

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 1:03 p.m., on February 20, 2025.

BEFORE:

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

A P P E A R A N C E S

Todd Perry
Chairman

Jeff Baker
Cy Morin
Jesse Hoppes
Nick St. Romain
Theresa Delafosse
Damien Watt
Josh Milazzo
Grady Gaubert
Frank Marcello
Michelle Barnett
Oscar Magee

Danielle McCarty
Durwood Franklin, via phone
Jason Efferson, via phone
Lacey Vitteri, via phone
Gary Fulton
Madalyn Marcel
Carlye Roussel
Josh Welch
Fran Falke
Trey Kemp
Sarah Wade
Natalie Isaacks
Kristine Stanley

* * * * *

I N D E X

EXAMINATION:

PAGE (S) :

None

EXHIBITS:

None

REPORTER'S PAGE

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REPORTER'S CERTIFICATE

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MR. PERRY:

Welcome everybody to our -- I guess it'll be by the DEQ year, our third quarter Motor Fuel Trust Fund meeting. And -- but our first meeting of the fiscal year. So good to see everybody. So we'll call the meeting to order. And first order of business is roll call. So what we'll do is -- Ms. Michelle is right on time. Perfect timing. So we'll start, Oscar, with you and we'll work our way around this way.

MR. MAGEE:

Yeah. Oscar Magee, LDEQ legal.

MR. BAKER:

Jeff Baker, Motor Fuel Trust Fund LDEQ.

MS. DELAFOSSE:

Theresa Delafosse, Financial Services Division.

MR. WATT:

Damien Watt, LMOGA.

MR. MILAZZO:

Josh Milazzo, Louisiana Oil

1 Marketers.

2 MR. ST. ROMAIN:

3 Nick St. Romain, Louisiana Oil
4 Marketers.

5 MR. PERRY:

6 Todd Perry, PPM Consultants.

7 MR. GAUBERT:

8 Grady Gaubert, Louisiana Oil
9 Marketers.

10 MR. MARCELLO:

11 Frank Marcello, Louisiana Oil
12 Marketers.

13 MR. HOPPES:

14 Jesse Hoppes, Leaaf Environmental.

15 MR. MORIN:

16 Cy Morin, DEQ audit.

17 MS. MCCARTY:

18 Danielle McCarty, DEQ Trust Fund.

19 MR. PERRY:

20 We'll pick Ms. Michelle up.

21 MS. BARNETT:

22 Hey, sorry I'm late. Michelle
23 Barnett.

24 MR. PERRY:

25 You're good. You're good. We still

1 got you.

2 MS. BARNETT:

3 DEQ OMI.

4 MR. PERRY:

5 Thank you, ma'am.

6 MS. STANLEY:

7 Kristine Stanley, PPM.

8 MS. ISAACKS:

9 Natalie Isaacks, Louisiana Oil
10 Marketers.

11 MR. FULTON:

12 Gary Fulton, Underground Storage
13 Tank Division.

14 MR. WELCH:

15 Joshua Welch, Trust Fund.

16 MR. KEMP:

17 Trey Kemp, DEQ Trust Fund.

18 MS. FALKE:

19 Fran Falke, Financial Services
20 Division.

21 MS. WADE:

22 Sarah Wade, DEQ Financial Services.

23 MR. PERRY:

24 Awesome.

25 MS. MARCEL:

1 Madalyn Marcel, Trust Fund.

2 MS. ROUSSEL:

3 Carlye Roussel, Trust Fund.

4 MR. PERRY:

5 Awesome. And then on the phone, I
6 know Durwood Franklin is there and --

7 MR. BAKER:

8 Lacey.

9 MR. PERRY:

10 Lacey is on with DEQ. Anyone else
11 on the phone need to introduce
12 themselves? Okay.

13 MR. EFFERSON:

14 Oh, Jason Efferson, Trust Fund.

15 MR. PERRY:

16 All right, Jason. Glad to have you
17 on with us.

18 Okay. We were emailed out a copy of
19 the November 21st, 2024 board meeting.
20 Hopefully, everyone has had a chance to
21 review it. And I do appreciate the fact
22 that we get that electronically and it's
23 not in our packets, so thank ya'll for
24 that.

25 So we're going to open the floor up

1 for a consideration and adoption motion
2 to accept the board minutes from the
3 November 21st meeting.

4 MR. HOPPES:

5 I'll make a motion to accept.

6 MR. WATT:

7 I second.

8 MR. PERRY:

9 All right. So Jesse made a first.
10 Mr. Damien seconded. So all in favor,
11 please signify, board members, by saying
12 I.

13 (All indicated aye.)

14 MR. PERRY:

15 Any opposed, say no.

16 (No response.)

17 MR. PERRY:

18 Hearing none, the minutes are
19 adopted.

20 All right. That moves us into item
21 number four, Financial Services Report.
22 Ms. Theresa, we're glad to see you and
23 look forward to hearing you. What's
24 going on?

25 MS. DELAFOSSE:

1 Good afternoon, everybody. I'm glad
2 to be here as well. If you turn to the
3 appropriate page in your report -- I
4 don't -- I guess it's not tabbed at this
5 time, but you'll see the financial
6 statement as of December 31st, 2024,
7 which is halfway through the fiscal year.
8 This is our cash basis financial
9 statement and it's the standard
10 presentation of the three different
11 columns, with the left-hand column being
12 the final results from last fiscal year,
13 the center column being as of 12/31 last
14 year, 2023, and the right-hand column
15 being our most recent results for the
16 second quarter, which ended 12/31/2024.

