

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

The above-entitled meeting was held at the LDEQ, Galvez Building, Conference Center, 602 North 5th Street, Baton Rouge, Louisiana, beginning at 1:17 p.m., on June 8, 2017.

BEFORE:

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

DEPARTMENT OF ENVIRONMENTAL QUALITY

A P P E A R A N C E S

Kerry Hill
Chairman

Durwood Franklin, via telephone

Jeff Baker

Gary Fulton

Cy Morin

Jill Carter

Nick St. Romain

Steve Burnham

Roger Bright, via telephone

Theresa Delafosse

Frank Marcello

Melissa Vizinat

- Sam Broussard

Jason Efferson

Natalie Isaacks

Roger Gingles

Rhonda Cook

Sherry Milam

Fran Falke

Lacey Vitteri

Bryon Blanchard

Roger Daniels

* * * * *

DEPARTMENT OF ENVIRONMENTAL QUALITY

I N D E X

EXAMINATION:

PAGE(S):

None

EXHIBITS:

None

REPORTER'S PAGE

76

REPORTER'S CERTIFICATE

77

* * * * *

DEPARTMENT OF ENVIRONMENTAL QUALITY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. HILL:

Good morning to everybody.

MR. MARCELLO:

Good afternoon.

MR. HILL:

Or, good afternoon to everybody.

Thank you, Frank.

At this time, we'd like to have a roll call and a consideration and adoption of the February 23, 2017 board minutes. Let's start with a roll call.

MR. FULTON:

Gary Fulton, DEQ.

MR. HILL:

Kerry Hill, Louisiana Oil Marketers and Convenience Store Association.

MR. BURNHAM:

Steve Burnham, Engineering Associates, Incorporated.

MR. MORIN:

Cy Morin, DEQ Audit.

MS. VIZINAT:

Melissa Vizinat, DEQ Trust Fund.

MS. CARTER:

DEPARTMENT OF ENVIRONMENTAL QUALITY

5

1 Jill Carter, DEQ Legal Section.

2 MR. BAKER:

3 Jeff Baker, DEQ Trust Fund.

4 MS. DELAFOSSE:

5 Theresa Delafosse, DEQ Financial
6 Services.

7 MR. ST. ROMAIN:

8 Nicholas St. Romain, Louisiana Oil
9 Marketers and Convenience Store Association.

10 MR. MARCELLO:

11 Frank Marcello, Louisiana Oil
12 Marketers and Convenience Store Association.

13 MS. ISAACKS:

14 Natalie Isaacks, Louisiana Oil
15 Marketers and Convenience Store Association.

16 MR. BLANCHARD:

17 Bryon Blanchard, DEQ.

18 MR. DANIELS:

19 Roger Daniels, DEQ Office of the
20 Secretary.

21 MR. EFFERSON:

22 Jason Efferson, DEQ Trust Fund.

23 MR. BROUSSARD:

24 Sam Broussard, DEQ UST Division.

25 MS. VITTERI:

DEPARTMENT OF ENVIRONMENTAL QUALITY

6

1 Lacey Vitteri, DEQ Financial Services.

2 MS. FALKE:

3 Fran Falke, DEQ Financial Services.

4 MR. MILAM:

5 Sherry Milam, PPM Consultants.

6 MS. COOK:

7 Rhonda Cook, PPM Consultants.

8 MR. BAKER:

9 And we have two people on the phone.

10 Can ya'll make -- put your names on the
11 phone?

12 MR. FRANKLIN:

13 Durwood Franklin, DEQ Trust Fund.

14 MR. BRIGHT:

15 Roger Bright, Jones Environmental.

16 MR. HILL:

17 Okay. Thank ya'll.

18 At this time, do I hear a motion to
19 adopt the February 23rd board minutes?

20 MR. MARCELLO:

21 So moved, Mr. Chairman.

22 MR. HILL:

23 All in favor?

24 MR. BURNHAM:

25 Second?

DEPARTMENT OF ENVIRONMENTAL QUALITY

7

1 MR. HILL:

2 Second?

3 MR. BURNHAM:

4 Second.

5 MR. HILL:

6 All in favor?

7 (All indicted, yes.)

8 MR. HILL:

9 Thank ya'll. Let's start off with
10 number three, the financial services report
11 by Theresa.

12 MS. DELAFOSSE:

13 Okay. So last board meeting where we
14 met, I changed my name and this board
15 meeting, I changed my hair. So stay tuned
16 for what's going on next quarter.

17 I can briefly go over the, I guess,
18 the high level results. But for this
19 meeting, I also put together a power point
20 presentation that goes more in detail of
21 what the administrative expenditures have
22 been. I'm thinking now that I'm looking at
23 the financial statements as of the third
24 quarter, we also could maybe stand to add
25 some additional information to this report.

DEPARTMENT OF ENVIRONMENTAL QUALITY

1 It may be that ya'll want some more
2 information on the interest revenues. You
3 may want more information on the total
4 disbursements from the fund. So I encourage
5 ya'll to stop me as we go through the
6 slides. I have volunteered Jeff to manage
7 the slides for us today. So hopefully he
8 does a great job with that. I know that he
9 will. And -- so feel free to stop me
10 whenever. If you have questions, concerns
11 or if you think we need more information or
12 different information.

13 So as of the third quarter, our
14 unobligated balance was around 23.3 million
15 dollars. Represented in that was total
16 receipts of just under 26 million,
17 disbursements just under eight million. And
18 the -- let's see. So I guess that's about
19 it. The -- the fund balance at the
20 beginning of the year was 93 million. We
21 have had a -- you know, a good amount of
22 collections, plus the -- some of the money
23 was classified from the attorney -- from the
24 attorney general's escrow and settlements.
25 So we have just under 106 million dollars in

1 the fund, cash, as of 3/31/2017.

2 And then our estimated -- or, I guess,
3 our projected transfer from motor fuel to
4 ETF to reimburse ETF for its' expenditures
5 is 5.4 million for this year. So that --
6 and that's a pretty solid projection at this
7 point in time because, you know, the -- the
8 year is substantially over. We know what
9 our payments are going to look like,
10 hopefully, and what our staff -- you know,
11 what our staff levels are at and what we're
12 paying our folks, so they're pretty reliable
13 projections, so that's -- that's close to
14 what it was last year.

15 So now, I guess I'll go with the
16 presentation. Unless ya'll have questions
17 now? But we'll go into a lot more detail.

18 So this presentation, I think -- we
19 had a meeting about some legislation with
20 Dr. Brown and Bijon and I -- I don't recall
21 who all was there. It's been a little bit.
22 But it was suggested that perhaps our
23 financial presentation should be a little
24 more detailed. I know historically Karyn
25 and then I guess Denise before her had done

1 a very detailed presentation, perhaps too
2 detailed for a quarterly basis. My original
3 suggestion was that we do something like
4 this at the year end. So it would be like,
5 I guess, the August, July board meeting,
6 whichever one is the first one, where you
7 discuss the final results for the fiscal
8 year. But since we hadn't done anything
9 like this in a while, I went ahead and did
10 one now. So I can do whatever ya'll think
11 is -- is best. We can do this, you know,
12 either at the very end of the year only or
13 we could also do it once -- you know, once
14 two quarters have past and once we have half
15 the year under our belt and then again at
16 the -- at the end of the year. Or, we can -
17 - you know, we can try that and then if we
18 think it's too much, you know, whatever.
19 I'm very flexible.

20 So next slide, please, Jeff. Okay.
21 So what is included in the administrative
22 expenditures of the motor fuel trust fund?
23 These are the categories. These categories
24 are based on the office of statewide
25 reporting and accounting policy. We have to

1 have these -- this is how we have to
2 subdivide our expenditures.

3 So as you can see, the largest percent
4 of the total is salaries. And once you
5 combine salaries with the related benefits,
6 we are well over half of the total
7 administrative costs of the fund. You can
8 see there's, you know, four of the -- five
9 of those categories are minuscule compared
10 to the total. And then we have other
11 charges, which is about 19 percent. That
12 has some miscellaneous charges. And then
13 those attorney general charges, which will
14 not be permanent. Once those cases are
15 settled and done with, we hope to not have
16 substantial legal fees as we have had the
17 past several years. And then we have the
18 indirect cost and the overhead, which we
19 have discussed some, but I have more in
20 depth information later in the presentation.

21 So salaries and related benefits. Our
22 salaries, after the third quarter -- yes,
23 after the third quarter of the year, you
24 see, we're 2,291,700. We project a total of
25 just under three million dollars on the

1 year.

2 The related benefits. Some of these
3 related benefit costs are high.

4 Unfortunately, the retirement system is
5 expensive. We have -- the state is in an
6 unfunded accrued liability situation because
7 of how things were calculated historically,
8 so yes, 35.8 percent is paid per employee.

9 That amount is recalculated annually by
10 LASERS, Louisiana State Employees Retirement
11 System, LASERS. I think last year it was
12 37.2 percent. So it's come down a little

13 bit. Who knows what it'll look like next
14 year. No, that total amount does not go to
15 each person's retirement account. That
16 total amount is kind a to pay for the past
17 and to pay for the future. I think the
18 amount that's, you know, attributed to the
19 current costs for each employee is closer to
20 ten percent. So the vast majority of that
21 is for -- paying for those back -- back
22 expenses.

23 Group benefits. This includes health
24 insurance, predominately, but also life
25 insurance, you know, dental insurance, all

1 the other products that are available to us
2 state employees that the state helps pay
3 for. So of the 47 employees that you'll see
4 on the next slide that are hardcoded to
5 motor fuels, 46 of them participate in group
6 benefits in some way. And the average cost
7 of that per employee is around \$3,400. And
8 then we also have to pay Medicare, which is
9 chump change at 1.45 percent, compared to
10 those other group related benefit costs.
11 So, you know, all those things added
12 together amount to -- will amount to about
13 1.38 million dollars at the end of this
14 year.

15 MR. MARCELLO:

16 Question.

17 MS. DELAFOSSE:

18 Yes?

19 MR. MARCELLO:

20 You used the term hardcoded. Are
21 hardcoded to motor fuels. And can you --
22 can you describe or define motor fuels? Is
23 that the entire motor fuel division?

24 MS. DELAFOSSE:

25 It is --

DEPARTMENT OF ENVIRONMENTAL QUALITY

14

1 MR. MARCELLO:

2 Or, the entire UST Program?

3 MS. DELAFOSSE:

4 It's all the people that do work for
5 UST. So it's predominantly Gary's people
6 and Jeff's people. So those who review the
7 applications, review and approve the
8 applications and then the team leaders
9 overseeing the site work.

10 So hardcoded means that all their --

11 MR. MARCELLO:

12 No, I know.

13 MS. DELAFOSSE:

14 Okay. Yes. All their work is for
15 motor fuel with, you know, some minor
16 exception. And then they code our's outside
17 of that.

18 MR. MARCELLO:

19 So when we break those two departments
20 out, your department is what?

21 MR. FULTON:

22 We've got 47, 46 employees.

23 MR. MARCELLO:

24 No, that's -- that's total.

25 MS. DELAFOSSE:

1 Yes.

2 MR. FULTON:

3 Yes.

4 MR. MARCELLO:

5 And you -- what -- what department --
6 what department do you head? What -- what's
7 the -- what's the --

8 MR. FULTON:

9 It's the underground storage tank
10 -division.

11 MR. MARCELLO:

12 UST Division.

13 MR. FULTON:

14 UST Division, right.

15 MR. MARCELLO:

16 Is it the leaking underground storage
17 tank division or the underground storage
18 tank division?

19 MR. FULTON:

20 Underground storage tank division.

21 MR. MARCELLO:

22 Okay. And that's -- and your
23 department?

24 MS. DELAFOSSE:

25 And then Jeff's --

DEPARTMENT OF ENVIRONMENTAL QUALITY

16

1 MR. BAKER:

2 Motor fuel trust fund.

3 MR. MARCELLO:

4 The trust fund.

5 MS. DELAFOSSE:

6 Motor fuel trust fund section, within
7 financial services division.

8 MR. MARCELLO:

9 Exactly. So wouldn't you think that --
10 -- that a leaking underground storage tank
11 fund -- and I know we're going to get into
12 some particulars here. But wouldn't you
13 think that a leaking underground storage
14 tank fee fund, an underground storage tank
15 problem area, instead of an underground
16 storage tank division? Just a simple --
17 it's just making a point and a question at
18 the same time.

19 MS. DELAFOSSE:

20 Yes. So you think that there's work
21 that Gary's division is doing that may be
22 outside of the scope of the leaking? I mean
23 --

24 MR. MARCELLO:

25 Well, that's what -- that's what the --

1 - this is what a .008 fund is, is leaking
2 underground storage tanks. Am I correct?

3 MR. FULTON:

4 Right. That's the whole program.

5 MR. MARCELLO:

6 That's the whole -- no. Leaking
7 underground storage tank is not the whole
8 underground storage tank program, is it?

9 MR. FULTON:

10 Yes.

11 MS. DELAFOSSE:

12 Yes.

13 MR. MARCELLO:

14 Leaking underground storage tanks --

15 MS. DELAFOSSE:

16 It's not called that, but that's all
17 they address.

18 MR. FULTON:

19 It's not called that, but that's what
20 we do. Right.

21 MS. DELAFOSSE:

22 Or, prevent leaks through inspections.

23 MR. FULTON:

24 Right.

25 MR. MARCELLO:

1 Right. So prior to the .008
2 inception, what was -- you -- you had an air
3 -- air program, a -- did we have a tank
4 program prior to .008?

5 MR. FULTON:

6 Not that -- I -- I can't speak to the
7 -- that far back, but --

8 MR. MARCELLO:

9 Like prior to 1998, when -- when it
10 was mandatory that we upgrade all of these
11 tanks and then we had to either have
12 insurance --

13 MS. DELAFOSSE:

14 I think there was still a fee then.
15 It was just not .008.

16 MR. FULTON:

17 It wasn't .008. Seems like it was --
18 was it two?

19 MS. DELAFOSSE:

20 It was 004, at one point.

21 MR. FULTON:

22 Or, 004.

23 MS. DELAFOSSE:

24 I think it went from two to four to
25 eight.

DEPARTMENT OF ENVIRONMENTAL QUALITY

19

1 MR. FULTON:

2 I think -- I think -- I think it was,
3 yes.

4 MS. DELAFOSSE:

5 But it's always been for the same
6 purpose.

7 MR. FULTON:

8 Right.

9 MR. MARCELLO:

10 Okay.

11 MR. FULTON:

12 We also get EPA funding.

13 MR. MARCELLO:

14 You get grants.

15 MR. FULTON:

16 We get grants.

17 MR. MARCELLO:

18 Right.

19 MR. FULTON:

20 We get a -- we get a prevention grant
21 and we get break reduction grant. I think
22 it's one point something million.

23 MS. DELAFOSSE:

24 One point five.

25 MR. FULTON:

1 One point five, one point six,
2 somewhere around in there. It depends on
3 the grant.

4 MR. MARCELLO:

5 All right. Thank you.

6 MS. DELAFOSSE:

7 Okay. So this slide has the employees
8 by job title that are coded to the motor
9 fuel underground storage tank trust fund. I
10 have them sorted by count. So the -- we
11 have a lot of environmental scientist,
12 III's. Fourteen of them. So it shows the
13 average salary in that job title and then
14 the average benefits for that -- for those
15 folks in that job title, along with the
16 count and the total costs. This is as of
17 4/30. With this type of information, you
18 have to do kind of a snapshot, because you
19 see those 14 environmental scientist, III's,
20 two of them might have been environmental
21 scientist, II's from July to September and
22 then they go through what's called a career
23 progression group and they became
24 environmental scientist, III's and got a pay
25 raise, so their average -- you know, we

1 have to kind of take it at a point in time,
2 instead of the previous slide where it was
3 the total salary expenditures for the year.

4 Travel and training. This is one of
5 the very small categories. We need to
6 travel for our audits and inspections. A
7 lot of that is just daytime field travel.
8 But sometimes overnight is necessary.

9 And then we have conferences and
10 conventions. So ASTSWMO in D.C., two
11 employees went to that. Three employees to
12 EPA Region 6 in Dallas. And one employee to
13 LOMCSA convention. And then some DEQ
14 required training, the HAZWOPER class. So
15 we've spent right at \$7,000, after the
16 third quarter. It should be right around
17 11,000 at the end of the year.

18 Operating services. These are some
19 just cost of doing business. You'll see the
20 as of charges. As of 3/31, it was \$58,000.
21 The number below breaks down the projection
22 for the year. I guess the -- it subdivides
23 the total projection for the year, 85,000.
24 So those are some expenses that are
25 necessary for running the divisions.

1 Supplies. Another one of the little
2 categories. This is a subcategory of
3 operating services. It's not a separate
4 category. But a little bitty category, as
5 you can see. But office supplies that are
6 necessary, or anything to complete the
7 inspection and then some lab supplies and
8 uniforms, tools, et cetera.

9 Professional services. This is
10 another fairly small category for this
11 program. We just have two -- two
12 professional services vendors who have done
13 work so far this year, some lab analysis for
14 site work and then some site consultation
15 for our risk assessment toxicology contract.

16 Then other charges. The main expense
17 in the other charges category are those
18 attorney general fees. The expenses as of
19 3/31 for attorney general fees is \$672,000.
20 Then we have those other. So we paid for
21 the -- you know, we have the UST tank
22 operator training with those 140,000
23 expenses, compliant services for the
24 compliance inspections. We have a vendor do
25 some -- about half of those inspections and

1 we do the other half. And then a small lab
2 contract. And then some site investigation
3 work and some work on the Burt's Chevron
4 corrective action.

5 So I have a separate slide here for
6 the attorney general charges, because this
7 has been significant, a significant
8 expenditure beginning in fiscal year 2014.
9 Again, they represent attorney's fees
10 associated with the ongoing litigation. So
11 they're paid out of the other charges
12 category. We do what's called an
13 interagency agreement with the attorney
14 general's office. And that's signed at the
15 beginning of the year. And it list the
16 maximum amount that we will spend in that
17 year or that they, you know, propose that
18 would be spent in that year.

19 So for example, I believe in fiscal
20 year 2016, you'll see the final expenditures
21 were \$917,465. I believe the agreement for
22 that year was one million dollars. We
23 signed an agreement for this year for
24 the 1.1 million. It may -- it's highly
25 likely that it'll end up under that. More.

1 in the order of 900 to one million dollars,
2 hopefully.

3 And then -- oh, go back, Jeff, if you
4 don't mind. And then -- so -- but these
5 costs are reimbursed. So yes, the money is
6 expended, but then the money is 100 percent
7 reimbursed from the settlements at the end
8 of the year. We just wait to do that at the
9 end of the year, because it's just a -- kind
10 of a general -- a general voucher, just to,
11 you know, move -- we don't actually move the
12 cash. Just move --

13 MR. MARCELLO:

14 But it's not -- it's not a settlement,
15 plus attorney's fees, is it? Or, is -- is
16 the -- the attorney's fees comes out of the
17 settlement?

18 MS. DELAFOSSE:

19 The attorney's fees comes out of the
20 settlement.

21 MR. MARCELLO:

22 So that's less money going into the --

23 MS. DELAFOSSE:

24 Yes. And I --

25 MR. MARCELLO:

1 -- into the fund.

2 MS. DELAFOSSE:

3 I guess we -- I -- I don't know, Jill,
4 if you know off the top of your head the
5 settlement information, but --

6 MS. CARTER:

7 No, I don't.

8 MS. DELAFOSSE:

9 I think -- I guess we've gotten over
10 20 million dollars in settlements so far, or
11 in that neighborhood, maybe 22.

12 MS. CARTER:

13 You know, I'm --

14 MS. DELAFOSSE:

15 And we've spent around four million
16 dollars, so that's -- I mean, it's 20 to 25
17 percent of the settlement that's -- you
18 know, attorneys charge more than that
19 sometimes. So, I mean, I know -- it's not -
20 - it's not a contingency rate, but it
21 doesn't represent as big of a portion of the
22 total as -- as some contingency fees do. So
23 I kind of thought of it that way, as far as
24 what the overall cost have been from what
25 the settlement proceeds have been.

1 MR. MARCELLO:

2 And for the record, these are only
3 settlement talks and not legal actions.
4 These are not court cases. These are
5 settlements.

6 MS. DELAFOSSE:

7 They have not become court cases yet.
8 Not any of them. But they could. Those who
9 have chosen to settle, you know, I guess
-10 they weighed all the odds and decided it was
11 in their interest just to come to an
12 agreement with us or with the attorneys on
13 the case and, you know, pay -- pay what they
14 felt was fair to both parties --

15 MR. HILL:

16 How many --

17 MS. DELAFOSSE:

18 -- and then save everybody the trouble
19 of the litigation.

20 MR. HILL:

21 And this may be a question for Perry,
22 but how many more cases are out there, do
23 you know? That's somebody -- we -- we'll
24 address that later.

25 MS. DELAFOSSE:

1 I think it's two or three.

2 MR. HILL:

3 Oh, is it?

4 MS. DELAFOSSE:

5 Might just be two.

6 MS. CARTER:

7 I'm not sure. I can find out.

8 MR. MARCELLO:

9 I think it was only two left.

10 MR. HILL:

11 Two left?

12 MS. DELAFOSSE:

13 I think it's two left.

14 Next slide. Okay. Interagency

15 transfers. So, rent, for example, like the

16 rent we pay in this Galvez Building, the

17 State owns it and they set up an -- an

18 agreement every year with a rate per floor,

19 basically. So this is an allocation of that

20 for how many employees are in those

21 buildings that are paid for through

22 interagency transfer. And then telephone

23 costs. Like, Jeff has a telephone at his

24 desk and it cost us, you know, whatever,

25 like \$8 dollars a month and we pay the

1 office of telecommunications management or
2 OTM for that. And because they're another
3 state agency, we can accomplish that through
4 an interagency transfer instead of through
5 one of our other exponential categories.

6 MR. BAKER:

7 I'll be happy to give up the phone.

8 MS. DELAFOSSE:

9 Okay. Indirect costs. So this has
10 been something we've discussed some as well.
11 Every year -- so this is my second bullet, I
12 guess. Every year, as an agency, Lacey and
13 Fran and a little bit me, work together to
14 do an indirect cost proposal. And that, we
15 submit to EPA. So we sent it this year, I
16 believe in January. And to calculate that,
17 because this fiscal year is not over, we
18 used last fiscal year's final numbers to
19 kind of update our information. We kind of
20 divide the agency up based on what are
21 direct program expenditures and what are
22 overhead type expenditures. So like, legal,
23 for example, all the attorneys are overhead.
24 Sometimes, it sounds like a bad word, you
25 know, you'd rather be -- sometimes, you'd

1 rather be one of the people doing the actual
2 work instead of one of the overhead people.
3 But all -- all us overhead folks are
4 necessary too. So we get that approved
5 every year by EPA, some time in the spring.
6 You'll see the history of that rate. We
7 have it in reverse chronological order. so,
8 for example, fiscal year 2017, our EPA
9 approved rate was 70.91 percent. So we
10 calculate that and compile documentation.
11 We send it to EPA. And they review it and
12 they approve it -- either approve it or ask
13 us questions and ask us to make adjustments.
14 We use that in other programs to figure --
15 and we use it -- like in remediation, for
16 example, when site -- or, facility owners
17 are responsible for site cleanup and the
18 department is involved in that and the
19 department pays up front, we can bill them
20 for those costs, and we bill them for the
21 direct costs. So let's say we spent
22 \$10,000, plus the full EPA overhead approved
23 rate, so we'll take the \$10,000 and add
24 70.91 percent of that and that's what is
25 billed to those people with the site -- who

1 had to get that site remediated because they
2 weren't following regulations.

3 So we -- we use to not charge any of
4 this overhead or these indirect costs to the
5 motor fuel trust fund -- underground storage
6 tank trust fund program. In fiscal year
7 2013, I wasn't here then, but I believe Jeff
8 and Denise discussed this with the board and
9 came to an agreement to begin charging half
10 of the approved indirect rate. So starting
11 in fiscal year '13, as you'll see at the
12 bottom of our chart, that was 30.43 percent.

13 It went down for two years, but then it has
14 gone up slightly for the last two years. So
15 that's -- that's another one of our cost
16 that is included in the administrative cost
17 to the program.

18 MR. MARCELLO:

19 So question.

20 MS. DELAFOSSE:

21 Yes?

22 MR. MARCELLO:

23 That half rate, what is that number
24 multiplied against?

25 MS. DELAFOSSE:

1 It is -- good question. It is
2 multiplied against the salaries, related --
3 and related benefits. Just those two
4 categories. So just the people cost.

5 Next slide. And then program revenues
6 are an important topic as well. So one of
7 the program revenues that's available for
8 administrative expenditures are the tank
9 registration fees. They're -- they're
10 pretty -- pretty predictable and pretty
11 regular. We collect right around \$625,000
12 annually. We bill those in March. So we've
13 done the majority of our collections for
14 fiscal year 2017, but some are trickling in
15 still. But we did pass a fee package last
16 year that ya'll are familiar with. And we
17 had anywhere from 10 to 25 percent increases
18 on -- in fees, depending on how far behind
19 that division or that function was lagging
20 from it's collections to it's expenditures.

21 So, you know, the tank program was a
22 little bit behind but not too behind, so we
23 did our lowest increase of ten percent. So
24 the fees have gone from \$54 to \$60. That
25 amount will increase beginning in fiscal

1 year 2018. So the bills we send out in --
2 next March will be \$60 per tank instead of
3 \$54.

4 We did some rough estimates on what we
5 expect to collect. Instead of the 625, it
6 should go up to about 685, maybe as high as
7 700. It just kind of depends. Some people
8 might be so conditioned to pay their \$54 per
9 tank, they might send us \$6 less or, you
10 know, we'll just have to -- have to wait and
11 see what that looks like.

12 And then our other source of revenues
13 for the program are the federal grants. So
14 the cumulative decrease since fiscal year
15 2012 has been over 1.8 million dollars. And
16 then I have the annual decrease in the far
17 right hand column, as well. So the total
18 grants in fiscal year 2017 were just under
19 1.6 million, where at one point, we were as
20 high as 3.3 million. So -- and, you know,
21 there's been lots of talks about the changes
22 and how EPA is going to be structured and
23 funded with the new federal budget. And we
24 haven't heard a whole lot. We've heard a
25 whole lot of rumors, but not a whole lot of

1 what that's actually going to look like. So
2 we're not really sure yet at this point.
3 And the federal fiscal year is different
4 from the state fiscal year. So those run
5 through September 30th and then they start
6 again on October 1st. So we will -- it
7 remains to be seen what kind of changes
8 we'll have in federal grants and federal
9 revenues going forward.

10 And then here's the history of the --
11 the net transfer to ETF. So traditionally
12 when we present this number to you, we've
13 also included those attorney general
14 charges, because they are part of the other
15 charges category, however, they have been
16 reimbursed in full from the settlement
17 proceeds, as we discussed previously. So I
18 have those three asterisked years at the
19 bottom, 2014, 2015 and 2016. In those three
20 years, I subtracted what the AG expenses
21 were, because they were reimbursed in full.
22 So the other expenditures of the program are
23 represented here. And that statute that's
24 cited above 30:2195.4(C)(2), that outlines
25 the process for this transfer from the motor

1 fuel trust fund to the environmental trust
2 fund to cover the expenditures, because the
3 environmental trust fund does not have
4 sufficient revenues available to cover the
5 program's costs. So over time, you know,
6 over the past couple of years, our costs
7 have increased and our revenues have
8 decreased. So that means, you know, the
9 third piece of the puzzle is the transfer
10 and so the transfer has increased, as you'll
11 see.

