually go into our
25	hazardous waste site cleanup fund. That's

what our -- how our penalties function,

which -- so it's a different -- they go into

a different fund. But there are -- they do

some great work ensuring compliance within

the UST community as part of their work as

well.

These are the salaries and related benefits that were attributable to the program in fiscal year 2018. I also have the comparison with 2017. As you can see, there was an increase of 4.9 percent from one year to the next in the salary amount and a similar increase in the related benefits amount of 4.5 percent.

As you can see, the related benefit costs are significant, particularly because of the retirement cost. They're, you know, approaching 40 percent per employee, so that's going to -- that's significant and -- from a cost perspective. And we also had the changes in the pay plan that happened in January. So that's -- that's the main thrust of the increase in salaries and related benefits is those changes that took place in January.

We saw a pretty big decrease in the travel and training charges for the program. Just under 5,000 this year. I know some --a number of folks are going to the tanks conference this year, so we may see an increase, but a lot of those costs are paid for by outside organizations, so may not see any changes there. But we don't -- I don't have any numbers yet for fiscal year '19 projections because it's so new, so early.

And then our operating services below were pretty -- pretty close to what they were the previous year. That includes, like we've discussed before, our -- our ASTSWMO dues, maintenance on our vehicles, supplies, et cetera.

Saw a large decrease in professional services. We used a -- a good bit more work from these vendors in our professional services contracts in fiscal year '17 than we did in '18. That's all the way down to under \$1,000 this past year for our professional services.

Some of this work can be done through our operating services. It depends on what

- type of agreement we have with the vendor.
 So it's -- it's more of a technical
- distinction between the two.

So this is our other charges. This is
the ones that I mentioned previously where
some -- some of the labs are considered
other charges and some of the labs are
considered professional services. It's a
technical distinction, depending on the
vendor.

see we -- our expenditures were 204,000.

For our compliance services who conduct the inspections, we expended 205,000. Then we had some lab -- very minimal lab costs. And a couple of different site investigation costs for the sites listed. And then the attorney general fees, our budget for that was over a million dollars, but as things are winding down and we're getting closer to settling those cases, those charges are -- are going to, you know, stay in that realm and/or continue to decrease in future years. So those were just 265,000 and that was for the entire fiscal year. So in that

category, we saw a pretty significant
decrease in cost from fiscal year '17 to
fiscal year '18.

Here's a detailed slide on the attorney general charges. As I mentioned, they have decreased over time. When we were firing up this litigation and just beginning it, it was, you know, in the neighborhood of a million dollars, 900,000, but for fiscal year 2018, just -- just 265,000, as we wind down and get closer to settling those cases.

The interagency transfers category, there was a big decrease -- a fairly large decrease here. But it does include those costs that are listed below, the rent in those state owned buildings, security that we have to have in our buildings and some telephone charges to the Office of Telecommunications.

And then as -- as we discussed again previously are the indirect charges. We charge half of rate as the board agreed to, I believe, in fiscal year 2013. We recalculate this rate every year in the spring and have EPA review and approve it.

It did go down, as you can see, pretty 1 significantly from fiscal year 2018 to 2019. 2 And we expect that it should stay closer to 3 that 60 percent figure. '18 was a high 4 5 year. 6 And there's no new information on the federal grant revenues, but we have 7 discussed this in detail in the past. They 8 have declined pretty significantly, but I 9 think we are working on some new grant 10 revenues. So perhaps fiscal year 2019 will 11 have some larger stuff. But the fiscal year 12 -- they operate on the federal fiscal year, 13 so we won't know those amounts until a 14 little closer to October. So that 15 information -- if -- I can make sure Lacey 16 presents that information, just to let the 17 board know what the grant numbers look like 18 for the next year, because hopefully they'll 19 increase. But we'll see. 20 Our tank registration fees. As we 21 know, the registration fee went up ten 22 percent for fiscal year 2019 -- 2018, sorry. 23 And I have up there July 1, 2018, but that's 24 not correct. It's July 1, 2017. 25

1	So the fees were previously \$54 a tank
2	and now they're \$60 a tank. We did have, as
3	of earlier this week, about \$95,000
4	outstanding of our tank fees. We've
5	collected around 85 percent, is what
6	information got provided to me by the
7	billing department. And we typically
8	collect closer to 95 percent. But we do
9	have to send those second notices and, you
10	know, make sure people are paying attention
11	to us. So we should collect a good
12	percentage of that 95,000. Probably at
13	least another 40,000 or 50,000 of the
14	outstanding tank registration fees for this
15	fiscal year.
16	MR. ST. ROMAIN:
17	That registration fee, that doesn't go
18	into the trust fund, does it?
19	MS. DELAFOSSE:
20	No. It's available in ETF though. It
21	does offset the the program cost for the
22	trust fund.
23	MR. ST. ROMAIN:
24	Got you.
25	MS. DELAFOSSE:

DEPARTMENT OF ENVIRONMENTAL QUALITY

```
So it gets spent by the trust fund.
1
          It just doesn't go into it.
2
                And then, this is the transfer again
3
          from the motor fuel trust fund to the
 4
          environmental trust fund to cover the
5
          program expenditures because the ETF
 6
          revenues don't cover the expenditures.
7
                I mentioned when I shared the pages
 8
          with you in tab four that our net transfer
 9
          had decreased. It appears to have increased
10
          on this slide but that's because the
11
          attorney general charges, I haven't deducted
12
          those from fiscal year 2018, because they
13
          weren't paid from settlement proceeds. They
14
          were paid -- they had to be paid directly
15
          that 265,000. Where in fiscal year 2017,
16
          they were paid from settlement proceeds. So
17
          there -- I think it's going to stay fairly
18
          steady. And we're making every effort to
19
          make sure it does not increase and it either
20
          decreases or stays the same.
21
                I think that's it. That's all I have.
22
23
          Any questions?
          MS. ISAACKS:
24
                So the AG's office was paid -- or the
25
```

1	attorney fees were paid out of the
2	environmental trust fund or am I
3	MS. DELAFOSSE:
4	They're paid out of ETF and then
5	reimbursed as part of the overall cost of
6	the program.
7	MS. ISAACKS:
8	Is there a reason why it was there and
9	not straight from the trust fund?
10	MS. DELAFOSSE:
11	Perry?
12	MR. THERIOT:
13	While the trust fund is authorized
14	under the statute to pay legal fees, the way
15	that the accounting system is setup, the
16	daily operating expenses that the state
17	incurs are paid by the ETF. It's setup that
18	way. And then at the end of the fiscal
19	year, the difference between the federal
20	grant and the tank fees, which offset, those
21	are put on it first and then only the amount
22	that's left over is reimbursed by the fund.
23	So actually, if you wanted to look at it, a
24	percentage of those legal fees are being
25	paid by the ETF and the and the grant

```
money, which also authorizes legal fees for
1
2
          cost recovery. So those are all in there.
3
          It just gets bunched together and then
          annually gets reimbursed by the trust fund.
 4
          Whatever is left over, after those funds are
 5
 6
 7
          MS. DELAFOSSE:
              It's just how it has to be set up in
 8
 9
          the accounting system --
10
          MR. THERIOT:
11
                Yes.
          MS. DELAFOSSE:
12
                -- that it has to come from the
13
          environmental trust fund. But the
14
          environmental trust fund has sub-funds
15
          within it, so, you know, at the risk of
16
17
          being a little too technical, the
          environmental trust fund's Q02, we have
18
          Q0207, that's the motor fuel charges. So we
19
          can keep their -- they're not grouped
20
          together with all the ETF charges. We keep
21
          them separately so we can identify what --
22
          what are the motor fuel charges. And then
23
24
          we have separate ones for like our other --
25
          for like our air program and our water
```

```
1
          program. You know, we -- we keep all those
 2
          things -- they're together, but they're
 3
          separate. So we can identify them.
          MR. THERIOT:
 4
 5
                We only learned that when we fill out
 6
          a travel report.
 7
          MS. DELAFOSSE:
 8
                It's complicated. Yes, DEQ has a lot
9
          of funds, so that kinda complicates things.
10
          And some of them can't pay certain expenses
          and some of them can. And our escrow funds
11
12
          are a whole other story, so --
13
          MR. BURNHAM:
14
                That was good information, Theresa.
          Does anybody else have any questions for
15
16
          Theresa before we move on?
17
          (No response.)
18
          MR. BURNHAM:
19
                Okay. We'll move to the auditor's
20
          status report. Cy Morin?
21
          MR. MORIN:
22
                Yes. Good afternoon, Cy Morin. Turn
23
          to tab five. The first page of this report
24
          is the 21 open motor fuel cases as of August
25
          1st. We have 11 cases that are waiting
```

DEPARTMENT OF ENVIRONMENTAL QUALITY

reviews. Pending final review, they
represent one potential credit of \$4,400,
two potential assessments totaling just
under \$12,000 and seven potential clean
audits with no assessment. Ten cases are
still in progress with results to be
determined.

Now, since the last meeting, four new

Now, since the last meeting, four new cases have been added to this list and five cases previously mentioned have been closed and removed from the list.

Do you have any questions? (No response.)

14 MR. MORIN:

The second page details the same four cases that are within our legal department. Three of the cases have been referred to ODR and as of August 1st, we have not received any payments or anything from ODR on those three cases. The second case on the list, they continue to send in payments of roughly 200 to \$250 per month. The last payment was received on July 16th for \$200. If they fail to continue making payments, we will also refer them to ODR.

1	We completed 12 motor fuel delivery
2	fee audits during fiscal year '18. We'll
3	try to perform a similar number, if not a
4	few more, during fiscal year '19.
5	We did begin a RAC audit. We've done
6	some preliminary work and we will be getting
7	out and into the fieldwork soon. And so
8	we're going to have some results on that at
9	the next meeting.
10	And we also continue to do reviews
11	when there's a refund request. We had one
12	major refund request during fiscal year '18.
13	It resulted in an \$85,000 credit/refund for
14	a large company. The fee was being
15	collected by the large company when selling
16	to another certificate holder. That
17	certificate holder was also collecting a fee
18	from the customer and submitting it to the
19	department. So we did a review and
20	confirmed this, and we recommended that the
21	refund be made.
22	And that's all I have.
23	MR. BURNHAM:
24	Cy, out of curiosity, the the
25	entity that's paying the 200 a month, do you

```
1
          know what their balance is? Is that the
 2
          same -- it's not the same entity as number
 3
          one?
 4
          MR. MORIN:
 5
             The balance is on the spreadsheet.
          It's $5,155.43.
 6
 7
          MR. BURNHAM:
                Okay. So it won't take them forever.
 9
          MR. MORIN:
10
                It's gonna take a little while.
11
          MR. BURNHAM:
12
                I was wondering if it was $100,000 and
13
14
          MS. DELAFOSSE:
15
                It might feel that way to them.
          MR. BURNHAM:
16
17
                -- it was going to be a 30 year payout
18
          or whatever.
19
          MR. MORIN:
20
                They're chipping away at it.
          MR. ST. ROMAIN:
21
22
                25 more months.
23
          MR. BURNHAM:
24
                Yes. Okay.
25
                Okay. Is that it, Cy?
```

1	MR. MORIN:
2	That's it.
3	MR. BURNHAM:
4	Any questions for Cy, before we move
5	on?
6	(No response.)
7	MR. BURNHAM:
8	Okay. If not, Mr. Baker, trust fund
9	status report.
10	MR. BAKER:
11	Good afternoon. If ya'll turn to tab
12	number six. These are the figures for the
13	fourth quarter of fiscal year 2018. During
14	this quarter, the trust fund received
15	approximately 235 applications, totaling
16	just over four million dollars. As of the
17	end of June 2018, the trust fund had 74
18	pending applications to process, which had
19	requested amounts totaling 1.2 just over
20	1.2 million dollars. We had 262
21	applications processed for payment during
22	the fiscal quarter, totaling just under four
23	million dollars and 47 applications were
24	returned with deficiencies.
25	If you'll turn to the page entitled

1	report for the cumulative activities of the
2	motor fuel trust fund obligation
3	determination. This worksheet list the
4	various component determinations of the
5	potential obligation against the trust fund
6	as of the end of June 2018. For the sites
7	in the corrective action phase, the
8	outstanding liability of the corrective
9	action plan budget and estimated cost to
10	reach closure at the end of June 2018 was
11	\$28,417,275. This total included the CAP
12	budget remaining amount and the RAC
13	estimated cost to closure.