17 As you can see, our bulk
18 distribution fee collections are right on
19 par with where we were last year, right
20 under 11.3 million, a slight difference
21 from last year, but nothing significant
22 or noteworthy there. We'll highlight
23 again the interest earnings that we have
24 had. We've seen great success with that
25 MOU with the treasury being invested

1 separately in that money market fund.
2 And we've earned 2.8 million dollars for
3 the first half of the year. So if that
4 doubles, we'll be in great shape and
5 continue to be able to use that resource
6 for inactive and abandoned and the grant
7 program and whatever else we move on with
8 that.

9 In the second section, the
10 disbursements, you'll see the claims for
11 reimbursement also are nearly exactly
12 where they were at this time last year,
13 right at 7.7 million. With our other
14 charges, that second row, the
15 professional services and the interest
16 column, that's the inactive work that Tad
17 handles and Gary's group, so we are
18 looking at a low spot right now. I'll --
19 you know, hopefully we have an up-tick
20 for the second half of the fiscal year.
21 I know they're actively continuing to
22 work on those sites. I think it may just
23 be a matter of timing.

24 So the net difference so far this
25 year is an increase of just under 3.6

1 million. We had the transfer, that was
2 the remaining transfer from our total
3 expenditures in fiscal year 2024. We
4 transfer that amount in July, so it shows
5 up in the next year, as we are on a cash
6 basis presentation. So we transfer the
7 five million during the year and the
8 remaining balance in July, once we have
9 those final numbers.

10 So that leaves our next inflows at
11 2.9 million. So the cash balance has
12 grown to that affect. And then we have a
13 cash balance of 127.1 million. And that
14 nice little round number 9999 right
15 there. So that's our cash balance
16 without the interest. And when you net
17 out the most recent site liability
18 calculation we have from the actuary,
19 that leaves us with a negative equity
20 balance of 46 million.

21 So if there are no questions, I will
22 move on to the next sheet.

23 MR. PERRY:

24 So -- and you may -- if I get ahead
25 of you, Theresa, I apologize, but I know

1 that we expect -- is it every two years,
2 we get the actuary update, their
3 forecast?

4 MS. DELAFOSSE:

5 We've been doing that annually.

6 MR. PERRY:

7 Annually.

8 MS. DELAFOSSE:

9 It's just, we are still working
10 through some kind of adjustments that we
11 requested them to make and --

12 MR. PERRY:

13 Right.

14 MS. DELAFOSSE:

15 -- providing additional information,
16 but we absolutely will have that final
17 report, hopefully within a months time.

18 MR. PERRY:

19 Okay.

20 MS. DELAFOSSE:

21 And we can send that out
22 electronically in advance to give the
23 members ample time to digest that and be
24 prepared to ask questions at the next
25 meeting.

1 MR. PERRY:

2 And then once we see that, then as
3 we get through the year, June 30th, then
4 we'll actually get kind of another sense
5 of where we think the -- loss is not the
6 right word, but what the balance would be
7 less liabilities?

8 MS. DELAFOSSE:

9 Yes, that's correct.

10 MR. PERRY:

11 Okay.

12 MS. DELAFOSSE:

13 On the next page, we have our
14 projected -- or some detailed information
15 regarding the program balance that is
16 transferred, you know, in May/June and
17 July for each year. So the first bold
18 row is the program balance. So you'll
19 see our net -- or the total transfer
20 necessary in fiscal '23 was that
21 5,426,000. And then for the subsequent
22 fiscal year, it was 5,596,000. I did
23 some, you know, brief percentage
24 calculations on this and it looks like
25 we're, you know, trending upward about

1 two to three percent a year, which is
2 representative of the market adjustments
3 in pay that are made every July, so I
4 think that's pretty typical. We haven't
5 seen any significant changes in those
6 costs for administering the program.

7 So -- and again, we did the more
8 detailed financial presentation at last
9 August meeting, I think. I'll continue
10 with that plan, unless there's any
11 specific components of the financial
12 picture that we want kind of a detailed
13 look at for the June meeting. So ya'll
14 just let me know and -- or, of course, in
15 the interim, if there's anything ya'll
16 want to see.

17 So then you see the amount shown on
18 the financial statement at the bottom,
19 the 5,426,000 is part from '23 -- as
20 Lacey's note says -- part from fiscal
21 year '23 and part from fiscal year '24.
22 And then that 596 that's shown so far on
23 the fiscal year 2025 statement was the --
24 kind of the true up or the final amount
25 from the previous fiscal year, but it

1 shows up in the subsequent year because
2 it's a cash basis presentation. So
3 because it happens after June 30th, it's
4 in the next year. So you see our project
5 activity for fiscal '25 is -- again, I
6 think it's a two percent increase from
7 the previous year, so it's right at 5.7.

8 So that covers it for me.

9 MR. PERRY:

10 Okay, Theresa. Thank you.

11 And to the board, any questions for
12 Theresa and her report?

13 (No response.)