12 So the changes from year to year,
13 we've had decreases in three out of five
14 years. But I know the past four years have
15 been increases. The 48 percent is when we
16 start adding what -- when we started adding
17 half of the indirect rate. So you'll see it
18 went from the two million to the three
19 million. The other increases have been, you
20 know, a little more subtle, but still, I see
21 that we know that there have been increases
22 these past several years.

23 Okay. Going forward, I kind of
24 discussed this at the beginning. I don't
25 know if ya'll feel there was lots of content.

1 missing or if ya'll thought it was
2 beneficial to have a presentation like this,
3 what kind of frequency you'd like. Any
4 other comments, questions, what was missing,
5 what was awful, what was great? But that's
6 it for me.

7 MR. HILL:

8 Thank you, Theresa. Do we have any
9 questions?

10 MR. MARCELLO:

11 I -- I just need -- go back one slide,
12 please.

13 MS. DELAFOSSE:

14 You thought you were done.

15 MR. MARCELLO:

16 So just for the record, and for my
17 understanding again, the .008 gets collected
18 and is deposited in MTF or ETF?

19 MS. DELAFOSSE:

20 Motor fuel underground storage tank
21 trust fund.

22 MR. MARCELLO:

23 And then it's transferred to the ETF
24 fund, correct?

25 MS. DELAFOSSE:

1 It's transferred -- the amount, yes.
2 This amount is transferred to the
3 environmental trust fund, yes.

4 MR. MARCELLO:

5 And the environmental trust -- a
6 layman's description of the environmental
7 trust fund is leaking, as well as other
8 aspects of -- of --

9 MR. FULTON:

10 Prevention, yes. That's what we call
11 it.

12 MS. DELAFOSSE:

13 That's the motor fuel trust fund. The
14 environmental trust fund is -- basically,
15 the -- the department's operating costs are
16 intended to be paid for through the
17 environmental trust fund and the predominant
18 revenues are permit fees, annual permit fees
19 from all of our regulated entities.

20 MR. ST. ROMAIN:

21 Tank registration goes to
22 environmental --

23 MS. DELAFOSSE:

24 Tank registration does, yes. And then
25 all our other permittees, so air permits,

1 water permits.

2 MR. MARCELLO:

3 And .0 -- in 2017 projected, the .008
4 lust fee will bring in how many dollars?

5 MS. DELAFOSSE:

6 Well, let me see. I don't know if I -
7 - but last year, it was \$23 million. So it
8 should be in that order this year.

9 MR. ST. ROMAIN:

10 The bulk distribution fees is the
11 .008?

12 MS. DELAFOSSE:

13 Yes. And you see the other receipts
14 on the third -- the fiscal year 2017, as of,
15 that's the transfer of the settlement money.

16 MR. ST. ROMAIN:

17 The ten million --

18 MS. DELAFOSSE:

19 Yes, the ten -- that's predominantly
20 what it is. Because you see last year, it
21 was only two million at -- at this time.
22 And so that's -- that's why that's a big up
23 tick on that.

24 MR. MARCELLO:

25 So we can -- we can -- we can estimate

1 that after the settlement monies have
2 stopped that inflow/outflow will probably be
3 dead even since you have 12,000 positive
4 right now, with 10,000 coming in from
5 settlement money? The ten -- I'm showing --
6 I showing ten million makes up -- I get it.
7 But this is what I'm getting at, this figure
8 is inclusive of that \$10 million. So once -
9 - this will probably happen again once we
10 get some more settlement money. And then
11 it'll probably be close to a wash from
12 there, meaning --

13 MS. DELAFOSSE:

14 Yes. And you see --

15 MR. MARCELLO:

16 -- inflows and outflows will probably
17 be right at zero.

18 MS. DELAFOSSE:

19 If you look at the final inflows and
20 outflows of fiscal year 2016, we did not get
21 any transfers of those settlement proceeds
22 aside from the ones that were expended on
23 attorney general costs and it was about six
24 million --

25 MR. MARCELLO:

1 Correct.

2 MS. DELAFOSSE:

3 -- net inflows.

4 MR. MARCELLO:

5 Correct.

6 MS. DELAFOSSE:

7 So it will be a lot smaller.

8 MR. MARCELLO:

9 Yes.

10 MS. DELAFOSSE:

11 Yes. That -- it's -- it's high this
12 year because of that, yes, because the of
13 settlement transfer.

14 MR. MARCELLO:

15 That's all I have. Thank you.

16 MS. DELAFOSSE:

17 Sure.

18 MR. HILL:

19 Okay. Thank you, Theresa.

20 Let's go to number four, the auditor's
21 status report.

22 MS. DELAFOSSE:

23 I guess before we -- before we move
24 on, I just want to -- do ya'll think this is
25 a best presentation reserved for an annual

DEPARTMENT OF ENVIRONMENTAL QUALITY

40

1 basis, or what do ya'll -- or, do we want
2 to do this every time?

3 MR. HILL:

4 We -- we would like to do it every
5 time.

6 MS. DELAFOSSE:

7 Okay.

8 MR. HILL:

9 That way, we can kind of --

10 MS. DELAFOSSE:

11 Absolutely.

12 MR. HILL:

13 -- follow it, we can report back to
14 our members --

15 MR. DELAFOSSE:

16 Okay.

17 MR. HILL:

18 -- and keep it a little fresher on --

19 MS. DELAFOSSE:

20 Okay.

21 MR. HILL:

22 -- on our mind.

23 MS. DELAFOSSE:

24 Sure.

25 MR. HILL:

1 If it's --

2 MS. DELAFOSSE:

3 And based on ya'll's feedback today --

4 MR. HILL:

5 -- if it's not a lot of trouble.

6 MS. DELAFOSSE:

7 -- we may make some tweaks to it.

8 MR. HILL:

9 Yes.

10 MS. DELAFOSSE:

11 But we'll -- we'll continue to present
12 the information every time.

13 MR. HILL:

14 Okay. Thank you.

15 MS. DELAFOSSE:

16 Sure. Sorry to interrupt.

17 MR. HILL:

18 Yes. Good information.

19 MR. MORIN:

20 Okay. Cy Morin, DEQ Audit. Turn to
21 tab four, please.

22 As always, this first page of the
23 report details 28 open motor fuel cases, as
24 of May 26, 2017. One case resulted in a
25 credit of \$3,292.22. Due to a

1 miscalculation, human error, for one month,
2 we're awaiting a credit reduction from a
3 current payment remittal to go ahead and
4 closeout this file.

5 Two cases are awaiting payments,
6 totaling just over \$6,900. A portion of an
7 unrelated overpayment will be used to credit
8 an invoice for the one assessment of
9 \$516.67. And the due date on the second
10 assessment of \$6,425 is due on June 12,
11 2017. If not received, the case will be
12 forwarded to our legal department for
13 collection.

14 Three cases are under review. Sixteen
15 cases are awaiting review. Pending final
16 review, these cases represent one potential
17 credit of \$579.61 and 18 potentially clean
18 audits with no assessment.

19 Four cases are still in progress,
20 results to be determined. One case is in
21 the report writing phase. It's a
22 potentially clean audit with no assessment.

23 And the final case on here is being
24 planned. It's going to be started this
25 month. An audit date has not been set yet,

1 but it will be done -- started before the
2 end of the fiscal year.

3 Since the last meeting, three new
4 cases have been added to the list and three
5 have been closed and removed from the list.
6 Of the three removed, two are clean audits
7 with no assessment. One was assessed
8 \$146.99, which was paid in full.

9 Do you have any questions about this,
10 this page?

11 (No response.)

12 MR. MORIN:

13 If not, we will turn to the next page.

14 MR. ST. ROMAIN:

15 Cy, one question.

16 MR. MORIN:

17 Yes.

18 MR. ST. ROMAIN:

19 One procedural question in these
20 audits. Is the -- the owner of that AI
21 number notified of audit or only if there's
22 a problem found with the audit?

23 MR. MORIN:

24 They are notified that the audit will
25 be performed. And after the audit, if there

1 is a finding, they will be sent a letter.
2 If there are -- if there's no finding, they
3 will be sent a closure letter, just to
4 acknowledge that there were no findings and
5 the audit is closed.

6 MR. ST. ROMAIN:

7 Okay.

8 MR. MORIN:

9 So they will be informed.

10 MR. ST. ROMAIN:

11 Thank you.

12 MR. MORIN:

13 You're welcome.

14 So on page two, we -- we still have
15 four cases that are being pursued legally.
16 ~~The first case on the list, a judgment was~~
17 ~~entered against the company on March 6th in~~
18 ~~the amount of \$51,907.98. You'll see this~~
19 ~~is slightly different than what's on the~~
20 ~~spreadsheet. The judgment also includes~~
21 ~~\$381.90 in court costs, which are not shown.~~
22 ~~This file will be referred to ODR. It's in~~
23 ~~the process of being prepared.~~

24 The second case last remitted a
25 payment in March for \$250. This one is also

1 ready to be referred to ODR. In the
2 process.

3 The status remains the same on the
4 third case. It's been at ODR since October
5 14th, 2015. We have not received any
6 payments as of May 26th, 2017.

7 I do have -- I did not change the date
8 on here, so the note -- date on the note is
9 incorrect. It should be 5/26/17.

10 On the fourth case, there has been no
11 change. The file is ready and will be sent
12 to ODR.

13 So we have one at ODR and the other
14 three are being sent to ODR for collections.

15 The -- as you can see on there, the
16 four legal cases represent a total
17 outstanding amount of \$119,223,30. Also,
18 the 381.90 is not included on there, that I
19 mentioned earlier. And you can see the
20 breakdown of the fees there.

21 And that's -- that's my update. Does
22 anybody have any questions?

23 MR. MARCELLO:

24 When -- when it goes to ODR, again,
25 along with that same line of thinking, if --

1 if someone is assessed, they are -- they're
2 at the -- the -- the unpaid tax, if you
3 will, interest and penalty and legal fees?
4 Is that tacked on top?

5 MR. MORIN:

6 There are some additional costs, I
7 believe, associated with --

8 MS. DELAFOSSE:

9 Well, there's actually an ODR fee
10 that's added.

11 MR. MORIN:

12 Yes.

13 MS. DELAFOSSE:

14 But, yes, in those -- I mean, if we
15 have attorney fees --

16 MR. MORIN:

17 Right. If there --

18 MS. DELAFOSSE:

19 -- as part of it, then they stay as
20 part of the total debt.

21 MR. MORIN:

22 If -- if we have a judgment, yes, the
23 whole --

24 MS. DELAFOSSE:

25 Part of the final judgment, yes.

1 MR. MORIN:

2 -- debt would be sent to ODR, yes.

3 MR. MARCELLO:

4 Okay. Thank you.

5 MR. HILL:

6 Any other questions related to Cy's
7 report?

8 (No response.)

9 MR. HILL:

10 If not, we will go to number five,
11 Jeff Baker, the trust fund status report.

12 MR. BAKER:

13 Good afternoon. If you'll refer to
14 tab five in your packets. Looking at the
15 first page, it's entitled, "report of
16 activity for the motor fuel trust fund,
17 current activity". These are the numbers
18 for the third quarter of fiscal year 2017.

19 During this quarter, the trust fund
20 received 215 applications, totaling
21 \$3,148,000. As of the end of March, 2017,
22 the trust fund had 149 pending applications
23 to process, which have requested amounts
24 totaling \$2,183,765.

25 During this time period, 272

1 applications were processed for payment,
2 during the fiscal quarter, totaling
3 \$3,134,992. And 22 applications were
4 returned with deficiencies.

5 If you'll turn to your handout -- and
6 I apologize. This was suppose to be
7 included in your -- your packets. You'll
8 see the monthly motor fuel trust fund
9 obligation determination. Does everybody
10 have that as a handout?

11 If you'll look at that, this worksheet
12 list the various component determinations of
13 the potential obligation against the trust
14 fund. As of the end of March 2017, the
15 sites that are in the corrective action
16 phase, the outstanding liability of the
17 corrective action plan budget and estimated
18 cost to reach closure was \$25,074,409. This
19 total includes both the corrective -- the
20 CAP budget remaining amount and the RAC
21 estimated cost to closure amount.

22 The next section, the fund obligation
23 recognized for ROG approved CAP budgets -- I
24 mean, I'm sorry, for sites without ROG
25 approved CAP budgets is \$32,774,327. This

1 is determined using a three year average
2 closure cost and applying these costs to the
3 active trust fund sites without current CAP
4 budgets.

5 By the way, attached to the front
6 sheet is the backup for all of these
7 numbers. We don't do that every -- every
8 quarter. But if ya'll want us to, we can
9 include that. So you can see where all the
10 numbers that -- the first calculation come
11 from.

12 By the way, all of these numbers do go
13 in our EDMS document management system each
14 month. But we can provide them for ya'll
15 for the board meeting, if you'd like.

16 The next section, the fund obligation
17 recognized 19 sites that have been
18 determined to be trust fund eligible,
19 however, have not submitted reimbursement
20 applications. And that total is \$6,115,416.
21 This is also determined using the three year
22 average site closure and applying these
23 costs to sites that have requested
24 eligibility but have yet submitted a request
25 for reimbursement from the fund.

1 The five year projected fund
2 obligation related to the motor fuel trust
3 fund to environmental trust fund transfer is
4 \$18,624,277. This estimate uses the three
5 year average dollars transferred from the
6 motor fuel trust fund to the environmental
7 trust fund and you multiply that average by
8 five years. Thus, the total obligation --
9 total estimated obligated amount is
10 \$82,588,429, which represents an \$816,768
11 increase over the last quarter's estimated
12 amount.

13 You'll also note -- going back to the
14 packet, you'll also note, the last page
15 lists the sites that have been -- trust fund
16 sites that have been NFA'd during this
17 fiscal year. And it shows 15 sites.

18 We have a -- the number of potential
19 trust fund sites that were reviewed and made
20 eligible during this fiscal year is 17. And
21 that represents 22 active incidences.

22 Just some points of interest. I
23 wanted to give the board an update on the
24 progress we made towards the revised trust
25 fund cost control guidance document.

1 The stakeholder group and DEQ staff
2 have completed their updates and review of
3 the document. The completed draft document,
4 along with other supporting documents, were
5 sent to the RAC community and the advisory
6 board members for a two week comment period.
7 The two week period was over yesterday. And
8 we only received a few minor comments. And
9 those have been addressed in the document.
10 Thus, the DEQ staff are currently moving the
11 modification explanation comments from the
12 draft version and are working on the final
13 version.

14 This final version of the guidance
15 document will be completed and posted on our
16 web page -- we're hoping by next week -- and
17 will become effective beginning on July 1,
18 2017.

19 For the board members information, all
20 the minutes and topics discussed during the
21 stakeholder meetings have been documented
22 and will be posted in our EDMS system for
23 future reference.

24 Another point of interest, I wanted to
25 give you an update on the Senate, SCR 102,

1 from fiscal year 2016 regular session. This
2 is the resolution requesting department
3 review and assess inclusion of AST's in the
4 motor fuel trust fund. The department has
5 contacted our national organization for
6 feedback from other states regarding this
7 issue and have received numerous responses.
8 We've also done web searches to determine
9 how other states have implemented similar
10 programs. And recently, a questionnaire was
11 sent to all the current motor fuel
12 certificate holders asking for their AST
13 information.

14 Thus far, we've received approximately
15 115 responses out of 160 request that was
16 sent out. This information has been entered
17 into an Excel spreadsheet, and we're using
18 it to gain an understanding of the AST
19 universe in our state. We're hoping to
20 begin having stakeholder meetings with AST
21 owners to gain a better understanding of
22 their needs and their concerns in the next
23 few weeks.

24 And my last point, the department
25 wanted to bring to the board's attention, an

1 issue related to current calculations of the
2 estimated trust fund obligation amount. We
3 believe the current method is an accurate
4 and objective method for estimating these
5 numbers each month. However, it's come to
6 our attention that the inactive and abandon
7 tank portion of the fund potentially could -
8 - should be included in these numbers.
9 According to our current statutes, all
10 interest money earned by the motor fuel tank
11 trust fund shall be used for the closure of
12 abandon motor fuel underground storage tanks
13 and assessment and remediation of property
14 contaminated by abandon motor fuel storage
15 tanks.

16 Currently, that interest money is
17 tracked separately. However, it's included
18 in the total balance numbers. So since the
19 statutes obligate these funds for a specific
20 purpose, one way to address this is to
21 include these monthly interest numbers in
22 the normal obligation estimates so it would
23 be earmarked for that purpose.

24 We're not currently requesting a
25 recommendation from the board. However, we

1 wanted to make ya'll aware of it for future
2 discussion, as we talk about it.

3 I'm -- that's it for me. Does anybody
4 have any questions?

5 MR. ST. ROMAIN:

6 You said the -- the interest on the
7 excess of the trust fund?

8 MR. BAKER:

9 Yes, sir. What -- the -- the statutes
10 -- the statutes obligate all the interest
11 money off the trust fund to be used for the
12 purpose of taking care of removing inactive
13 abandoned tanks and remediation of those
14 sites.

15 MR. ST. ROMAIN:

16 And it has been used for that. It's
17 just not being accounted for --

18 MR. BAKER:

19 It's not being accounted for. It's
20 added -- it's in the total, but it's not
21 being earmarked for that purpose. It's just
22 thrown in with everything else.

23 MR. ST. ROMAIN:

24 Got you.

25 MS. DELAFOSSE:

1 Yes. And especially -- as ya'll may
2 have noticed too, the interest revenues have
3 kind of seen an -- an up tick. I don't know
4 if the -- I guess the rates at treasury are
5 better. Like last year, we -- the whole
6 year, we collected \$199,000 in interest.
7 And so far this year, it's over 330,000.
8 And that's with only -- you know, that's
9 with still one quarter left to go. So that
10 should hit \$400,000. The interest has
11 doubled, the interest revenue. So I don't
12 know if it will continue to do so, but
13 it is a significant -- significant -- not --
14 fairly significant source of revenue. It
15 would certainly help cleanup a lot of
16 abandon sites. And I know we have a -- a
17 contract that we're working on. We've had
18 some --

19 MR. FULTON:

20 We -- yes, we have --

21 MS. DELAFOSSE:

22 -- delays with the Office of State
23 Procurement, but we should have that out of
24 bid in the next couple of weeks, hopefully.

25 MR. FULTON:

1 Yes. Our tank removal contract has
2 been led. They're in the process of getting
3 everything signed. The 24 month assessment
4 contract has not been posted on Lagov
5 website. And -- but that should be posted
6 pretty soon.

7 MR. ST. ROMAIN:

8 'And that interest money' is used' to
9 cleanup any abandoned tank or just leaking
10 abandoned tanks?

11 MR. FULTON:

12 The -- the -- the monies are used for
13 the cleanup of any -- any site. However,
14 there's very specific guidelines on
15 financial inability to pay and there's
16 ranking or, you know, we -- we work on the
17 highest most sites first, you know, the most
18 dangerous ones, we, you know, given it's a
19 tank site --

20 MR. HILL:

21 Prioritize.

22 MR. FULTON:

23 Prioritize them, yes. And then --

24 MR. BAKER:

25 But to answer your question too, it

1 also -- it can remove any tank. If
2 contamination or leaks are found when they
3 remove those tanks, then the fund can be
4 used to do remediation of that site.

5 MS. DELAFOSSE:

6 And how -- how many tanks do we have
7 right now that --

8 MR. FULTON:

9 We've got about -- almost about 30
10 about sites on the list.

11 MR. MARCELLO:

12 Of identified --

13 MR. FULTON:

14 Identified sites.

15 MR. BAKER:

16 And let me clarify something. When
17 the trust fund is used for that purpose,
18 when this interest money is used for that
19 purpose, a lien is put on the property up to
20 the amount of money that's spent out of that
21 fund --

22 MR. FULTON:

23 Right.

24 MR. BAKER:

25 -- with the hopes of recouping that

1 money in the future.

2 MR. FULTON:

3 Yes.

4 MR. MARCELLO:

5 So there's 30 abandon sites
6 identified, as we speak.

7 MR. FULTON:

8 So far.

9 MS. DELAFOSSE:

10 Declared.

11 MR. FULTON:

12 Right.

13 MR. MARCELLO:

14 Not necessarily leaking, but
15 abandoned?

16 MR. FULTON:

17 Not necessarily leaking, but
18 abandoned, that is correct.

19 MR. MARCELLO:

20 Okay.

21 MR. HILL:

22 I think --

23 MR. ST. ROMAIN:

24 And that -- and that amount of funding
25 is enough to cleanup roughly how many a

1 year?

2 MR. FULTON:

3 It really depends.

4 MS. DELAFOSSE:

5 It depends if there's problems once
6 you pull the tank.

7 MR. HILL:

8 Depends on what you run into?

9 MR. FULTON:

10 Yes. Depends on the site. We're
11 trying to identify the -- the most critical
12 sites first. And we do have a few of those.

13 MR. ST. ROMAIN:

14 That funding goes to the removal, but
15 if there's remediation, that comes out of
16 the trust fund, not out of --

17 MS. DELAFOSSE:

18 Still the interest.

19 MR. FULTON:

20 It could. If it's --

21 MR. BAKER:

22 That interest money is earmarked for
23 the purpose of removal and assessment of
24 remediation of abandon and inactive.

25 MR. FULTON:

1 And remediation.

2 MS. DELAFOSSE:

3 If necessary.

4 And then another thing that Jeff and I
5 discussed and Perry, who's not here with us,
6 but we have a wonderful fill in, is hiring
7 an actuary. I -- I believe it's been
8 discussed by the board before.

9 MR. FULTON:

10 It -- it has been discussed.

11 MS. DELAFOSSE:

12 I haven't been to that many board
13 meetings.

14 MR. FULTON:

15 Yes, it has been.

16 MS. DELAFOSSE:

17 This might be my fifth one. But, you
18 know, we have fine-tuned the obligation
19 calculation throughout the years and, you
20 know, adjusted where we've done things,
21 where we saw maybe they weren't the best or
22 the most accurate. But an actuary goes to
23 school for that and takes lots of tests for
24 that and they have all sorts of different
25 methodologies to project how likely

1 expenditures are and -- and to what
2 magnitude. So we have talked about doing
3 that, as a department. And we would hope to
4 have, you know, somebody review the
5 calculation on an annual basis as well,
6 because they would need to -- you know,
7 there may be factors that have to be
8 adjusted each year, depending on what's
9 going on. I don't know if they would put an
10 inflammatory -- I mean, I have -- I have no
11 idea. There are so many different things
12 that maybe need to be considered that we
13 aren't -- we don't have the actuarial
14 capacity to consider here at the department.

15 MR. HILL:

16 Any other questions?

17 (No response.)

18 MR. HILL:

19 Thank you, Jeff.

20 Number six. Perry's not here -- oh,
21 you're going to speak. Okay. Go ahead.

22 MS. CARTER:

23 I'm Jill, Jill Carter.

24 MR. HILL:

25 Okay. Go ahead.

1 MS. CARTER:

2 And Perry informed me that we do not
3 have any new third party cases, and there's
4 no changes with the current ones.

5 But if ya'll have any questions, he is
6 upstairs and I can call him. If ya'll have
7 any questions ya'll need to talk about, I'll
8 call him.

9 MR. HILL:

10 Okay.

11 MR. MARCELLO:

12 If he's -- well, I do. If he's
13 available, I -- I really would like to get
14 an update on these -- on these settlements.

15 MS. CARTER:

16 Okay.

17 MR. HILL:

18 That's probably --

19 MR. MARCELLO:

20 We spoke about them at the last
21 meeting.

22 MR. HILL:

23 -- something we will have to go into
24 executive session on.

25 MS. CARTER:

1 Yes. We can do that. Okay. Let me
2 give him a call.

3 (An off-the-record conversation followed.)

4 MR. HILL:

5 Let's -- let's go ahead with number
6 seven. Let's go to number seven, other
7 business, discussion of potential
8 modification in the in-compliance owner's
9 financial responsibly requirements.

10 MR. FULTON:

11 Well --

12 MS. DELAFOSSE:

13 I mean, I can. It's been --

14 MR. HILL:

15 That has to do with the --

16 MR. BAKER:

17 That was -- that was --

18 MR. FULTON:

19 That's something that's been brought
20 up previously.

21 MR. HILL:

22 Yes. We -- we thought --

23 MS. DELAFOSSE:

24 We wanted to add it to the agenda.

25 MR. FULTON:

DEPARTMENT OF ENVIRONMENTAL QUALITY

64

1 Right.

2 MR. HILL:

3 What?

4 MS. DELAFOSSE:

5 We wanted to add it to the agenda so
6 we could officially or formerly take a vote
7 on recommending -- or having an official
8 recommendation to the secretary for the in-
9 compliance owner's financial responsibility.

10 MR. FULTON:

11 To zero.

12 MS. DELAFOSSE:

13 So we had discussed reducing it to
14 zero.

15 MR. HILL:

16 Right.

17 MS. DELAFOSSE:

18 For the compliant sites, that's a
19 recommendation that the board could make to
20 the secretary. And then I know -- I know
21 Dr. Brown takes those recommendations to
22 heart and could make a recommendation -- you
23 know, recommendation to change it to zero
24 for the fiscal year beginning July 1st.

25 MR. HILL:

1 I think we talked about doing that
2 last meeting. I guess that did not happen.

3 MR. ST. ROMAIN:

4 Perry had said it had to be on the
5 agenda.

6 MR. HILL:

7 Oh, it had to be on the agenda. I got
8 you. Okay.

9 MS. DELAFOSSE:

10 So here it is.

11 MR. HILL:

12 Okay.

13 MS. CARTER:

14 He had to leave for a problem at his
15 house, but when we go into executive
16 session, I've got him on the phone.

17 MR. HILL:

18 Okay. Okay.

19 MS. CARTER:

20 We can do it that way. Do ya'll want
21 to do that? We'll have to go into executive
22 session.

23 MR. FULTON:

24 Do we want to --

25 MS. DELAFOSSE:

1 Well, do ya'll want to vote on the
2 other business?

3 MR. FULTON:

4 Do you want make a -- I make a motion
5 that we vote --

6 MR. HILL:

7 Yes. Let's -- let's make a motion --
8 we're on item number seven on the compliance
9 owner's financial responsibility. So do I
10 hear a motion to take a vote on zero
11 deductible on compliance issues?

12 MR. FULTON:

13 Motion, first motion.

14 MR. HILL:

15 We got the first motion right here.

16 MR. ST. ROMAIN:

17 Second.

18 MR. HILL:

19 Second on Nick. All in favor?

20 (All indicated, yes.)

21 MS. DELAFOSSE:

22 Okay. We'll take that recommendation
23 to the secretary.

24 And we didn't have on here the
25 noncompliance deductible. I know we had

1 Sam's presentation and we had a lot of
2 discussion on that. I guess we just decided
3 to table it for now. But I think we may
4 want to add it to a future agenda to discuss
5 again as a group and determine what's the
6 best methodology for addressing the
7 noncompliance at those sites to ensure we're
8 handling it in the best way possible to get
9 the sites cleaned up but to make sure people
10 are being responsible.

11 MR. BAKER:

12 The difference in the compliance and
13 noncompliance, just for clarification
14 purposes, the way the statute reads right
15 now, the secretary can reduce the in-
16 compliance down to zero. However, the
17 statute precludes him reducing the out of
18 compliance below the current level, which is
19 \$10,000. So if we're going to go -- and we
20 talk about reducing the noncompliance, then
21 we're going to have to have a statute change
22 to coincide with that.

23 MS. DELAFOSSE:

24 Right. So we have time before next
25 session where that would become -- if that

1 becomes something the board wants to pursue,
2 we're -- the board and the agency together
3 decide is in the best interest of the
4 program, either reduction or changes or
5 whatever we discuss.