Now, if you'll look at your handouts —

these were not in your packets. If you'll
look at your handouts, and if you'll look at
the one that's entitled corrective action
plan (CAP) summary report for motor fuel
trust fund active sites, this will give you
a detailed description of what's included in
these numbers. It gives you all our active
sites right now, and it gives you the —— you
know, all the numbers associated with those
sites, including total recommended payments,
CAP's, CAP reimbursements and CAP budgets

and things of that nature, including pending cost.

Also, a couple of meetings ago, one of the board members requested that we include dates of how long the trust fund had been making payments for these sites. And you'll notice that under -- there's two columns added there. The first app receive date and the last app process date. So that kinda gives you an idea of -- of the -- how long we've been working on some of these sites.

Going back to our summary sheet for the obligation, if you'll look, the fund obligation recognized for sites without ROG approved CAP budgets was 23 -- just around 23 million dollars. This is determined using a three-year average site closure and applying these costs to the active trust fund sites without current CAP budgets.

Again, if you'll flip over to your handout, there's -- there's a handout called summary report of the -- for motor fuel active sites without corrective action plan. Again, this is a summary detailed report including the first app and last app process

dates and it just kinda gives -- again, it
gives you a more detailed summary of what's
included in these numbers.

Again, flipping back to the obligation determination summary sheet. The fund obligation recognized 27 sites that have been determined to be trust fund eligible, however, have not submitted a reimbursement application. That totals up to seven — just over 7.7 million dollars. And this is also determined by using the three year average closure cost and applying these cost to sites that have requested eligibility but have not yet submitted a request for reimbursement from the fund. These are sites we made eligible but haven't submitted any cost request to us.

And then the last section is the five year projected fund obligation related to the motor fuel trust fund to the environmental trust fund transfers. And that -- that's a five year estimate of just over 21 million -- or, just under 21 million dollars. This estimate uses the three year average dollars transferred from motor fuel

```
1
          trust fund to the environmental trust fund
 2
          and multiplies that average by five years.
 3
                Thus, the estimated obligation amount
          is $80,521,037, which represents a -- just
 4
          over 3.5 million dollar decrease compared to
 5
 6
          last quarter's estimated amount.
 7
          reduction is attributed to the number of --
 8
          the reduction in the number of non-CAP sites
 9
          and a minor decrease in the three year
10
          average cost to close estimate.
11
                Now, if you'll flip over to the page
          entitled incidents determined to be eligible
12
13
          for the motor fuel trust fund. This report
          shows the number of potential trust fund
14
          sites that were reviewed and made eligible
15
16
          during the current physical year was 43.
17
          And that represents 53 active incidents.
18
          Some of our sites have more than one
          incident. They have diesel and gas or -- or
19
20
          more than one release that happened in a
21
          similar time frame.
22
                Does anybody have any questions on
23
          that page?
24
          (No response.)
25
          MR. BAKER:
```

If you'll go to the next page entitled 1 trust fund sites that had a release granted 2 non further action status. This tells you 3 the trust fund sites that have not received 4 -- that have received a no further action 5 status thus far this fiscal year, and that's 6 42 locations. So what we're basically 7 saying here is that we added 43 sites to our 8 9 trust fund and we took 42 of them out. So -10 11 MR. BURNHAM: 12 How about that. MR. BAKER: 13 -- pretty even -- even go there. 14 Some other points of interest. This 15 quarter, we did have a fair -- have some 16 fairly major productivity impacts. Our 17 department's primary computer systems and 18 our electronic document management system 19 were down for three to four weeks, due to 20 major server failures. However, we were 21 able to recover our systems and had a fairly 22 strong quarter, despite of the hindrances. 23 Also, if you'll look at your handouts, 24

you'll find one that gives a summary of the

1	total trust fund reimbursements by response
2	action contractor. This this only
3	includes the registered RACs that have
4	received payments during this fiscal year.
5	So what I'm saying is, is that, we have more
6	RACs than this registered; however, these
7	are the ones that requested payments and
8	have reimbursements issued.
9	Just kinda of an overview of the
10	fiscal year. We had a very productive year.
11	We processed almost 13 million dollars,
12	which was an 11 percent increase in the
13	previous three year average. We also
14	reduced our application process time from
15	fiscal years 2017 to 2018 by over 26
16	percent.
17	Just to give you an idea of that, we
18	went from like 63 days, average process
19	time, to like 47 days. So we're we're
20	working to improve those numbers and we hope
21	to do that and we hope to continue that
22	trend.
23	That's all I have for today. Does
24	anybody have any questions?
25	(No response.)

```
1
          MS. DELAFOSSE:
                And I just want to piggy-back off of
 2
 3
          what Jeff said. His group has made some
 4
          really great improvements in their
 5
          efficiency and the process times this year
          and I hope that the RAC community has
 6
 7
          noticed that. I think it's -- it's a real
 8
          testament to Jeff as a manager and it's a
 9
          real testament to his staff. They've done a
10
          fantastic job really increasing their times
          and getting things out the door. So I --
11
12
          I'm really pleased with that.
          MR. BURNHAM:
13
                Jeff, are there a top one or two
14
15
          reasons why these 27 sites don't ever apply
          for reimbursement?
16
          MR. BAKER:
17
18
                It's just timing.
19
          MR. BURNHAM:
                They're come -- they're coming?
20
21
          MR. BAKER:
                Eventually. I -- I will say this, a
22
          very high percentage of them are going to
23
          come. Now, there's always a -- a few that -
24
          - they may not -- they may re-register or
25
```

```
1
          may be determined to be eligible, except
 2
          that they may have a $10,000 deductible and
 3
          when they go in and do the assessment, it's
 4
          less than ten, so then we never see them.
 5
          MR. BURNHAM:
 6
                Don't we have a mechanism now where
 7
          you have a certain number of days after the
 8
          approval letter is written where you --
 9
          MR. BAKER:
                We -- we do. If they don't -- if they
10
11
          don't get a work plan in within two years,
12
          they're no longer trust fund eligible. So
13
          that should keep some of these --
14
          MR. BURNHAM:
15
                Yes. Right. Keeps them from going on
16
          forever.
17
                Okay. Any other questions for Jeff?
18
          (No response.)
19
          MR. BURNHAM:
20
                Thank you, Jeff.
21
                Any other business?
22
          (No response.)
23
          MR. BURNHAM:
24
                Ya'll ready to go home? I got a
25
          second on that.
```

```
All right. Anything else before we
1
         request a -- sir?
2
3
         MR. FULTON:
           I apologize. I was going to ask Sam -
4
5
         MR. BURNHAM:
6
              No. That's all right.
7
          MR. FULTON:
8
              -- if he wanted to give us a little
          legislative update.
10
          MR. BROUSSARD:
11
               It's up to you guys.
12
13
          MR. THERIOT:
               Update on the new regulations.
14
          MR. FULTON:
15
                On the new regulations.
16
          MR. BURNHAM:
17
            Absolutely. Please.
18
          MR. BROUSSARD:
19
                So I'll give you an update on the
20
          status of the proposed UST regs.
21
          MR. BURNHAM:
22
              Yes, sir.
23
          MR. BROUSSARD:
24
                The reg number is UT018. The public
25
```

1	comment period ended on August 1st and we
2	got zero comments. The we submitted them
3	to the legislative oversight committee
4	yesterday, which would be August 8th. They
5	have a 30 day window to do any kind of
6	hearings. And if they don't have any
7	hearings in those 30 days, we will proceed
8	with finalizing the rule And if there are
9	no hearings by the legislative oversight
10	committee, the rule will be final on
11	September 20th of 2018. And if there are
12	any hearings, then we will just see what
13	happens.
14	MR. ST. ROMAIN:
15	When do they go into effect at that
16	point?
17	MR. BROUSSARD:
18	They would go into effect on September
19	20th. And the big-ticket items like spill-
20	bucket testing, interstitial monitoring,
21	sump testing, things like that have a three
22	year implementation window. You wouldn't
23	have to do your first until 2021.
24	MR. BURNHAM:
25	Okay. Thank you.

DEPARTMENT OF ENVIRONMENTAL QUALITY

```
Anything else?
1
        (No response.)
2
3
        MR. BURNHAM:
              Do I hear a motion to close our
4
 5
         meeting?
         MR. BRIGHT:
 6
              Motion.
7
         MR. BURNHAM:
 8
          All right. Second?
9
         MR. FULTON:
10
           Second.
11
         MR. BURNHAM:
12
               I'm sorry. But did you make the
13
         motion or did you second it?
14
         MR. FULTON:
15
               Oh, I'm sorry. I thought Roger --
16
         MR. McCARTNEY:
17
               I'll second it.
18
          MR. BURNHAM:
19
               Okay. We got a second. Okay. The
20
          meeting is adjourned. Thank you. Ya'll be
21
         safe driving.
22
              THE MEETING ADJOURNED AT 2:07 P.M.
23
24
```

-	REFORTER 5 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
L 4	transcription of proceeding, and that the dashes
15	() do not indicated that words or phrases have
16	been left out of this transcript;
L7	That any words and/or names which could not
18	be verified through reference material have been
19	denoted with the phrase "(inaudible)."
20	- Clifff
21	Lori Overland, C.C.R.
22	# 97083

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	Sell-Conf
24	Lori Overland C.C.R.

97083

In The Matter Of:

DEPARTMENT OF ENVIRONMENTAL QUALITY MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND

MEETING August 9, 2018

Associated Reporters, Inc.

2431 South Acadian Thruway

Suite 550

Baton Rouge, La. 70808

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Min-U-Script® with Word Index

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DEPARTMENT	OF ENVIRONMENTAL QUALITY	
	UNDERGROUND STORAGE TANK TRUST FUND	0

MEETING August 9, 2018

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In The Matter Of:

DEPARTMENT OF ENVIRONMENTAL QUALITY
MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND

MEETING August 9, 2018

Associated Reporters, Inc.