14 MR. PERRY:

15 Okay. Everybody is good. All
16 right. Thanks, Theresa.

17 MS. DELAFOSSE:

18 Thank you.

19 MR. PERRY:

20 Nice job.

21 MS. DELAFOSSE:

22 Thank you.

23 MR. PERRY:

24 All right. That takes us through
25 item four. Now, let's move to item five.

1 And, Cy, we hope you get to stay right
2 down the center of your report.

3 MR. MORIN:

4 Yes, sir. So the first page of the
5 report list 21 open motor fuel cases.
6 Two are currently under review. One has
7 a small potential credit of about \$17
8 owed and we have one with the potential
9 assessment of 5,000. The plan is to
10 finally finalize these in the coming
11 months here soon in this quarter.

12 Three cases are awaiting review at
13 the time of this report. One has a
14 potential clean audit with no assessment.
15 The other two have potential assessments
16 totaling about 2,600. Again, these are
17 pending final review and, you know, we
18 plan to do these in the coming weeks.

19 We have 15 cases on here that are
20 still in progress with results to be
21 determined, reviewed and finalized. And
22 one case, the last case on here, was
23 added -- it was scheduled during the last
24 quarter for January of this year. It was
25 started in January of this year.

1 So since the last meeting, we added
2 three new cases and two cases were
3 finalized and closed and removed from the
4 list.

5 If there's no questions, we can go
6 ahead and turn to the second page. The
7 second page is the same two cases that
8 are in legal. They're with the Office of
9 Debt Recovery. As of December 31st,
10 we've received no payments. As I said,
11 the judgments will be revived within the
12 years when the judgments expire.

13 I think last time, Mr. Perry, you
14 asked if maybe the one that was expiring
15 this year would be done by the -- you
16 know, by this meeting time.

17 MR. PERRY:

18 Right.

19 MR. MORIN:

20 And when I talked to legal, they
21 said they usually make sure they revive
22 them at least one month ahead of the
23 deadline.

24 MR. PERRY:

25 Makes sense.

1 MR. MORIN:

2 So this one is going to be expiring
3 in November, so the plan is to do it, you
4 know, prior to that. And the other one
5 will be done in '27, before March of '27.

6 The two remaining cases on here
7 still represent just over \$55,000 in
8 motor fuel delivery fees and penalties.

9 And that's it.

10 MR. PERRY:

11 Well, Cy, as always, thanks for the
12 report.

13 MR. MORIN:

14 Yeah.

15 MR. PERRY:

16 One question, and I've asked this
17 before, but I want to ask it again. If
18 you think about -- you know, I think your
19 group, ya'll do, you know, depending on
20 the year, between 12 and 20 audits, you
21 know, depending on what's going on. But
22 of those audits, if you go back and look
23 ten years ago, were the findings more
24 significant in regards to penalty
25 amounts, maybe the total in 2014 might

1 be, you know, \$100,000 in penalties, and
2 then, you know, five years maybe, it
3 was down to \$40,000 in penalties, now,
4 we're seeing \$7,000 in penalties? Is
5 there any trend to that or you think it's
6 everybody has been pretty good for the
7 last couple of decades?

8 MR. MORIN:

9 I mean, yeah, if you look at our
10 older cases, we did have some that had
11 pretty significant assessments. That's
12 probably been pretty far in the past, I
13 would say.

14 MR. PERRY:

15 Right.

16 MR. MORIN:

17 Over the most recent years, we've
18 had a few here and there who would have
19 assessments similar to what you see here,
20 like a smaller assessment. So in
21 general, yes, the trend has been defined
22 less outstanding --

23 MR. PERRY:

24 And I think -- that's good. And I
25 think --

1 MR. MORIN:

2 -- based on --

3 MR. PERRY:

4 -- if you looked at UST compliance
5 too, we see that, you know, our UST
6 owners, you know, that as they learned,
7 they are doing a better job being in
8 compliance too. So everybody understands
9 the program and how to remit, they'll do
10 a better job of remitting, so good.

11 Thanks.

12 To the board, any questions for Cy?

13 (No response.)

14 MR. PERRY:

15 Everybody good? All right. Cy,
16 great job, man.

17 MR. MORIN:

18 Thanks.

19 MR. PERRY:

20 All right. That takes us through
21 item number five. Item number six, man,
22 this is getting kind of hard to call your
23 name Jeff, because I know it's not many
24 more times I can call your name. But
25 Trust Fund Status Report from our

1 illustrious leader, Mr. Jeff Baker.

2 MR. BAKER:

3 I want the same courtesy and no
4 questions for my stuff too.

5 MR. PERRY:

6 You should be so lucky. You should
7 be so lucky.

8 MS. DELAFOSSE:

9 Too much good information to not
10 have questions, Jeff.

11 MR. BAKER:

12 All right. If ya'll turn to the
13 trust fund section of the report. The
14 first worksheet of this section, number
15 one of ten, provides the board with a
16 summary of pertinent information related
17 to the trust fund as of the end of the
18 second quarter of fiscal year 2025.

19 At the top of the page, under the
20 Active Trust Fund Eligible Site section,
21 the report provides a breakdown of sites
22 in the investigation and corrective
23 action phases. Note that the sites
24 currently in the corrective action phase
25 have an average age of 15.8 years, where

1 the average age of the sites in the
2 investigation phase of four years, with
3 an overall average of 9.6 years. These
4 ages are determined as the time
5 difference of when the trust fund
6 received the first application for
7 reimbursement and the date of the report.

8 Next, note the total number of site
9 closures of 1,569 as of the report date
10 with a total cost of \$345.3 million of
11 reimbursements.