6 MR. HILL:

7 On noncompliance?

8 MS. DELAFOSSE:

9 Right. But the compliance can be
10 chosen by the secretary. And the board has
11 now voted, and we will share that
12 recommendation with him and --

13 MR. HILL:

14 Now --

15 MR. BURNHAM:

16 The compliance -- I'm sorry.

17 MR. HILL:

18 Go ahead.

19 MR. BURNHAM:

20 The compliance end though, is that
21 evaluated over a certain number of years
22 that the retailer was complaint when we
23 review that or how is that done?

24 MR. BAKER:

25 I'll defer Jason on that.

1 MR. EFFERSON:

2 What was the question?

3 MR. BAKER:

4 How -- how far back do we go when we
5 do a compliance evaluation for eligibility?

6 MR. EFFERSON:

7 It's usually -- well, it depends on
8 the -- the compliance. One -- a lot of it,
9 like release detection is one year, but like
10 for non-detection, three to five.

11 MS. DELAFOSSE:

12 It depends on the type of -- what the
13 issue is.

14 MR. EFFERSON:

15 Tank tightness is five year.

16 MR. HILL:

17 Yes. That's what I would think,
18 depending on the -- the situation.

19 MS. DELAFOSSE:

20 But I would say that we could -- we
21 have the compliance review that Jason
22 handles, Jason Efferson in the trust fund
23 section. And if we want to have a
24 presentation on that, where he explains how
25 that checklist works and what all is taken

1 into account, I think that's something we
2 could share with the board as well, if that
3 would be helpful.

4 MR. HILL:

5 That may not be a bad idea. I like
6 that idea.

7 MR. MARCELLO:

8 That'd be a great idea.

9 MR. HILL:

10 I like that idea. Sure do.

11 MR. MARCELLO:

12 And not that time is of the essence,

13 but I think that since we're cleaning up
14 this non -- this compliance issue and
15 bringing it to the secretary, we -- we ought
16 to tackle the noncompliance and let's get
17 that out of the way.

18 MR. HILL:

19 Yes. Get that out of the way.

20 MR. ST. ROMAIN:

21 And -- and I think one of our biggest
22 concerns -- maybe I speak for the LOMA
23 members, but -- was that noncompliance sites
24 don't get a free ride. There still needs to
25 be a punitive fee, whether it -- it's

1 ticketed by Sam's group or -- or something
2 that --

3 MS. DELAFOSSE:

4 Right. Whether it's through
5 enforcement --

6 MR. ST. ROMAIN:

7 That they don't get a free ride.

8 MS. DELAFOSSE:

9 Right.

10 MR. HILL:

11 Yes.

12 MR. ST. ROMAIN:

13 Where -- where the guys that were in
14 substantial compliance and doing the right
15 things and these other guys are getting a
16 free ride and they didn't follow any of the
17 rules.

18 MS. DELAFOSSE:

19 Right. Absolutely.

20 MR. BAKER:

21 We concur.

22 MS. DELAFOSSE:

23 Okay. We'll make sure that's on the
24 next agenda.

25 MR. HILL:

DEPARTMENT OF ENVIRONMENTAL QUALITY

72

1 Any other questions on item seven?

2 (No response.)

3 MR. HILL:

4 I think we have Perry on the phone.

5 We'll go back to third party.

6 MR. BAKER:

7 Actually, we need to go into executive
8 session.

9 MR. HILL:

10 Yes. We'll go into executive session,
11 I'm sorry. That's right.

12 MR. FULTON:

13 I make a motion.

14 MR. HILL:

15 Did I hear a motion,

16 MR. FULTON:

17 Motion to go into executive session.

18 MR. ST. ROMAIN:

19 Second.

20 MR. HILL:

21 All in favor?

22 (All indicated, yes.)

23 (The board went into executive session at
24 this time.)

25 (The meeting reconvened.)

1 MR. HILL:

2 We're going to call the meeting to
3 order again.

4 MR. MARCELLO:

5 I make a motion that we move out of
6 executive session, back into ordinary
7 session.

8 MR. HILL:

9 Ordinary session.

10 MR. ST. ROMAIN:

11 Second.

12 MR. HILL:

13 All in favor?

14 (All indicated, yes.)

15 MR. HILL:

16 Okay. Is there any other questions
17 that anyone has pertaining to any of our
18 meeting today?

19 MR. ST. ROMAIN:

20 I got one question in relation to item
21 three. The slide show that you showed,
22 would it be possible to receive that -- that
23 report in a printout form?

24 MS. DELAFOSSE:

25 Yes..

1 MR. ST. ROMAIN:

2 That way we could reference back and
3 forth --

4 MS. DELAFOSSE:

5 Sure.

6 MR. ST. ROMAIN:

7 -- through the sheets and make any
8 notes on them.

9 MS. DELAFOSSE:

10 Yes. Since -- since we're going to
11 add it on -- on a more permanent basis,
12 we'll include it in the packet.

13 MR. HILL:

14 In the packet.

15 MR. ST. ROMAIN:

16 Perfect. Great.

17 MS. DELAFOSSE:

18 Some people get too distracted by the
19 papers. I know I do.

20 MR. HILL:

21 Well, if there's no further questions,
22 do I hear a motion to close the meeting?

23 MR. MARCELLO:

24 So moved.

25 MR. FULTON:

1 Second.

2 MR. HILL:

3 All in favor?

4 (All indicated, yes.)

5 MR. HILL:

6 Thank ya'll.

7 THE MEETING ADJOURNED AT 2:20 P.M.

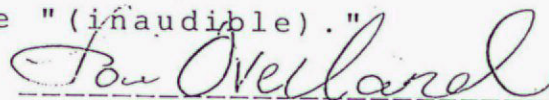
8 * * * * *

REPORTER'S PAGE

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

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

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

20 

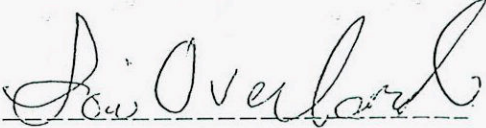
21 Lori Overland, C.C.R.

22 # 97083

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

I, Lori B. Overland, Certified Court Reporter in
and for the State of Louisiana, as the officer
before whom this testimony was taken, do hereby
certify that the above referenced individual to whom
oath was administered, after having been duly sworn
by me upon authority of R.S. 37:2554, did testify as
hereinbefore set forth in the foregoing pages, that
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
by Louisiana Code of Civil Procedure Article 1434
and in rules and advisory opinions of the board;
that I am not related to counsel or to the parties
herein, nor am I otherwise interested in the outcome
of this matter.



Lori Overland C.C.R.

97083

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

*FUND ADVISORY BOARD MEETING
June 8, 2017*

*Associated Reporters, Incorporated
225-216-2036*

	\$8 (1) 27:25	7:25;46:6	47:23	38:23;46:15
\$	\$816,768 (1) 50:10	address (3) 17:17;26:24;53:20	analysis (1) 22:13	attorneys (3) 25:18;26:12;28:23
\$10 (1) 38:8	\$82,588,429 (1) 50:10	addressed (1) 51:9	and/or (3) 76:5,12,17	attorney's (4) 23:9;24:15,16,19
\$10,000 (3) 29:22,23;67:19	\$917,465 (1) 23:21	addressing (1) 67:6	annual (4) 32:16;36:18;39:25; 61:5	attributed (1) 12:18
\$119,223,30 (1) 45:17		ADJOURNED (1) 75:7	annually (2) 12:9;31:12	Audit (9) 4:22;41:20;42:22,25; 43:21,22,24,25;44:5
\$146.99 (1) 43:8	A	adjusted (2) 60:20;61:8	apologize (1) 48:6	auditor's (1) 39:20
\$18,624,277 (1) 50:4	abandon (6) 53:6,12,14;55:16; 58:5;59:24	adjustments (1) 29:13	applications (7) 14:7,8;47:20,22; 48:1,3;49:20	audits (4) 21:6;42:18;43:6,20
\$199,000 (1) 55:6	abandoned (5) 54:13;56:9,10;58:15, 18	administrative (5) 7:21;10:21;11:7; 30:16;31:8	applying (2) 49:2,22	August (1) 10:5
\$2,183,765 (1) 47:24	above (1) 33:24	adopt (1) 6:19	approve (3) 14:7;29:12,12	available (4) 13:1;31:7;34:4; 62:13
\$23 (1) 37:7	Absolutely (2) 40:11;71:19	adoption (1) 4:10	approved (6) 29:4,9,22;30:10; 48:23,25	average (8) 13:6;20:13,14,25; 49:1,22;50:5,7
\$25,074,409 (1) 48:18	accomplish (1) 28:3	advisory (1) 51:5	approximately (1) 52:14	awaiting (3) 42:2,5,15
\$250 (1) 44:25	According (1) 53:9	afternoon (3) 4:5,7;47:13	area (1) 16:15	aware (1) 54:1
\$3,134,992 (1) 48:3	account (2) 12:15;70:1	AG (1) 33:20	around (6) 8:14;13:7;20:2; 21:16;25:15;31:11	awful (1) 35:5
\$3,148,000 (1) 47:21	accounted (2) 54:17,19	again (8) 10:15;23:9;33:6; 35:17;38:9;45:24;67:5; 73:3	Article (1) 76:5	
\$3,292.22 (1) 41:25	accounting (1) 10:25	against (4) 30:24;31:2;44:17; 48:13	aside (1) 38:22	B
\$3,400 (1) 13:7	accrued (1) 12:6	agency (4) 28:3;12,20;68:2	aspects (1) 36:8	back (11) 12:21,21;18:7;24:3; 35:11;40:13;50:13; 69:4;72:5;73:6;74:2
\$32,774,327 (1) 48:25	accurate (2) 53:3;60:22	agenda (6) 63:24;64:5;65:5,7; 67:4;71:24	assess (1) 52:3	backup (1) 49:6
\$381.90 (1) 44:21	acknowledge (1) 44:4	agreement (6) 23:13,21,23;26:12; 27:18;30:9	assessed (2) 43:7;46:1	bad (2) 28:24;70:5
\$400,000 (1) 55:10	action (3) 23:4;48:15,17	ahead (6) 10:9;42:3;61:21,25; 63:5;68:18	assessment (9) 22:15;42:8,10,18,22; 43:7;53:13;56:3;59:23	BAKER (19) 5:2,3;6:8;16:1;28:6; 47:11,12;54:8,18; 56:24;57:15,24;59:21; 63:16;67:11;68:24; 69:3;71:20;72:6
\$51,907.98 (1) 44:18	actions (1) 26:3	AI (1) 43:20	associated (2) 23:10;46:7	balance (3) 8:14,19;53:18
\$516.67 (1) 42:9	active (2) 49:3;50:21	air (3) 18:2,3;36:25	Associates (1) 4:19	based (3) 10:24;28:20;41:3
\$54 (3) 31:24;32:3,8	activity (2) 47:16,17	allocation (1) 27:19	Association (4) 4:17;5:9,12,15	basically (2) 27:19;36:14
\$579.61 (1) 42:17	actual (1) 29:1	almost (1) 57:9	AST (3) 52:12,18,20	basis (4) 10:2;40:1;61:5; 74:11
\$58,000 (1) 21:20	actually (4) 24:11;33:1;46:9; 72:7	along (3) 20:15;45:25;51:4	asterisked (1) 33:18	became (1) 20:23
\$6 (1) 32:9	actuarial (1) 61:13	always (2) 19:5;41:22	AST's (1) 52:3	become (3) 26:7;51:17;67:25
\$6,115,416 (1) 49:20	actuary (2) 60:7,22	amount (20) 8:21;12:9,14,16,18; 13:12,12;23:16;31:25; 36:1,2;44:18;45:17; 48:20,21;50:9,12;53:2; 57:20;58:24	ASTSWMO (1) 21:10	becomes (1) 68:1
\$6,425 (1) 42:10	add (6) 7:24;29:23;63:24; 64:5;67:4;74:11	amounts (1)	attached (1) 49:5	begin (2) 30:9;52:20
\$6,900 (1) 42:6	added (4) 13:11;43:4;46:10; 54:20		attention (2) 52:25;53:6	beginning (7)
\$60 (2) 31:24;32:2	adding (2) 34:16,16		attorney (10) 8:23,24;11:13;22:18, 19;23:6,13;33:13;	
\$625,000 (1) 31:11	additional (2)			
\$672,000 (1) 22:19				
\$7,000 (1) 21:15				

<p>COOK (2) 6:6,7 corrective (4) 23:4;48:15,17,19 cost (13) 11:18;13:6;21:19; 25:24;27:24;28:14; 30:15,16;31:4;48:18, 21;49:2;50:25 costs (19) 11:7;12:3,19;13:10; 20:16;24:5;27:23;28:9; 29:20,21;30:4;34:5,6; 36:15;38:23;44:21; 46:6;49:2,23 count (2) 20:10,16 couple (2) 34:6;55:24 court (5) 26:4,7;44:21;76:2,13 cover (2) 34:2,4 credit (4) 41:25;42:2,7,17 critical (1) 59:11 cumulative (1) 32:14</p>	<p>26:10;67:2 Declared (1) 58:10 decrease (2) 32:14,16 decreased (1) 34:8 decreases (1) 34:13 deductible (2) 66:11,25 defer (1) 68:25 deficiencies (1) 48:4 define (1) 13:22 defined (1) 76:4 DELAFOSSÉ (90) 5:4,5;7:12;13:17,24; 14:3,13,25;15:24;16:5, 19;17:11,15,21;18:13, 19,23;19:4,23;20:6; 24:18,23;25:2,8,14; 26:6,17,25;27:4,12; 28:8;30:20,25;35:13, 19,25;36:12,23;37:5, 12,18;38:13,18;39:2,6, 10,16,22;40:6,10,15, 19,23;41:2,6,10,15; 46:8,13,18,24;54:25; 55:21;57:5;58:9;59:4, 17;60:2,11,16;63:12, 23;64:4,12,17;65:9,25; 66:21;67:23;68:8; 69:11,19;71:3,8,18,22; 73:24;74:4,9,17 delays (1) 55:22 Denise (2) 9:25;30:8 denoted (1) 76:19 dental (1) 12:25 department (12) 14:20;15:5,6,23; 29:18,19;42:12;52:2,4, 24;61:3,14 departments (1) 14:19 department's (1) 36:15 depending (3) 31:18;61:8;69:18 depends (8) 20:2;32:7;59:3,5,8, 10;69:7,12 deposited (1) 35:18 depth (1) 11:20</p>	<p>DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10 describe (1) 13:22 description (1) 36:6 desk (1) 27:24 detail (2) 7:20;9:17 detailed (3) 9:24;10:1,2 details (1) 41:23 detection (1) 69:9 determination (1) 48:9 determinations (1) 48:12 determine (2) 52:8;67:5 determined (4) 42:20;49:1,18,21 difference (1) 67:12 different (5) 8:12;33:3;44:19; 60:24;61:11 direct (2) 28:21;29:21 disbursements (2) 8:4,17 discourse (1) 76:10 discuss (3) 10:7;67:4;68:5 discussed (10) 11:19;28:10;30:8; 33:17;34:24;51:20; 60:5,8,10;64:13 discussion (3) 54:2;63:7;67:2 distracted (1) 74:18 distribution (1) 37:10 divide (1) 28:20 Division (12) 5:24;13:23;15:10,12, 14,17,18,20;16:7,16, 21;31:19 divisions (1) 21:25 document (6) 49:13;50:25;51:3,3, 9,15 documentation (1) 29:10 documented (1)</p>	<p>51:21 documents (1) 51:4 dollars (12) 8:15,25;11:25;13:13; 23:22;24:1;25:10,16; 27:25;32:15;37:4;50:5 done (10) 9:25;10:8;11:15; 22:12;31:13;35:14; 43:1;52:8;60:20;68:23 doubled (1) 55:11 down (4) 12:12;21:21;30:13; 67:16 Dr (2) 9:20;64:21 draft (2) 51:3,12 Due (4) 41:25;42:9,10;76:9 During (6) 47:19,25;48:2;50:16, 20;51:20 Durwood (1) 6:13</p>	<p>43:2;47:21;48:14; 68:20 enforcement (1) 71:5 Engineering (1) 4:19 enough (1) 58:25 ensure (1) 67:7 entered (2) 44:17;52:16 entire (2) 13:23;14:2 entities (1) 36:19 entitled (1) 47:15 Environmental (15) 6:15;20:11,19,20,24; 34:1,3;36:3,5,6,14,17, 22;50:3,6 EPA (8) 19:12;21:12;28:15; 29:5,8,11,22;32:22 error (1) 42:1 escrow (1) 8:24 especially (1) 55:1 essence (1) 70:12 estimate (2) 37:25;50:4 estimated (6) 9:2;48:17,21;50:9, 11;53:2 estimates (2) 32:4;53:22 estimating (1) 53:4 et (1) 22:8 ETF (5) 9:4,4;33:11;35:18,23 evaluated (1) 68:21 evaluation (1) 69:5 even (1) 38:3 everybody (4) 4:3,7;26:18;48:9 Exactly (1) 16:9 example (5) 23:19;27:15;28:23; 29:8,16 Excel (1) 52:17 exception (1) 14:16</p>
<p>current (10) 12:19;42:3;47:17; 49:3;52:11;53:1,3,9; 62:4;67:18 currently (3) 51:10;53:16,24 Cy (3) 4:22;41:20;43:15 Cy's (1) 47:6</p>	<p>12,18;38:13,18;39:2,6, 10,16,22;40:6,10,15, 19,23;41:2,6,10,15; 46:8,13,18,24;54:25; 55:21;57:5;58:9;59:4, 17;60:2,11,16;63:12, 23;64:4,12,17;65:9,25; 66:21;67:23;68:8; 69:11,19;71:3,8,18,22; 73:24;74:4,9,17 delays (1) 55:22 Denise (2) 9:25;30:8 denoted (1) 76:19 dental (1) 12:25 department (12) 14:20;15:5,6,23; 29:18,19;42:12;52:2,4, 24;61:3,14 departments (1) 14:19 department's (1) 36:15 depending (3) 31:18;61:8;69:18 depends (8) 20:2;32:7;59:3,5,8, 10;69:7,12 deposited (1) 35:18 depth (1) 11:20</p>	<p>different (5) 8:12;33:3;44:19; 60:24;61:11 direct (2) 28:21;29:21 disbursements (2) 8:4,17 discourse (1) 76:10 discuss (3) 10:7;67:4;68:5 discussed (10) 11:19;28:10;30:8; 33:17;34:24;51:20; 60:5,8,10;64:13 discussion (3) 54:2;63:7;67:2 distracted (1) 74:18 distribution (1) 37:10 divide (1) 28:20 Division (12) 5:24;13:23;15:10,12, 14,17,18,20;16:7,16, 21;31:19 divisions (1) 21:25 document (6) 49:13;50:25;51:3,3, 9,15 documentation (1) 29:10 documented (1)</p>	<p>E earlier (1) 45:19 earmarked (3) 53:23;54:21;59:22 earned (1) 53:10 EDMS (2) 49:13;51:22 effective (1) 51:17 EFFERSON (6) 5:21,22;69:1,6,14,22 eight (2) 8:17;18:25 either (4) 10:12;18:11;29:12; 68:4 eligibility (2) 49:24;69:5 eligible (2) 49:18;50:20 else (1) 54:22 employee (4) 12:8,19;13:7;21:12 Employees (8) 12:10;13:2,3;14:22; 20:7;21:11,11;27:20 encourage (1) 8:4 end (12) 10:4,12,16;13:13; 21:17;23:25;24:7,9;</p>	<p>error (1) 42:1 escrow (1) 8:24 especially (1) 55:1 essence (1) 70:12 estimate (2) 37:25;50:4 estimated (6) 9:2;48:17,21;50:9, 11;53:2 estimates (2) 32:4;53:22 estimating (1) 53:4 et (1) 22:8 ETF (5) 9:4,4;33:11;35:18,23 evaluated (1) 68:21 evaluation (1) 69:5 even (1) 38:3 everybody (4) 4:3,7;26:18;48:9 Exactly (1) 16:9 example (5) 23:19;27:15;28:23; 29:8,16 Excel (1) 52:17 exception (1) 14:16</p>
<p>D Dallas (1) 21:12 dangerous (1) 56:18 DANIELS (2) 5:18,19 dashes (2) 76:10,14 date (4) 42:9,25;45:7,8 daytime (1) 21:7 DC (1) 21:10 dead (1) 38:3 debt (2) 46:20;47:2 decide (1) 68:3 decided (2)</p>	<p>delays (1) 55:22 Denise (2) 9:25;30:8 denoted (1) 76:19 dental (1) 12:25 department (12) 14:20;15:5,6,23; 29:18,19;42:12;52:2,4, 24;61:3,14 departments (1) 14:19 department's (1) 36:15 depending (3) 31:18;61:8;69:18 depends (8) 20:2;32:7;59:3,5,8, 10;69:7,12 deposited (1) 35:18 depth (1) 11:20</p>	<p>different (5) 8:12;33:3;44:19; 60:24;61:11 direct (2) 28:21;29:21 disbursements (2) 8:4,17 discourse (1) 76:10 discuss (3) 10:7;67:4;68:5 discussed (10) 11:19;28:10;30:8; 33:17;34:24;51:20; 60:5,8,10;64:13 discussion (3) 54:2;63:7;67:2 distracted (1) 74:18 distribution (1) 37:10 divide (1) 28:20 Division (12) 5:24;13:23;15:10,12, 14,17,18,20;16:7,16, 21;31:19 divisions (1) 21:25 document (6) 49:13;50:25;51:3,3, 9,15 documentation (1) 29:10 documented (1)</p>	<p>E earlier (1) 45:19 earmarked (3) 53:23;54:21;59:22 earned (1) 53:10 EDMS (2) 49:13;51:22 effective (1) 51:17 EFFERSON (6) 5:21,22;69:1,6,14,22 eight (2) 8:17;18:25 either (4) 10:12;18:11;29:12; 68:4 eligibility (2) 49:24;69:5 eligible (2) 49:18;50:20 else (1) 54:22 employee (4) 12:8,19;13:7;21:12 Employees (8) 12:10;13:2,3;14:22; 20:7;21:11,11;27:20 encourage (1) 8:4 end (12) 10:4,12,16;13:13; 21:17;23:25;24:7,9;</p>	<p>error (1) 42:1 escrow (1) 8:24 especially (1) 55:1 essence (1) 70:12 estimate (2) 37:25;50:4 estimated (6) 9:2;48:17,21;50:9, 11;53:2 estimates (2) 32:4;53:22 estimating (1) 53:4 et (1) 22:8 ETF (5) 9:4,4;33:11;35:18,23 evaluated (1) 68:21 evaluation (1) 69:5 even (1) 38:3 everybody (4) 4:3,7;26:18;48:9 Exactly (1) 16:9 example (5) 23:19;27:15;28:23; 29:8,16 Excel (1) 52:17 exception (1) 14:16</p>

25;72:3,9,14,20;73:1,8, 12,15;74:13,20;75:2,5	38:8 in-compliance (1) 63:8 Incorporated (1) 4:20 incorrect (1) 45:9 increase (3) 31:23,25;50:11 increased (2) 34:7,10 increases (4) 31:17;34:15,19,21 indicate (1) 76:11 indicated (5) 66:20;72:22;73:14; 75:4;76:15 indicted (1)* 7:7 indirect (6) 11:18;28:9,14;30:4, 10;34:17 inflammatory (1) 61:10 inflow/outflow (1) 38:2 inflows (3) 38:16,19;39:3 information (14) 7:25;8:2,3,11,12; 11:20;20:17;25:5; 28:19;41:12,18;51:19; 52:13,16 informed (2) 44:9;62:2 inspection (1) 22:7 inspections (4) 17:22;21:6;22:24,25 instead (6) 16:15;21:2;28:4; 29:2;32:2,5 insurance (4) 12:24,25,25;18:12 intended (1) 36:16 interaction (1) 76:9 interagency (4) 23:13;27:14,22;28:4 interest (19) 8:2;26:11;46:3; 50:22;51:24;53:10,16, 21;54:6,10;55:2,6,10, 11;56:8;57:18;59:18, 22;68:3 interrupt (1) 41:16 into (15) 9:17;16:11;24:22; 25:1;52:17;59:8;62:23; 65:15,21;70:1;72:7,10,	17,23;73:6 investigation (1) 23:2 invoice (1) 42:8 involved (1) 29:18 ISAACKS (2) 5:13,14 issue (4) 52:7;53:1;69:13; 70:14 issues (1) 66:11 item (3) 66:8;72:1;73:20 its' (1) 9:4	lab (3) 22:7,13;23:1 Lacey (2) 6:1;28:12 lagging (1) 31:19 Lagov (1) 56:4 largest (1) 11:3 LASERS (2) 12:10,11 last (16) 7:13;9:14;12:11; 28:18;30:14;31:15; 37:7,20;43:3;44:24; 50:11,14;52:24;55:5; 62:20;65:2 later (2) * 11:20;26:24 layman's (1) 36:6 leaders (1) 14:8 leaking (11) 15:16;16:10,13,22; 17:1,6,14;36:7;56:9; 58:14,17 leaks (2) 17:22;57:2 leave (1) 65:14 led (1) 56:2 left (5) 27:9,11,13;55:9; 76:16 Legal (7) 5:1;11:16;26:3; 28:22;42:12;45:16; 46:3 legally (1) 44:15 legislation (1) 9:19 less (2) 24:22;32:9 letter (2) 44:1,3 level (2) 7:18;67:18 levels (1) 9:11 liability (2) 12:6;48:16 lien (1) 57:19 life (1) 12:24 likely (2) 23:25;60:25 line (1) 45:25	list (6) 23:15;43:4,5;44:16; 48:12;57:10 lists (1) 50:15 litigation (2) 23:10;26:19 little (9) 9:21,23;12:12;22:1, 4;28:13;31:22;34:20; 40:18 LOMA (1) 70:22 LOMCSA (1) 21:13 look (5) 9:9;12:13;33:1; 38:19;48:11 looking (2) 7:22;47:14 looks (1) 32:11 Lori (2) 76:2,21 lot (11) 9:17;20:11;21:7; 32:24,25,25;39:7;41:5; 55:15;67:1;69:8 lots (3) 32:21;34:25;60:23 Louisiana (7) 4:16;5:8,11,14; 12:10;76:3,6 lowest (1) 31:23 lust (1) 37:4
I		J		
idea (5) 61:11;70:5,6,8,10 identified (3) 57:12,14;58:6 identify (1) 59:11 III's (3) 20:12,19,24 II's (1) 20:21 implemented (1) 52:9 important (1) 31:6 in- (2) 64:8;67:15 inability (1) 56:15 inactive (3) 53:6;54:12;59:24 inaudible (1) 76:19 inception (1) 18:2 incidences (1) 50:21 include (3) 49:9;53:21;74:12 included (7)* 10:21;30:16;33:13; 45:18;48:7;53:8,17 includes (3) 12:23;44:20;48:19 inclusion (1) 52:3 inclusive (1)	January (1) 28:16 Jason (4) 5:22;68:25;69:21,22 Jeff (9) 5:3;8:6;10:20;24:3; 27:23;30:7;47:11;60:4; 61:19 Jeff's (2) 14:6;15:25 Jill (4) 5:1;25:3;61:23,23 job (4) 8:8;20:8,13,15 Jones (1) 6:15 judgment (4) 44:16,20;46:22,25 July (4) 10:5;20:21;51:17; 64:24 June (1) 42:10	January (1) 28:16 Jason (4) 5:22;68:25;69:21,22 Jeff (9) 5:3;8:6;10:20;24:3; 27:23;30:7;47:11;60:4; 61:19 Jeff's (2) 14:6;15:25 Jill (4) 5:1;25:3;61:23,23 job (4) 8:8;20:8,13,15 Jones (1) 6:15 judgment (4) 44:16,20;46:22,25 July (4) 10:5;20:21;51:17; 64:24 June (1) 42:10	January (1) 28:16 Jason (4) 5:22;68:25;69:21,22 Jeff (9) 5:3;8:6;10:20;24:3; 27:23;30:7;47:11;60:4; 61:19 Jeff's (2) 14:6;15:25 Jill (4) 5:1;25:3;61:23,23 job (4) 8:8;20:8,13,15 Jones (1) 6:15 judgment (4) 44:16,20;46:22,25 July (4) 10:5;20:21;51:17; 64:24 June (1) 42:10	
		K		
		Karyn (1) 9:24 keep (1) 40:18 Kerry (1) 4:16 kind (13) 12:16;20:18;21:1; 24:9;25:23;28:19,19; 32:7;33:7;34:23;35:3; 40:9;55:3 knows (1) 12:13		
		L		
			M	
			magnitude (1) 61:2 main (1) 22:16 majority (2) 12:20;31:13 makes (1) 38:6 making (1) 16:17 manage (1) 8:6 management (2) 28:1;49:13 mandatary (1) 18:10 many (8) 26:16,22;27:20;37:4; 57:6;58:25;60:12; 61:11 MARCELLO (55) 4:4;5:10,11;6:20; 13:15,19;14:1,11,18,	