2431 South Acadian Thruway

Suite 550

Baton Rouge, La. 70808

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101	OR FUELS UNDERGROUND STORAGE TANK TRU	7511	Trugue	st 9, 20
	Page 1			Page
123		1	INDEX	
3	STATE OF LOUISIANA	2	EXAMINATION:	PAGE (S)
4	DEPARTMENT OF ENVIRONMENTAL QUALITY	3	None	21102 (0)
5	MOTOR FUELS UNDERGROUND STORAGE TANK TRUST	4		
6	FUND ADVISORY BOARD	5	EXHIBITS:	
7		6	None	
8		7		
9		8	REPORTER'S PAGE	
0		9	REPORTER'S CERTIFICATE	
1		10		
		11	* * * *	
2	The above-entitled meeting was held at the	12		
3	LSU AgCenter Research and Extension, 8105 Tom Bowman Drive, Alexandria, Louisiana, beginning	13		
4	at 1:12 p.m., on August 9, 2018.	14		
5		15		
6	Male and Male and Male and the second	16		
7		17		
8		18		
9	BEFORE:			
0	Lori B. Overland Certified Court Reporter	19		
1	In and For the State of Louisiana	20		
2		21		
3		22		
4		23		
5		24		
		-		
	Page 2			Page
1	APPEARANCES	1	* * * *	
2	Steve Burnham	2	MR. BURNHAM:	
3	Chairman	3	Okay. Our meeting is officially	
4	Kerry Hill, via telephone Durwood Franklin	4	called to order. We'll start with a roll	
5	Jeff Baker Gary Fulton	5	call. My name is Steve Burnham. I'm with	
6	Cy Morin Roger Bright	6	Engineering Associates.	
7	Theresa Delafosse	7	MR. ST. ROMAIN:	
8	Perry Theriot Joe McCartney	8	Nick St. Romain with St. Romain Oil	
9	Nick St. Romain	9	and LOMA.	
10	Melissa Vizinat Natalie Isaacks	10	MS. DELAFOSSE:	
.1	Jason Efferson Samuel Broussard	11	Theresa Delafosse with the Louisiana	
2	Shawn King Rhonda Cook	12	DEQ.	
.3	Kristine Stanley Ian Kelly	13	MR. MORIN:	
4	Michelle Gibbs	14	Cy Morin, LDEQ.	
.5	* * * *	15	MS. VIZINAT:	
16		16	Melissa Vizinat, DEQ Trust Fund.	
17		17	MR. BRIGHT:	
		18	Roger Bright, Jones Environmental.	
18		19	MR. McCARTNEY:	
19		1		
		20	Joe McCarntey with LOMA. MR. FULTON:	
20		21		
20		00	(come builton	
20 21 22		22	Gary Fulton, LDEQ.	
20 21 22 23		23	MR. BAKER:	
20 21 22 23 24				

ug	150 7, 2010	MOTORI	CLL	B CHEBITOTO BY OTHER SET THE THEORY	
		Page 5			Page 7
1	Durwood Franklin, DEQ.		1	claims.	
2	MR. THERIOT:		2	MR. THERIOT:	
3	Perry Theriot, DEQ.	4	3	I'm pleased to announce that the trust	
4	MR. BROUSSARD:		4	fund has not received any new third party	
5	Sam Broussard, DEQ.		5	claims. And things on the horizon, we	
6	MR. KING:		6	haven't heard a word on. So we're doing	
7	Shawn King, Jones Environmental.		7	pretty well. We're down to, I believe, only	
8	MS. ISAACKS:	7 (8	one outstanding case that is probably	
9	Natalie Isaacks, Louisiana Oil.		9	abandoned. And so, we may have a clear	
0	MS. GIBBS:		10	docket on third party cases currently.	
1	Michelle Gibbs.		11	MR. BURNHAM:	
2	MS. Stanley:		12	Excellent. Does anybody have any	
3	Kristine Stanley, PPM.		13	questions for Perry before we move on to the	
4	MS. COOK:		14	next item?	
5	Rhonda Cook, PPM.		15	(No response.)	
6	MR. EFFERSON:		16	MR. THERIOT:	
7	Jason Efferson, DEQ Trust Fund.		17	I've got we got the legislative	
8	MR. BURNHAM:		18	update on here.	
9	Thank you. Do I hear a motion to		19	MR. BURNHAM:	
0	adopt the minutes from our last meeting?		20	Oh, I'm sorry.	
1	MR. BRIGHT:		21	MR. ST. ROMAIN:	
2	Motion.		22	With with the third party claims,	
3	MR. BURNHAM:		23	just real quick for my refreshment. Is that	
. 3	Motion by Roger. Second?		24	still sitting with the attorney general or	
25	MR. ST. ROMAIN:		25	has that some of that money been	
	Mr. 51. Roman.			nas that some or that money com-	
		Page 6			Page 8
1	I'll second.		1	transferred back?	
2	MR. BURNHAM:		2	MR. THERIOT:	
3	Second. All in favor say aye.		3	That money was transferred back to us.	
4	(All indicating "aye".)		4	I think our finance people would be able to	
5	MR. BURNHAM:		5	give you some of the figures on it. But	
6	Any opposed?		6	(An off-the-record discussion followed.)	
7	(No response.)		7	MR. THERIOT:	
8	MR. BURNHAM:		8	Not not all the money that was	
9	Okay. We'll move on to third party		9	sweep has been given back, but the what	
10	claims.		10	was in the trust account was given back.	
11	MS. VIZINAT:		11	MS. ISAACKS:	
12	Steve, can you have Kerry introduce		12	The seven.	
13	himself.		13	MS. DELAFOSSE:	
14	MR. BURNHAM:		14	None of the seven has been returned.	
15	Oh, Kerry, would you introduce		15	MS. ISAACKS:	
	yourself on the phone, please. I'm sorry.		16	None of the seven.	
16	journell on the phone, proude, the sorty.		17	MS. DELAFOSSE:	
			11/		
17	MS. VIZINAT:			The remaining settlement proceeds that	
17 18	MS. VIZINAT: For the log.		18	The remaining settlement proceeds that were not part of that have been moved to the	
17 18 19	MS. VIZINAT: For the log. MR. HILL:		18 19	were not part of that have been moved to the	
17 18 19 20	MS. VIZINAT: For the log. MR. HILL: I'm sorry too. Kerry Hill with	e	18 19 20	were not part of that have been moved to the fund. That's still an issue.	
17 18 19 20 21	MS. VIZINAT: For the log. MR. HILL: I'm sorry too. Kerry Hill with Louisiana Oil Marketers and Convenience	e	18 19 20 21	were not part of that have been moved to the fund. That's still an issue. MR. THERIOT:	
17 18 19 20 21 22	MS. VIZINAT: For the log. MR. HILL: I'm sorry too. Kerry Hill with Louisiana Oil Marketers and Convenience Store Association.	e	18 19 20 21 22	were not part of that have been moved to the fund. That's still an issue. MR. THERIOT: We are currently in negotiations to	
17 18 19 20 21 22 23	MS. VIZINAT: For the log. MR. HILL: I'm sorry too. Kerry Hill with Louisiana Oil Marketers and Convenience Store Association. MR. BURNHAM:	e	18 19 20 21 22 23	were not part of that have been moved to the fund. That's still an issue. MR. THERIOT: We are currently in negotiations to settle one of our cost recovery suits.	
16 17 18 19 20 21 22 23 24 25	MS. VIZINAT: For the log. MR. HILL: I'm sorry too. Kerry Hill with Louisiana Oil Marketers and Convenience Store Association.	e	18 19 20 21 22	were not part of that have been moved to the fund. That's still an issue. MR. THERIOT: We are currently in negotiations to	

	PARTMENT OF ENVIRONMENTAL QUALITY TOR FUELS UNDERGROUND STORAGE TANK TRI	UST	FUND MEETING August 9, 2018
14.17	Page 9		Page 11
1	there. So actively negotiating the	1	through the enactment process. And that's a
2	settlement amount and the counteroffer	2	now required. It's not it's something
3	offer. That's not a third party suit. That	3	we've been doing anyway, so the department
4	is a cost recovery suit. So yes, that is	4	will continue to forward we have
5	still pending. And we have, I believe, one	5	workgroups with our stakeholders before we
6	small one and one large one left. So	6	ever put regulations into place. So we're
7	there's still more money that we expect to	7	going to it's now formalized that the
8	be coming into the fund from the cost	8	board will get a copy prior to, for it to
9	recovery.	9	consider, before we go to adoption. Prior
10	MR. ST. ROMAIN:	10	to that.
11	Okay. Thanks.	11	That's all that we changed this year.
12	MR. THERIOT:	12	MR. BURNHAM:
13	The legislative update, we only had	13	Okay. Any questions for Perry before
14	one bill that goes into effect as of eight	14	we move on?
15	days ago nine days now. Act 150, which	15	(No response.)
16	went into effect on August 1st.	16	MR. THERIOT:
17	(An off-the-record discussion followed.)	17	Theresa before we go any further,
18	MR. THERIOT:	18	Theresa, you're going to address the second
19	Act 150 puts a couple of changes into	19	part of what we plan to do with this?
20	effect into the trust fund statute. First	20	MS. DELAFOSSE:
21	of all, it requires that this board meet	21	Yes.
22	once every fiscal year and make a	22	MR. THERIOT:
23	recommendation well, in one of the	23	Okay.
24	meetings during the fiscal year would be	24	MR. BURNHAM:
25	more correct to meet and make a	25	Okay. We'll move on to Theresa.
	Page 10		Page 12
1	recommendation to the secretary for the	1	MS. DELAFOSSE:
2	amount they believe should be the fee on the	2	Little bit of spoilers from Perry
3	the first withdrawal from bulk on the	3	there. I planned to address the other part
4	gasoline that funds the the trust fund.	4	that we need deal with, with regards to the
5	That is that will be in order for us to	5	fee. We mentioned at our last board meeting
6	begin adjusting the amount of money that we	6	that Jeff and I and Perry had spoken to some
7	take in to attempt to have it match the	7	actuarial firms who work on similar
8	amount of money that goes out. At least	8	programs in other states and got quotes from
9	within a close amount. Rather than, right	9	them as far as what what they can do to -
10	now, we've been building reserves. Now	10	- to review our trust fund and make
11	and we're getting close to having to stop	11	recommendations both with regards to how to
12	collecting the fee and come back on the fee.	12	set the fee on an annual basis and with
13	But this will enable us, if we believe we're	13	regard to the obligation calculation that we
14	collecting too much, for the board to	14	currently undertake on a monthly basis.
15	recommend to the secretary that we reduce	15	So we spoke to two firms, which I
16	the amount of the fee to better match our	16	believe we mentioned at the last meeting.
17	obligations and therefore stop building any	17	And we've spent some time since then
18	further excesses that become attractive to	18	reviewing the proposals and discussing them
19	other folks to use.	19	internally. And this is the one that we
20	So that is that went into effect	20	wanted so this is the one that we were

August 1st.