12 Moving on under the CAP Budget
13 Summary section, note the sites currently
14 in the corrective action phase have CAP
15 budgets totaling \$102.9 million with
16 reimbursements of \$87.6 million, leaving
17 \$15.2 million of approved budget
18 remaining.

19 Under the next section, they had 17
20 sites that have been determined trust
21 fund eligible over the last three years,
22 but as of the end of this quarter, we
23 have not received requested reimbursement
24 yet.

25 Okay. Moving on. At the end of

1 December 2024, the trust fund had 17
2 pending applications to process, totaling
3 \$396,000.

4 Under the Fiscal Summary section at
5 the bottom of the page, for the second
6 quarter of fiscal year 2025, the trust
7 fund received 188 applications, totaling
8 \$3.2 million. We determined as deficient
9 or returned four applications for various
10 reasons and \$200,000 was disallowed as
11 ineligible for reimbursement. During
12 this period, a total of 211 applications
13 were processed for payment, recommending
14 \$4.9 million in reimbursements. Compared
15 to the last quarter -- the same quarter
16 of last fiscal year, the trust fund
17 received 216 reimbursement applications,
18 totaling \$3.8 million and processed 215
19 applications, recommending \$3.1 million.

20 Does anybody have any questions
21 about this section?

22 (No response.)

23 MR. BAKER:

24 Okay. Moving on. The next page,
25 page two of ten, titled, Active Trust

1 Fund Sites With Corrective Action Plans.
2 This is a breakdown of all the active
3 sites we have in the corrective action
4 phase. This provides site specific
5 information related to application
6 counts, time periods of trust fund
7 reimbursement, site location and various
8 reimbursement data. Column totals at the
9 top of this page are reflected in the
10 values of the summary reports.

11 Okay. If ya'll skip to page five of
12 ten. This table gives the members an
13 overview of the 115 CAP sites with
14 reimbursement by costing category and the
15 CAP budget totals. Note, the current
16 reimbursements of (A) 115.7 million,
17 including the values listed above, as
18 well as the total CAP reimbursements.

19 Does anybody have any questions
20 about this page?

21 (No response.)

22 MR. BAKER:

23 Okay. Moving on. The next report,
24 page 16, or page six of ten, is titled,
25 Active Trust Fund Sites in the

1 Investigation/Assessment Phase. This
2 report also breaks down individual sites
3 in this phase and provides site specific
4 information related to application
5 counts, time period of trust fund
6 reimbursements, site location and various
7 reimbursement data. Also, these column
8 totals are reflected on the summary
9 report as well.

10 Moving on to the next -- let's see,
11 page ten of ten. This gives you a
12 summary of the data that -- this data
13 said, there's 130 sites currently under
14 investigation. These sites, many of
15 which are still actively being
16 investigated, have an average expenditure
17 as of the end of 2024 of 111,000. The
18 listed costing categories and associated
19 cost give the board members an overall
20 summary of how the investigation costs
21 are disbursed, where you have emergency
22 cost, investigation, interim monitoring,
23 report and interim corrective action.

24 Does anybody have any questions on
25 this report?

1 (No response.)

2 MR. BAKER:

3 Moving on. Go to Page 21. This is
4 the report labeled Incidents Determined
5 as Eligible for the Motor Fuel Trust
6 Fund. This report shows two potential
7 trust fund sites that were reviewed and
8 made eligible during the current fiscal
9 year. That represents two active
10 incidents. This compares to last year's
11 eligibilities of 12 sites and 12
12 incidents.

13 Just an FYI on this one, we had a
14 number of eligibilities signed right
15 after the first of year, about mid
16 January. We had about -- I think it was
17 13 or 14 incidents of sites sign off, so
18 that report is going to bump up
19 substantially in the next quarter.

20 Moving on. Page 22, the report
21 labeled Trust Fund Sites that had a
22 Release Granted No Further Action. Note
23 that in the second quarter of 2025, 17
24 active trust fund sites have received no
25 further action. This compares to 14

1 sites for the same period last year. You
2 may note that some of these sites are
3 still on our active list. We often
4 continue to see reimbursement application
5 for NFA'd sites for a couple of quarters
6 after the official closure.

7 Does anybody have any questions
8 about that page?

9 (No response.)

10 MR. BAKER:

11 Ya'll are being kind to me today.

12 MR. PERRY:

13 It's almost not over.

14 MS. BALLARD:

15 I do have a question. I'm sorry.

16 MR. BAKER:

17 Yes, ma'am?

18 MS. BALLARD:

19 That 17, is that -- if you go back
20 to Page 1, is that the 17 sites released
21 that have been made trust fund eligible
22 in the past three years, but haven't
23 submitted a reimbursement, or is that the
24 second 17 NFA'd, not related at all?

25 MR. BAKER:

1 I'm having a hard time hearing you.

2 I'm sorry.

3 MS. BALLARD:

4 Okay.

5 MS. DELAFOSSE:

6 That's neither of the 17s, Michelle.

7 MS. BALLARD:

8 Okay.

9 MS. DELAFOSSE:

10 That's the third 17.

11 MR. MORIN:

12 It's a coincidence.

13 MS. BALLARD:

14 Okay. Wow. What a coincidence.

15 MR. ST. ROMAIN:

16 I caught that on the first two.

17 MR. HOPPE:

18 Oh, this one right here, yeah.

19 These two 17s right here?

20 MS. BALLARD:

21 Yes. Yes.

22 MR. BAKER:

23 No. That's a different 17.

24 MS. BALLARD:

25 Okay. So we got three 17s.

1 MR. BAKER:

2 Yeah.

3 MS. BALLARD:

4 Thank you.

5 MR. PERRY:

6 And, Michelle, that's a good
7 question. And then what we do know, Jeff
8 mentioned to us, is that there were a
9 number of eligibilities that were done in
10 the last few weeks and they'll show up on
11 our next report and it'll kind of
12 equalize those numbers out.