owner's (3) 63:8;64:9;66:9	11:3,11;12:8,12,20; 13:9;24:6;25:17;29:9, 24;30:12;31:17,23; 34:15	possible (2) 67:8;73:22	33:25;44:23;45:2; 47:23;56:2	7:16,24;8:13;11:22, 23;21:16;47:18,19; 48:2;49:8;55:9
owns (1) 27:17		posted (4) 51:15,22;56:4,5	processed (1) 48:1	quarterly (1) 10:2
P	Perfect (1) 74:16	potential (4) 42:16;48:13;50:18; 63:7	Procurement (1) 55:23	quarters (1) 10:14
package (1) 31:15	performed (1) 43:25	potentially (3) 42:17,22;53:7	products (1) 13:1	quarter's (1) 50:11
packet (3) 50:14;74:12,14	perhaps (2) 9:22;10:1	power (1) 7:19	Professional (2) 22:9,12	questionnaire (1) 52:10
packets (2) 47:14;48:7	period (3) 47:25;51:6,7	PPM (2) 6:5,7	Program (15) 14:2;17:4,8;18:3,4; 22:11;28:21;30:6,17; 31:5,7,21;32:13;33:22; 68:4	R
page (7) 41:22;43:10,13; 44:14;47:15;50:14; 51:16	permanent (2) 11:14;74:11	precludes (1) 67:17	programs (2) 29:14;52:10	RAC (2) 48:20;51:5
paid (6) 12:8;22:20;23:11; 27:21;36:16;43:8	permit (2) 36:18,18	predictable (1) 31:10	program's (1) 34:5	raise (1) 20:25
papers (1) 74:19	permits (2) 36:25;37:1	predominant (1) 36:17	progress (2) 42:19;50:24	ranking (1) 56:16
part (4) 33:14;46:19,20,25	permittees (1) 36:25	predominantly (2) 14:5;37:19	progression (1) 20:23	rate (8) 25:20;27:18;29:6,9, 23;30:10,23;34:17
participate (1) 13:5	Perry (5) 26:21;60:5;62:2; 65:4;72:4	predominately (1) 12:24	project (2) 11:24;60:25	rates (1) 55:4
particulars (1) 16:12	Perry's (1) 61:20	prepared (1) 44:23	projected (3) 9:3;37:3;50:1	rather (2) 28:25;29:1
parties (1) 26:14	person's (1) 12:15	present (2) 33:12;41:11	projection (3) 9:6;21:21,23	reach (1) 48:18
party (2) 62:3;72:5	pertaining (1) 73:17	presentation (10) 7:20;9:16,18,23; 10:1;11:20;35:2;39:25; 67:1;69:24	projections (1) 9:13	reads (1) 67:14
pass (1) 31:15	phase (2) 42:21;48:16	pretty (6) 9:6,12;31:10,10,10; 56:6	proper (1) 76:13	ready (2) 45:1,11
past (6) 10:14;11:17;12:16; 34:6,14,22	phone (5) 6:9,11;28:7;65:16; 72:4	prevent (1) 17:22	property (2) 53:13;57:19	really (3) 33:2;59:3;62:13
pauses (1) 76:11	phrase (1) 76:19	prevention (2) 19:20;36:10	proposal (1) 28:14	recalculated (1) 12:9
pay (11) 12:16,17;13:2,8; 20:24;26:13,13;27:16, 25;32:8;56:15	phrases (1) 76:15	previous (1) 21:2	propose (1) 23:17	recall (1) 9:20
paying (2) 9:12;12:21	piece (1) 34:9	previously (2) 33:17;63:20	provide (1) 49:14	receipts (2) 8:16;37:13
payment (3) 42:3;44:25;48:1	plan (1) 48:17	printout (1) 73:23	pull (1) 59:6	receive (1) 73:22
payments (3) 9:9;42:5;45:6	planned (1) 42:24	prior (3) 18:1,4,9	punitive (1) 70:25	received (6) 42:11;45:5;47:20; 51:8;52:7,14
pays (1) 29:19	please (3) 10:20;35:12;41:21	Prioritize (2) 56:21,23	purpose (8) 19:6;53:20,23;54:12, 21;57:17,19;59:23	recently (1) 52:10
penalty (1) 46:3	plus (3) 8:22;24:15;29:22	probably (5) 38:2,9,11,16;62:18	purposes (1) 67:14	recognized (2) 48:23;49:17
Pending (2) 42:15;47:22	PM (1) 75:7	problem (3) 16:15;43:22;65:14	pursue (1) 68:1	recommendation (7) 53:25;64:8,19,22,23; 66:22;68:12
people (11) 6:9;14:4,5,6;29:1,2, 25;31:4;32:7;67:9; 74:18	point (13) 7:19;9:7;16:17; 18:20;19:22,24;20:1,1; 21:1;32:19;33:2;51:24; 52:24	problems (1) 59:5	pursued (1) 44:15	recommendations (1) 64:21
per (5) 12:8;13:7;27:18; 32:2,8	points (1) 50:22	procedural (1) 43:19	put (4) 6:10;7:19;57:19; 61:9	recommending (1) 64:7
percent (14)	policy (1) 10:25	Procedure (2) 76:5,6	puzzle (1) 34:9	reconvened (1) 72:25
	portion (3) 25:21;42:6;53:7	proceeding (2) 76:10,14	Q	record (3) 26:2;35:16;76:8
	positive (1) 38:3	proceeds (3) 25:25;33:17;38:21	quarter (11)	recouping (1) 57:25
		process (5)		

somewhere (1) 20:2	39:21;45:3;47:11	12:4,11;49:13;51:22	27:1;33:18,19;34:13, 18;42:14;43:3,4,6; 45:14;49:1,21;50:4; 69:10;73:21	21:4,6,7 treasury (1) 55:4 trickling (1) 31:14 trouble (2) 26:18;41:5 Trust (44) 4:24;5:3,22;6:13; 10:22;16:2,4,6;20:9; 30:5,6;34:1,1,3;35:21; 36:3,5,7,13,14,17; 47:11,16,19,22;48:8, 13;49:3,18;50:2,3,6,7, 15,19,24;52:4;53:2,11; 54:7,11;57:17;59:16; 69:22 try (1), 10:17 trying (1) 59:11 tuned (1) 7:15 Turn (3) 41:20;43:13;48:5 tweaks (1) 41:7 two (24) 6:9;10:14;14:19; 18:18,24;20:20;21:10; 22:11,11;27:1,5,9,11, 13;30:13,14;31:3; 34:18;37:21;42:5;43:6; 44:14;51:6,7 type (3) 20:17;28:22;69:12
soon (1) 56:6	33:23;67:14,17,21	T	throughout (1) 60:19	
Sorry (4) 41:16;48:24;68:16; 72:11	53:9,19;54:9,10	tab (2) 41:21;47:14	thrown (1) 54:22	
sorted (1) 20:10	7:15;46:19	table (1) 67:3	Thus (3) 50:8;51:10;52:14	
sorts (1) 60:24	Steve (1) 4:19	tacked (1) 46:4	tick (2) 37:23;55:3	
sounds (1) 28:24	still (8) 18:14;31:15;34:20; 42:19;44:14;55:9; 59:18;70:24	tackle (1) 70:16	ticketed (1) 71:1	
source (2) 32:12;55:14	stop (2) 8:5,9	talk (4) 54:2;62:7;67:20; 76:12	tightness (1) 69:15	
speak (4) 18:6;58:6;61:21; 70:22	stopped (1) 38:2	talked (2) 61:2;65:1	title (3) 20:8,13,15	
specific (2) 53:19;56:14	storage (17) 15:9,16,17,20;16:10, 13,14,16;17:2,7,8,14; 20:9;30:5;35:20;53:12, 14	talks (2) 26:3;32:21	today (3) 8:7;41:3;73:18	
spend (1) 23:16	Store (4) 4:17;5:9,12,15	tank (29) 15:9,17,18,20;16:10, 14,14,16;17:7,8;18:3; 20:9;22:21;30:6;31:8, 21;32:2,9,35;20;36:21, 24;53:7,10;56:1,9,19; 57:1;59:6;69:15	together (4) 7:19;13:12;28:13; 68:2	
spent (5) 21:15;23:18;25:15; 29:21;57:20	structured (1) 32:22	tanks (9) 17:2,14;18:11;53:12, 15;54:13;56:10;57:3,6	tools (1) 22:8	
spoke (1) 62:20	subcategory (1) 22:2	tax (1) 46:2	top (2) 25:4;46:4	
spontaneous (1) 76:10	subdivide (1) 11:2	team (1) 14:8	topic (1) 31:6	
spreadsheet (2) 44:20;52:17	subdivides (1) 21:22	telecommunications (1) 28:1	topics (1) 51:20	
spring (1) 29:5	submit (1) 28:15	telephone (2) 27:22,23	total (22) 8:3,15;11:4,6,10,24; 12:14,16;14:24;20:16; 21:3,23;25:22;32:17; 45:16;46:20;48:19; 49:20;50:8,9;53:18; 54:20	
ST (26) 5:7,8;36:20;37:9,16; 43:14,18;44:6,10;54:5, 15,23;56:7;58:23; 59:13;65:3;66:16; 70:20;71:6,12;72:18; 73:10,19;74:1,6,15	submitted (2) 49:19,24	ten (6) 12:20;31:23;37:17, 19;38:5,6	totaling (4) 42:6;47:20,24;48:2	
staff (4) 9:10,11;51:1,10	substantial (2) 11:16;71:14	term (1) 13:20	towards (1) 50:24	
stakeholder (3) 51:1,21;52:20	substantially (1) 9:8	testimony (1) 76:7	toxicology (1) 22:15	
stand (1) 7:24	subtle (1) 34:20	tests (1) 60:23	tracked (1) 53:17	
start (4) 4:12;7:9;33:5;34:16	subtracted (1) 33:20	That'd (1) 70:8	traditionally (1) 33:11	
started (3) 34:16;42:24;43:1	sufficient (1) 34:4	Theresa (4) 5:5;7:11;35:8;39:19	training (3) 21:4,14;22:22	
starting (1) 30:10	suggested (1) 9:22	thinking (2) 7:22;45:25	transcript (1) 76:16	
state (11) 12:5,10;13:2,2; 27:17;28:3;33:4;52:19; 55:22;76:3,8	suggestion (1) 10:3	third (11) 7:23;8:13;11:22,23; 21:16;34:9;37:14;45:4; 47:18;62:3;72:5	transcription (1) 76:14	
statements (1) 7:23	Supplies (3) 22:1,5,7	though (1) 68:20	transfer (10) 9:3;27:22;28:4; 33:11,25;34:9,10; 37:15;39:13;50:3	
states (2) 52:6,9	supporting (1) 51:4	thought (5) 25:23;35:1,14;63:22; 76:12	transferred (4) 35:23;36:1,2;50:5	
statewide (1) 10:24	suppose (1) 48:6	three (18) 7:10;11:25;21:11;	transfers (2) 27:15;38:21	
status (3)	sure (9) 27:7;33:2;39:17; 40:24;41:16;67:9; 70:10;71:23;74:5		Travel (3)	
	sworn (1) 76:7			
	system (4)			
				U
				under (8) 8:16,17,25;10:15; 11:25;23:25;32:18; 42:14 underground (16) 15:9,16,17,20;16:10, 13,14,15;17:2,7,8,14; 20:9;30:5;35:20;53:12 Unfortunately (1) 12:4 unfunded (1) 12:6 uniforms (1) 22:8 universe (1) 52:19 Unless (1) 9:16 unobligated (1) 8:14 unpaid (1) 46:2 unrelated (1) 42:7

DEPARTMENT OF ENVIRONMENTAL QUALITY
 MOTOR FUELS UNDERGROUND STORAGE TANK TRUST

FUND ADVISORY BOARD MEETING
 June 8, 201

5				
5.4 (1) 9:5 5/26/17 (1) 45:9				
6				
6 (1) 21:12 625 (1) 32:5 685 (1) 32:6 6th (1) 44:17				
7				
70.91 (2) 29:9,24 700 (1) 32:7				
8				
85,000 (1) 21:23				
9				
900 (1) 24:1 93 (1) 8:20 97083 (1) 76:22				

In The Matter Of:

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

FUND ADVISORY BOARD MEETING

June 8, 2017

Associated Reporters, Incorporated

225-216-2036

Original File JUNETRUS.txt

Min-U-Script® with Word Index

This Page Intentionally Left Blank

Page 1

1
2
3
4 STATE OF LOUISIANA
5 DEPARTMENT OF ENVIRONMENTAL QUALITY
6 MOTOR FUELS UNDERGROUND STORAGE TANK TRUST
7 FUND ADVISORY BOARD
8
9
10
11
12
13 The above-entitled meeting was held at the
14 LDEQ, Galvez Building, Conference Center, 602
15 North 5th Street, Baton Rouge, Louisiana,
16 beginning at 1:17 p.m., on June 8, 2017.
17
18
19 BEFORE:
20 Lori B. Overland
21 Certified Court Reporter
22 In and For the State of
23 Louisiana
24
25

Page 3

1 I N D E X
2
3 EXAMINATION: PAGE (S) :
4 None
5 EXHIBITS:
6 None
7
8 REPORTER'S PAGE 76
9 REPORTER'S CERTIFICATE 77
10
11 * * * * *
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 2

1 A P P E A R A N C E S
2
3 Kerry Hill
4 Chairman
5 Durwood Franklin, via telephone
6 Jeff Baker
7 Gary Fulton
8 Cy Morin
9 Jill Carter
10 Nick St. Romain
11 Steve Burnham
12 Roger Bright, via telephone
13 Theresa Delafosse
14 Frank Marcello
15
16 Melissa Vizinat
17 Sam Broussard
18 Jason Efferson
19 Natalie Isaacks
20 Roger Gingles
21 Rhonda Cook
22 Sherry Milam
23 Fran Falke
24 Lacey Vitteri
25 Bryon Blanchard
Roger Daniels

* * * * *

Page 4

1 * * * * *
2 MR. HILL:
3 Good morning to everybody.
4 MR. MARCELLO:
5 Good afternoon.
6 MR. HILL:
7 Or, good afternoon to everybody.
8 Thank you, Frank.
9 At this time, we'd like to have a roll
10 call and a consideration and adoption of the
11 February 23, 2017 board minutes. Let's
12 start with a roll call.
13 MR. FULTON:
14 Gary Fulton, DEQ.
15 MR. HILL:
16 Kerry Hill, Louisiana Oil Marketers
17 and Convenience Store Association.
18 MR. BURNHAM:
19 Steve Burnham, Engineering Associates,
20 Incorporated.
21 MR. MORIN:
22 Cy Morin, DEQ Audit.
23 MS. VIZINAT:
24 Melissa Vizinat, DEQ Trust Fund.
25 MS. CARTER:

Page 5

1 Jill Carter, DEQ Legal Section.
2 MR. BAKER:
3 Jeff Baker, DEQ Trust Fund.
4 MS. DELAFOSSE:
5 Theresa Delafosse, DEQ Financial
6 Services.
7 MR. ST. ROMAIN:
8 Nicholas St. Romain, Louisiana Oil
9 Marketers and Convenience Store Association.
10 MR. MARCELLO:
11 Frank Marcello, Louisiana Oil
12 Marketers and Convenience Store Association.
13 MS. ISAACKS:
14 Natalie Isaacks, Louisiana Oil
15 Marketers and Convenience Store Association.
16 MR. BLANCHARD:
17 Bryon Blanchard, DEQ.
18 MR. DANIELS:
19 Roger Daniels, DEQ Office of the
20 Secretary.
21 MR. EFFERSON:
22 Jason Efferson, DEQ Trust Fund.
23 MR. BROUSSARD:
24 Sam Broussard, DEQ UST Division.
25 MS. VITTERI:

Page 6

1 Lacey Vitteri, DEQ Financial Services.
2 MS. FALKE:
3 Fran Falke, DEQ Financial Services.
4 MR. MILAM:
5 Sherry Milam, PPM Consultants.
6 MS. COOK:
7 Rhonda Cook, PPM Consultants.
8 MR. BAKER:
9 And we have two people on the phone.
10 Can ya'll make -- put your names on the
11 phone?
12 MR. FRANKLIN:
13 Durwood Franklin, DEQ Trust Fund.
14 MR. BRIGHT:
15 Roger Bright, Jones Environmental.
16 MR. HILL:
17 Okay. Thank ya'll.
18 At this time, do I hear a motion to
19 adopt the February 23rd board minutes?
20 MR. MARCELLO:
21 So moved, Mr. Chairman.
22 MR. HILL:
23 All in favor?
24 MR. BURNHAM:
25 Second?

Page 7

1 MR. HILL:
2 Second?
3 MR. BURNHAM:
4 Second.
5 MR. HILL:
6 All in favor?
7 (All indicted, yes.)
8 MR. HILL:
9 Thank ya'll. Let's start off with
10 number three, the financial services report
11 by Theresa.
12 MS. DELAFOSSE:
13 Okay. So last board meeting where we
14 met, I changed my name and this board
15 meeting, I changed my hair. So stay tuned
16 for what's going on next quarter.
17 I can briefly go over the, I guess,
18 the high level results. But for this
19 meeting, I also put together a power point
20 presentation that goes more in detail of
21 what the administrative expenditures have
22 been. I'm thinking now that I'm looking at
23 the financial statements as of the third
24 quarter, we also could maybe stand to add
25 some additional information to this report.

Page 8

1 It may be that ya'll want some more
2 information on the interest revenues. You
3 may want more information on the total
4 disbursements from the fund. So I encourage
5 ya'll to stop me as we go through the
6 slides. I have volunteered Jeff to manage
7 the slides for us today. So hopefully he
8 does a great job with that. I know that he
9 will. And -- so feel free to stop me
10 whenever. If you have questions, concerns
11 or if you think we need more information or
12 different information.
13 So as of the third quarter, our
14 unobligated balance was around 23.3 million
15 dollars. Represented in that was total
16 receipts of just under 26 million,
17 disbursements just under eight million. And
18 the -- let's see. So I guess that's about
19 it. The -- the fund balance at the
20 beginning of the year was 93 million. We
21 have had a -- you know, a good amount of
22 collections, plus the -- some of the money
23 was classified from the attorney -- from the
24 attorney general's escrow and settlements.
25 So we have just under 106 million dollars in

Page 9

1 the fund, cash, as of 3/31/2017.
2 And then our estimated -- or, I guess,
3 our projected transfer from motor fuel to
4 ETF to reimburse ETF for its' expenditures
5 is 5.4 million for this year. So that --
6 and that's a pretty solid projection at this
7 point in time because, you know, the -- the
8 year is substantially over. We know what
9 our payments are going to look like,
10 hopefully, and what our staff -- you know,
11 what our staff levels are at and what we're
12 paying our folks, so they're pretty reliable
13 projections, so that's -- that's close to
14 what it was last year.
15 So now, I guess I'll go with the
16 presentation. Unless ya'll have questions
17 now? But we'll go into a lot more detail.
18 So this presentation, I think -- we
19 had a meeting about some legislation with
20 Dr. Brown and Bijon and I-- I don't recall
21 who all was there. It's been a little bit.
22 But it was suggested that perhaps our
23 financial presentation should be a little
24 more detailed. I know historically Karyn
25 and then I guess Denise before her had done

Page 10

1 a very detailed presentation, perhaps too
2 detailed for a quarterly basis. My original
3 suggestion was that we do something like
4 this at the year end. So it would be like,
5 I guess, the August, July board meeting,
6 whichever one is the first one, where you
7 discuss the final results for the fiscal
8 year. But since we hadn't done anything
9 like this in a while, I went ahead and did
10 one now. So I can do whatever ya'll think
11 is -- is best. We can do this, you know,
12 either at the very end of the year only or
13 we could also do it once -- you know, once
14 two quarters have past and once we have half
15 the year under our belt and then again at
16 the -- at the end of the year. Or, we can -
17 - you know, we can try that and then if we
18 think it's too much, you know, whatever.
19 I'm very flexible.
20 So next slide, please, Jeff. Okay.
21 So what is included in the administrative
22 expenditures of the motor fuel trust fund?
23 These are the categories. These categories
24 are based on the office of statewide
25 reporting and accounting policy. We have to

Page 11

1 have these -- this is how we have to
2 subdivide our expenditures.
3 So as you can see, the largest percent
4 of the total is salaries. And once you
5 combine salaries with the related benefits,
6 we are well over half of the total
7 administrative costs of the fund. You can
8 see there's, you know, four of the -- five
9 of those categories are minuscule compared
10 to the total. And then we have other
11 charges, which is about 19 percent. That
12 has some miscellaneous charges. And then
13 those attorney general charges, which will
14 not be permanent. Once those cases are
15 settled and done with, we hope to not have
16 substantial legal fees as we have had the
17 past several years. And then we have the
18 indirect cost and the overhead, which we
19 have discussed some, but I have more in
20 depth information later in the presentation.
21 So salaries and related benefits. Our
22 salaries, after the third quarter -- yes,
23 after the third quarter of the year, you
24 see, we're 2,291,700. We project a total of
25 just under three million dollars on the

Page 12

1 year.
2 The related benefits. Some of these
3 related benefit costs are high.
4 Unfortunately, the retirement system is
5 expensive. We have -- the state is in an
6 unfunded accrued liability situation because
7 of how things were calculated historically,
8 so yes, 35.8 percent is paid per employee.
9 That amount is recalculated annually by
10 LASERS, Louisiana State Employees Retirement
11 System, LASERS. I think last year it was
12 37.2 percent. So it's come down a little
13 bit. Who knows what it'll look like next
14 year. No, that total amount does not go to
15 each person's retirement account. That
16 total amount is kind a to pay for the past
17 and to pay for the future. I think the
18 amount that's, you know, attributed to the
19 current costs for each employee is closer to
20 ten percent. So the vast majority of that
21 is for -- paying for those back -- back
22 expenses.
23 Group benefits. This includes health
24 insurance, predominately, but also life
25 insurance, you know, dental insurance, all

Page 13

1 the other products that are available to us
2 state employees that the state helps pay
3 for. So of the 47 employees that you'll see
4 on the next slide that are hardcoded to
5 motor fuels, 46 of them participate in group
6 benefits in some way. And the average cost
7 of that per employee is around \$3,400. And
8 then we also have to pay Medicare, which is
9 chump change at 1.45 percent, compared to
10 those other group related benefit costs.
11 So, you know, all those things added
12 together amount to -- will amount to about
13 1.38 million dollars at the end of this
14 year.
15 MR. MARCELLO: Question.
16 MS. DELAFOSSE: Yes?
17 MR. MARCELLO: You used the term hardcoded. Are
18 hardcoded to motor fuels. And can you --
19 can you describe or define motor fuels? Is
20 that the entire motor fuel division?
21 MS. DELAFOSSE: It is --

Page 14

1 MR. MARCELLO: Or, the entire UST Program?
2 MS. DELAFOSSE: It's all the people that do work for
3 UST. So it's predominantly Gary's people
4 and Jeff's people. So those who review the
5 applications, review and approve the
6 applications and then the team leaders
7 overseeing the site work.
8 So hardcoded means that all their --
9 MR. MARCELLO: No, I know.
10 MS. DELAFOSSE: Okay. Yes. All their work is for
11 motor fuel with, you know, some minor
12 exception. And then they code our's outside
13 of that.
14 MR. MARCELLO: So when we break those two departments
15 out, your department is what?
16 MR. FULTON: We've got 47, 46 employees.
17 MR. MARCELLO: No, that's -- that's total.
18 MS. DELAFOSSE:

Page 15

1 Yes.
2 MR. FULTON: Yes.
3 MR. MARCELLO: And you -- what -- what department --
4 what department do you head? What -- what's
5 the -- what's the --
6 MR. FULTON: It's the underground storage tank
7 division.
8 MR. MARCELLO: UST Division.
9 MR. FULTON: UST Division, right.
10 MR. MARCELLO: Is it the leaking underground storage
11 tank division or the underground storage
12 tank division?
13 MR. FULTON: Underground storage tank division.
14 MR. MARCELLO: Okay. And that's -- and your
15 department?
16 MS. DELAFOSSE: And then Jeff's --

Page 16

1 MR. BAKER: Motor fuel trust fund.
2 MR. MARCELLO: The trust fund.
3 MS. DELAFOSSE: Motor fuel trust fund section, within
4 financial services division.
5 MR. MARCELLO: Exactly. So wouldn't you think that -
6 - that a leaking underground storage tank
7 fund -- and I know we're going to get into
8 some particulars here. But wouldn't you
9 think that a leaking underground storage
10 tank fee fund, an underground storage tank
11 problem area, instead of an underground
12 storage tank division? Just a simple --
13 it's just making a point and a question at
14 the same time.
15 MS. DELAFOSSE: Yes. So you think that there's work
16 that Gary's division is doing that may be
17 outside of the scope of the leaking? I mean
18 --
19 MR. MARCELLO: Well, that's what -- that's what the -

1 - this is what a .008 fund is, is leaking
2 underground storage tanks. Am I correct?
3 MR. FULTON:
4 Right. That's the whole program.
5 MR. MARCELLO:
6 That's the whole -- no. Leaking
7 underground storage tank is not the whole
8 underground storage tank program, is it?
9 MR. FULTON:
10 Yes.
11 MS. DELAFOSSE:
12 Yes.
13 MR. MARCELLO:
14 Leaking underground storage tanks --
15 MS. DELAFOSSE:
16 It's not called that, but that's all
17 they address.
18 MR. FULTON:
19 It's not called that, but that's what
20 we do. Right.
21 MS. DELAFOSSE:
22 Or, prevent leaks through inspections.
23 MR. FULTON:
24 Right.
25 MR. MARCELLO:

1 MR. FULTON:
2 I think -- I think -- I think it was,
3 yes.
4 MS. DELAFOSSE:
5 But it's always been for the same
6 purpose.
7 MR. FULTON:
8 Right.
9 MR. MARCELLO:
10 Okay.
11 MR. FULTON:
12 We also get EPA funding.
13 MR. MARCELLO:
14 You get grants.
15 MR. FULTON:
16 We get grants.
17 MR. MARCELLO:
18 Right.
19 MR. FULTON:
20 We get a -- we get a prevention grant
21 and we get break reduction grant. I think
22 it's one point something million.
23 MS. DELAFOSSE:
24 One point five.
25 MR. FULTON:

1 Right. So prior to the .008
2 inception, what was -- you -- you had an air
3 -- air program, a -- did we have a tank
4 program prior to .008?
5 MR. FULTON:
6 Not that -- I -- I can't speak to the
7 -- that far back, but --
8 MR. MARCELLO:
9 Like prior to 1998, when -- when it
10 was mandatory that we upgrade all of these
11 tanks and then we had to either have
12 insurance --
13 MS. DELAFOSSE:
14 I think there was still a fee then.
15 It was just not .008.
16 MR. FULTON:
17 It wasn't .008. Seems like it was --
18 was it two?
19 MS. DELAFOSSE:
20 It was 004, at one point.
21 MR. FULTON:
22 Or, 004.
23 MS. DELAFOSSE:
24 I think it went from two to four to
25 eight.