The other -- the other provision is

forward to the board a copy of -- copies of

any of our proposed regulations before going

very simply a requirement on the DEQ to

21

22

23

24

25

23

24

more impressed with on the phone. When we

22 had the conversation with them, they asked a

lot of questions about how we did certain

changed over time, asked questions about

things with the program, things that had

Augu	ist 9, 2018 MO	TOR FU	EL	
	Р	age 13		Page 15
1	what our concerns were, et cetera. They		1	89,500. If any you know, I think and
2	also provided a report that they had done		2	then what was the other quote, about?
3	for another state, that we have a copy of		3	MR. BAKER:
4	and can share via email. If anybody is		4	23.
5	interested in seeing that for Utah. It's		5	MS. DELAFOSSE:
6	incredibly comprehensive. It goes through		6	23. So there's a there's a
7	detailed analyses about all the facets of		7	significant difference between the two.
8	the program and and makes some great		8	However, our our estimate when we began
9	recommendations. And this so this		9	this process was that we anticipated the
0	actuarial group is familiar with these types	1	LO	contract would be anywhere from 75 to
1	of programs. They indicated that as part of	1	11	100,000. So this is still within that
2	their work, they'd like to visit DEQ at		12	range.
3	least twice, I think they said, to to		13	Their work was about four months of
4	discuss things with our staff and get a		14	work versus the other firm that just
5	great understanding of the program and		15	MR. BAKER:
6	and what our concerns are. You know, maybe		16	Five weeks.
.7	even attend a board meeting if if that		17	MS. DELAFOSSE:
8	works out, or maybe do some some		18	Oh, that just just said five weeks.
.9	alternate meeting with with external		19	So it's a lot more comprehensive. And I
0	stakeholders as well so it's not just the		20	think since we've never engaged an actuary
1	internal DEQ staff that has the input.		21	for this type of review, something more comprehensive, I think, would be beneficial,
2	So, you know, as I was saying, we		22	especially because we do have the change
3	we think Pinnacle is probably going to do a		23	with the fee and we're going to need to have
4	more thorough job and has perhaps the, you know, better resume as far as reviewing		25	a process established for that.
	F	age 14		Page 1
1	these type programs are concerned. However,		1	So again, that's our our
2	their quote was a good bit higher than the	+ 1	2	recommendation. We've got a a better
3	other one. But it was in the ballpark of	26	3	feel for for their work and just a little
4	what we expected.		4	were a little more impressed with their
5	Jeff, if you can get to those parts?		5	experience and the questions that they asked
6	MR. BAKER:		6	us during the background. And then with
7	That John Wade that I was showing his		7	their you know, the work they sent us, as
8	his resume there, I've actually been to		8	well, that they done for Utah.
9	conferences and he has spoken and and was		9	So, you know, they're both
LO	highly respected and and really in the		10	obviously, you know, it's about three times
11	conversations we had, he was very		11	as much but it's it's still very affordable for the trust fund and I think it
12	impressive. We were very impressed with		12	would be a a good use of funds to hire
13	what he was saying and and the level of review we think he could do.		13 14	somebody. You know, Jeff works Jeff has
14	MS. DELAFOSSE:		15	made lots of updates to the obligation
15	MS. DELATOSSE.		16	calculation and we do our best to to
16	Right		- 1	carearation and no do out over to
	Right.			figure all these things out, but neither of
17	So here's kinda a timeline of the		17	figure all these things out, but neither of us are actuaries and that's a special a
17 18	So here's kinda a timeline of the you know, the when they'd like to begin		17 18	us are actuaries and that's a special a
17 18 19	So here's kinda a timeline of the you know, the when they'd like to begin and, you know, obviously, we're a little		17 18 19	us are actuaries and that's a special a special talent and a special skill. And I
17 18 19 20	So here's kinda a timeline of the you know, the when they'd like to begin and, you know, obviously, we're a little behind that because they have some June		17 18 19 20	us are actuaries and that's a special a special talent and a special skill. And I think retaining one would be in the best
17 18 19 20 21	So here's kinda a timeline of the you know, the when they'd like to begin and, you know, obviously, we're a little behind that because they have some June dates on there. But we wanted to discuss		17 18 19 20 21	us are actuaries and that's a special a special talent and a special skill. And I think retaining one would be in the best interest of the group.
17 18 19 20 21 22	So here's kinda a timeline of the you know, the when they'd like to begin and, you know, obviously, we're a little behind that because they have some June dates on there. But we wanted to discuss this with the board before we officially		17 18 19 20	us are actuaries and that's a special a special talent and a special skill. And I think retaining one would be in the best
16 17 18 19 20 21 22 23 24	So here's kinda a timeline of the you know, the when they'd like to begin and, you know, obviously, we're a little behind that because they have some June dates on there. But we wanted to discuss		17 18 19 20 21 22	us are actuaries and that's a special a special talent and a special skill. And I think retaining one would be in the best interest of the group. So I don't know if ya'll have any

MO	TOR FUELS UNDERGROUND STORAGE TANK TRI	UST	FUND August 9, 2018
	Page 17		Page 19
1	future liabilities, to help determine what	1	MS. DELAFOSSE:
2	this adjustable fee will be?	2	It's pretty much a one-time thing, in
3	MS. DELAFOSSE:	3	my opinion. I think you would maybe need
4	Exactly. Exactly. So they'll look	4	some consulting on a minimal basis after
5	they can look at the obligation calculation	5	that point, you know, maybe every other year
6	and determine if we've over-estimated	6	or something like that, but nothing to this
7	certain elements of it or if we've under-	7	extent.
	estimated other elements. And they they	8	MR. BRIGHT:
8	use a lot more complex analyses than we'd	9	Nothing like that?
9	be able to. And then from that, once they		MS. DELAFOSSE:
10	review the obligation, they can determine a	10	No. It wouldn't be an annual cost to
11	mechanism to identify what the fee should		this I I mean, I would say it'd be
12	be, based on, you know, a new I guess a	12	\$5,000 or less, after that for maintenance.
13	new obligation calculation essentially.	13	MR. BAKER:
14	MR. McCARTNEY:	15	And from the board's perspective
16	That doesn't seem to be a little	16	and like I said, these people when we
	overkill? I mean, I'm just curious.	17	spoke to them on the phone, they were
17	MS. DELAFOSSE:	18	extremely knowledgeable of the UST universe.
19	In my opinion, no. I mean, we've	19	Okay? And if you look at that report and
20	never had an actuary review the program. I	20	we'll be happy to provide it to ya'll. If
21	would rather be right than to set a fee	21	ya'll look at that report, it is in great
22	that's too low or too high. And, you know -	22	detail about trends with the industry and
23	- too high, I guess, is is less of a	23	whatnot. They they they really
24	concern, because, you know, then we'll learn	24	impressed us with what they knew. And I
25	from our mistakes and we can set it a little	25	think that's valuable. I think that adds a
23	from our inistances and we can set it a fittle	25	timik that's variable. I timik that adds a
	Page 18		Page 20
1		1	
1 2	lower in the future. But, you know, you	1 2	lot of value.
2	lower in the future. But, you know, you hate to set it too low and and go you		lot of value. Now, like Theresa said, down the line,
100	lower in the future. But, you know, you hate to set it too low and and go you know, dip into your reserves too much and	2	lot of value. Now, like Theresa said, down the line, you know, I think ya'll, as a board, are
2	lower in the future. But, you know, you hate to set it too low and and go you know, dip into your reserves too much and and leave the program in a in a not a	2 3	lot of value. Now, like Theresa said, down the line, you know, I think ya'll, as a board, are going to appreciate this level of review
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	lower in the future. But, you know, you hate to set it too low and and go you know, dip into your reserves too much and and leave the program in a in a not a good position where it's in such a great position now. So And there you know, Jeff and I discussed too, the task D that they have listed here is a little more of some kinda extra work that we had discussed with them. And what we could consider is eliminating the task D for their initial work and just focus on the claim reserves and project the liabilities et cetera and just leave that part out for now. And then, if we wanted to revisit that later and, you know, enter into another contract with the firm, then that's something we could do. And it would require less startup work at that time because they would be familiar with the program and the data et cetera, so MR. BRIGHT: Is this one is this like a one-time	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Now, like Theresa said, down the line, you know, I think ya'll, as a board, are going to appreciate this level of review because ya'll are going to be the ones recommending to the secretary what that rate is gonna be. And I'm sure ya'll want to make sure that you've got something solid to stand on when you're making those recommendations. And but in the future and I'm like Theresa I think, you know, you can probably they can probably give us an algorithm of what to do on an annual basis and maybe every couple of three years come in and kinda review it and make sure we're still on the right path and and I'm sure that would be dramatically less than what we're talking about. MS. DELAFOSSE: For sure. MR. McCARTNEY: You might run that by them before you sign the contract.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	lower in the future. But, you know, you hate to set it too low and and go you know, dip into your reserves too much and and leave the program in a in a not a good position where it's in such a great position now. So And there you know, Jeff and I discussed too, the task D that they have listed here is a little more of some kinda extra work that we had discussed with them. And what we could consider is eliminating the task D for their initial work and just focus on the claim reserves and project the liabilities et cetera and just leave that part out for now. And then, if we wanted to revisit that later and, you know, enter into another contract with the firm, then that's something we could do. And it would require less startup work at that time because they would be familiar with the program and the data et cetera, so MR. BRIGHT:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Now, like Theresa said, down the line, you know, I think ya'll, as a board, are going to appreciate this level of review because ya'll are going to be the ones recommending to the secretary what that rate is gonna be. And I'm sure ya'll want to make sure that you've got something solid to stand on when you're making those recommendations. And but in the future and I'm like Theresa I think, you know, you can probably they can probably give us an algorithm of what to do on an annual basis and maybe every couple of three years come in and kinda review it and make sure we're still on the right path and and I'm sure that would be dramatically less than what we're talking about. MS. DELAFOSSE: For sure. MR. McCARTNEY: You might run that by them before you