13 MS. BALLARD:

14 Oh, okay.

15 MR. PERRY:

16 But that's good -- no, that's a very
17 good question.

18 MR. BAKER:

19 Normally, what we typically see is
20 the number of eligibilities being granted
21 and the number of NFAs are fairly close.
22 They kind of track each other.

23 MR. PERRY:

24 Okay.

25 MR. HOPPE:

1 One quick question, the emergency
2 initial costs are extremely low. I was
3 just curious if you think that's --

4 MR. ST. ROMAIN:

5 It's all on one site.

6 MR. HOPPES:

7 It is at all one site?

8 MR. ST. ROMAIN:

9 Yes.

10 MR. HOPPES:

11 If -- you know, do you think that's
12 just because people aren't aware of it
13 and they aren't doing it or if it's more
14 --

15 MR. BAKER:

16 We don't often have emergency cost.
17 That's an unusual occurrence.

18 MR. HOPPES:

19 Okay.

20 MR. BAKER:

21 That usually -- emergency cost
22 usually occur when you have an immediate
23 potential of harm to human beings.

24 MR. HOPPES:

25 Okay.

1 MR. BAKER:

2 You typically have state police out
3 there, you have fire departments. It's
4 not your typical release and you're just
5 trying to get it cleaned up. It's --
6 typically, it has an immediate potential
7 to harm humans at that point.

8 MR. HOPPES:

9 That's right. Okay.

10 MR. BAKER:

11 Okay. Just some points of interest.
12 The trust fund has completed and posted
13 on our web page the latest version of the
14 cost control guidance document that
15 became effective January 3rd, 2025. This
16 incorporated a number of language updates
17 and a new unit rate for high resolution
18 site characterization logging tools.

19 Okay. We are currently updating the
20 associated revised reimbursement
21 application spreadsheet and should --
22 that's associated with that guidance
23 document because we have our application
24 spreadsheet reflects the unit rates and
25 everything in the guidance document. We

1 should have that finished probably by mid
2 March of this year.

3 Okay. And as soon as we finish this
4 one, we -- based on the last couple of
5 years of CPI data, as we've looked at it,
6 it appears that the current unit rates
7 will require an adjustment to maintain
8 the RAC's ability to continue assessment
9 and remediation activities for the
10 current and future UST releases. So
11 we're probably going to be looking at
12 doing some unit rate increases and we're
13 going to shoot to have that guidance
14 document out and effective by July 1st.

15 Let's see. The department will be
16 in contact with the RACs to review the
17 rates and we'll make adjustments in line
18 when the CPI increases and -- and --
19 since the most recent rate increase we
20 had was 2022 -- I think sometimes in
21 2022.

22 Okay. Draft dates for the remaining
23 -- you always ask me this, Todd, so I was
24 prepared this time.

25 MR. PERRY:

1 You're ready.

2 MR. BAKER:

3 Draft dates for the remaining board
4 meetings for this year is June 6th,
5 August 28th and November 20th.

6 That concludes my report. Does
7 anybody have any questions?

8 MR. PERRY:

9 To the board, for Jeff, any
10 questions for Jeff?

11 (No response.)

12 MR. PERRY:

13 So June 6th is scheduled to be our
14 next --

15 MS. ISAACKS:

16 June 5th.

17 MR. PERRY:

18 June 5th?

19 MR. BAKER:

20 I'm sorry.

21 MR. PERRY:

22 Yeah. I thought so.

23 MR. BAKER:

24 It's June 5th, you're right.

25 MR. PERRY:

1 June 5th. And we -- well, we hope
2 that we can get you to that meeting. I
3 know your time is short, but we need to
4 -- we got to get you to at least come to
5 that meeting.

6 But if everybody is okay with Jeff?
7 (No response.)

8 MR. PERRY:

9 And then -- you know, we talked
10 about it at the last meeting, but Jeff,
11 you're tenure to our state now. You had
12 how many years of service?

13 MR. BAKER:

14 Around 12.

15 MR. PERRY:

16 Yeah.

17 MR. BAKER:

18 Well, how many I have in total?

19 MR. PERRY:

20 Yeah, total. Yeah, sorry.

21 MR. BAKER:

22 It'll be 32.

23 MR. PERRY:

24 32. Man, we really appreciate that.
25 Gold record. You've led our Department

1 of Motor Fuel Trust Fund now for the last
2 12 years and you've done a great job, a
3 lot of innovation you've attained and it
4 doesn't go without recognition, and we'd
5 like to acknowledge that with you on June
6 5th to celebrate that with you. So
7 thanks for all your hard work.