1 One point five, one point six,
2 somewhere around in there. It depends on
3 the grant.
4 MR. MARCELLO:
5 All right. Thank you.
6 MS. DELAFOSSE:
7 Okay. So this slide has the employees
8 by job title that are coded to the motor
9 fuel underground storage tank trust fund. I
10 have them sorted by count. So the -- we
11 have a lot of environmental scientist,
12 III's. Fourteen of them. So it shows the
13 average salary in that job title and then
14 the average benefits for that -- for those
15 folks in that job title, along with the
16 count and the total costs. This is as of
17 4/30. With this type of information, you
18 have to do kind of a snapshot, because you
19 see those 14 environmental scientist, III's,
20 two of them might have been environmental
21 scientist, II's from July to September and
22 then they go through what's called a career
23 progression group and they became
24 environmental scientist, III's and got a pay
25 raise, so their average -- you know, we

Page 21

1 have to kind of take it at a point in time,
2 instead of the previous slide where it was
3 the total salary expenditures for the year.
4 Travel and training. This is one of
5 the very small categories. We need to
6 travel for our audits and inspections. A
7 lot of that is just daytime field travel.
8 But sometimes overnight is necessary.
9 And then we have conferences and
10 conventions. So ASTSWMO in D.C., two
11 employees went to that. Three employees to
12 EPA Region 6 in Dallas. And one employee to
13 LOMCSA convention. And then some DEQ
14 required training, the HAZWOPER class. So
15 we've spent right at \$7,000, after the
16 third quarter. It should be right around
17 11,000 at the end of the year.
18 Operating services. These are some
19 just cost of doing business. You'll see the
20 as of charges. As of 3/31, it was \$58,000.
21 The number below breaks down the projection
22 for the year. I guess the -- it subdivides
23 the total projection for the year, 85,000.
24 So those are some expenses that are
25 necessary for running the divisions.

Page 22

1 Supplies. Another one of the little
2 categories. This is a subcategory of
3 operating services. It's not a separate
4 category. But a little bitty category, as
5 you can see. But office supplies that are
6 necessary, or anything to complete the
7 inspection and then some lab supplies and
8 uniforms, tools, et cetera.
9 Professional services. This is
10 another fairly small category for this
11 program. We just have two -- two
12 professional services vendors who have done
13 work so far this year, some lab analysis for
14 site work and then some site consultation
15 for our risk assessment toxicology contract.
16 Then other charges. The main expense
17 in the other charges category are those
18 attorney general fees. The expenses as of
19 3/31 for attorney general fees is \$672,000.
20 Then we have those other. So we paid for
21 the -- you know, we have the UST tank
22 operator training with those 140,000
23 expenses, compliant services for the
24 compliance inspections. We have a vendor do
25 some -- about half of those inspections and

Page 23

1 we do the other half. And then a small lab
2 contract. And then some site investigation
3 work and some work on the Burt's Chevron
4 corrective action.
5 So I have a separate slide here for
6 the attorney general charges, because this
7 has been significant, a significant
8 expenditure beginning in fiscal year 2014.
9 Again, they represent attorney's fees
10 associated with the ongoing litigation. So
11 they're paid out of the other charges
12 category. We do what's called an
13 interagency agreement with the attorney
14 general's office. And that's signed at the
15 beginning of the year. And it list the
16 maximum amount that we will spend in that
17 year or that they, you know, propose that
18 would be spent in that year.
19 So for example, I believe in fiscal
20 year 2016, you'll see the final expenditures
21 were \$917,465. I believe the agreement for
22 that year was one million dollars. We
23 signed an agreement for this year for
24 the 1.1 million. It may -- it's highly
25 likely that it'll end up under that. More

Page 24

1 in the order of 900 to one million dollars,
2 hopefully.
3 And then -- oh, go back, Jeff, if you
4 don't mind. And then -- so -- but these
5 costs are reimbursed. So yes, the money is
6 expended, but then the money is 100 percent
7 reimbursed from the settlements at the end
8 of the year. We just wait to do that at the
9 end of the year, because it's just a -- kind
10 of a general -- a general voucher, just to,
11 you know, move -- we don't actually move the
12 cash. Just move --
13 MR. MARCELLO:
14 But it's not -- it's not a settlement,
15 plus attorney's fees, is it? Or, is -- is
16 the -- the attorney's fees comes out of the
17 settlement?
18 MS. DELAFOSSE:
19 The attorney's fees comes out of the
20 settlement.
21 MR. MARCELLO:
22 So that's less money going into the --
23 MS. DELAFOSSE:
24 Yes. And I --
25 MR. MARCELLO:

1 -- into the fund.
2 MS. DELAFOSSE:
3 I guess we -- I -- I don't know, Jill,
4 if you know off the top of your head the
5 settlement information, but --
6 MS. CARTER:
7 No, I don't.
8 MS. DELAFOSSE:
9 I think -- I guess we've gotten over
10 20 million dollars in settlements so far, or
11 in that neighborhood, maybe 22.
12 MS. CARTER:
13 You know, I'm --
14 MS. DELAFOSSE:
15 And we've spent around four million
16 dollars, so that's -- I mean, it's 20 to 25'
17 percent of the settlement that's -- you
18 know, attorneys charge more than that
19 sometimes. So, I mean, I know -- it's not -
20 - it's not a contingency rate, but it -
21 doesn't represent as big of a portion of the
22 total as -- as some contingency fees do. So
23 I kind of thought of it that way, as far as
24 what the overall cost have been from what
25 the settlement proceeds have been.

1 I think it's two or three.
2 MR. HILL:
3 Oh, is it?
4 MS. DELAFOSSE:
5 Might just be two.
6 MS. CARTER:
7 I'm not sure. I can find out.
8 MR. MARCELLO:
9 I think it was only two left.
10 MR. HILL:
11 Two left?
12 MS. DELAFOSSE:
13 I think it's two left.
14 Next slide. Okay. Interagency
15 transfers. So rent, for example, like the
16 rent we pay in this Galvez Building, the
17 State owns it and they set up an -- an
18 agreement every year with a rate per floor,
19 basically. So this is an allocation of that
20 for how many employees are in those
21 buildings that are paid for through
22 interagency transfer. And then telephone
23 costs. Like, Jeff has a telephone at his
24 desk and it cost us, you know, whatever,
25 like \$8 dollars a month and we pay the

1 MR. MARCELLO:
2 And for the record, these are only
3 settlement talks and not legal actions.
4 These are not court cases. These are
5 settlements.
6 MS. DELAFOSSE:
7 They have not become court cases yet.
8 Not any of them. But they could. Those who
9 have chosen to settle, you know, I guess
10 they weighed all the odds and decided it was
11 in their interest just to come to an
12 agreement with us or with the attorneys on
13 the case and, you know, pay -- pay what they
14 felt was fair to both parties --
15 MR. HILL:
16 How many --
17 MS. DELAFOSSE:
18 -- and then save everybody the trouble
19 of the litigation.
20 MR. HILL:
21 And this may be a question for Perry,
22 but how many more cases are out there, do
23 you know? That's somebody -- we -- we'll
24 address that later.
25 MS. DELAFOSSE:

1 office of telecommunications management or
2 OTM for that. And because they're another
3 state agency, we can accomplish that through
4 an interagency transfer instead of through
5 one of our other exponential categories.
6 MR. BAKER:
7 I'll be happy to give up the phone.
8 MS. DELAFOSSE:
9 Okay. Indirect costs. So this has
10 been something we've discussed some as well.
11 Every year -- so this is my second bullet, I
12 guess. Every year, as an agency, Lacey and
13 Fran and a little bit me, work together to
14 do an indirect cost proposal. And that, we
15 submit to EPA. So we sent it this year, I
16 believe in January. And to calculate that,
17 because this fiscal year is not over, we
18 used last fiscal year's final numbers to
19 kind of update our information. We kind of
20 divide the agency up based on what are
21 direct program expenditures and what are
22 overhead type expenditures. So like, legal,
23 for example, all the attorneys are overhead.
24 Sometimes, it sounds like a bad word, you
25 know, you'd rather be -- sometimes, you'd

Page 29

1 rather be one of the people doing the actual
2 work instead of one of the overhead people.
3 But all -- all us overhead folks are
4 necessary too. So we get that approved
5 every year by EPA, some time in the spring.
6 You'll see the history of that rate. We
7 have it in reverse chronological order. so,
8 for example, fiscal year 2017, our EPA
9 approved rate was 70.91 percent. So we
10 calculate that and compile documentation.
11 We send it to EPA. And they review it and
12 they approve it -- either approve it or ask
13 us questions and ask us to make adjustments.
14 We use that in other programs to figure --
15 and we use it -- like in remediation, for
16 example, when site -- or, facility owners
17 are responsible for site cleanup and the
18 department is involved in that and the
19 department pays up front, we can bill them
20 for those costs, and we bill them for the
21 direct costs. So let's say we spent
22 \$10,000, plus the full EPA overhead approved
23 rate, so we'll take the \$10,000 and add
24 70.91 percent of that and that's what is
25 billed to those people with the site -- who

Page 30

1 had to get that site remediated because they
2 weren't following regulations.
3 So we -- we use to not charge any of
4 this overhead or these indirect costs to the
5 motor fuel trust fund -- underground storage
6 tank trust fund program. In fiscal year
7 2013, I wasn't here then, but I believe Jeff
8 and Denise discussed this with the board and
9 came to an agreement to begin charging half
10 of the approved indirect rate. So starting
11 in fiscal year '13, as you'll see at the
12 bottom of our chart, that was 30.43 percent.
13 It went down for two years, but then it has
14 gone up slightly for the last two years. So
15 that's -- that's another one of our cost
16 that is included in the administrative cost
17 to the program.
18 MR. MARCELLO:
19 So question.
20 MS. DELAFOSSE:
21 Yes?
22 MR. MARCELLO:
23 That half rate, what is that number
24 multiplied against?
25 MS. DELAFOSSE:

Page 31

1 It is -- good question. It is
2 multiplied against the salaries, related --
3 and related benefits. Just those two
4 categories. So just the people cost.
5 Next slide. And then program revenues
6 are an important topic as well. So one of
7 the program revenues that's available for
8 administrative expenditures are the tank
9 registration fees. They're -- they're
10 pretty -- pretty predictable and pretty
11 regular. We collect right around \$625,000
12 annually. We bill those in March. So we've
13 done the majority of our collections for
14 fiscal year 2017, but some are trickling in
15 still. But we did pass a fee package last
16 year that ya'll are familiar with. And we
17 had anywhere from 10 to 25 percent increases
18 on -- in fees, depending on how far behind
19 that division or that function was lagging
20 from it's collections to it's expenditures.
21 So, you know, the tank program was a
22 little bit behind but not too behind, so we
23 did our lowest increase of ten percent. So
24 the fees have gone from \$54 to \$60. That
25 amount will increase beginning in fiscal

Page 32

1 year 2018. So the bills we send out in --
2 next March will be \$60 per tank instead of
3 \$54.
4 We did some rough estimates on what we
5 expect to collect. Instead of the 625, it
6 should go up to about 685, maybe as high as
7 700. It just kind of depends. Some people
8 might be so conditioned to pay their \$54 per
9 tank, they might send us \$6 less or, you
10 know, we'll just have to -- have to wait and
11 see what that looks like.
12 And then our other source of revenues
13 for the program are the federal grants. So
14 the cumulative decrease since fiscal year
15 2012 has been over 1.8 million dollars. And
16 then I have the annual decrease in the far
17 right hand column, as well. So the total
18 grants in fiscal year 2017 were just under
19 1.6 million, where at one point, we were as
20 high as 3.3 million. So -- and, you know,
21 there's been lots of talks about the changes
22 and how EPA is going to be structured and
23 funded with the new federal budget. And we
24 haven't heard a whole lot. We've heard a
25 whole lot of rumors, but not a whole lot of

1 what that's actually going to look like. So
2 we're not really sure yet at this point.
3 And the federal fiscal year is different
4 from the state fiscal year. So those run
5 through September 30th and then they start
6 again on October 1st. So we will -- it
7 remains to be seen what kind of changes
8 we'll have in federal grants and federal
9 revenues going forward.

10 And then here's the history of the --
11 the net transfer to ETF. So traditionally
12 when we present this number to you, we've
13 also included those attorney general
14 charges, because they are part of the other
15 charges category, however, they have been
16 reimbursed in full from the settlement
17 proceeds, as we discussed previously. So I
18 have those three asterisked years at the
19 bottom, 2014, 2015 and 2016. In those three
20 years, I subtracted what the AG expenses
21 were, because they were reimbursed in full.
22 So the other expenditures of the program are
23 represented here. And that statute that's
24 cited above 30:2195.4(C)(2), that outlines
25 the process for this transfer from the motor

1 missing or if ya'll thought it was
2 beneficial to have a presentation like this,
3 what kind of frequency you'd like. Any
4 other comments, questions, what was missing,
5 what was awful, what was great? But that's
6 it for me.

7 MR. HILL:

8 Thank you, Theresa. Do we have any
9 questions?

10 MR. MARCELLO:

11 I -- I just need -- go back one slide,
12 please.

13 MS. DELAFOSSE:

14 You thought you were done.

15 MR. MARCELLO:

16 So just for the record, and for my
17 understanding again, the .008 gets collected
18 and is deposited in MTF or ETF?

19 MS. DELAFOSSE:

20 Motor fuel underground storage tank
21 trust fund.

22 MR. MARCELLO:

23 And then it's transferred to the ETF
24 fund, correct?

25 MS. DELAFOSSE:

1 fuel trust fund to the environmental trust
2 fund to cover the expenditures, because the
3 environmental trust fund does not have
4 sufficient revenues available to cover the
5 program's costs. So over time, you know,
6 over the past couple of years, our costs
7 have increased and our revenues have
8 decreased. So that means, you know, the
9 third piece of the puzzle is the transfer
10 and so the transfer has increased, as you'll
11 see.

12 So the changes from year to year,
13 we've had decreases in three out of five
14 years. But I know the past four years have
15 been increases. The 48 percent is when we
16 start adding what -- when we started adding
17 half of the indirect rate. So you'll see it
18 went from the two million to the three
19 million. The other increases have been, you
20 know, a little more subtle, but still, I see
21 that we know that there have been increases
22 these past several years.

23 Okay. Going forward, I kind of
24 discussed this at the beginning. I don't
25 know if ya'll feel there was lots of content

1 It's transferred -- the amount, yes.
2 This amount is transferred to the
3 environmental trust fund, yes.

4 MR. MARCELLO:

5 And the environmental trust -- a
6 layman's description of the environmental
7 trust fund is leaking, as well as other
8 aspects of -- of --

9 MR. FULTON:

10 Prevention, yes. That's what we call
11 it.

12 MS. DELAFOSSE:

13 That's the motor fuel trust fund. The
14 environmental trust fund is -- basically,
15 the -- the department's operating costs are
16 intended to be paid for through the
17 environmental trust fund and the predominant
18 revenues are permit fees, annual permit fees
19 from all of our regulated entities.

20 MR. ST. ROMAIN:

21 Tank registration goes to
22 environmental --

23 MS. DELAFOSSE:

24 Tank registration does, yes. And then
25 all our other permittees, so air permits,

Page 37

1 water permits.
2 MR. MARCELLO:
3 And .0 -- in 2017 projected, the .008
4 lust fee will bring in how many dollars?
5 MS. DELAFOSSE:
6 Well, let me see. I don't know if I -
7 - but last year, it was \$23 million. So it
8 should be in that order this year.
9 MR. ST. ROMAIN:
10 The bulk distribution fees is the
11 .008?
12 MS. DELAFOSSE:
13 Yes. And you see the other receipts
14 on the third -- the fiscal year 2017, as of,
15 that's the transfer of the settlement money.
16 MR. ST. ROMAIN:
17 The ten million --
18 MS. DELAFOSSE:
19 Yes, the ten -- that's predominantly
20 what it is. Because you see last year, it
21 was only two million at -- at this time.
22 And so that's -- that's why that's a big up
23 tick on that.
24 MR. MARCELLO:
25 So we can -- we can -- we can estimate

Page 38

1 that after the settlement monies have
2 stopped that inflow/outflow will probably be
3 dead even since you have 12,000 positive
4 right now, with 10,000 coming in from
5 settlement money? The ten -- I'm showing --
6 I showing ten million makes up -- I get it.
7 But this is what I'm getting at, this figure
8 is inclusive of that \$10 million. So once -
9 - this will probably happen again once we
10 get some more settlement money. And then
11 it'll probably be close to a wash from
12 there, meaning --
13 MS. DELAFOSSE:
14 Yes. And you see --
15 MR. MARCELLO:
16 -- inflows and outflows will probably
17 be right at zero.
18 MS. DELAFOSSE:
19 If you look at the final inflows and
20 outflows of fiscal year 2016, we did not get
21 any transfers of those settlement proceeds
22 aside from the ones that were expended on
23 attorney general costs and it was about six
24 million --
25 MR. MARCELLO:

Page 39

1 Correct.
2 MS. DELAFOSSE:
3 -- net inflows.
4 MR. MARCELLO:
5 Correct.
6 MS. DELAFOSSE:
7 So it will be a lot smaller.
8 MR. MARCELLO:
9 Yes.
10 MS. DELAFOSSE:
11 Yes. That -- it's -- it's high this
12 year because of that, yes, because the of
13 settlement transfer.
14 MR. MARCELLO:
15 That's all I have. Thank you.
16 MS. DELAFOSSE:
17 Sure.
18 MR. HILL:
19 Okay. Thank you, Theresa.
20 Let's go to number four, the auditor's
21 status report.
22 MS. DELAFOSSE:
23 I guess before we -- before we move
24 on, I just want to -- do ya'll think this is
25 a best presentation reserved for an annual

Page 40

1 basis, or what do ya'll -- or, do we want
2 to do this every time?
3 MR. HILL:
4 We -- we would like to do it every
5 time.
6 MS. DELAFOSSE:
7 Okay.
8 MR. HILL:
9 That way, we can kind of --
10 MS. DELAFOSSE:
11 Absolutely.
12 MR. HILL:
13 -- follow it, we can report back to
14 our members --
15 MR. DELAFOSSE:
16 Okay.
17 MR. HILL:
18 -- and keep it a little fresher on --
19 MS. DELAFOSSE:
20 Okay.
21 MR. HILL:
22 -- on our mind.
23 MS. DELAFOSSE:
24 Sure.
25 MR. HILL:

Page 41

1 If it's --
2 MS. DELAFOSSE:
3 And based on ya'll's feedback today --
4 MR. HILL:
5 -- if it's not a lot of trouble.
6 MS. DELAFOSSE:
7 -- we may make some tweaks to it.
8 MR. HILL:
9 Yes.
10 MS. DELAFOSSE:
11 But we'll -- we'll continue to present
12 the information every time.
13 MR. HILL:
14 Okay. Thank you.
15 MS. DELAFOSSE:
16 Sure. Sorry to interrupt.
17 MR. HILL:
18 Yes. Good information.
19 MR. MORIN:
20 Okay. Cy Morin, DEQ Audit. Turn to
21 tab four, please.
22 As always, this first page of the
23 report details 28 open motor fuel cases, as
24 of May 26, 2017. One case resulted in a
25 credit of \$3,292.22. Due to a

Page 43

1 but it will be done -- started before the
2 end of the fiscal year.
3 Since the last meeting, three new
4 cases have been added to the list and three
5 have been closed and removed from the list.
6 Of the three removed, two are clean audits
7 with no assessment. One was assessed
8 \$146.99, which was paid in full.
9 Do you have any questions about this,
10 this page?
11 (No response.)
12 MR. MORIN:
13 If not, we will turn to the next page.
14 MR. ST. ROMAIN:
15 Cy, one question.
16 MR. MORIN:
17 Yes.
18 MR. ST. ROMAIN:
19 One procedural question in these
20 audits. Is the -- the owner of that AI
21 number notified of audit or only if there's
22 a problem found with the audit?
23 MR. MORIN:
24 They are notified that the audit will
25 be performed. And after the audit, if there

Page 42

1 miscalculation, human error, for one month,
2 we're awaiting a credit reduction from a
3 current payment remittal to go ahead and
4 closeout this file.
5 Two cases are awaiting payments,
6 totaling just over \$6,900. A portion of an
7 unrelated overpayment will be used to credit
8 an invoice for the one assessment of
9 \$516.67. And the due date on the second
10 assessment of \$6,425 is due on June 12,
11 2017. If not received, the case will be
12 forwarded to our legal department for
13 collection.
14 Three cases are under review. Sixteen
15 cases are awaiting review. Pending final
16 review, these cases represent one potential
17 credit of \$579.61 and 18 potentially clean
18 audits with no assessment.
19 Four cases are still in progress,
20 results to be determined. One case is in
21 the report writing phase. It's a
22 potentially clean audit with no assessment.
23 And the final case on here is being
24 planned. It's going to be started this
25 month. An audit date has not been set yet,

Page 44

1 is a finding, they will be sent a letter.
2 If there are -- if there's no finding, they
3 will be sent a closure letter, just to
4 acknowledge that there were no findings and
5 the audit is closed.
6 MR. ST. ROMAIN:
7 Okay.
8 MR. MORIN:
9 So they will be informed.
10 MR. ST. ROMAIN:
11 Thank you.
12 MR. MORIN:
13 You're welcome.
14 So on page two, we -- we still have
15 four cases that are being pursued legally.
16 The first case on the list, a judgment was
17 entered against the company on March 6th in
18 the amount of \$51,907.98. You'll see this
19 is slightly different than what's on the
20 spreadsheet. The judgment also includes
21 \$381.90 in court costs, which are not shown.
22 This file will be referred to ODR. It's in
23 the process of being prepared.
24 The second case last remitted a
25 payment in March for \$250. This one is also

Page 45

1 ready to be referred to ODR. In the
2 process.
3 The status remains the same on the
4 third case. It's been at ODR since October
5 14th, 2015. We have not received any
6 payments as of May 26th, 2017.
7 I do have -- I did not change the date
8 on here, so the note -- date on the note is
9 incorrect. It should be 5/26/17.
10 On the fourth case, there has been no
11 change. The file is ready and will be sent
12 to ODR.
13 So we have one at ODR and the other
14 three are being sent to ODR for collections.
15 The -- as you can see on there, the
16 four legal cases represent a total
17 outstanding amount of \$119,223,30. Also,
18 the 381.90 is not included on there, that I
19 mentioned earlier. And you can see the
20 breakdown of the fees there.
21 And that's -- that's my update. Does
22 anybody have any questions?
23 MR. MARCELLO:
24 When -- when it goes to ODR, again,
25 along with that same line of thinking, if --

Page 46

1 if someone is assessed, they are -- they're
2 at the -- the -- the unpaid tax, if you
3 will, interest and penalty and legal fees?
4 Is that tacked on top?
5 MR. MORIN:
6 There are some additional costs, I
7 believe, associated with --
8 MS. DELAFOSSE:
9 Well, there's actually an ODR fee
10 that's added.
11 MR. MORIN:
12 Yes.
13 MS. DELAFOSSE:
14 But, yes, in those -- I mean, if we
15 have attorney fees --
16 MR. MORIN:
17 Right. If there --
18 MS. DELAFOSSE:
19 -- as part of it, then they stay as
20 part of the total debt.
21 MR. MORIN:
22 If -- if we have a judgment, yes, the
23 whole --
24 MS. DELAFOSSE:
25 Part of the final judgment, yes.

Page 47

1 MR. MORIN:
2 -- debt would be sent to ODR, yes.
3 MR. MARCELLO:
4 Okay. Thank you.
5 MR. HILL:
6 Any other questions related to Cy's
7 report?
8 (No response.)
9 MR. HILL:
10 If not, we will go to number five,
11 Jeff Baker, the trust fund status report.
12 MR. BAKER:
13 Good afternoon. If you'll refer to
14 tab five in your packets. Looking at the
15 first page, it's entitled, "report of
16 activity for the motor fuel trust fund,
17 current activity". These are the numbers
18 for the third quarter of fiscal year 2017.
19 During this quarter, the trust fund
20 received 215 applications, totaling
21 \$3,148,000. As of the end of March, 2017,
22 the trust fund had 149 pending applications
23 to process, which have requested amounts
24 totaling \$2,183,765.
25 During this time period, 272

Page 48

1 applications were processed for payment,
2 during the fiscal quarter, totaling
3 \$3,134,992. And 22 applications were
4 returned with deficiencies.
5 If you'll turn to your handout -- and
6 I apologize. This was suppose to be
7 included in your -- your packets. You'll
8 see the monthly motor fuel trust fund
9 obligation determination. Does everybody
10 have that as a handout?
11 If you'll look at that, this worksheet
12 list the various component determinations of
13 the potential obligation against the trust
14 fund. As of the end of March 2017, the
15 sites that are in the corrective action
16 phase, the outstanding liability of the
17 corrective action plan budget and estimated
18 cost to reach closure was \$25,074,409. This
19 total includes both the corrective -- the
20 CAP budget remaining amount and the RAC
21 estimated cost to closure amount.
22 The next section, the fund obligation
23 recognized for ROG approved CAP budgets -- I
24 mean, I'm sorry, for sites without ROG
25 approved CAP budgets is \$32,774,327. This

Page 49

1 is determined using a three year average
2 closure cost and applying these costs to the
3 active trust fund sites without current CAP
4 budgets.
5 By the way, attached to the front
6 sheet is the backup for all of these
7 numbers. We don't do that every -- every
8 quarter. But if ya'll want us to, we can
9 include that. So you can see where all the
10 numbers that -- the first calculation come
11 from.
12 By the way, all of these numbers do go
13 in our EDMS document management system each
14 month. But we can provide them for ya'll
15 for the board meeting, if you'd like.
16 The next section, the fund obligation
17 recognized 19 sites that have been
18 determined to be trust fund eligible,
19 however, have not submitted reimbursement
20 applications. And that total is \$6,115,416.
21 This is also determined using the three year
22 average site closure and applying these
23 costs to sites that have requested
24 eligibility but have yet submitted a request
25 for reimbursement from the fund.

Page 50

1 The five year projected fund
2 obligation related to the motor fuel trust
3 fund to environmental trust fund transfer is
4 \$18,624,277. This estimate uses the three
5 year average dollars transferred from the
6 motor fuel trust fund to the environmental
7 trust fund and you multiply that average by
8 five years. Thus, the total obligation --
9 total estimated obligated amount is
10 \$82,588,429, which represents an \$816,768
11 increase over the last quarter's estimated
12 amount.
13 You'll also note -- going back to the
14 packet, you'll also note, the last page
15 lists the sites that have been -- trust fund
16 sites that have been NFA'd during this
17 fiscal year. And it shows 15 sites.
18 We have a -- the number of potential
19 trust fund sites that were reviewed and made
20 eligible during this fiscal year is 17. And
21 that represents 22 active incidences.
22 Just some points of interest. I
23 wanted to give the board an update on the
24 progress we made towards the revised trust
25 fund cost control guidance document.