Page 23 Page 21 like a lot, but I think actuaries are --MR. BURNHAM: 1 they're expensive. There aren't many of Yes. Probably ought to include that. 2 2 them. They have certainly very impressive 3 MS. DELAFOSSE: 3 credentialing and they had a long list of Sure. 4 actuaries that they have on their -- on MR. BURNHAM: 5 Do they -- is it part of their scope their staff. I use to, you know, 6 6 anecdotally do some work with actuaries when of work to make any suggestions regarding 7 7 I worked at the legislative auditor's office efficiencies of our program, or that's 8 8 and it's a -- a -- definitely a unique line really not in their --9 9 of work and as far as getting the type of MR. BAKER: 10 10 output that they can get, you're not going No. Actually, there is. Actually, 11 11 to get that from anybody but an actuary. that is part of it. That's what really 12 12 And -- and this is -- this is, we believe, impressed us. He came in and talked about 13 13 the crew that is the most experienced with actually bringing somebody in that -- that 14 14 Perry knew from -- from his ASTSWMO the trust fund programs. 15 15 MR. BAKER: interaction. And they were very 16 16 knowledgeable of -- of the UST universe in -17 And as you can see here, they -- they 17 done one for the Georgia fund, the Utah - and other funds and could make 18 18 fund, Kentucky fund, Tennessee. I mean, a recommendations along those lines. 19 19 number of other similar funds. And then, if MR. ST. ROMAIN: 20 20 you go down here, there's some other -- some Is that kinda the part D --21 21 -- some -- but anyway, they -- this is not 22 MR. BAKER: 22 their first rodeo. And I think that's kinda task C. 23 23 MS. DELAFOSSE: MR. ST. ROMAIN: 24 24 Any other questions or comments? Oh, okay. 25 25 Page 24 Page 22 MS. ISAACKS: MR. BAKER: 1 2 What states were they again, Jeff? I When you've got high cost, no cost or 2 -- or long-term claims, things -- you know, couldn't keep up. 3 3 recommendations to reduce losses, things of 4 MR. BAKER: 4 Am I moving too quick? 5 that nature. 5 And, Nick, like you said, you would 6 MS. ISAACKS: 6 If I'm suppose to see it, yes. 7 also take them into D and down the line, you 7 know, we may -- that may be something we do 8 MR. BAKER: 8 I'm sorry. Georgia, Utah, Kentucky, in three or four years, if ya'll are -- if 9 9 Ohio -- well, that's kinda financial ya'll like what we got from these -- you 10 10 know, then we -- then come along and -assurance, but it does -- it is related. 11 11 MR. McCARTNEY: MS. DELAFOSSE: 12 12 Have ya'll -- have ya'll talked to And -- and that may be a good thing 13 13 Georgia or any of those people to see if -about separating off those -- maybe -- you 14 14 know, little extra things, because then --MR. BAKER: 15 15 They were -- they -then we're not involving them and doing 16 16 MR. McCARTNEY: \$90,000 worth of work. We just do more --17 17 -- some things you wanted to -- that maybe more the core stuff and then we can 18 18 they would do differently or add or delete? engage them again if we really, you know, 19 19 MS. DELAFOSSE: were impressed with their work and we want 20 20 Yes. What did Georgia say? them to look into things that they weren't 21 21 MR. BAKER: able to within the scope of the first 22 22 Well, they -- they -- they recommended contract. If that's something that the 23 23 them. Now, we didn't get into the level of 24 board would be more comfortable with too. 24 detail of what you're talking about. Now, But, you know, it seems -- it sounds 25 25

Page 25	August 9, 201
	Page 27
we can. And I don't mind doing that. But 1 are and and how much they a	re and make
they they came recommended to us 2 sure that the fund is is in a go	
before we even met with them. We called 3 position. But we're not experts.	
ACTOVIDATE TO COLUMN TO CO	
	e
6 honest with you, I spent a a big chuck of 6 MR. HILL:	A-17
a day making phone calls, trying to get some 7 And I understand that, The	
a actuaries and I came up with two. So 8 can hear you well. And ya'll ma	
9 MR. McCARTNEY: 9 discussed that. I just couldn't h	ear.
But, you know, that that would be 10 MS. DELAFOSSE:	
worth it, if somebody else was telling you 11 Sure.	
something about it. 12 MR. HILL:	
MR. BAKER: 13 I guess you're a little closer	r to the
That's a good question. 14 telephone.	
5 MR. HILL: 15 MS. DELAFOSSE:	
This is Kerry Hill. I can I can 16 I'm just a little bit louder, n	naybe.
hear a little bit but not real good. But 17 MR. ST. ROMAIN:	
there was a big difference between the 18 Kerry, something else she	pointed out
9 90,000 and 20,000 and I couldn't hear ya'll 19 There were they had broke the	
explaining what that difference is.	
2 It Kerry, this is Theresa. It's 22 was, I think, \$24,000. So we continue to the size of the size	
mostly going to boil down to the scope of 23 that 89 down to, what is that, 6	5.
work. The the Pinnacle 24 MR. HILL:	
5 MR. HILL: 25 Right.	
Page 26	Page 2
1 Okay. 1 MR. ST. ROMAIN:	
MS. DELAFOSSE: 2 55.	
The Pinnacle firm has four different 3 MR. BURNHAM:	
major task areas within their proposal and 4 Did we send a request for proposal and	proposal
about four or five months or estimated time 5 a formal request for proposal?	proposar
to did to the state of the stat	
7 firm had six weeks or five weeks of time to 7 We did not.	
s complete their work. And, you know, a lot - 8 MR. BURNHAM:	
	e two firms,
o MR. HILL: 10 be bidding apples to apples, the	
MR. HILL: So you don't think we're getting our 10 be bidding apples to apples, the right? Because	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 10 be bidding apples to apples, the 11 right? Because 12 MS. DELAFOSSE:	
MR. HILL: 1 So you don't think we're getting our 2 best bang for our buck with the \$20,000 quote? 10 be bidding apples to apples, the 11 right? Because 12 MS. DELAFOSSE: 13 May not be.	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? 10 be bidding apples to apples, the right? Because 12 MS. DELAFOSSE: 13 May not be.	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: May not be. MR. HILL: be bidding apples to apples, the right? Because MS. DELAFOSSE: May not be. MR. HILL:	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: MS. DELAFOSSE: I I don't know if bang for the buck 10 be bidding apples to apples, the right? Because 12 MS. DELAFOSSE: 13 May not be. 14 MR. HILL: 15 Okay.	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the MR. HILL: be bidding apples to apples, the right? Because 12 MS. DELAFOSSE: May not be. MR. HILL: Okay. MR. BURNHAM:	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: MS. DELAFOSSE: MS. DELAFOSSE: MR. HILL: MR. HILL: Okay. MR. HILL: Okay. MR. BURNHAM: Okay. Okay.	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the the way I would want to approach this, I guess, because it is kinda of a I don't MR. HILL: MS. DELAFOSSE: MAY not be. MR. HILL: Okay. MR. BURNHAM: Okay. MS. DELAFOSSE:	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the the way I would want to approach this, I guess, because it is kinda of a I don't want to say a once in a lifetime, but it's a be bidding apples to apples, the right? Because MS. DELAFOSSE: MR. HILL: MR. HILL: Okay. MR. BURNHAM: Okay. MS. DELAFOSSE: They and that's	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the the way I would want to approach this, I guess, because it is kinda of a I don't want to say a once in a lifetime, but it's a it's an occasional thing. You're not be bidding apples to apples, the right? Because 12 MS. DELAFOSSE: 13 May not be. 14 MR. HILL: 15 Okay. 16 MR. BURNHAM: 17 Okay. 18 MS. DELAFOSSE: 19 They and that's 20 MR. BURNHAM:	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the the way I would want to approach this, I guess, because it is kinda of a I don't want to say a once in a lifetime, but it's a it's an occasional thing. You're not hiring these people every year to to be bidding apples to apples, the right? Because MR. DELAFOSSE: MR. HILL: Okay. MR. BURNHAM: They and that's MR. BURNHAM: All right.	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the the way I would want to approach this, I guess, because it is kinda of a I don't want to say a once in a lifetime, but it's a it's an occasional thing. You're not hiring these people every year to to review your program. It's it's a special be bidding apples to apples, the right? Because MS. DELAFOSSE: MR. HILL: Okay. MR. BURNHAM: They and that's MR. BURNHAM: All right. All right.	ane with both
o MR. HILL: 1 So you don't think we're getting our 2 best bang for our buck with the \$20,000 3 quote? 4 MS. DELAFOSSE: 5 I I don't know if bang for the buck 6 is the is the term I'd look at or the 7 the way I would want to approach this, I 8 guess, because it is kinda of a I don't 9 want to say a once in a lifetime, but it's a 1 it's an occasional thing. You're not 1 hiring these people every year to to 2 review your program. It's it's a special 3 thing. We've never hired an actuary before. 10 be bidding apples to apples, the right? Because 12 MS. DELAFOSSE: 13 May not be. 14 MR. HILL: 15 Okay. 16 MR. BURNHAM: 17 Okay. 18 MS. DELAFOSSE: 19 They and that's 20 MR. BURNHAM: 21 All right. 22 MS. DELAFOSSE: 23 We had phone conversation	
MR. HILL: So you don't think we're getting our best bang for our buck with the \$20,000 quote? MS. DELAFOSSE: I I don't know if bang for the buck is the is the term I'd look at or the the way I would want to approach this, I guess, because it is kinda of a I don't want to say a once in a lifetime, but it's a it's an occasional thing. You're not hiring these people every year to to review your program. It's it's a special be bidding apples to apples, the right? Because MS. DELAFOSSE: MR. HILL: Okay. MR. BURNHAM: They and that's MR. BURNHAM: All right. All right. MS. DELAFOSSE: MR. BURNHAM: All right. MR. BURNHAM: MR.	sals from

Page 31 Page 29 Okay. Great. Taylor & Moulder was eight minutes long. 1 1 They didn't really have any questions for So if ya'll want, what we can do is 2 2 us. We shared some information -- we shared 3 email ya'll the report. I don't know what 3 information would be helpful for ya'll to the exact same data with them both as far as 4 4 see. You know, it's -- it's hard to see on some historical data from the program. And 5 5 this screen with Jeff scrolling a mile a they came up with the proposals based on 6 6 other work that they had done for other 7 minute. 7 MR. BAKER: states and what our phone conversations 8 8 yielded to them. 9 There's a lot of information. 9 MS. DELAFOSSE: MR. BAKER: 10 10 There are. There's a lot of And we also laid out goals, the same 11 11 information. There's certainly a lot of goals to each group, of what we were kinda 12 12 looking for. And one fleshed it out in much 13 information. 13 But this is something we need to begin 14 more detail than the other one. And if 14 fairly soon with the recommendation that the you'll look at the timeline on the other 15 15 board needs to make to the secretary in one, they're ready -- they're pretty much 16 16 going to have a draft report to us in 19 mind. It does take a little bit of time to 17 17 get contracts approved by the State Office days. Whereas, the other one is four 18 18 of State Procurement. But fortunately for months. 19 19 ya'll, that contract approval process MR. HILL: 20 20 reports to me. So I've got an inside track, Okav. 21 21 a little bit. But that's -- we wanted to MR. ST. ROMAIN: 22 22 discuss that today in light of the Were they recommended by any other 23 23 legislation being final. states, the other firm? 24 24 25 MR. BAKER: MR. BAKER: 25 Page 32 Page 30 And recognize that what we'll -- ya'll Yes. They both were recommended. I 1 1 will be making the decision as to the wouldn't -- we wouldn't have called them if 2 recommendation in the February board they hadn't had a recommendation. And they 3 3 meeting. have done several with other states, as 4 4 MR. ST. ROMAIN: 5 5 well. Right. That was what I was about to MS. DELAFOSSE: 6 6 ask. I don't -- I don't think you can go 7 7 wrong with either. I just think, based on MR. BAKER: 8 8 Because that gives you -- that gives our -- the -- the amount of time that we've 9 9 us three to four months to let them -been able to look into this and the internal 10 10 MR. ST. ROMAIN: conversations that we've had, we just get a 11 11 To get this completed. better feeling for the experience and the 12 12 knowledge of the Pinnacle firm. But again, MR. BAKER: 13 13 If ya'll decide to check -- drop it I -- they're -- they're both actuarial firms 14 14 down below the .08, then that gives the who have experience working with these type 15 15 marketers time to adjust their computers. of programs. So it's not -- you know -- it 16 16 -- but it may be, it is a bit apples to MR. ST. ROMAIN: 17 17 So if we get an email of this to oranges, as far as the breathe and 18 18 scope of their work. 19 review -- ya'll are looking for a decision 19 on this today, one firm versus the other, in MR. HILL: 20 20 other to have time to have a completed And that -- and that's what it's 21 21 report for the February meeting? about. That's -- that's the word I really 22 22 MS. DELAFOSSE: meant to use, apples or oranges. So you --23 23 I mean -- yes, and I don't know if you answered my question, Theresa. 24 24 it's a decision that has to be voted on in 25 MS. DELAFOSSE:

.10	TOR FUELS UNDERGROUND STORAGE TANK T		8
	Page	33	Page 3
1	the full board with a quorum. I think we	1	I I think you're probably talking
2	can communicate outside of the board to	2	about two different reports. One is just a
3	discuss that. But I don't know. That is	3	bigger how much money they think you're
4	that Perry?	4	going to need and the other one is going to
5	MR. THERIOT:	5	give you
6	The board doesn't this is not one	6	MR. THERIOT:
7	of the things the board is empowered to do.	7	An overview of how you're operating.
8	MS. DELAFOSSE:	8	And the people, generally speaking, it's
9	Right.	9	just a little rule of thumb, I would always
0	MR. THERIOT:	10	prefer if I'm contracting with somebody who
1	It's just we bring it up to ya'll to	11	asks a lot of questions and wants to know
2	let ya'll know. We will get asked by you,	12	more about my business before he jumps and
3	as is usually the practice, if we show an	13	
	administrative jump of \$80,000 in expenses.		says here's your bid. Okay. Now, that's
4	So we would always consult with you guys to	14	just me. But that's been my experience, is
		15	that they need to know in order to
6	let ya'll know what we're considering, okay.	16	prepare a document like this, you have to
7	And the information that they come up will be given to you because that's information	17	know a lot about what you're going to be
8.		18	doing, so I understand that the difference
.9	that you guys are going to want to see in order to make that recommendation. That's -	19	in the two bids is very significant, but I
20		20	sat in on the conversations and I do
21	- that's the reason for the actuarial	21	understand that there is a difference
22	looking at the program was to supply you	22	between what was asked by one and what was
23	guys with the information that's necessary	23	asked by the other.
24	to make ya'll's decision.	24	MS. DELAFOSSE:
25	MR. McCARTNEY:	25	But we provided the same information
	Page	34	Page 3
1	Do we make the call or or are ya'll	1	to each.
2	just making us aware of it and then the DEQ	2	MR. THERIOT:
3	makes the call?	3	Same information was sent to both.
4	MR. THERIOT:	4	MS. DELAFOSSE:
5	No. We do. We the secretary	5	Just their response thereto was
6	this isn't going to be a contract with the	6	different.
7	state	7	With that said, any other questions?
8	MR. McCARTNEY:	8	Or, should we provide this information via
9	Yes.		email and and maybe see if anybody has
.0	MR. THERIOT:	9	any feedback additional feedback at that
1	so, no, we would we would do it,	10	point?
12	but we would always want you guys to know	11	MR. HILL:
.3	ahead of time		That that's fine. That'll be fine.
	MR. McCARTNEY:	13	MS. DELAFOSSE:
	IVIIX. IVICCAIXIIVILI.	14	
		15	
15	Yes, I just	15	Okay.
15	Yes, I just MR. THERIOT:	16	MR. HILL:
15 16 17	Yes, I just MR. THERIOT: before we do that kinda thing. And	16 17	MR. HILL: Thank you.
L5 L6 L7 L8	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the	16 17 18	MR. HILL: Thank you. MS. DELAFOSSE:
15 16 17 18	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the conversations that were had during the	16 17 18 19	MR. HILL: Thank you. MS. DELAFOSSE: Okay. I guess I'll move to my my
15 16 17 18 19	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the conversations that were had during the screening of these two these two firms,	16 17 18 19 20	MR. HILL: Thank you. MS. DELAFOSSE: Okay. I guess I'll move to my my standard item now.
15 16 17 18 19 20 21	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the conversations that were had during the screening of these two these two firms, it does seem like a lot, but I sat in on	16 17 18 19 20 21	MR. HILL: Thank you. MS. DELAFOSSE: Okay. I guess I'll move to my my standard item now. I would like to share with ya'll that
15 16 17 18 19 20 21	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the conversations that were had during the screening of these two these two firms, it does seem like a lot, but I sat in on some of those conversations and it was	16 17 18 19 20 21 22	MR. HILL: Thank you. MS. DELAFOSSE: Okay. I guess I'll move to my my standard item now. I would like to share with ya'll that this will be my last appearance at this
15 16 17 18 19 20 21 22 23	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the conversations that were had during the screening of these two these two firms, it does seem like a lot, but I sat in on some of those conversations and it was significantly different with the two of	16 17 18 19 20 21 22 23	MR. HILL: Thank you. MS. DELAFOSSE: Okay. I guess I'll move to my my standard item now. I would like to share with ya'll that this will be my last appearance at this quarterly meeting for this calendar year. I
14 15 16 17 18 19 20 21 22 23 24 25	Yes, I just MR. THERIOT: before we do that kinda thing. And this is what we were considering. Given the conversations that were had during the screening of these two these two firms, it does seem like a lot, but I sat in on some of those conversations and it was	16 17 18 19 20 21 22	MR. HILL: Thank you. MS. DELAFOSSE: Okay. I guess I'll move to my my standard item now. I would like to share with ya'll that this will be my last appearance at this

MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND Page 39 Page 37 that we've discussed in detail, as you can anticipate that she will do a full power 1 see, the transfer for 2018 was just under point at the November board meeting, but I 2 2 5.6 million. We saw a decrease to that 3 will not be here because I'll be on 3 transfer. And that's going to be -- it'll maternity leave. So don't -- don't expect 4 4 be right at 5.3 million. So, you know, our to see me. 5 5 -- our administrative cost are staying So if you'll turn to tab four, that 6 6 pretty steady. And I'll go into these in a has the financial statements, the cash 7 7 little more detail in the slide show. basis. And this is for the end of fiscal 8 8 And ya'll stop me at any time with year 2018. 9 9 Fiscal year 2018 ended on June 30th. 10 10 Jeff, are you going to change the This is the standard financial report that 11 11 slides, or is there a clicker for me or -we present to ya'll each time. We collected 12 12 MR. BAKER: pretty much exactly the same in bulk 13 13 I'll do it. distribution fees this year, right at 22.1 14 14 MS. DELAFOSSE: million dollars. So that's very steady with 15 15 relation to the .08 percent. And then, Okay. 16 16 you'll see the interest earnings, though, we 17 MR. BAKER: 17 Just point at me. had a lot. As the fund grows and as the 18 18 interest rates increase, we're certainly MS. DELAFOSSE: 19 19 Okay. I'll point at you. going to see some increases in revenue 20 20 Okay. So this is the -- this has a there, which I know Gary is pleased about. 21 21 little more detail about the bulk We're still working on getting those 22 22 distribution fees and the history of those contracts in place to have those abandoned 23 23 collections. As I mentioned on the tanks remediated, either pulled or the sites 24 24 financial report, they have been steady. -- or the releases cleaned up. So we have a 25 25 Page 40 Page 38

good bit of revenue available for that 1 process now, which is a -- a really great 2 thing for the program. 3 4

You'll see the claims for reimbursement. We saw a pretty nice increase there. Fiscal year 2017 was just at 10.7 million. And we were right under 14 million for 2018. So that's good. Jeff's group was busy. And we -- we had a great

year. And so then, the main numbers I'll point out now are at the bottom. As you see, the total cash balance in the fund is 114 million dollars. Once you deduct the liability of 80 million, that leaves an unobligated balance of 26 million. So we are really grateful that that legislation was such a success this past session, because I think that will give us -- that'll help us, because we can collect less and -

22 appealing to the legislature. 23 24

- and not have that large unobligated balance sitting there and -- and looking so So the second page, too, is our underground storage tanks -- the transfer

There was a .1 percent increase from fiscal

2017 to 2018. So they were virtually the 2 same. But as you can see with the interest

income, we have seen some great growth in 4

that area. We earned almost 1.4 million 5

dollars in interest in fiscal year 2018, 6 7

which is fantastic.

9

These are the final expenditures by function for fiscal year 2018. As you can

see, the majority of the program 10 expenditures are with Gary's group, the UST 11

Core Work and the team leaders that they do 12

working with the sites. We also have some 13 enforcement costs. And then Jeff's group is 14

the motor fuel trust fund section that comes 15

in right at 19 percent. And then our 16

support services that my group does 17 predominantly and any -- and our indirect 18

cost that we charge and have discussed with 19

ya'll is right at 1.9 million dollars for a 20

total of 25 percent of the total. 21 22

This is a new slide. I got a little bit more information for our enforcement group, as far as the work that they've done, or did in the -- in the past three fiscal

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MO	TOR FUELS UNDERGROUND STORAGE TANK TR	UST	FUND August 9, 2018
	Page 41	,	Page 43
1	years that they've been able to close out	1	We saw a pretty big decrease in the
2	from an enforcement prospective. So I have	2	travel and training charges for the program.
3	fiscal year 2015, 2016 and 2017. You can	3	Just under 5,000 this year. I know some
4	see just a listing of all the different	4	a number of folks are going to the tanks
5	types of actions that they issue. With the	5	conference this year, so we may see an
6	most prevalent being the expedited	6	increase, but a lot of those costs are paid
7	penalties. I don't know as much as maybe	7	for by outside organizations, so may not see
8	some folks do, of course, about the	8	any changes there. But we don't I don't
9	enforcement process, but the expedited	9	have any numbers yet for fiscal year '19
10	penalties are they're used often and	10	projections because it's so new, so early.
11	they're voluntary so if if we have	11	And then our operating services below
12	violations at a site and they want to just	12	were pretty pretty close to what they
13	basically wipe the slate clean and be done	13	were the previous year. That includes, like
14	with it once they get in compliance, they	14	we've discussed before, our our ASTSWMO
15	can enter into an expedited penalty	15	dues, maintenance on our vehicles, supplies,
16	agreement and then, you know, it saves them	16	et cetera.
17	a lot of time, it saves the department a lot	17	Saw a large decrease in professional
18	of time. It's a win, win. So the expedited	18	services. We used a a good bit more work
19	penalties that were accessed in each year,	19	from these vendors in our professional
20	you can see, they're just around 100,000 in	20	services contracts in fiscal year '17 than
21	the two most recent years that they've	21	we did in '18. That's all the way down to
22	closed out and we've collected 57,000 and	22	under \$1,000 this past year for our
23	51,000. So but those those revenues	23	professional services.
24	for those penalties actually go into our	24	Some of this work can be done through
25	hazardous waste site cleanup fund. That's	25	our operating services. It depends on what
	Page 42		Page 44
1	what our how our penalties function,	1	type of agreement we have with the vendor.
2	which so it's a different they go into	2	So it's it's more of a technical
3	a different fund. But there are they do	3	distinction between the two.
4	some great work ensuring compliance within	4	So this is our other charges. This is
5	the UST community as part of their work as	5	the ones that I mentioned previously where
6	well.	6	some some of the labs are considered
7	These are the salaries and related	7	other charges and some of the labs are
8	benefits that were attributable to the	8	considered professional services. It's a
9	program in fiscal year 2018. I also have	9	technical distinction, depending on the
10	the comparison with 2017. As you can see,	10	vendor.
11	there was an increase of 4.9 percent from	11	So for the tank operator training, you
12	one year to the next in the salary amount	12	see we our expenditures were 204,000.
13	and a similar increase in the related	13	For our compliance services who conduct the
14	benefits amount of 4.5 percent.	14	inspections, we expended 205,000. Then we
15	As you can see, the related benefit	15	had some lab very minimal lab costs. And
16	costs are significant, particularly because	16	a couple of different site investigation
17	of the retirement cost. They're, you know,	17	costs for the sites listed. And then the
18	approaching 40 percent per employee, so	18	attorney general fees, our budget for that
19	that's going to that's significant and	19	was over a million dollars, but as things
20	from a cost perspective. And we also had	20	are winding down and we're getting closer to
21	the changes in the pay plan that happened in	21	settling those cases, those charges are
22	January. So that's that's the main	22	are going to, you know, stay in that realm
23	thrust of the increase in salaries and	23	and/or continue to decrease in future years.
24	related benefits is those changes that took	24	So those were just 265,000 and that was for
25	place in January.	25	the entire fiscal year. So in that