8 Okay, Jeff, thank you, sir.

9 MR. GAUBERT:

10 What's the official date, Jeff, for
11 you?

12 MR. BAKER:

13 Mine?

14 MR. GAUBERT:

15 Yeah.

16 MR. BAKER:

17 You know, that's a good question.

18 MR. GAUBERT:

19 June 5th at 3:00 o'clock.

20 MS. DELAFOSSE:

21 It might be June 5th with three
22 weeks off before that.

23 MR. PERRY:

24 If he comes in tan, we'll know.

25 MS. DELAFOSSE:

1 Yeah.

2 MR. BAKER:

3 I have a new grandbaby coming in
4 early May that's in Maryland right now,
5 so we'll be going up there for a couple
6 of weeks. Got to see that new grandbaby.

7 MR. GAUBERT:

8 Yeah.

9 MR. PERRY:

10 Okay. Thank you, sir.

11 MR. GAUBERT:

12 Thank you, Jeff.

13 MR. PERRY:

14 All right. That gets us past item
15 six. Now, we'll go to item 7. Oscar,
16 we'd like the third party claims report.

17 MR. MAGEE:

18 There have been no third party
19 claims.

20 MR. PERRY:

21 That is the report we like. It's
22 our -- well, we got two favorite reports,
23 but that's one of them. So -- so no
24 third party claims.

25 Anything else we should know about?

1 MR. MAGEE:

2 It's cold out there.

3 MR. PERRY:

4 Yeah, it is chilly. It is chilly.

5 All right. That takes us to item
6 eight, other business. To the board,
7 anything you want to bring up and get in
8 the minutes?

9 MR. ST. ROMAIN:

10 Yeah. I have a couple of things.

11 MR. PERRY:

12 Yes, sir?

13 MR. ST. ROMAIN:

14 Just wanted to ask, does the
15 department have any anticipated
16 legislation that ya'll are pushing
17 through as it relates to underground
18 storage tanks?

19 MS. DELAFOSSE:

20 I'm not aware of anything. Are you,
21 Michelle?

22 MS. BALLARD:

23 Related to what?

24 MS. DELAFOSSE:

25 Any upcoming legislation that the

1 department may purpose?

2 MS. BALLARD:

3 No. No. No.

4 MR. ST. ROMAIN:

5 Okay.

6 MS. BALLARD:

7 That doesn't mean there won't be
8 any, but --

9 MR. PERRY:

10 Sure.

11 MS. BALLARD:

12 -- I'm unaware of it, you know, at
13 this time.

14 MR. PERRY:

15 And, Michelle, Theresa, Gary, Jeff,
16 you know, DEQ team -- yes, sir Gary?
17 Thank you.

18 MR. FULTON:

19 Well, the only thing that we do have
20 is -- all we're doing is updating the
21 regulations based on the past statute
22 changes for the deductible -- not the
23 deductible, part of the deductible, but
24 the two million and a half stuff. That's
25 already in the statute, but all we're

1 doing is transferring that over to the
2 regulation, so it's just a minor update.
3 So you will see something in the near
4 future on that. I don't know exactly
5 where it is, but I can definitely get
6 ya'll that information.

7 MR. PERRY:

8 So it's formality to take the --

9 MR. FULTON:

10 It's a formality, yes.

11 MR. PERRY:

12 Yeah. Basically, we got the statute
13 built --

14 MR. FULTON:

15 Yeah.

16 MR. PERRY:

17 -- the department has adopted it, we
18 just won't get it back till --

19 MR. FULTON:

20 Right, yeah. Yes, sir.

21 MR. BAKER:

22 Everything that was in Act 167 had
23 to get moved into reg --

24 MR. PERRY:

25 Okay. And then --

1 MR. FULTON:

2 Nothing else changed.

3 MR. PERRY:

4 Into 33. Okay.

5 MS. ISAACKS:

6 So at the -- and I don't know if
7 this relates, that's why I'm going to
8 ask. But at the industry coalition
9 meeting, DEQ brought up the expedited
10 penalty changes, so is that related to us
11 also, the tanks and all?

12 MR. FULTON:

13 I will have to find out. I'm going
14 to have to find out.

15 MS. ISAACKS:

16 Okay.

17 MR. FULTON:

18 So I'll find out for you.

19 MS. ISAACKS:

20 Okay. Just if it was -- just --

21 MR. FULTON:

22 That's new to me too, so --

23 MS. ISAACS:

24 -- the chemicals and tank.

25 MR. FULTON:

1 Yeah. Right.

2 MS. ISAACKS:

3 Thank you.

4 MR. PERRY:

5 Thank you, Natalie. Appreciate you
6 mentioning that.

7 And so now I think the other thing
8 is, you know, we worked hard and the
9 department has done a great job of being
10 a partner to the underground storage tank
11 owners. I know they're interested
12 parties around the state and we just want
13 to continue that cooperation and anytime
14 you guys are thinking about legislation,
15 we'd love to, you know, work along side
16 you to, you know, develop, you know, good
17 rules and, you know, good ideas. And
18 we've got some too, and we'll be sharing
19 that back and forth, so -- okay. You
20 okay there, Grady?

21 MR. GAUBERT:

22 Yeah.

23 MR. PERRY:

24 Okay. All right.

25 MR. HOPPE:

1 I got one too.

2 MR. PERRY:

3 Great. Jesse, thank you.

4 MR. HOPPES:

5 Just a couple things on the grant
6 and the abandoned tanks program. I
7 noticed we -- the spending got lower this
8 time, but I just think it might be
9 appropriate since we now have interest
10 kind of building just to stay on it a
11 little more and possibly add it to the
12 agenda.