Page 51

1 The stakeholder group and DEQ staff
2 have completed their updates and review of
3 the document. The completed draft document,
4 along with other supporting documents, were
5 sent to the RAC community and the advisory
6 board members for a two week comment period.
7 The two week period was over yesterday. And
8 we only received a few minor comments. And
9 those have been addressed in the document.
10 Thus, the DEQ staff are currently moving the
11 modification explanation comments from the
12 draft version and are working on the final
13 version.
14 This final version of the guidance
15 document will be completed and posted on our
16 web page -- we're hoping by next week -- and
17 will become effective beginning on July 1,
18 2017.
19 For the board members information, all
20 the minutes and topics discussed during the
21 stakeholder meetings have been documented
22 and will be posted in our EDMS system for
23 future reference.
24 Another point of interest, I wanted to
25 give you an update on the Senate, SCR 102,

Page 52

1 from fiscal year 2016 regular session. This
2 is the resolution requesting department
3 review and assess inclusion of AST's in the
4 motor fuel trust fund. The department has
5 contacted our national organization for
6 feedback from other states regarding this
7 issue and have received numerous responses.
8 We've also done web searches to determine
9 how other states have implemented similar
10 programs. And recently, a questionnaire was
11 sent to all the current motor fuel
12 certificate holders asking for their AST
13 information.
14 Thus far, we've received approximately
15 115 responses out of 160 request that was
16 sent out. This information has been entered
17 into an Excel spreadsheet, and we're using
18 it to gain an understanding of the AST
19 universe in our state. We're hoping to
20 begin having stakeholder meetings with AST
21 owners to gain a better understanding of
22 their needs and their concerns in the next
23 few weeks.
24 And my last point, the department
25 wanted to bring to the board's attention, an

Page 53

1 issue related to current calculations of the
2 estimated trust fund obligation amount. We
3 believe the current method is an accurate
4 and objective method for estimating these
5 numbers each month. However, it's come to
6 our attention that the inactive and abandon
7 tank portion of the fund potentially could -
8 - should be included in these numbers.
9 According to our current statutes, all
10 interest money earned by the motor fuel tank
11 trust fund shall be used for the closure of
12 abandon motor fuel underground storage tanks
13 and assessment and remediation of property
14 contaminated by abandon motor fuel storage
15 tanks.
16 Currently, that interest money is
17 tracked separately. However, it's included
18 in the total balance numbers. So since the
19 statutes obligate these funds for a specific
20 purpose, one way to address this is to
21 include these monthly interest numbers in
22 the normal obligation estimates so it would
23 be earmarked for that purpose.
24 We're not currently requesting a
25 recommendation from the board. However, we

Page 54

1 wanted to make ya'll aware of it for future
2 discussion, as we talk about it.
3 I'm -- that's it for me. Does anybody
4 have any questions?
5 MR. ST. ROMAIN:
6 You said the -- the interest on the
7 excess of the trust fund?
8 MR. BAKER:
9 Yes, sir. What -- the -- the statutes
10 -- the statutes obligate all the interest
11 money off the trust fund to be used for the
12 purpose of taking care of removing inactive
13 abandoned tanks and remediation of those
14 sites.
15 MR. ST. ROMAIN:
16 And it has been used for that. It's
17 just not being accounted for --
18 MR. BAKER:
19 It's not being accounted for. It's
20 added -- it's in the total, but it's not
21 being earmarked for that purpose. It's just
22 thrown in with everything else.
23 MR. ST. ROMAIN:
24 Got you.
25 MS. DELAFOSSE:

Page 55

1 Yes. And especially -- as ya'll may
2 have noticed too, the interest revenues have
3 kind of seen an -- an up tick. I don't know
4 if the -- I guess the rates at treasury are
5 better. Like last year, we -- the whole
6 year, we collected \$199,000 in interest.
7 And so far this year, it's over 330,000.
8 And that's with only -- you know, that's
9 with still one quarter left to go. So that
10 should hit \$400,000. The interest has
11 doubled, the interest revenue. So I don't
12 know if it will continue to do so, but
13 it is a significant -- significant -- not --
14 fairly significant source of revenue. It
15 would certainly help cleanup a lot of
16 abandon sites. And I know we have a -- a
17 contract that we're working on. We've had
18 some --
19 MR. FULTON:
20 We -- yes, we have --
21 MS. DELAFOSSE:
22 -- delays with the Office of State
23 Procurement, but we should have that out of
24 bid in the next couple of weeks, hopefully.
25 MR. FULTON:

Page 56

1 Yes. Our tank removal contract has
2 been led. They're in the process of getting
3 everything signed. The 24 month assessment
4 contract has not been posted on Lagov
5 website. And -- but that should be posted
6 pretty soon.
7 MR. ST. ROMAIN:
8 And that interest money is used to
9 cleanup any abandoned tank or just leaking
10 abandoned tanks?
11 MR. FULTON:
12 The -- the -- the monies are used for
13 the cleanup of any -- any site. However,
14 there's very specific guidelines on
15 financial inability to pay and there's
16 ranking or, you know, we -- we work on the
17 highest most sites first, you know, the most
18 dangerous ones, we, you know, given it's a
19 tank site --
20 MR. HILL:
21 Prioritize.
22 MR. FULTON:
23 Prioritize them, yes. And then --
24 MR. BAKER:
25 But to answer your question too, it

1 also -- it can remove any tank. If
2 contamination or leaks are found when they
3 remove those tanks, then the fund can be
4 used to do remediation of that site.
5 MS. DELAFOSSE:
6 And how -- how many tanks do we have
7 right now that --
8 MR. FULTON:
9 We've got about -- almost about 30
10 about sites on the list.
11 MR. MARCELLO:
12 Of identified --
13 MR. FULTON:
14 Identified sites.
15 MR. BAKER:
16 And let me clarify something. When
17 the trust fund is used for that purpose,
18 when this interest money is used for that
19 purpose, a lien is put on the property up to
20 the amount of money that's spent out of that
21 fund --
22 MR. FULTON:
23 Right.
24 MR. BAKER:
25 -- with the hopes of recouping that

1 year?
2 MR. FULTON:
3 It really depends.
4 MS. DELAFOSSE:
5 It depends if there's problems once
6 you pull the tank.
7 MR. HILL:
8 Depends on what you run into?
9 MR. FULTON:
10 Yes. Depends on the site. We're
11 trying to identify the -- the most critical
12 sites first. And we do have a few of those.
13 MR. ST. ROMAIN:
14 That funding goes to the removal, but
15 if there's remediation, that comes out of
16 the trust fund, not out of --
17 MS. DELAFOSSE:
18 Still the interest.
19 MR. FULTON:
20 It could. If it's --
21 MR. BAKER:
22 That interest money is earmarked for
23 the purpose of removal and assessment of
24 remediation of abandon and inactive.
25 MR. FULTON:

1 money in the future.
2 MR. FULTON:
3 Yes.
4 MR. MARCELLO:
5 So there's 30 abandon sites
6 identified, as we speak.
7 MR. FULTON:
8 So far.
9 MS. DELAFOSSE:
10 Declared.
11 MR. FULTON:
12 Right.
13 MR. MARCELLO:
14 Not necessarily leaking, but
15 abandoned?
16 MR. FULTON:
17 Not necessarily leaking, but
18 abandoned, that is correct.
19 MR. MARCELLO:
20 Okay.
21 MR. HILL:
22 I think --
23 MR. ST. ROMAIN:
24 And that -- and that amount of funding
25 is enough to cleanup roughly how many a

1 And remediation.
2 MS. DELAFOSSE:
3 If necessary.
4 And then another thing that Jeff and I
5 discussed and Perry, who's not here with us,
6 but we have a wonderful fill in, is hiring
7 an actuary. I -- I believe it's been
8 discussed by the board before.
9 MR. FULTON:
10 It -- it has been discussed.
11 MS. DELAFOSSE:
12 I haven't been to that many board
13 meetings.
14 MR. FULTON:
15 Yes, it has been.
16 MS. DELAFOSSE:
17 This might be my fifth one. But, you
18 know, we have fine-tuned the obligation
19 calculation throughout the years and, you
20 know, adjusted where we've done things,
21 where we saw maybe they weren't the best or
22 the most accurate. But an actuary goes to
23 school for that and takes lots of tests for
24 that and they have all sorts of different
25 methodologies to project how likely

Page 61

1 expenditures are and -- and to what
2 magnitude. So we have talked about doing
3 that, as a department. And we would hope to
4 have, you know, somebody review the
5 calculation on an annual basis as well,
6 because they would need to -- you know,
7 there may be factors that have to be
8 adjusted each year, depending on what's
9 going on. I don't know if they would put an
10 inflammatory -- I mean, I have -- I have no
11 idea. There are so many different things
12 that maybe need to be considered that we
13 aren't -- we don't have the actuarial
14 capacity to consider here at the department.
15 MR. HILL:
16 Any other questions?
17 (No response.)
18 MR. HILL:
19 Thank you, Jeff.
20 Number six. Perry's not here -- oh,
21 you're going to speak. Okay. Go ahead.
22 MS. CARTER:
23 I'm Jill, Jill Carter.
24 MR. HILL:
25 Okay. Go ahead.

Page 62

1 MS. CARTER:
2 And Perry informed me that we do not
3 have any new third party cases, and there's
4 no changes with the current ones.
5 But if ya'll have any questions, he is
6 upstairs and I can call him. If ya'll have
7 any questions ya'll need to talk about, I'll
8 call him.
9 MR. HILL:
10 Okay.
11 MR. MARCELLO:
12 If he's -- well, I do. If he's
13 available, I -- I really would like to get
14 an update on these -- on these settlements.
15 MS. CARTER:
16 Okay.
17 MR. HILL:
18 That's probably --
19 MR. MARCELLO:
20 We spoke about them at the last
21 meeting.
22 MR. HILL:
23 -- something we will have to go into
24 executive session on.
25 MS. CARTER:

Page 63

1 Yes. We can do that. Okay. Let me
2 give him a call.
3 (An off-the-record conversation followed.)
4 MR. HILL:
5 Let's -- let's go ahead with number
6 seven. Let's go to number seven, other
7 business, discussion of potential
8 modification in the in-compliance owner's
9 financial responsibly requirements.
10 MR. FULTON:
11 Well --
12 MS. DELAFOSSE:
13 I mean, I can. It's been --
14 MR. HILL:
15 That has to do with the --
16 MR. BAKER:
17 That was -- that was --
18 MR. FULTON:
19 That's something that's been brought
20 up previously.
21 MR. HILL:
22 Yes. We -- we thought --
23 MS. DELAFOSSE:
24 We wanted to add it to the agenda.
25 MR. FULTON:

Page 64

1 Right.
2 MR. HILL:
3 What?
4 MS. DELAFOSSE:
5 We wanted to add it to the agenda so
6 we could officially or formerly take a vote
7 on recommending -- or having an official
8 recommendation to the secretary for the in-
9 compliance owner's financial responsibility.
10 MR. FULTON:
11 To zero.
12 MS. DELAFOSSE:
13 So we had discussed reducing it to
14 zero.
15 MR. HILL:
16 Right.
17 MS. DELAFOSSE:
18 For the compliant sites, that's a
19 recommendation that the board could make to
20 the secretary. And then I know -- I know
21 Dr. Brown takes those recommendations to
22 heart and could make a recommendation -- you
23 know, recommendation to change it to zero
24 for the fiscal year beginning July 1st.
25 MR. HILL:

Page 65

1 I think we talked about doing that
2 last meeting. I guess that did not happen.
3 MR. ST. ROMAIN:
4 Perry had said it had to be on the
5 agenda.
6 MR. HILL:
7 Oh, it had to be on the agenda. I got
8 you. Okay.
9 MS. DELAFOSSE:
10 So here it is.
11 MR. HILL:
12 Okay.
13 MS. CARTER:
14 He had to leave for a problem at his
15 house, but when we go into executive
16 session, I've got him on the phone.
17 MR. HILL:
18 Okay. Okay.
19 MS. CARTER:
20 We can do it that way. Do ya'll want
21 to do that? We'll have to go into executive
22 session.
23 MR. FULTON:
24 Do we want to --
25 MS. DELAFOSSE:

Page 66

1 Well, do ya'll want to vote on the
2 other business?
3 MR. FULTON:
4 Do you want make a -- I make a motion
5 that we vote --
6 MR. HILL:
7 Yes. Let's -- let's make a motion --
8 we're on item number seven on the compliance
9 owner's financial responsibility. So do I
10 hear a motion to take a vote on zero
11 deductible on compliance issues?
12 MR. FULTON:
13 Motion, first motion.
14 MR. HILL:
15 We got the first motion right here.
16 MR. ST. ROMAIN:
17 Second.
18 MR. HILL:
19 Second on Nick. All in favor?
20 (All indicated, yes.)
21 MS. DELAFOSSE:
22 Okay. We'll take that recommendation
23 to the secretary.
24 And we didn't have on here the
25 noncompliance deductible. I know we had

Page 67

1 Sam's presentation and we had a lot of
2 discussion on that. I guess we just decided
3 to table it for now. But I think we may
4 want to add it to a future agenda to discuss
5 again as a group and determine what's the
6 best methodology for addressing the
7 noncompliance at those sites to ensure we're
8 handling it in the best way possible to get
9 the sites cleaned up but to make sure people
10 are being responsible.
11 MR. BAKER:
12 The difference in the compliance and
13 noncompliance, just for clarification
14 purposes, the way the statute reads right
15 now, the secretary can reduce the in-
16 compliance down to zero. However, the
17 statute precludes him reducing the out of
18 compliance below the current level, which is
19 \$10,000. So if we're going to go -- and we
20 talk about reducing the noncompliance, then
21 we're going to have to have a statute change
22 to coincide with that.
23 MS. DELAFOSSE:
24 Right. So we have time before next
25 session where that would become -- if that

Page 68

1 becomes something the board wants to pursue,
2 we're -- the board and the agency together
3 decide is in the best interest of the
4 program, either reduction or changes or
5 whatever we discuss.
6 MR. HILL:
7 On noncompliance?
8 MS. DELAFOSSE:
9 Right. But the compliance can be
10 chosen by the secretary. And the board has
11 now voted, and we will share that
12 recommendation with him and --
13 MR. HILL:
14 Now --
15 MR. BURNHAM:
16 The compliance -- I'm sorry.
17 MR. HILL:
18 Go ahead.
19 MR. BURNHAM:
20 The compliance end though, is that
21 evaluated over a certain number of years
22 that the retailer was complaint when we
23 review that or how is that done?
24 MR. BAKER:
25 I'll defer Jason on that.

Page 69

1 MR. EFFERSON:
2 What was the question?
3 MR. BAKER:
4 How -- how far back do we go when we
5 do a compliance evaluation for eligibility?
6 MR. EFFERSON:
7 It's usually -- well, it depends on
8 the -- the compliance. One -- a lot of it,
9 like release detection is one year, but like
10 for non-detection, three to five.
11 MS. DELAFOSSE:
12 It depends on the type of -- what the
13 issue is.
14 MR. EFFERSON:
15 Tank tightness is five year.
16 MR. HILL:
17 Yes. That's what I would think,
18 depending on the -- the situation.
19 MS. DELAFOSSE:
20 But I would say that we could -- we -
21 have the compliance review that Jason
22 handles, Jason Efferson in the trust fund
23 section. And if we want to have a
24 presentation on that, where he explains how
25 that checklist works and what all is taken

Page 70

1 into account, I think that's something we
2 could share with the board as well, if that
3 would be helpful.
4 MR. HILL:
5 That may not be a bad idea. I like
6 that idea.
7 MR. MARCELLO:
8 That'd be a great idea.
9 MR. HILL:
10 I like that idea. Sure do.
11 MR. MARCELLO:
12 And not that time is of the essence,
13 but I think that since we're cleaning up
14 this non -- this compliance issue and
15 bringing it to the secretary, we -- we ought
16 to tackle the noncompliance and let's get
17 that out of the way.
18 MR. HILL:
19 Yes. Get that out of the way.
20 MR. ST. ROMAIN:
21 And -- and I think one of our biggest
22 concerns -- maybe I speak for the LOMA
23 members, but -- was that noncompliance sites
24 don't get a free ride. There still needs to
25 be a punitive fee, whether it -- it's

Page 71

1 ticketed by Sam's group or -- or something
2 that --
3 MS. DELAFOSSE:
4 Right. Whether it's through
5 enforcement --
6 MR. ST. ROMAIN:
7 That they don't get a free ride.
8 MS. DELAFOSSE:
9 Right.
10 MR. HILL:
11 Yes.
12 MR. ST. ROMAIN:
13 Where -- where the guys that were in
14 substantial compliance and doing the right
15 things and these other guys are getting a
16 free ride and they didn't follow any of the
17 rules.
18 MS. DELAFOSSE:
19 Right. Absolutely.
20 MR. BAKER:
21 We concur.
22 MS. DELAFOSSE:
23 Okay. We'll make sure that's on the
24 next agenda.
25 MR. HILL:

Page 72

1 Any other questions on item seven?
2 (No response.)
3 MR. HILL:
4 I think we have Perry on the phone.
5 We'll go back to third party.
6 MR. BAKER:
7 Actually, we need to go into executive
8 session.
9 MR. HILL:
10 Yes. We'll go into executive session,
11 I'm sorry. That's right.
12 MR. FULTON:
13 I make a motion.
14 MR. HILL:
15 Did I hear a motion.
16 MR. FULTON:
17 Motion to go into executive session.
18 MR. ST. ROMAIN:
19 Second.
20 MR. HILL:
21 All in favor?
22 (All indicated, yes.)
23 (The board went into executive session at
24 this time.)
25 (The meeting reconvened.)

1 MR. HILL:
 2 We're going to call the meeting to
 3 order again.
 4 MR. MARCELLO:
 5 I make a motion that we move out of
 6 executive session, back into ordinary
 7 session.
 8 MR. HILL:
 9 Ordinary session.
 10 MR. ST. ROMAIN:
 11 Second.
 12 MR. HILL:
 13 All in favor?
 14 (All indicated, yes.)
 15 MR. HILL:
 16 Okay. Is there any other questions
 17 that anyone has pertaining to any of our
 18 meeting today?
 19 MR. ST. ROMAIN:
 20 I got one question in relation to item
 21 three. The slide show that you showed,
 22 would it be possible to receive that -- that
 23 report in a printout form?
 24 MS. DELAFOSSE:
 25 Yes.

1 Second.
 2 MR. HILL:
 3 All in favor?
 4 (All indicated, yes.)
 5 MR. HILL:
 6 Thank ya'll.
 7 THE MEETING ADJOURNED AT 2:20 P.M.
 8 * * * * *
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

1 MR. ST. ROMAIN:
 2 That way we could reference back and
 3 forth --
 4 MS. DELAFOSSE:
 5 Sure.
 6 MR. ST. ROMAIN:
 7 -- through the sheets and make any
 8 notes on them.
 9 MS. DELAFOSSE:
 10 Yes. Since -- since we're going to
 11 add it on -- on a more permanent basis,
 12 we'll include it in the packet.
 13 MR. HILL:
 14 In the packet.
 15 MR. ST. ROMAIN:
 16 Perfect. Great.
 17 MS. DELAFOSSE:
 18 Some people get too distracted by the
 19 papers. I know I do.
 20 MR. HILL:
 21 Well, if there's no further questions,
 22 do I hear a motion to close the meeting?
 23 MR. MARCELLO:
 24 So moved.
 25 MR. FULTON:

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

Lori Overland, C.C.R.
 # 97083

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

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

23 _____
24 Lori Overland C.C.R.

25 # 97083

	\$8 (1) 27:25	7:25;46:6	47:23	38:23;46:15
\$	\$816,768 (1) 50:10	address (3) 17:17;26:24;53:20	analysis (1) 22:13	attorneys (3) 25:18;26:12;28:23
\$10 (1) 38:8	\$82,588,429 (1) 50:10	addressed (1) 51:9	and/or (3) 76:5,12,17	attorney's (4) 23:9;24:15,16,19
\$10,000 (3) 29:22,23;67:19	\$917,465 (1) 23:21	addressing (1) 67:6	annual (4) 32:16;36:18;39:25; 61:5	attributed (1) 12:18
\$119,223,30 (1) 45:17	A	ADJOURNED (1) 75:7	annually (2) 12:9;31:12	Audit (9) 4:22;41:20;42:22,25; 43:21,22,24,25;44:5
\$146.99 (1) 43:8	abandon (6) 53:6,12,14;55:16; 58:5;59:24	adjusted (2) 60:20;61:8	apologize (1) 48:6	auditor's (1) 39:20
\$18,624,277 (1) 50:4	abandoned (5) 54:13;56:9,10;58:15, 18	adjustments (1) 29:13	applications (7) 14:7,8;47:20,22; 48:1,3;49:20	audits (4) 21:6;42:18;43:6,20
\$199,000 (1) 55:6	above (1) 33:24	administrative (5) 7:21;10:21;11:7; 30:16;31:8	applying (2) 49:2,22	August (1) 10:5
\$2,183,765 (1) 47:24	Absolutely (2) 40:11;71:19	adopt (1) 6:19	approve (3) 14:7;29:12,12	available (4) 13:1;31:7;34:4; 62:13
\$23 (1) 37:7	accomplish (1) 28:3	adoption (1) 4:10	approved (6) 29:4,9,22;30:10; 48:23,25	average (8) 13:6;20:13,14,25; 49:1,22;50:5,7
\$25,074,409 (1) 48:18	According (1) 53:9	advisory (1) 51:5	approximately (1) 52:14	awaiting (3) 42:2,5,15
\$250 (1) 44:25	account (2) 12:15;70:1	afternoon (3) 4:5,7;47:13	area (1) 16:15	aware (1) 54:1
\$3,134,992 (1) 48:3	accounted (2) 54:17,19	AG (1) 33:20	around (6) 8:14;13:7;20:2; 21:16;25:15;31:11	awful (1) 35:5
\$3,148,000 (1) 47:21	accounting (1) 10:25	again (8) 10:15;23:9;33:6; 35:17;38:9;45:24;67:5; 73:3	Article (1) 76:5	B
\$3,292.22 (1) 41:25	accrued (1) 12:6	against (4) 30:24;31:2;44:17; 48:13	aside (1) 38:22	back (11) 12:21,21;18:7;24:3; 35:11;40:13;50:13; 69:4;72:5;73:6;74:2
\$3,400 (1) 13:7	accurate (2) 53:3;60:22	agency (4) 28:3,12,20;68:2	aspects (1) 36:8	backup (1) 49:6
\$32,774,327 (1) 48:25	acknowledge (1) 44:4	agenda (6) 63:24;64:5;65:5,7; 67:4;71:24	assess (1) 52:3	bad (2) 28:24;70:5
\$381.90 (1) 44:21	action (3) 23:4;48:15,17	agreement (6) 23:13,21,23;26:12; 27:18;30:9	assessed (2) 43:7;46:1	BAKER (19) 5:2,3;6:8;16:1;28:6; 47:11,12;54:8,18; 56:24;57:15,24;59:21; 63:16;67:11;68:24; 69:3;71:20;72:6
\$400,000 (1) 55:10	actions (1) 26:3	ahead (6) 10:9;42:3;61:21,25; 63:5;68:18	assessment (9) 22:15;42:8,10,18,22; 43:7;53:13;56:3;59:23	balance (3) 8:14,19;53:18
\$51,907.98 (1) 44:18	active (2) 49:3;50:21	AI (1) 43:20	associated (2) 23:10;46:7	based (3) 10:24;28:20;41:3
\$516.67 (1) 42:9	activity (2) 47:16,17	air (3) 18:2,3;36:25	Associates (1) 4:19	basically (2) 27:19;36:14
\$54 (3) 31:24;32:3,8	actual (1) 29:1	allocation (1) 27:19	Association (4) 4:17;5:9,12,15	basis (4) 10:2;40:1;61:5; 74:11
\$579.61 (1) 42:17	actually (4) 24:11;33:1;46:9; 72:7	almost (1) 57:9	AST (3) 52:12,18,20	became (1) 20:23
\$58,000 (1) 21:20	actuarial (1) 61:13	along (3) 20:15;45:25;51:4	asterisk (1) 33:18	become (3) 26:7;51:17;67:25
\$6 (1) 32:9	actuary (2) 60:7,22	always (2) 19:5;41:22	AST's (1) 52:3	becomes (1) 68:1
\$6,115,416 (1) 49:20	add (6) 7:24;29:23;63:24; 64:5;67:4;74:11	amount (20) 8:21;12:9,14,16,18; 13:12,12;23:16;31:25; 36:1,2;44:18;45:17; 48:20,21;50:9,12;53:2; 57:20;58:24	ASTSWMO (1) 21:10	begin (2) 30:9;52:20
\$6,425 (1) 42:10	added (4) 13:11;43:4;46:10; 54:20	amounts (1)	attached (1) 49:5	beginning (7)
\$6,900 (1) 42:6	adding (2) 34:16,16		attention (2) 52:25;53:6	
\$60 (2) 31:24;32:2	additional (2)		attorney (10) 8:23,24;11:13;22:18, 19;23:6,13;33:13;	
\$625,000 (1) 31:11				
\$672,000 (1) 22:19				
\$7,000 (1) 21:15				

8:20;23:8,15;31:25; 34:24;51:17;64:24 behind (3) 31:18,22,22 below (2) 21:21;67:18 belt (1) 10:15 beneficial (1) 35:2 benefit (2) 12:3;13:10 benefits (7) 11:5,21;12:2,23; 13:6;20:14;31:3 best (6) 10:11;39:25;60:21; 67:6,8;68:3 better (2) 52:21;55:5 bid (1) 55:24 big (2) 25:21;37:22 biggest (1) 70:21 Bijon (1) 9:20 bill (3) 29:19;20;31:12 billed (1) 29:25 bills (1) 32:1 bit (4) 9:21;12:13;28:13; 31:22 bitty (1) 22:4 BLANCHARD (2) 5:16,17 board (19) 4:11;6:19;7:13,14; 10:5;30:8;49:15;50:23; 51:6,19;53:25;60:8,12; 64:19;68:1,2,10;70:2; 72:23 board's (1) 52:25 both (2) 26:14;48:19 bottom (2) 30:12;33:19 break (2) 14:19;19:21 breakdown (1) 45:20 breaks (1) 21:21 briefly (1) 7:17 BRIGHT (2) 6:14,15	bring (2) 37:4;52:25 bringing (1) 70:15 brought (1) 63:19 BROUSSARD (2) 5:23,24 Brown (2) 9:20;64:21 Bryon (1) 5:17 budget (3) 32:23;48:17,20 budgets (3) 48:23,25;49:4 Building (1) 27:16 buildings (1) 27:21 bulk (1) 37:10 bullet (1) 28:11 BURNHAM (6) 4:18,19;6:24;7:3; 68:15,19 Burt's (1) 23:3 business (3) 21:19;63:7;66:2 C calculate (2) 28:16;29:10 calculated (1) 12:7 calculation (3) 49:10;60:19;61:5 calculations (1) 53:1 call (7) 4:10,12;36:10;62:6; 8;63:2;73:2 called (4) 17:16,19;20:22; 23:12 came (1) 30:9 Can (32) 6:10;7:17;10:10,11, 16,17;11:3,7;13:21,22; 22:5;27:7;28:3;29:19; 37:25,25,25;40:9,13; 45:15,19;49:8,9,14; 57:1,3;62:6;63:1,13; 65:20;67:15;68:9 CAP (4) 48:20,23,25;49:3 capacity (1) 61:14 care (1)	54:12 career (1) 20:22 CARTER (12) 4:25;5:1;25:6,12; 27:6;61:22,23;62:1,15, 25;65:13,19 case (9) 26:13;41:24;42:11, 20,23;44:16,24;45:4,10 cases (14) 11:14;26:4,7,22; 41:23;42:5,14,15,16, 19;43:4;44:15;45:16; 62:3 cash (2) 9:1;24:12 categories (7) 10:23,23;11:9;21:5; 22:2;28:5;31:4 category (6) 22:4,4,10,17;23:12; 33:15 CCR (1) 76:21 certain (1) 68:21 certainly (1) 55:15 certificate (1) 52:12 Certified (1) 76:2 cetera (1) 22:8 Chairman (1) 6:21 change (5) 13:9;45:7,11;64:23; 67:21 changed (2) 7:14,15 changes (6) 32:21;33:7;34:12; 62:4;68:4;76:11 charge (2) 25:18;30:3 charges (10) 11:11,12,13;21:20; 22:16,17;23:6,11; 33:14,15 charging (1) 30:9 chart (1) 30:12 checklist (1) 69:25 Chevron (1) 23:3 chosen (2) 26:9;68:10 chronological (1) 29:7	chump (1) 13:9 cited (1) 33:24 Civil (2) 76:5,6 clarification (1) 67:13 clarify (1) 57:16 class (1) 21:14 classified (1) 8:23 clean (3) 42:17,22;43:6 cleaned (1) 67:9 cleaning (1) 70:13 cleanup (5) 29:17;55:15;56:9,13; 58:25 close (3) 9:13;38:11;74:22 closed (2) 43:5;44:5 closeout (1) 42:4 closer (1) 12:19 closure (6) 44:3;48:18,21;49:2, 22;53:11 code (2) 14:16;76:6 coded (1) 20:8 coincide (1) 67:22 collect (2) 31:11;32:5 collected (2) 35:17;55:6 collection (1) 42:13 collections (4) 8:22;31:13,20;45:14 column (1) 32:17 combine (1) 11:5 coming (1) 38:4 comment (1) 51:6 comments (3) 35:4;51:8,11 community (1) 51:5 company (1) 44:17 compared (2)	11:9;13:9 compile (1) 29:10 complaint (1) 68:22 complete (1) 22:6 completed (3) 51:2,3,15 compliance (15) 22:24;64:9;66:8,11; 67:12,16,18;68:9,16, 20;69:5,8,21;70:14; 71:14 compliant (2) 22:23;64:18 component (1) 48:12 concerns (3) 8:10;52:22;70:22 concur (1) 71:21 conditioned (1) 32:8 conferences (1) 21:9 consider (1) 61:14 consideration (1) 4:10 considered (1) 61:12 Consultants (2) 6:5,7 consultation (1) 22:14 contacted (1) 52:5 contaminated (1) 53:14 contamination (1) 57:2 content (1) 34:25 continency (1) 25:22 contingency (1) 25:20 continue (2) 41:11;55:12 contract (5) 22:15;23:2;55:17; 56:1,4 control (1) 50:25 Convenience (4) 4:17;5:9,12,15 convention (1) 21:13 conventions (1) 21:10 conversation (1) 63:3
--	--	---	---	---