Page 47 Page 45 So the fees were previously \$54 a tank 1 category, we saw a pretty significant 1 and now they're \$60 a tank. We did have, as decrease in cost from fiscal year '17 to 2 2 of earlier this week, about \$95,000 fiscal year '18. 3 3 outstanding of our tank fees. We've Here's a detailed slide on the 4 4 collected around 85 percent, is what attorney general charges. As I mentioned, 5 5 they have decreased over time. When we were information got provided to me by the 6 6 billing department. And we typically 7 firing up this litigation and just beginning 7 collect closer to 95 percent. But we do it, it was, you know, in the neighborhood of 8 8 have to send those second notices and, you a million dollars, 900,000, but for fiscal 9 9 year 2018, just -- just 265,000, as we wind know, make sure people are paying attention 10 10 to us. So we should collect a good down and get closer to settling those cases. 11 11 percentage of that 95,000. Probably at The interagency transfers category, 12 12 least another 40,000 or 50,000 of the there was a big decrease -- a fairly large 13 13 outstanding tank registration fees for this decrease here. But it does include those 14 14 costs that are listed below, the rent in fiscal year. 15 15 MR. ST. ROMAIN: those state owned buildings, security that 16 16 That registration fee, that doesn't go we have to have in our buildings and some 17 17 into the trust fund, does it? telephone charges to the Office of 18 18 MS. DELAFOSSE: Telecommunications. 19 19 No. It's available in ETF though. It And then as -- as we discussed again 20 20 previously are the indirect charges. We does offset the -- the program cost for the 21 21 trust fund. charge half of rate as the board agreed to, 22 22 MR. ST. ROMAIN: I believe, in fiscal year 2013. We 23 23 Got you. recalculate this rate every year in the 24 24 MS. DELAFOSSE: 25 spring and have EPA review and approve it. 25 Page 48 Page 46 So it gets spent by the trust fund. It did go down, as you can see, pretty 1 1 It just doesn't go into it. significantly from fiscal year 2018 to 2019. 2 And then, this is the transfer again 3 And we expect that it should stay closer to 3 from the motor fuel trust fund to the that 60 percent figure. '18 was a high 4 4 environmental trust fund to cover the 5 year. 5 program expenditures because the ETF And there's no new information on the 6 6 revenues don't cover the expenditures. 7 federal grant revenues, but we have 7 I mentioned when I shared the pages 8 discussed this in detail in the past. They 8 with you in tab four that our net transfer have declined pretty significantly, but I 9 9 had decreased. It appears to have increased think we are working on some new grant 10 10 on this slide but that's because the revenues. So perhaps fiscal year 2019 will 11 11 attorney general charges, I haven't deducted 12 have some larger stuff. But the fiscal year 12 those from fiscal year 2018, because they -- they operate on the federal fiscal year, 13 13 weren't paid from settlement proceeds. They 14 so we won't know those amounts until a 14 were paid -- they had to be paid directly little closer to October. So that 15 15 that 265,000. Where in fiscal year 2017, information -- if -- I can make sure Lacey 16 16 they were paid from settlement proceeds. So presents that information, just to let the 17 17 there -- I think it's going to stay fairly board know what the grant numbers look like 18 18 steady. And we're making every effort to for the next year, because hopefully they'll 19 19 make sure it does not increase and it either 20 increase. But we'll see. 20 decreases or stays the same. Our tank registration fees. As we 21 21 I think that's it. That's all I have. know, the registration fee went up ten 22 22 Any questions? 23 percent for fiscal year 2019 -- 2018, sorry. 23 MS. ISAACKS: And I have up there July 1, 2018, but that's 24 24 So the AG's office was paid -- or the 25 not correct. It's July 1, 2017.

MO	TOR FUELS UNDERGROUND STORAGE TANK TRI	JST :	FUND August 9, 2018
	Page 49		Page 51
1	attorney fees were paid out of the	1	program. You know, we we keep all those
2	environmental trust fund or am I	2	things they're together, but they're
3	MS. DELAFOSSE:	3	separate. So we can identify them.
4	They're paid out of ETF and then	4	MR. THERIOT:
5	reimbursed as part of the overall cost of	5	We only learned that when we fill out
6	the program.	6	a travel report.
7	MS. ISAACKS:	7	MS. DELAFOSSE:
8	Is there a reason why it was there and	8	It's complicated. Yes, DEQ has a lot
9	not straight from the trust fund?	9	of funds, so that kinda complicates things.
10	MS. DELAFOSSE:	10	And some of them can't pay certain expenses
11	Perry?	11	and some of them can. And our escrow funds
12	MR. THERIOT:	12	are a whole other story, so
13	While the trust fund is authorized	13	MR. BURNHAM:
14	under the statute to pay legal fees, the way	14	That was good information, Theresa.
15	that the accounting system is setup, the	15	Does anybody else have any questions for
16	daily operating expenses that the state	16	Theresa before we move on?
17	incurs are paid by the ETF. It's setup that	17	(No response.)
18	way. And then at the end of the fiscal	18	MR. BURNHAM:
19	year, the difference between the federal	19	Okay. We'll move to the auditor's
20	grant and the tank fees, which offset, those	20	status report. Cy Morin?
21	are put on it first and then only the amount	21	MR. MORIN:
22	that's left over is reimbursed by the fund.	22	Yes. Good afternoon, Cy Morin. Turn
23	So actually, if you wanted to look at it, a	23	to tab five. The first page of this report
24	percentage of those legal fees are being	24	is the 21 open motor fuel cases as of August
25	paid by the ETF and the and the grant	25	1st. We have 11 cases that are waiting
	Page 50		Page 52
1	money, which also authorizes legal fees for	1	reviews. Pending final review, they
2	cost recovery. So those are all in there.	2	represent one potential credit of \$4,400,
3	It just gets bunched together and then	3	two potential assessments totaling just
4	annually gets reimbursed by the trust fund.	4	under \$12,000 and seven potential clean
5	Whatever is left over, after those funds are	5	audits with no assessment. Ten cases are
6		6	still in progress with results to be
7	MS. DELAFOSSE:	7	determined.
8	It's just how it has to be set up in	8	Now, since the last meeting, four new
9	the accounting system	9	cases have been added to this list and five
10	MR. THERIOT:	10	cases previously mentioned have been closed
11	Yes.	11	and removed from the list.
12	MS. DELAFOSSE:	12	Do you have any questions?
13	that it has to come from the	13	(No response.)
14	environmental trust fund. But the	14	MR. MORIN:
15	environmental trust fund has sub-funds	15	The second page details the same four
16	within it, so, you know, at the risk of	16	cases that are within our legal department.
17	being a little too technical, the	17	Three of the cases have been referred to ODR
18	environmental trust fund's Q02, we have	18	and as of August 1st, we have not received
19	Q0207, that's the motor fuel charges. So we	19	any payments or anything from ODR on those
20	can keep their they're not grouped	20	three cases. The second case on the list,
21	together with all the ETF charges. We keep	21	they continue to send in payments of roughly
22	them separately so we can identify what	22	200 to \$250 per month. The last payment was
23	what are the motor fuel charges. And then	23	received on July 16th for \$200. If they
24	we have separate ones for like our other	24	fail to continue making payments, we will
25	for like our air program and our water	25	also refer them to ODR.
1			

ugu		-	LS UNDERGROUND STORAGE TANK TRUS	
	Page 53			Page 55
1	We completed 12 motor fuel delivery	1	MR. MORIN:	
2	fee audits during fiscal year '18. We'll	2	That's it.	
3	try to perform a similar number, if not a	3	MR. BURNHAM:	
4	few more, during fiscal year '19.	4	Any questions for Cy, before we move	
5	We did begin a RAC audit. We've done	5	on?	
6	some preliminary work and we will be getting	6	(No response.)	
7	out and into the fieldwork soon. And so	7	MR. BURNHAM:	
8	we're going to have some results on that at	8	Okay. If not, Mr. Baker, trust fund	
9	the next meeting.	9	status report.	
0	And we also continue to do reviews	10	MR. BAKER:	
1	when there's a refund request. We had one	11	Good afternoon. If ya'll turn to tab	
2	major refund request during fiscal year '18.	12	number six. These are the figures for the	
3	It resulted in an \$85,000 credit/refund for	13	fourth quarter of fiscal year 2018. During	
4	a large company. The fee was being	14	this quarter, the trust fund received	
5	collected by the large company when selling	15	approximately 235 applications, totaling	
6	to another certificate holder. That	16	just over four million dollars. As of the	
7	certificate holder was also collecting a fee	17	end of June 2018, the trust fund had 74	
8	from the customer and submitting it to the	18	pending applications to process, which had	
9	department. So we did a review and	19	requested amounts totaling 1.2 just over	
0	confirmed this, and we recommended that the	20	1.2 million dollars. We had 262	
1	refund be made.	21	applications processed for payment during	
2	And that's all I have.	22	the fiscal quarter, totaling just under four	
3	MR. BURNHAM:	23	million dollars and 47 applications were	
4	Cy, out of curiosity, the the	24	returned with deficiencies.	
5	entity that's paying the 200 a month, do you	25	If you'll turn to the page entitled	
	Page 5	4		Page 5
1	know what their balance is? Is that the	1	report for the cumulative activities of the	
2	same it's not the same entity as number	2	6 1 6 1 11:	
3	one?	3	determination. This worksheet list the	
4	MR. MORIN:	4	various component determinations of the	
5	The balance is on the spreadsheet.	5	tti-1 -bligation against the tweet fund	
6	It's \$5,155.43.	6	as of the end of June 2018. For the sites	
7	MR. BURNHAM:	7	in the corrective action phase, the	
8	Okay. So it won't take them forever.	8	the transfer of the time	
9	MR. MORIN:	9	action plan budget and estimated cost to	
0	It's gonna take a little while.	10	reach closure at the end of June 2018 was	
1	MR. BURNHAM:	11	the strange military to the CAD	
2	I was wondering if it was \$100,000 and	12	budget remaining amount and the RAC	
.3		13		
4	MS. DELAFOSSE:	14	Now, if you'll look at your handouts -	
15	It might feel that way to them.	15	- these were not in your packets. If you'll	
6	MR. BURNHAM:	16	look at your handouts, and if you'll look at	
.7	it was going to be a 30 year payout	17	the one that's entitled corrective action	
18	or whatever.	18	plan (CAP) summary report for motor fuel	
9	MR. MORIN:	19		
20	They're chipping away at it.	20		
21	MR. ST. ROMAIN:	21		
	25 more months.	22		
		23	know, all the numbers associated with thos	e
22	MR. BURNHAM:			
22 23 24	MR. BURNHAM: Yes. Okay.	24		nts,