13 MS. DELAFOSSE:

14 Okay.

15 MR. HOPPES

16 Just to kind of talk about, you
17 know, what the current balance is, what's
18 the plan on spending and, you know, like
19 where we're spending the money and how
20 it's going. Like I would be curious if
21 we have any updates on the grant program
22 in general from last year. With us only
23 spending that \$60,000 or so, I'm assuming
24 that nothings come out of that yet. And
25 just so we kind of keep track of it and

1 like tabs on it. Because I think we are
2 starting to build interest and it's just,
3 how do we want to use it and to make sure
4 we're paying attention to it.

5 MS. DELAFOSSE:

6 And kind of what's earmarked, too,
7 yeah.

8 MR. HOPPES:

9 Yeah, sure.

10 MS. DELAFOSSE:

11 I know --

12 MR. ST. ROMAIN:

13 Well, I know we'll start having
14 withdrawals out of it soon.

15 MS. DELAFOSSE:

16 That's right.

17 MR. ST. ROMAIN:

18 So we probably need to add a regular
19 section.

20 MS. DELAFOSSE:

21 Yeah.

22 MR. HOPPES:

23 That's exactly what I was going to
24 ask so, yeah.

25 MS. DELAFOSSE:

1 That's a good suggestion.

2 Gary did tell me they got, within
3 the last month, I think their first
4 installation for the grant program.

5 MR. FULTON:

6 Yeah. I was going to bring that up
7 too.

8 MS. DELAFOSSE:

9 Okay.

10 MR. FULTON:

11 We had our first -- last week and
12 through the weekend, we did the
13 inspection and had some critical
14 junctures for the first site that we have
15 (inaudible). So that's our first and I
16 heard -- I think we have two more notice
17 of intents to do two more sites. So for
18 last year's pool of 18 I believe it was,
19 we're having now -- they're starting to
20 get to putting them on and they're
21 starting to do the installs so, yeah.
22 It's been five or six so far for this
23 year.

24 MR. PERRY:

25 That was the next question.

1 MR. FULTON:

2 But I need to verify that.

3 MR. PERRY:

4 Okay. So I'm going to sum that up.
5 So last year, we had 17 or 18 --

6 MR. FULTON:

7 Yeah.

8 MR. PERRY:

9 -- grant applications awarded and
10 they've got two years to begin the work
11 --

12 MR. FULTON:

13 Yeah.

14 MR. PERRY:

15 -- on those upgrades. And we're
16 starting to see -- we've got our first
17 inspection recently. We know there's a
18 couple of more coming.

19 MR. FULTON:

20 Two more -- we got two more notice
21 of intent to install.

22 MR. PERRY:

23 And -- that's right. And then on
24 this year's grant program, which is
25 January 1st to March 31st, we received

1 five or six applications.

2 MR. FULTON:

3 I believe five or six so far.

4 MR. PERRY:

5 Okay. Well, I know it's a program
6 that we're excited about. It's a program
7 we think could do good things for our
8 state and our UST owners, and we just
9 want to be, you know, good partners and
10 watch over that. I do think, you know,
11 Jesse and Frank are right that we need to
12 get maybe that built into our report of
13 financials just to keep track of it. And
14 -- because, you know, over time, there
15 may be some opportunities to enhance and
16 improve the program.

17 MR. GAUBERT:

18 Question. What's the time frame
19 from an application to awarding the
20 grant?

21 MR. FULTON:

22 It's January 1st through March 31st.

23 MS. DELAFOSSE:

24 That's --

25 MR. FULTON:

1 We have that much time --

2 MS. DELAFOSSE:

3 -- that's when we accept the
4 applications. And then I think the --

5 MR. FULTON:

6 That's when we accept the
7 applications. And then from March to, I
8 think, June 30th is when we review all of
9 the applications. So we'll -- generally,
10 we get about -- like last year, we got
11 20. I think one fell out and one wasn't,
12 so we had like 18 I believe. So we
13 expect to get all 20, yeah.

14 MR. GAUBERT:

15 Okay. So --

16 MR. FULTON:

17 And generally, as soon as we approve
18 one, we send the letter out.

19 MR. GAUBERT:

20 So all of the grants, they -- all of
21 the applications for last year, the 20 or
22 so, have been awarded in June of last
23 year; is that correct?

24 MR. FULTON:

25 Right. Right.

1 MR. GAUBERT:

2 Okay. And then the applications
3 from January 1st through March 31st this
4 year will be awarded by June?

5 MR. FULTON:

6 By June, yeah.

7 MR. GAUBERT:

8 Of this year?

9 MR. FULTON:

10 Yeah.

11 MR. BAKER:

12 And that will be for next year's --
13 for next year's expenditures.

14 MR. GAUBERT:

15 Next year's expenditures, but the --

16 MR. ST. ROMAIN:

17 So something approved in June can't
18 spend money until the following January?

19 MR. HOPPES:

20 Until July, right?

21 MS. DELAFOSSE:

22 Until July, yeah.

23 MR. BAKER:

24 We are allowing some expenditures.

25 Durwood, do you remember how far

1 out? I was trying to remember that.