COOK (2) 6:6,7	26:10;67:2	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10	51:21	43:2;47:21;48:14; 68:20
corrective (4) 23:4;48:15,17,19	Declared (1) 58:10	describe (1) 13:22	documents (1) 51:4	enforcement (1) 71:5
cost (13) 11:18;13:6;21:19; 25:24;27:24;28:14; 30:15,16;31:4;48:18, 21;49:2;50:25	decrease (2) 32:14,16	description (1) 36:6	dollars (12) 8:15,25;11:25;13:13; 23:22;24:1;25:10,16; 27:25;32:15;37:4;50:5	Engineering (1) 4:19
costs (19) 11:7;12:3,19;13:10; 20:16;24:5;27:23;28:9; 29:20,21;30:4;34:5,6; 36:15;38:23;44:21; 46:6;49:2,23	decreased (1) 34:8	desk (1) 27:24	done (10) 9:25;10:8;11:15; 22:12;31:13;35:14; 43:1;52:8;60:20;68:23	enough (1) 58:25
count (2) 20:10,16	decreases (1) 34:13	detail (2) 7:20;9:17	doubled (1) 55:11	ensure (1) 67:7
couple (2) 34:6;55:24	deductible (2) 66:11,25	detailed (3) 9:24;10:1,2	down (4) 12:12;21:21;30:13; 67:16	entered (2) 44:17;52:16
court (5) 26:4,7;44:21;76:2,13	defer (1) 68:25	details (1) 41:23	Dr (2) 9:20;64:21	entire (2) 13:23;14:2
cover (2) 34:2,4	deficiencies (1) 48:4	detection (1) 69:9	draft (2) 51:3,12	entities (1) 36:19
credit (4) 41:25;42:2,7,17	define (1) 13:22	determination (1) 48:9	Due (4) 41:25;42:9,10;76:9	entitled (1) 47:15
critical (1) 59:11	defined (1) 76:4	determinations (1) 48:12	During (6) 47:19,25;48:2;50:16, 20;51:20	Environmental (15) 6:15;20:11,19,20,24; 34:1,3;36:3,5,6,14,17, 22;50:3,6
cumulative (1) 32:14	DELAFOSSÉ (90) 5:4,5;7:12;13:17,24; 14:3,13,25;15:24;16:5, 19;17:11,15,21;18:13, 19,23;19:4,23;20:6; 24:18,23;25:2,8,14; 26:6,17,25;27:4,12; 28:8;30:20,25;35:13, 19,25;36:12,23;37:5, 12,18;38:13,18;39:2,6, 10,16,22;40:6,10,15, 19,23;41:2,6,10,15; 46:8,13,18,24;54:25; 55:21;57:5;58:9;59:4, 17;60:2,11,16;63:12, 23;64:4,12,17;65:9,25; 66:21;67:23;68:8; 69:11,19;71:3,8,18,22; 73:24;74:4,9,17	determine (2) 52:8;67:5	Durwood (1) 6:13	EPA (8) 19:12;21:12;28:15; 29:5,8,11,22;32:22
current (10) 12:19;42:3;47:17; 49:3;52:11;53:1,3,9; 62:4;67:18	delays (1) 55:22	determined (4) 42:20;49:1,18,21	E	error (1) 42:1
currently (3) 51:10;53:16,24	Denise (2) 9:25;30:8	difference (1) 67:12	earlier (1) 45:19	escrow (1) 8:24
Cy (3) 4:22;41:20;43:15	denoted (1) 76:19	different (5) 8:12;33:3;44:19; 60:24;61:11	earmarked (3) 53:23;54:21;59:22	especially (1) 55:1
Cy's (1) 47:6	dental (1) 12:25	direct (2) 28:21;29:21	earned (1) 53:10	essence (1) 70:12
D	department (12) 14:20;15:5,6,23; 29:18,19;42:12;52:2,4, 24;61:3,14	disbursements (2) 8:4,17	EDMS (2) 49:13;51:22	estimate (2) 37:25;50:4
Dallas (1) 21:12	department's (1) 36:15	discourse (1) 76:10	effective (1) 51:17	estimated (6) 9:2;48:17,21;50:9, 11;53:2
dangerous (1) 56:18	depending (3) 31:18;61:8;69:18	discuss (3) 10:7;67:4;68:5	EFFERSON (6) 5:21,22;69:1,6,14,22	estimates (2) 32:4;53:22
DANIELS (2) 5:18,19	depends (8) 20:2;32:7;59:3,5,8, 10;69:7,12	discussed (10) 11:19;28:10;30:8; 33:17;34:24;51:20; 60:5,8,10;64:13	eight (2) 8:17;18:25	estimating (1) 53:4
dashes (2) 76:10,14	deposited (1) 35:18	discussion (3) 54:2;63:7;67:2	either (4) 10:12;18:11;29:12; 68:4	et (1) 22:8
date (4) 42:9,25;45:7,8	depth (1) 11:20	distracted (1) 74:18	EFFERSON (6) 5:21,22;69:1,6,14,22	ETF (5) 9:4,4;33:11;35:18,23
daytime (1) 21:7	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10	division (1) 37:10	eight (2) 8:17;18:25	evaluated (1) 68:21
DC (1) 21:10	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10	divisions (1) 21:25	eligibility (2) 49:24;69:5	evaluation (1) 69:5
dead (1) 38:3	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10	document (6) 49:13;50:25;51:3,3, 9,15	eligible (2) 49:18;50:20	even (1) 38:3
debt (2) 46:20;47:2	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10	documentation (1) 29:10	else (1) 54:22	everybody (4) 4:3,7;26:18;48:9
decide (1) 68:3	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10	documented (1)	employee (4) 12:8,19;13:7;21:12	Exactly (1) 16:9
decided (2)	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10		Employees (8) 12:10;13:2,3;14:22; 20:7;21:11,11;27:20	example (5) 23:19;27:15;28:23; 29:8,16
	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10		encourage (1) 8:4	Excel (1) 52:17
	DEQ (17) 4:14,22,24;5:1,3,5, 17,19,22,24;6:1,3,13; 21:13;41:20;51:1,10		end (12) 10:4,12,16;13:13; 21:17;23:25;24:7,9;	exception (1) 14:16

<p>excess (1) 54:7</p> <p>executive (8) 62:24;65:15,21;72:7, 10,17,23;73:6</p> <p>expect (1) 32:5</p> <p>expended (2) 24:6;38:22</p> <p>expenditure (1) 23:8</p> <p>expenditures (13) 7:21;9:4;10:22;11:2; 21:3;23:20;28:21,22; 31:8,20;33:22;34:2; 61:1</p> <p>expense (1) 22:16</p> <p>expenses (5) 12:22;21:24;22:18, 23;33:20</p> <p>expensive (1) 12:5</p> <p>explains (1) 69:24</p> <p>explanation (1) 51:11</p> <p>exponential (1) 28:5</p>	<p>fees (17) 11:16;22:18,19;23:9; 24:15,16,19;25:22; 31:9,18,24;36:18,18; 37:10;45:20;46:3,15</p> <p>felt (1) 26:14</p> <p>few (3) 51:8;52:23;59:12</p> <p>field (1) 21:7</p> <p>fifth (1) 60:17</p> <p>figure (2) 29:14;38:7</p> <p>file (3) 42:4;44:22;45:11</p> <p>fill (1) 60:6</p> <p>final (9) 10:7;23:20;28:18; 38:19;42:15,23;46:25; 51:12,14</p> <p>Financial (11) 5:5;6:1,3;7:10,23; 9:23;16:7;56:15;63:9; 64:9;66:9</p> <p>find (1) 27:7</p> <p>finding (2) 44:1,2</p> <p>findings (1) 44:4</p> <p>fine-tuned (1) 60:18</p> <p>first (9) 10:6;41:22;44:16; 47:15;49:10;56:17; 59:12;66:13,15</p> <p>fiscal (23) 10:7;23:8,19;28:17, 18;29:8;30:6,11;31:14, 25;32:14,18;33:3,4; 37:14;38:20;43:2; 47:18;48:2;50:17,20; 52:1;64:24</p> <p>five (10) 11:8;19:24;20:1; 34:13;47:10,14;50:1,8; 69:10,15</p> <p>flexible (1) 10:19</p> <p>floor (1) 27:18</p> <p>folks (3) 9:12;20:15;29:3</p> <p>follow (2) 40:13;71:16</p> <p>followed (1) 63:3</p> <p>following (1) 30:2</p> <p>form (1)</p>	<p>73:23</p> <p>formerly (1) 64:6</p> <p>forth (1) 74:3</p> <p>forward (2) 33:9;34:23</p> <p>forwarded (1) 42:12</p> <p>found (2) 43:22;57:2</p> <p>four (9) 11:8;18:24;25:15; 34:14;39:20;41:21; 42:19;44:15;45:16</p> <p>Fourteen (1) 20:12</p> <p>fourth (1) 45:10</p> <p>Fran (2) 6:3;28:13</p> <p>Frank (2) 4:8;5:11</p> <p>FRANKLIN (2) 6:12,13</p> <p>free (4) 8:9;70:24;71:7,16</p> <p>frequency (1) 35:3</p> <p>fresher (1) 40:18</p> <p>front (2) 29:19;49:5</p> <p>fuel (21) 9:3;10:22;13:23; 14:15;16:2,6;20:9; 30:5;34:1;35:20;36:13; 41:23;47:16;48:8;50:2, 6;52:4,11;53:10,12,14</p> <p>fuels (3) 13:5,21,22</p> <p>full (4) 29:22;33:16,21;43:8</p> <p>FULTON (48) 4:13,14;14:21;15:2, 8,13,19;17:3,9,18,23; 18:5,16,21;19:1,7,11, 15,19,25;36:9;55:19, 25;56:11,22;57:8,13, 22;58:2,7,11,16;59:2,9, 19,25;60:9,14;63:10, 18,25;64:10;65:23; 66:3,12;72:12,16; 74:25</p> <p>function (1) 31:19</p> <p>Fund (59) 4:24;5:3,22;6:13;8:4, 19;9:1;10:22;11:7; 16:2,4,6,11,14;17:1; 20:9;25:1;30:5,6;34:1, 2,3;35:21,24;36:3,7,13, 14,17;47:11,16,19,22;</p>	<p>48:8,14,22;49:3,16,18, 25;50:1,3,3,6,7,15,19, 25;52:4;53:2,7,11; 54:7,11;57:3,17,21; 59:16;69:22</p> <p>funded (1) 32:23</p> <p>funding (3) 19:12;58:24;59:14</p> <p>funds (1) 53:19</p> <p>further (1) 74:21</p> <p>future (5) 12:17;51:23;54:1; 58:1;67:4</p>	<p style="text-align: center;">H</p> <p>hair (1) 7:15</p> <p>half (7) 10:14;11:6;22:25; 23:1;30:9,23;34:17</p> <p>hand (1) 32:17</p> <p>handles (1) 69:22</p> <p>handling (1) 67:8</p> <p>handout (2) 48:5,10</p> <p>happen (2) 38:9;65:2</p> <p>happy (1) 28:7</p> <p>hardcoded (4) 13:4,20,21;14:10</p> <p>HAZWOPER (1) 21:14</p> <p>head (2) 15:6;25:4</p> <p>health (1) 12:23</p> <p>hear (4) 6:18;66:10;72:15; 74:22</p> <p>heard (2) 32:24,24</p> <p>heart (1) 64:22</p> <p>help (1) 55:15</p> <p>helpful (1) 70:3</p> <p>helps (1) 13:2</p> <p>hereby (1) 76:7</p> <p>here's (1) 33:10</p> <p>high (5) 7:18;12:3;32:6,20; 39:11</p> <p>highest (1) 56:17</p> <p>highly (1) 23:24</p> <p>HILL (69) 4:2,6,15,16;6:16,22; 7:1,5,8;26:15,20;27:2, 10;35:7;39:18;40:3,8, 12,17,21,25;41:4,8,13, 17;47:5,9;56:20;58:21; 59:7;61:15,18,24;62:9, 17,22;63:4,14,21;64:2, 15,25;65:6,11,17;66:6, 14,18;68:6,13,17; 69:16;70:4,9,18;71:10,</p>	
<p style="text-align: center;">F</p> <p>facility (1) 29:16</p> <p>factors (1) 61:7</p> <p>fair (1) 26:14</p> <p>fairly (2) 22:10;55:14</p> <p>FALKE (2) 6:2,3</p> <p>familiar (1) 31:16</p> <p>far (10) 18:7;22:13;25:10,23; 31:18;32:16;52:14; 55:7;58:8;69:4</p> <p>favor (6) 6:23;7:6;66:19; 72:21;73:13;75:3</p> <p>February (2) 4:11;6:19</p> <p>federal (6) 32:13,23;33:3,8,8; 76:4</p> <p>fee (6) 16:14;18:14;31:15; 37:4;46:9;70:25</p> <p>feedback (2) 41:3;52:6</p> <p>feel (2) 8:9;34:25</p>	<p>finding (2) 44:1,2</p> <p>findings (1) 44:4</p> <p>fine-tuned (1) 60:18</p> <p>first (9) 10:6;41:22;44:16; 47:15;49:10;56:17; 59:12;66:13,15</p> <p>fiscal (23) 10:7;23:8,19;28:17, 18;29:8;30:6,11;31:14, 25;32:14,18;33:3,4; 37:14;38:20;43:2; 47:18;48:2;50:17,20; 52:1;64:24</p> <p>five (10) 11:8;19:24;20:1; 34:13;47:10,14;50:1,8; 69:10,15</p> <p>flexible (1) 10:19</p> <p>floor (1) 27:18</p> <p>folks (3) 9:12;20:15;29:3</p> <p>follow (2) 40:13;71:16</p> <p>followed (1) 63:3</p> <p>following (1) 30:2</p> <p>form (1)</p>	<p>73:23</p> <p>formerly (1) 64:6</p> <p>forth (1) 74:3</p> <p>forward (2) 33:9;34:23</p> <p>forwarded (1) 42:12</p> <p>found (2) 43:22;57:2</p> <p>four (9) 11:8;18:24;25:15; 34:14;39:20;41:21; 42:19;44:15;45:16</p> <p>Fourteen (1) 20:12</p> <p>fourth (1) 45:10</p> <p>Fran (2) 6:3;28:13</p> <p>Frank (2) 4:8;5:11</p> <p>FRANKLIN (2) 6:12,13</p> <p>free (4) 8:9;70:24;71:7,16</p> <p>frequency (1) 35:3</p> <p>fresher (1) 40:18</p> <p>front (2) 29:19;49:5</p> <p>fuel (21) 9:3;10:22;13:23; 14:15;16:2,6;20:9; 30:5;34:1;35:20;36:13; 41:23;47:16;48:8;50:2, 6;52:4,11;53:10,12,14</p> <p>fuels (3) 13:5,21,22</p> <p>full (4) 29:22;33:16,21;43:8</p> <p>FULTON (48) 4:13,14;14:21;15:2, 8,13,19;17:3,9,18,23; 18:5,16,21;19:1,7,11, 15,19,25;36:9;55:19, 25;56:11,22;57:8,13, 22;58:2,7,11,16;59:2,9, 19,25;60:9,14;63:10, 18,25;64:10;65:23; 66:3,12;72:12,16; 74:25</p> <p>function (1) 31:19</p> <p>Fund (59) 4:24;5:3,22;6:13;8:4, 19;9:1;10:22;11:7; 16:2,4,6,11,14;17:1; 20:9;25:1;30:5,6;34:1, 2,3;35:21,24;36:3,7,13, 14,17;47:11,16,19,22;</p>	<p>48:8,14,22;49:3,16,18, 25;50:1,3,3,6,7,15,19, 25;52:4;53:2,7,11; 54:7,11;57:3,17,21; 59:16;69:22</p> <p>funded (1) 32:23</p> <p>funding (3) 19:12;58:24;59:14</p> <p>funds (1) 53:19</p> <p>further (1) 74:21</p> <p>future (5) 12:17;51:23;54:1; 58:1;67:4</p>	<p style="text-align: center;">G</p> <p>gain (2) 52:18,21</p> <p>Galvez (1) 27:16</p> <p>Gary (1) 4:14</p> <p>Gary's (2) 14:5;16:21</p> <p>general (8) 11:13;22:18,19;23:6; 24:10,10;33:13;38:23</p> <p>general's (2) 8:24;23:14</p> <p>gets (1) 35:17</p> <p>given (1) 56:18</p> <p>goes (5) 7:20;36:21;45:24; 59:14;60:22</p> <p>Good (7) 4:3,5,7;8:21;31:1; 41:18;47:13</p> <p>grant (3) 19:20,21;20:3</p> <p>grants (5) 19:14,16;32:13,18; 33:8</p> <p>great (4) 8:8;35:5;70:8;74:16</p> <p>Group (7) 12:23;13:5,10;20:23; 51:1;67:5;71:1</p> <p>guess (15) 7:17;8:18;9:2,15,25; 10:5;21:22;25:3,9; 26:9;28:12;39:23;55:4; 65:2;67:2</p> <p>guidance (2) 50:25;51:14</p> <p>guidelines (1) 56:14</p> <p>guys (2) 71:13,15</p>	<p style="text-align: center;">H</p> <p>hair (1) 7:15</p> <p>half (7) 10:14;11:6;22:25; 23:1;30:9,23;34:17</p> <p>hand (1) 32:17</p> <p>handles (1) 69:22</p> <p>handling (1) 67:8</p> <p>handout (2) 48:5,10</p> <p>happen (2) 38:9;65:2</p> <p>happy (1) 28:7</p> <p>hardcoded (4) 13:4,20,21;14:10</p> <p>HAZWOPER (1) 21:14</p> <p>head (2) 15:6;25:4</p> <p>health (1) 12:23</p> <p>hear (4) 6:18;66:10;72:15; 74:22</p> <p>heard (2) 32:24,24</p> <p>heart (1) 64:22</p> <p>help (1) 55:15</p> <p>helpful (1) 70:3</p> <p>helps (1) 13:2</p> <p>hereby (1) 76:7</p> <p>here's (1) 33:10</p> <p>high (5) 7:18;12:3;32:6,20; 39:11</p> <p>highest (1) 56:17</p> <p>highly (1) 23:24</p> <p>HILL (69) 4:2,6,15,16;6:16,22; 7:1,5,8;26:15,20;27:2, 10;35:7;39:18;40:3,8, 12,17,21,25;41:4,8,13, 17;47:5,9;56:20;58:21; 59:7;61:15,18,24;62:9, 17,22;63:4,14,21;64:2, 15,25;65:6,11,17;66:6, 14,18;68:6,13,17; 69:16;70:4,9,18;71:10,</p>

25;72:3,9,14,20;73:1,8, 12,15;74:13,20;75:2,5 hiring (1) 60:6 historically (2) 9:24;12:7 history (2) 29:6;33:10 hit (1) 55:10 holders (1) 52:12 hope (2) 11:15;61:3 hopefully (4) 8:7;9:10;24:2;55:24 hopes (1) 57:25 hoping (2) 51:16;52:19 house (1) 65:15 human (1) 42:1	38:8 in-compliance (1) 63:8 Incorporated (1) 4:20 incorrect (1) 45:9 increase (3) 31:23,25;50:11 increased (2) 34:7,10 increases (4) 31:17;34:15,19,21 indicate (1) 76:11 indicated (5) 66:20;72:22;73:14; 75:4;76:15 indicted (1) 7:7 indirect (6) 11:18;28:9,14;30:4, 10;34:17 inflammatory (1) 61:10 inflow/outflow (1) 38:2 inflows (3) 38:16,19;39:3 information (14) 7:25;8:2,3,11,12; 11:20;20:17;25:5; 28:19;41:12,18;51:19; 52:13,16 informed (2) 44:9;62:2 inspection (1) 22:7 inspections (4) 17:22;21:6;22:24,25 instead (6) 16:15;21:2;28:4; 29:2;32:2,5 insurance (4) 12:24,25,25;18:12 intended (1) 36:16 interaction (1) 76:9 interagency (4) 23:13;27:14,22;28:4 interest (19) 8:2;26:11;46:3; 50:22;51:24;53:10,16, 21;54:6,10;55:2,6,10, 11;56:8;57:18;59:18, 22;68:3 interrupt (1) 41:16 into (15) 9:17;16:11;24:22; 25:1;52:17;59:8;62:23; 65:15,21;70:1,7;7:10,	17,23;73:6 investigation (1) 23:2 invoice (1) 42:8 involved (1) 29:18 ISAACKS (2) 5:13,14 issue (4) 52:7;53:1;69:13; 70:14 issues (1) 66:11 item (3) 66:8;72:1;73:20 its' (1) 9:4	lab (3) 22:7,13;23:1 Lacey (2) 6:1;28:12 lagging (1) 31:19 Lagov (1) 56:4 largest (1) 11:3 LASERS (2) 12:10,11 last (16) 7:13;9:14;12:11; 28:18;30:14;31:15; 37:7,20;43:3;44:24; 50:11,14;52:24;55:5; 62:20;65:2 later (2) 11:20;26:24 layman's (1) 36:6 leaders (1) 14:8 leaking (11) 15:16;16:10,13,22; 17:1,6,14;36:7;56:9; 58:14,17 leaks (2) 17:22;57:2 leave (1) 65:14 led (1) 56:2 left (5) 27:9,11,13;55:9; 76:16 Legal (7) 5:1;11:16;26:3; 28:22;42:12;45:16; 46:3 legally (1) 44:15 legislation (1) 9:19 less (2) 24:22;32:9 letter (2) 44:1,3 level (2) 7:18;67:18 levels (1) 9:11 liability (2) 12:6;48:16 lien (1) 57:19 life (1) 12:24 likely (2) 23:25;60:25 line (1) 45:25	list (6) 23:15;43:4,5;44:16; 48:12;57:10 lists (1) 50:15 litigation (2) 23:10;26:19 little (9) 9:21,23;12:12;22:1, 4;28:13;31:22;34:20; 40:18 LOMA (1) 70:22 LOMCSA (1) 21:13 look (5) 9:9;12:13;33:1; 38:19;48:11 looking (2) 7:22;47:14 looks (1) 32:11 Lori (2) 76:2,21 lot (11) 9:17;20:11;21:7; 32:24,25,25;39:7;41:5; 55:15;67:1;69:8 lots (3) 32:21;34:25;60:23 Louisiana (7) 4:16;5:8,11,14; 12:10;76:3,6 lowest (1) 31:23 lust (1) 37:4
I		J		M
idea (5) 61:11;70:5,6,8,10 identified (3) 57:12,14;58:6 identify (1) 59:11 III's (3) 20:12,19,24 II's (1) 20:21 implemented (1) 52:9 important (1) 31:6 in- (2) 64:8;67:15 inability (1) 56:15 inactive (3) 53:6;54:12;59:24 inaudible (1) 76:19 inception (1) 18:2 incidences (1) 50:21 include (3) 49:9;53:21;74:12 included (7) 10:21;30:16;33:13; 45:18;48:7;53:8,17 includes (3) 12:23;44:20;48:19 inclusion (1) 52:3 inclusive (1)	38:8 in-compliance (1) 63:8 Incorporated (1) 4:20 incorrect (1) 45:9 increase (3) 31:23,25;50:11 increased (2) 34:7,10 increases (4) 31:17;34:15,19,21 indicate (1) 76:11 indicated (5) 66:20;72:22;73:14; 75:4;76:15 indicted (1) 7:7 indirect (6) 11:18;28:9,14;30:4, 10;34:17 inflammatory (1) 61:10 inflow/outflow (1) 38:2 inflows (3) 38:16,19;39:3 information (14) 7:25;8:2,3,11,12; 11:20;20:17;25:5; 28:19;41:12,18;51:19; 52:13,16 informed (2) 44:9;62:2 inspection (1) 22:7 inspections (4) 17:22;21:6;22:24,25 instead (6) 16:15;21:2;28:4; 29:2;32:2,5 insurance (4) 12:24,25,25;18:12 intended (1) 36:16 interaction (1) 76:9 interagency (4) 23:13;27:14,22;28:4 interest (19) 8:2;26:11;46:3; 50:22;51:24;53:10,16, 21;54:6,10;55:2,6,10, 11;56:8;57:18;59:18, 22;68:3 interrupt (1) 41:16 into (15) 9:17;16:11;24:22; 25:1;52:17;59:8;62:23; 65:15,21;70:1,7;7:10,	17,23;73:6 investigation (1) 23:2 invoice (1) 42:8 involved (1) 29:18 ISAACKS (2) 5:13,14 issue (4) 52:7;53:1;69:13; 70:14 issues (1) 66:11 item (3) 66:8;72:1;73:20 its' (1) 9:4	lab (3) 22:7,13;23:1 Lacey (2) 6:1;28:12 lagging (1) 31:19 Lagov (1) 56:4 largest (1) 11:3 LASERS (2) 12:10,11 last (16) 7:13;9:14;12:11; 28:18;30:14;31:15; 37:7,20;43:3;44:24; 50:11,14;52:24;55:5; 62:20;65:2 later (2) 11:20;26:24 layman's (1) 36:6 leaders (1) 14:8 leaking (11) 15:16;16:10,13,22; 17:1,6,14;36:7;56:9; 58:14,17 leaks (2) 17:22;57:2 leave (1) 65:14 led (1) 56:2 left (5) 27:9,11,13;55:9; 76:16 Legal (7) 5:1;11:16;26:3; 28:22;42:12;45:16; 46:3 legally (1) 44:15 legislation (1) 9:19 less (2) 24:22;32:9 letter (2) 44:1,3 level (2) 7:18;67:18 levels (1) 9:11 liability (2) 12:6;48:16 lien (1) 57:19 life (1) 12:24 likely (2) 23:25;60:25 line (1) 45:25	list (6) 23:15;43:4,5;44:16; 48:12;57:10 lists (1) 50:15 litigation (2) 23:10;26:19 little (9) 9:21,23;12:12;22:1, 4;28:13;31:22;34:20; 40:18 LOMA (1) 70:22 LOMCSA (1) 21:13 look (5) 9:9;12:13;33:1; 38:19;48:11 looking (2) 7:22;47:14 looks (1) 32:11 Lori (2) 76:2,21 lot (11) 9:17;20:11;21:7; 32:24,25,25;39:7;41:5; 55:15;67:1;69:8 lots (3) 32:21;34:25;60:23 Louisiana (7) 4:16;5:8,11,14; 12:10;76:3,6 lowest (1) 31:23 lust (1) 37:4
		K		
		Karyn (1) 9:24 keep (1) 40:18 Kerry (1) 4:16 kind (13) 12:16;20:18;21:1; 24:9;25:23;28:19,19; 32:7;33:7;34:23;35:3; 40:9;55:3 knows (1) 12:13		
		L		