Page 57 Page 59 and things of that nature, including pending 1 trust fund to the environmental trust fund 2 cost. and multiplies that average by five years. 2 3 Also, a couple of meetings ago, one of Thus, the estimated obligation amount 3 the board members requested that we include 4 is \$80,521,037, which represents a -- just 4 dates of how long the trust fund had been 5 over 3.5 million dollar decrease compared to 5 making payments for these sites. And you'll 6 last quarter's estimated amount. This 6 notice that under -- there's two columns reduction is attributed to the number of --7 7 added there. The first app receive date and 8 the reduction in the number of non-CAP sites 8 the last app process date. So that kinda 9 9 and a minor decrease in the three year gives you an idea of -- of the -- how long 10 10 average cost to close estimate. we've been working on some of these sites. 11 11 Now, if you'll flip over to the page Going back to our summary sheet for 12 entitled incidents determined to be eligible 12 the obligation, if you'll look, the fund for the motor fuel trust fund. This report 13 13 obligation recognized for sites without ROG shows the number of potential trust fund 14 14 approved CAP budgets was 23 -- just around sites that were reviewed and made eligible 15 15 23 million dollars. This is determined during the current physical year was 43. 16 16 using a three-year average site closure and And that represents 53 active incidents. 17 17 18 applying these costs to the active trust Some of our sites have more than one 18 fund sites without current CAP budgets. 19 incident. They have diesel and gas or -- or 19 Again, if you'll flip over to your 20 more than one release that happened in a 20 handout, there's -- there's a handout called

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Page 58

Page 60

dates and it just kinda gives -- again, it 1 gives you a more detailed summary of what's 2 included in these numbers. 3

summary report of the -- for motor fuel

Again, this is a summary detailed report

active sites without corrective action plan.

including the first app and last app process

Again, flipping back to the obligation determination summary sheet. The fund obligation recognized 27 sites that have been determined to be trust fund eligible,

however, have not submitted a reimbursement 8 application. That totals up to seven --

9 just over 7.7 million dollars. And this is 10

also determined by using the three year 11

average closure cost and applying these cost 12 to sites that have requested eligibility but 13

14 have not yet submitted a request for

15 reimbursement from the fund. These are

16 sites we made eligible but haven't submitted any cost request to us. 17

And then the last section is the five year projected fund obligation related to the motor fuel trust fund to the environmental trust fund transfers. And

21 that -- that's a five year estimate of just

over 21 million -- or, just under 21 million 23 dollars. This estimate uses the three year 24

25 average dollars transferred from motor fuel 1 If you'll go to the next page entitled

trust fund sites that had a release granted 2

Does anybody have any questions on

non further action status. This tells you the trust fund sites that have not received 4

-- that have received a no further action 5

status thus far this fiscal year, and that's 6

42 locations. So what we're basically 7

saying here is that we added 43 sites to our 8

trust fund and we took 42 of them out. So -9 10

MR. BURNHAM:

similar time frame.

that page?

(No response.)

MR. BAKER:

12 How about that.

13 MR. BAKER:

-- pretty even -- even go there.

Some other points of interest. This 15 quarter, we did have a fair -- have some 16 17 fairly major productivity impacts. Our

department's primary computer systems and 18

our electronic document management system 19 were down for three to four weeks, due to 20

major server failures. However, we were 21

able to recover our systems and had a fairly 22 23 strong quarter, despite of the hindrances.

Also, if you'll look at your handouts, 24

you'll find one that gives a summary of the

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Augu	sst 9, 2018 MOTOL	R FUEL	S UNDERGROUND STORAGE TANK TRUS	
	Page 6	61		Page 63
1	total trust fund reimbursements by response	1	may be determined to be eligible, except	
2	action contractor. This this only	2	that they may have a \$10,000 deductible and	
3	includes the registered RACs that have	3	when they go in and do the assessment, it's	
4	received payments during this fiscal year.	4	less than ten, so then we never see them.	
5	So what I'm saying is, is that, we have more	5	MR. BURNHAM:	
6	RACs than this registered; however, these	6	Don't we have a mechanism now where	
7	are the ones that requested payments and	7	you have a certain number of days after the	
8	have reimbursements issued.	8	approval letter is written where you	
9	Just kinda of an overview of the	9	MR. BAKER:	
10	fiscal year. We had a very productive year.	10	We we do. If they don't if they	
11	We processed almost 13 million dollars,	11	don't get a work plan in within two years,	
12	which was an 11 percent increase in the	12	they're no longer trust fund eligible. So	
13	previous three year average. We also	13	that should keep some of these	
14	reduced our application process time from	14	MR. BURNHAM:	
15	fiscal years 2017 to 2018 by over 26	15	Yes. Right. Keeps them from going on	
16	percent.	16	forever.	
17	Just to give you an idea of that, we	17	Okay. Any other questions for Jeff?	
18	went from like 63 days, average process	18	(No response.)	
19	time, to like 47 days. So we're we're	19	MR. BURNHAM:	
20	working to improve those numbers and we hope	20	Thank you, Jeff.	
21	to do that and we hope to continue that	21	Any other business?	
22	trend.	22	(No response.)	
23	That's all I have for today. Does	23	MR. BURNHAM:	
24	anybody have any questions?	24	Ya'll ready to go home? I got a	
25	(No response.)	25	second on that.	
	Page	62		Page 64
1	MS. DELAFOSSE:	1	All right. Anything else before we	
2	And I just want to piggy-back off of	2	request a sir?	
3	what Jeff said. His group has made some	3	MR. FULTON:	
4	really great improvements in their	4	I apologize. I was going to ask Sam -	
5	efficiency and the process times this year	5	-	
6	and I hope that the RAC community has	6	MR. BURNHAM:	
7	noticed that. I think it's it's a real	7	No. That's all right.	
8	testament to Jeff as a manager and it's a	8	MR. FULTON:	
9	real testament to his staff. They've done a	9	if he wanted to give us a little	
10	fantastic job really increasing their times	10	legislative update.	
11	and getting things out the door. So I	11	MR. BROUSSARD:	
12	I'm really pleased with that.	12	It's up to you guys.	
13	MR. BURNHAM:	13	MR. THERIOT:	
14	Jeff, are there a top one or two	14	Update on the new regulations.	
15	reasons why these 27 sites don't ever apply	15	MR. FULTON:	
16	for reimbursement?	16	On the new regulations.	
17	MR. BAKER:	17	MR. BURNHAM:	
18	It's just timing.	18	Absolutely. Please.	
19	MR. BURNHAM:	19	MR. BROUSSARD:	
20	They're come they're coming?	20	So I'll give you an update on the	
	MR. BAKER:	21	status of the proposed UST regs.	
21	- 11 T T 11 11 11 11	22	MR. BURNHAM:	
21 22	Eventually. I I will say this, a	Towns and		
	very high percentage of them are going to	23	Yes, sir.	
22		23 24 25	Yes, sir. MR. BROUSSARD: The reg number is UT018. The public	

MO	FOR FUELS UNDERGROUND STORAGE TANK TRI	UST	FUND MEETING August 9, 201
	Page 65		Page 67
1	comment period ended on August 1st and we	1	
2	got zero comments. The we submitted them	1	REPORTER'S PAGE
3	to the legislative oversight committee	2	I, Lori B. Overland, Certified Court
4	yesterday, which would be August 8th. They	3	Reporter, in and for the State of Louisiana, the
5	have a 30 day window to do any kind of		officer, as defined in Rule 28 of the Federal
6	hearings. And if they don't have any		Rules of Civil Procedure and/or Article 1434(b)
7	hearings in those 30 days, we will proceed		of the Louisiana code of Civil Procedure, before
8	with finalizing the rule. And if there are		whom this sworn testimony was taken, do hereby
9	no hearings by the legislative oversight		state on the Record
10	committee, the rule will be final on	9	That due to the interaction in the
11	September 20th of 2018. And if there are		spontaneous discourse of this proceeding, dashes
12			() have been used to indicate pauses, changes
13	any hearings, then we will just see what happens.		in thought, and/or talk overs; that same is the
14	MR. ST. ROMAIN:		proper method for a Court Reporters's
			transcription of proceeding, and that the dashes
15	When do they go into effect at that		() do not indicated that words or phrases have
16 17	point? MR. BROUSSARD:	No.	been left out of this transcript;
17		17	That any words and/or names which could not
18	They would go into effect on September 20th. And the big-ticket items like spill-	18	be verified through reference material have been
20			denoted with the phrase "(inaudible)."
21	bucket testing, interstitial monitoring,	20	I 10 1 100P
	sump testing, things like that have a three	21	Lori Overland, C.C.R.
22	year implementation window. You wouldn't	22	# 97083
24	have to do your first until 2021. MR. BURNHAM:	23	
25	Okay. Thank you.	24	
A A	Page 66		
		1	Page 68
1	Anything else?	2	CERTIFICATION
2	(No response.)	3	I, Lori B. Overland, Certified Court Reporter in
3	MR. BURNHAM:		and for the State of Louisiana, as the officer
4	Do I hear a motion to close our	4	before whom this testimony was taken, do hereby
	meeting?	5	certify that the above referenced individual to whom
6	MR. BRIGHT:	6	oath was administered, after having been duly sworn
7	Motion.	1	by me upon authority of R.S. 37:2554, did testify as
8	MR. BURNHAM:	8	horoiphofore set forth in the forth
0			hereinbefore set forth in the foregoing pages, that
9	All right. Second?	9	this testimony was reported by me in the stenomask
	MR. FULTON:		this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me
10 11	MR. FULTON: Second.	9	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and
10 11 12	MR. FULTON: Second. MR. BURNHAM:	9	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my
10 11 12 13	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the	9 10 11	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has
10 11 12 13	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the motion or did you second it?	9 10 11 12	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my
10 11 12 13 14	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the motion or did you second it? MR. FULTON:	9 10 11 12 13	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has
10 11 12 13 14 15	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the motion or did you second it? MR. FULTON: Oh, I'm sorry. I thought Roger	9 10 11 12 13 14	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format
10 11 12 13 14 15 16	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the motion or did you second it? MR. FULTON: Oh, I'm sorry. I thought Roger MR. McCARTNEY:	9 10 11 12 13 14 15	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the
10 11 12 13 14 15 16 17	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the motion or did you second it? MR. FULTON: Oh, I'm sorry. I thought Roger MR. McCARTNEY: I'll second it.	9 10 11 12 13 14 15	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, that I have acted in compliance with the
10 11 12 13 14 15 16 17 18	MR. FULTON: Second. MR. BURNHAM: I'm sorry. But did you make the motion or did you second it? MR. FULTON: Oh, I'm sorry. I thought Roger MR. McCARTNEY: I'll second it. MR. BURNHAM:	9 10 11 12 13 14 15 16 17	this testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, that I have acted in compliance with the prohibition on contractual relationships, as defined
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