23;15:4,11,15,21;16:3; 8,24;17:5,13,25;18:8; 19:9,13,17;20:4;24:13, 21,25;26:1;27:8;30:18, 22;35:10,15,22;36:4; 37:2,24;38:15,25;39:4, 8,14;45:23;47:3;57:11; 58:4,13,19;62:11,19; 70:7,11;73:4;74:23	9:5;11:25;13:13;19:22; 23:22,24;24:1;25:10, 15;32:15,19,20;34:18, 19;37:7,17,21;38:6,8, 24 mind (2) 24:4;40:22 minor (2) 14:15;51:8 minuscule (1) 11:9 minutes (3) 4:11;6:19;51:20 miscalculation (1) 42:1 miscellaneous (1) 11:12 missing (2) 35:1,4 modification (2) y 51:11;63:8 money (15) 8:22;24:5,6,22; 37:15;38:5,10;53:10, 16;54:11;56:8;57:18, 20;58:1;59:22 monies (2) 38:1;56:12 month (6) 27:25;42:1;25;49:14; 53:5;56:3 monthly (2) 48:8;53:21 more (13) 7:20;8:1,3,11;9:17, 24;11:19;23:25;25:18; 26:22;34:20;38:10; 74:11 MORIN (14) 4:21,22;41:19,20; 43:12,16,23;44:8,12; 46:5,11,16,21;47:1 morning (1) 4:3 most (4) 56:17,17;59:11; 60:22 motion (12) 6:18;66:4,7,10,13,13, 15;72:13,15,17;73:5; 74:22 motor (24) 9:3;10:22;13:5,21, 22,23;14:15;16:2,6; 20:8;30:5;33:25;35:20; 36:13;41:23;47:16; 48:8;50:2,6;52:4,11; 53:10,12,14 move (5) 24:11,11,12;39:23; 73:5 moved (2) 6:21;74:24	moving (1) 51:10 MTF (1) 35:18 much (1) 10:18 multiplied (2) 30:24;31:2 multiply (1) 50:7 N name (1) 7:14 names (2) 6:10;76:17 Natalie (1) 5:14 national (1) y 52:5 necessarily (2) 58:14,17 necessary (5) 21:8,25;22:6;29:4; 60:3 need (7) 8:11;21:5;35:11; 61:6,12;62:7;72:7 needs (2) 52:22;70:24 neighborhood (1) 25:11 net (2) 33:11;39:3 new (3) 32:23;43:3;62:3 next (15) 7:16;10:20;12:13; 13:4;27:14;31:5;32:2; 43:13;48:22;49:16; 51:16;52:22;55:24; 67:24;71:24 NFA'd (1) 50:16 Nicholas (1) 5:8 Nick (1) 66:19 non (1) 70:14 noncompliance (7) 66:25;67:7,13,20; 68:7;70:16,23 non-detection (1) 69:10 normal (1) z 53:22 note (4) 45:8,8;50:13,14 notes (1) 74:8 noticed (1)	55:2 notified (2) 43:21,24 number (13) 7:10;21:21;30:23; 33:12;39:20;43:21; 47:10;50:18;61:20; 63:5,6;66:8;68:21 numbers (9) 28:18;47:17;49:7,10, 12;53:5,8,18,21 numerous (1) 52:7 O objective (1) 53:4 obligate (2) 53:19;54:10 y obligated (1) 50:9 obligation (9) 48:9,13,22;49:16; 50:2,8;53:2,22;60:18 October (2) 33:6;45:4 odds (1) 26:10 ODR (9) 44:22;45:1,4,12,13, 14,24;46:9;47:2 off (3) 7:9;25:4;54:11 Office (6) 5:19;10:24;22:5; 23:14;28:1;55:22 officer (1) 76:4 official (1) 64:7 officially (1) 64:6 off-the-record (1) 63:3 Oil (4) 4:16;5:8,11,14 once (8) 10:13,13,14;11:4,14; 38:8,9;59:5 one (37) 10:6,6,10;18:20; 19:22,24;20:1,1;21:4, 12;22:1;23:22;24:1; 28:5;29:1,2;30:15; 31:6;32:19;35:11; 41:24;42:1,8,16,20; 43:7,15,19;44:25; 45:13;53:20;55:9; 60:17;69:8,9;70:21; 73:20 ones (3) 38:22;56:18;62:4	ongoing (1) 23:10 only (7) 10:12;26:2;27:9; 37:21;43:21;51:8;55:8 open (1) 41:23 Operating (3) 21:18;22:3;36:15 operator (1) 22:22 order (4) 24:1;29:7;37:8;73:3 ordinary (2) 73:6,9 organization (1) 52:5 original (1) 10:2 OTM (1) y 28:2 ought (1) 70:15 our's (1) 14:16 out (19) 14:20;23:11;24:16, 19;26:22;27:7;32:1; 34:13;52:15,16;55:23; 57:20;59:15,16;67:17; 70:17,19;73:5;76:16 outflows (2) 38:16,20 outlines (1) 33:24 outside (2) y 14:16;16:22 outstanding (2) 45:17;48:16 over (13) 7:17;9:8;11:6;25:9; 28:17;32:15;34:5,6; 42:6;50:11;51:7;55:7; 68:21 overall (1) 25:24 overhead (7) 11:18;28:22,23;29:2, 3,22;30:4 Overland (2) 76:2,21 overnight (1) 21:8 overpayment (1) 42:7 overs (1) 76:12 z overseeing (1) 14:9 owner (1) 43:20 owners (2) 29:16;52:21
---	---	---	--	--

owner's (3) 63:8;64:9;66:9	11:3,11;12:8,12,20; 13:9;24:6;25:17;29:9, 24;30:12;31:17,23; 34:15	possible (2) 67:8;73:22	33:25;44:23;45:2; 47:23;56:2	7:16,24;8:13;11:22, 23;21:16;47:18,19; 48:2;49:8;55:9
owns (1) 27:17	Perfect (1) 74:16	posted (4) 51:15,22;56:4,5	processed (1) 48:1	quarterly (1) 10:2
P	performed (1) 43:25	potential (4) 42:16;48:13;50:18; 63:7	Procurement (1) 55:23	quarters (1) 10:14
package (1) 31:15	perhaps (2) 9:22;10:1	potentially (3) 42:17,22;53:7	products (1) 13:1	quarter's (1) 50:11
packet (3) 50:14;74:12,14	period (3) 47:25;51:6,7	power (1) 7:19	Professional (2) 22:9,12	questionnaire (1) 52:10
packets (2) 47:14;48:7	permanent (2) 11:14;74:11	PPM (2) 6:5,7	Program (15) 14:2;17:4,8;18:3,4; 22:11;28:21;30:6,17; 31:5,7,21;32:13;33:22; 68:4	R
page (7) 41:22;43:10,13; 44:14;47:15;50:14; 51:16	permit (2) 36:18,18	precludes (1) 67:17	programs (2) 29:14;52:10	RAC (2) 48:20;51:5
paid (6) 12:8;22:20;23:11; 27:21;36:16;43:8	permits (2) 36:25;37:1	predictable (1) 31:10	program's (1) 34:5	raise (1) 20:25
papers (1) 74:19	permittees (1) ⁹ 36:25	predominant (1) 36:17	progress (2) 42:19;50:24	ranking (1) ⁹ 56:16
part (4) 33:14;46:19,20,25	Perry (5) 26:21;60:5;62:2; 65:4;72:4	predominantly (2) 14:5;37:19	progression (1) 20:23	rate (8) 25:20;27:18;29:6,9, 23;30:10,23;34:17
participate (1) 13:5	Perry's (1) 61:20	predominately (1) 12:24	project (2) 11:24;60:25	rates (1) 55:4
particulars (1) 16:12	person's (1) 12:15	prepared (1) 44:23	projected (3) 9:3;37:3;50:1	rather (2) 28:25;29:1
parties (1) 26:14	pertaining (1) 73:17	present (2) 33:12;41:11	projection (3) 9:6;21:21,23	reach (1) 48:18
party (2) 62:3;72:5	phase (2) 42:21;48:16	presentation (10) 7:20;9:16,18,23; 10:1;11:20;35:2;39:25; 67:1;69:24	projections (1) 9:13	reads (1) 67:14
pass (1) 31:15	phone (5) 6:9,11;28:7;65:16; 72:4	pretty (6) 9:6,12;31:10,10,10; 56:6	proper (1) 76:13	ready (2) 45:1,11
past (6) 10:14;11:17;12:16; 34:6,14,22	phrase (1) 76:19	prevent (1) 17:22	property (2) 53:13;57:19	really (3) 33:2;59:3;62:13
pauses (1) 76:11	phrases (1) 76:15	prevention (2) 19:20;36:10	proposal (1) 28:14	recalculated (1) 12:9
pay (11) 12:16,17;13:2,8; 20:24;26:13,13;27:16, 25;32:8;56:15	piece (1) 34:9	previous (1) 21:2	propose (1) 23:17	recall (1) 9:20
paying (2) 9:12;12:21	plan (1) 48:17	previously (2) 33:17;63:20	provide (1) 49:14	receipts (2) 8:16;37:13
payment (3) 42:3;44:25;48:1	planned (1) 42:24	printout (1) 73:23	pull (1) 59:6	receive (1) 73:22
payments (3) 9:9;42:5;45:6	please (3) 10:20;35:12;41:21	prior (3) 18:1,4,9	punitive (1) 70:25	received (6) 42:11;45:5;47:20; 51:8;52:7,14
pays (1) 29:19	plus (3) 8:22;24:15;29:22	Prioritize (2) 56:21,23	purpose (8) 19:6;53:20,23;54:12, 21;57:17,19;59:23	recently (1) 52:10
penalty (1) 46:3	PM (1) 75:7	probably (5) 38:2,9,11,16;62:18	purposes (1) 67:14	recognized (2) 48:23;49:17
Pending (2) 42:15;47:22	point (13) 7:19;9:7;16:17; 18:20;19:22,24;20:1,1; 21:1;32:19;33:2;51:24; 52:24	problem (3) 16:15;43:22;65:14	pursue (1) 68:1	recommendation (7) 53:25;64:8,19,22,23; 66:22;68:12
people (11) 6:9;14:4,5,6;29:1,2, 25;31:4;32:7;67:9; 74:18	points (1) 50:22	problems (1) 59:5	pursued (1) 44:15	recommendations (1) 64:21
per (5) 12:8;13:7;27:18; 32:2,8	policy (1) 10:25	procedural (1) 43:19	put (4) 6:10;7:19;57:19; 61:9	recommending (1) 64:7
percent (14)	portion (3) 25:21;42:6;53:7	Procedure (2) 76:5,6	puzzle (1) 34:9	reconvened (1) 72:25
	positive (1) 38:3	proceeding (2) 76:10,14	Q	record (3) 26:2;35:16;76:8
		proceeds (3) 25:25;33:17;38:21	quarter (11)	recouping (1) 57:25
		process (5)		

<p>reduce (1) 67:15</p> <p>reducing (3) 64:13;67:17,20</p> <p>reduction (3) 19:21;42:2;68:4</p> <p>refer (1) 47:13</p> <p>reference (3) 51:23;74:2;76:18</p> <p>referred (2) 44:22;45:1</p> <p>regarding (1) 52:6</p> <p>Region (1) 21:12</p> <p>registration (3) 31:9;36:21,24</p> <p>regular (2) 31:11;52:1</p> <p>regulated (1) 36:19</p> <p>regulations (1) 30:2</p> <p>reimburse (1) 9:4</p> <p>reimbursed (4) 24:5,7;33:16,21</p> <p>reimbursement (2) 49:19,25</p> <p>related (10) 11:5,21;12:2,3; 13:10;31:2,3;47:6; 50:2;53:1</p> <p>relation (1) 73:20</p> <p>release (1) 69:9</p> <p>reliable (1) 9:12</p> <p>remaining (1) 48:20</p> <p>remains (2) 33:7;45:3</p> <p>remediated (1) 30:1</p> <p>remediation (7) 29:15;53:13;54:13; 57:4;59:15,24;60:1</p> <p>remittal (1) 42:3</p> <p>remitted (1) 44:24</p> <p>removal (3) 56:1;59:14,23</p> <p>remove (2) 57:1,3</p> <p>removed (2) 43:5,6</p> <p>removing (1) 54:12</p> <p>rent (2) 27:15,16</p>	<p>report (10) 7:10,25;39:21;40:13; 41:23;42:21;47:7,11, 15;73:23</p> <p>Reporter (1) 76:3</p> <p>Reporters's (1) 76:13</p> <p>reporting (1) 10:25</p> <p>represent (4) 23:9;25:21;42:16; 45:16</p> <p>Represented (2) 8:15;33:23</p> <p>represents (2) 50:10,21</p> <p>request (2) 49:24;52:15</p> <p>requested (2) 47:23;49:23</p> <p>requesting (2) 52:2;53:24</p> <p>required (1) 21:14</p> <p>requirements (1) 63:9</p> <p>reserved (1) 39:25</p> <p>resolution (1) 52:2</p> <p>response (4) 43:11;47:8;61:17; 72:2</p> <p>responses (2) 52:7,15</p> <p>responsibility (2) 64:9;66:9</p> <p>responsible (2) 29:17;67:10</p> <p>responsibly (1) 63:9</p> <p>resulted (1) 41:24</p> <p>results (3) 7:18;10:7;42:20</p> <p>retailer (1) 68:22</p> <p>retirement (3) 12:4,10,15</p> <p>returned (1) 48:4</p> <p>revenue (2) 55:11,14</p> <p>revenues (9) 8:2;31:5,7;32:12; 33:9;34:4,7;36:18;55:2</p> <p>reverse (1) 29:7</p> <p>review (11) 14:6,7;29:11;42:14, 15,16;51:2;52:3;61:4; 68:23;69:21</p>	<p>reviewed (1) 50:19</p> <p>revised (1) 50:24</p> <p>Rhonda (1) 6:7</p> <p>ride (3) 70:24;71:7,16</p> <p>right (29) 15:14;17:4,20,24; 18:1;19:8,18;20:5; 21:15,16;31:11;32:17; 38:4,17;46:17;57:7,23; 58:12;64:1,16;66:15; 67:14,24;68:9;71:4,9, 14,19;72:11</p> <p>risk (1) 22:15</p> <p>ROG (2) 48:23,24</p> <p>Roger (2) 5:19;6:15</p> <p>roll (2) 4:9,12</p> <p>ROMAIN (26) 5:7,8;36:20;37:9,16; 43:14,18;44:6,10;54:5, 15,23;56:7;58:23; 59:13;65:3;66:16; 70:20;71:6,12;72:18; 73:10,19;74:1,6,15</p> <p>rough (1) 32:4</p> <p>roughly (1) 58:25</p> <p>Rule (1) 76:4</p> <p>rules (2) 71:17;76:5</p> <p>rumors (1) 32:25</p> <p>run (2) 33:4;59:8</p> <p>running (1) 21:25</p> <p style="text-align: center;">S</p> <p>salaries (5) 11:4,5,21,22;31:2</p> <p>salary (2) 20:13;21:3</p> <p>Sam (1) 5:24</p> <p>same (5) 16:18;19:5;45:3,25; 76:12</p> <p>Sam's (2) 67:1;71:1</p> <p>save (1) 26:18</p> <p>saw (1) 60:21</p>	<p>school (1) 60:23</p> <p>scientist (4) 20:11,19,21,24</p> <p>scope (1) 16:22</p> <p>SCR (1) 51:25</p> <p>searches (1) 52:8</p> <p>Second (11) 6:25;7:2,4;28:11; 42:9;44:24;66:17,19; 72:19;73:11;75:1</p> <p>Secretary (7) 5:20;64:8,20;66:23; 67:15;68:10;70:15</p> <p>Section (5) 5:1;16:6;48:22; 49:16;69:23</p> <p>Seems (1) 18:17</p> <p>Senate (1) 51:25</p> <p>send (3) 29:11;32:1,9</p> <p>sent (9) 28:15;44:1,3;45:11, 14;47:2;51:5;52:11,16</p> <p>separate (2) 22:3;23:5</p> <p>separately (1) 53:17</p> <p>September (2) 20:21;33:5</p> <p>Services (10) 5:6;6:1,3;7:10;16:7; 21:18;22:3,9,12,23</p> <p>session (12) 52:1;62:24;65:16,22; 67:25;72:8,10,17,23; 73:6,7,9</p> <p>set (2) 27:17;42:25</p> <p>settle (1) 26:9</p> <p>settled (1) 11:15</p> <p>settlement (14) 24:14,17,20;25:5,17, 25;26:3;33:16;37:15; 38:1,5,10,21;39:13</p> <p>settlements (5) 8:24;24:7;25:10; 26:5;62:14</p> <p>seven (4) 63:6,6;66:8;72:1</p> <p>several (2) 11:17;34:22</p> <p>shall (1) 53:11</p> <p>share (2) 68:11;70:2</p>	<p>sheet (1) 49:6</p> <p>sheets (1) 74:7</p> <p>Sherry (1) 6:5</p> <p>show (1) 73:21</p> <p>showed (1) 73:21</p> <p>showing (2) 38:5,6</p> <p>shown (1) 44:21</p> <p>shows (2) 20:12;50:17</p> <p>signed (3) 23:14,23;56:3</p> <p>significant (5) 23:7,7;55:13,13,14</p> <p>similar (1) 52:9</p> <p>simple (1) 16:16</p> <p>site (13) 14:9;22:14,14;23:2; 29:16,17,25;30:1; 49:22;56:13,19;57:4; 59:10</p> <p>sites (20) 48:15,24;49:3,17,23; 50:15,16,17,19;54:14; 55:16;56:17;57:10,14; 58:5;59:12;64:18;67:7, 9;70:23</p> <p>situation (2) 12:6;69:18</p> <p>six (3) 20:1;38:23;61:20</p> <p>Sixteen (1) 42:14</p> <p>slide (9) 10:20;13:4;20:7; 21:2;23:5;27:14;31:5; 35:11;73:21</p> <p>slides (2) 8:6,7</p> <p>slightly (2) 30:14;44:19</p> <p>small (3) 21:5;22:10;23:1</p> <p>smaller (1) 39:7</p> <p>snapshot (1) 20:18</p> <p>solid (1) 9:6</p> <p>somebody (2) 26:23;61:4</p> <p>someone (1) 46:1</p> <p>sometimes (4) 21:8;25:19;28:24,25</p>
---	---	---	---	---

<p>somewhere (1) 20:2</p> <p>soon (1) 56:6</p> <p>Sorry (4) 41:16;48:24;68:16; 72:11</p> <p>sorted (1) 20:10</p> <p>sorts (1) 60:24</p> <p>sounds (1) 28:24</p> <p>source (2) 32:12;55:14</p> <p>speak (4) 18:6;58:6;61:21; 70:22</p> <p>specific (2) 53:19;56:14</p> <p>spend (1) 23:16</p> <p>spent (5) 21:15;23:18;25:15; 29:21;57:20</p> <p>spoke (1) 62:20</p> <p>spontaneous (1) 76:10</p> <p>spreadsheet (2) 44:20;52:17</p> <p>spring (1) 29:5</p> <p>ST (26) 5:7,8;36:20;37:9,16; 43:14,18;44:6,10;54:5; 15,23;56:7;58:23; 59:13;65:3;66:16; 70:20;71:6,12;72:18; 73:10,19;74:1,6,15</p> <p>staff (4) 9:10,11;51:1,10</p> <p>stakeholder (3) 51:1,21;52:20</p> <p>stand (1) 7:24</p> <p>start (4) 4:12;7:9;33:5;34:16</p> <p>started (3) 34:16;42:24;43:1</p> <p>starting (1) 30:10</p> <p>state (11) 12:5,10;13:2,2; 27:17;28:3;33:4;52:19; 55:22;76:3,8</p> <p>statements (1) 7:23</p> <p>states (2) 52:6,9</p> <p>statewide (1) 10:24</p> <p>status (3)</p>	<p>39:21;45:3;47:11</p> <p>statute (4) 33:23;67:14,17,21</p> <p>statutes (4) 53:9,19;54:9,10</p> <p>stay (2) 7:15;46:19</p> <p>Steve (1) 4:19</p> <p>still (8) 18:14;31:15;34:20; 42:19;44:14;55:9; 59:18;70:24</p> <p>stop (2) 8:5,9</p> <p>stopped (1) 38:2</p> <p>storage (17) 15:9,16;17,20;16:10, 13,14,16;17:2,7,8,14; 20:9;30:5;35:20;53:12, 14</p> <p>Store (4) 4:17;5:9,12,15</p> <p>structured (1) 32:22</p> <p>subcategory (1) 22:2</p> <p>subdivide (1) 11:2</p> <p>subdivides (1) 21:22</p> <p>submit (1) 28:15</p> <p>submitted (2) 49:19,24</p> <p>substantial (2) 11:16;71:14</p> <p>substantially (1) 9:8</p> <p>subtle (1) 34:20</p> <p>subtracted (1) 33:20</p> <p>sufficient (1) 34:4</p> <p>suggested (1) 9:22</p> <p>suggestion (1) 10:3</p> <p>Supplies (3) 22:1,5,7</p> <p>supporting (1) 51:4</p> <p>suppose (1) 48:6</p> <p>sure (9) 27:7;33:2;39:17; 40:24;41:16;67:9; 70:10;71:23;74:5</p> <p>sworn (1) 76:7</p> <p>system (4)</p>	<p>12:4,11;49:13;51:22</p> <p>T</p> <p>tab (2) 41:21;47:14</p> <p>table (1) 67:3</p> <p>tacked (1) 46:4</p> <p>tackle (1) 70:16</p> <p>talk (4) 54:2;62:7;67:20; 76:12</p> <p>talked (2) 61:2;65:1</p> <p>talks (2) 26:3;32:21</p> <p>tank (29) 15:9,17,18,20;16:10, 14,14,16;17:7,8;18:3; 20:9;22:21;30:6;31:8, 21;32:2,9;35:20;36:21, 24;53:7,10;56:1,9,19; 57:1;59:6;69:15</p> <p>tanks (9) 17:2,14;18:11;53:12, 15;54:13;56:10;57:3,6</p> <p>tax (1) 46:2</p> <p>team (1) 14:8</p> <p>telecommunications (1) 28:1</p> <p>telephone (2) 27:22,23</p> <p>ten (6) 12:20;31:23;37:17, 19;38:5,6</p> <p>term (1) 13:20</p> <p>testimony (1) 76:7</p> <p>tests (1) 60:23</p> <p>That'd (1) 70:8</p> <p>Theresa (4) 5:5;7:11;35:8;39:19</p> <p>thinking (2) 7:22;45:25</p> <p>third (11) 7:23;8:13;11:22,23; 21:16;34:9;37:14;45:4; 47:18;62:3;72:5</p> <p>though (1) 68:20</p> <p>thought (5) 25:23;35:1,14;63:22; 76:12</p> <p>three (18) 7:10;11:25;21:11;</p>	<p>27:1;33:18,19;34:13, 18;42:14;43:3,4,6; 45:14;49:1,21;50:4; 69:10;73:21</p> <p>throughout (1) 60:19</p> <p>thrown (1) 54:22</p> <p>Thus (3) 50:8;51:10;52:14</p> <p>tick (2) 37:23;55:3</p> <p>ticketed (1) 71:1</p> <p>tightness (1) 69:15</p> <p>title (3) 20:8,13,15</p> <p>today (3) 8:7;41:3;73:18</p> <p>together (4) 7:19;13:12;28:13; 68:2</p> <p>tools (1) 22:8</p> <p>top (2) 25:4;46:4</p> <p>topic (1) 31:6</p> <p>topics (1) 51:20</p> <p>total (22) 8:3,15;11:4,6,10,24; 12:14,16;14:24;20:16; 21:3,23;25:22;32:17; 45:16;46:20;48:19; 49:20;50:8,9;53:18; 54:20</p> <p>totaling (4) 42:6;47:20,24;48:2</p> <p>towards (1) 50:24</p> <p>toxicology (1) 22:15</p> <p>tracked (1) 53:17</p> <p>traditionally (1) 33:11</p> <p>training (3) 21:4,14;22:22</p> <p>transcript (1) 76:16</p> <p>transcription (1) 76:14</p> <p>transfer (10) 9:3;27:22;28:4; 33:11,25;34:9,10; 37:15;39:13;50:3</p> <p>transferred (4) 35:23;36:1,2;50:5</p> <p>transfers (2) 27:15;38:21</p> <p>Travel (3)</p>	<p>21:4,6,7</p> <p>treasury (1) 55:4</p> <p>trickling (1) 31:14</p> <p>trouble (2) 26:18;41:5</p> <p>Trust (44) 4:24;5:3,22;6:13; 10:22;16:2,4,6;20:9; 30:5,6;34:1,1,3;35:21; 36:3,5,7,13,14,17; 47:11,16,19,22;48:8, 13;49:3,18;50:2,3,6,7, 15,19,24;52:4;53:2,11; 54:7,11;57:17;59:16; 69:22</p> <p>try (1) 10:17^h</p> <p>trying (1) 59:11</p> <p>tuned (1) 7:15</p> <p>Turn (3) 41:20;43:13;48:5</p> <p>tweaks (1) 41:7</p> <p>two (24) 6:9;10:14;14:19; 18:18,24;20:20;21:10; 22:11,11;27:1,5,5,11, 13;30:13,14;31:3, 34;18;37:21;42:5;43:6; 44:14;51:6,7</p> <p>type (3) 20:17;28:22;69:12</p>
U				
				<p>under (8) 8:16,17,25;10:15; 11:25;23:25;32:18; 42:14</p> <p>underground (16) 15:9,16,17,20;16:10, 13,14,15;17:2,7,8,14; 20:9;30:5;35:20;53:12</p> <p>Unfortunately (1) 12:4</p> <p>unfunded (1) 12:6</p> <p>uniforms (1) 22:8</p> <p>universe (1) 52:19</p> <p>Unless (1) 9:16</p> <p>unobligated (1) 8:14</p> <p>unpaid (1) 46:2</p> <p>unrelated (1) 42:7</p>

5				
5.4 (1) 9:5 5/26/17 (1) 45:9				
6				
6 (1) 21:12 625 (1) 32:5 685 (1) 32:6 6th (1) 44:17				
7				
70.91 (2) 29:9,24 700 (1) 32:7				
8				
85,000 (1) 21:23				
9				
900 (1) 24:1 93 (1) 8:20 97083 (1) 76:22				