2 MS. DELAFOSSE:

3 Well, I think they have two years
4 once approved --

5 MR. BAKER:

6 Yeah.

7 MS. DELAFOSSE:

8 -- to complete the work. So the
9 timing is going to be all over the place
10 in regard to when they're --

11 MR. FULTON:

12 Right.

13 MS. DELAFOSSE:

14 -- when they're paid, but I think
15 once they're approved, they're entitled
16 to the reimbursement once they, you know,
17 provide all the necessary documentation.

18 MR. FULTON:

19 Yeah. We have one -- I think we had
20 one applicant that decided not to do it
21 from last year. So they have the option.
22 So it's actually up to them how much
23 money they --

24 MR. PERRY:

25 You know, something, Gary -- and

1 again, just kind of noodling it. This
2 will be our second year and I think it's,
3 you know, a great program. I appreciate
4 the way the department came along side of
5 us as we worked to make this program --
6 bring it to life. I wonder if there's a
7 way that maybe -- and this may be asking
8 too much -- but maybe a quarterly cage
9 could be created to where grants could
10 kind of come in, in quarter windows, but
11 only maybe five would be awarded to where
12 it's --

13 MR. FULTON:

14 I don't -- we can definitely look
15 into that.

16 MR. PERRY:

17 It -- that way, it kind of moves on
18 through the year instead of just that one
19 frozen window in. Again, they need -- we
20 need to think through all the potential
21 repercussions of what that would mean.

22 MR. FULTON:

23 Yeah. We'll have to see how --

24 MS. DELAFOSSE:

25 I was going to say, yeah, it might

1 require changes to the regulation.

2 MR. FULTON:

3 But we can certainly --

4 MS. DELAFOSSE:

5 Explore that and maybe do half the
6 funding in a January window and half from
7 July to September or something like that.

8 MR. PERRY:

9 Yeah. Just to keep it --

10 MS. DELAFOSSE:

11 Yeah.

12 MR. PERRY:

13 -- a little bit more --

14 MR. ST. ROMAIN:

15 If somebody finds a need that arises
16 in April, they can't get approved until
17 the following June, you know, so that's
18 15 months before they can even use the
19 program.

20 MR. FULTON:

21 Right.

22 MR. BAKER:

23 Durwood, what you pulling up?

24 MR. HOPPE:

25 If you go April this year, you have

1 to wait all the way to January, March
2 window to --

3 MS. DELAFOSSE:

4 To reapply.

5 MR. ST. ROMAIN:

6 To apply.

7 MS. DELAFOSSE:

8 Yes.

9 MR. HOPPE:

10 And then you don't even get it until
11 the next -- yeah.

12 MR. ST. ROMAIN:

13 So could -- you have people that
14 could be missing out on the grant --

15 MR. FULTON:

16 Right.

17 MR. ST. ROMAIN:

18 -- just because of the timing.

19 MS. DELAFOSSE:

20 The timing, yeah.

21 MR. FULTON:

22 I don't think it would be too
23 complicated to change the regs for that.

24 Yeah.

25 MR. GAUBERT:

1 Does that require legislative
2 approval or is that --

3 MR. FULTON:

4 Possibly.

5 MR. GAUBERT:

6 -- internal to change?

7 MR. FULTON:

8 That's a good question. I'll have
9 to find out. I believe so, but -- well,
10 I mean, of course, it'd have to go to the
11 legislature.

12 MS. DELAFOSSE:

13 For the regulation development
14 process, but not to change the statute.

15 MR. FULTON:

16 I don't think it's through the
17 senate or the house. It'd go through the
18 regulatory process.

19 MS. DELAFOSSE:

20 Right.

21 MR. PERRY:

22 Okay. So maybe, once we get past
23 March 31st, maybe a small workgroup. And
24 I know, Nick, you were part of the first
25 workgroup to help develop those

1 regulations with Durwood and yourself.
2 But maybe, you know, a small group along
3 with the department to kind of think
4 about that, think about, you know, some
5 program enhancements. Now, does that
6 sound like something that --

7 MR. FULTON:

8 Yeah. Yeah.

9 MR. PERRY:

10 Okay. So, Michelle, I guess that
11 would be the request, you know, we would
12 kind of want to get the secretary --

13 MR. FULTON:

14 That would be a question for the
15 secretary.

16 MR. PERRY:

17 Yeah. Form a workgroup to, you
18 know, look at the program for the first
19 two years and, you know, see some things
20 that can be enhanced that, you know, just
21 evolve it, make it better.

22 MS. BALLARD:

23 I definitely think that's doable.

24 MR. PERRY:

25 Okay. Awesome. Awesome.

1 Anything else on that?

2 MR. MARCELLO:

3 You had two questions?

4 MR. HOPPES:

5 I think that was pretty much it. I
6 was curious about the money spent on the
7 grant and just adding that to the agenda.

8 MR. PERRY:

9 Yeah.

10 MR. ST. ROMAIN:

11 I have one more. Just a little
12 housekeeping. At the next meeting, do we
13 need it on the agenda to recommend next
14 year's UST fee? I know it takes affect
15 the following year. It use to be around
16 that May/June meeting that we recommend
17 --

18 MS. DELAFOSSE:

19 To make a recommendation to the
20 secretary?

21 MR. ST. ROMAIN:

22 I think it has to officially be on
23 the --

24 MS. DELAFOSSE:

25 Okay. We can put it in the other

1 business section for the next board
2 meeting.

3 MR. ST. ROMAIN:

4 I think it has to be listed for it
5 to be mentioned.

6 MS. DELAFOSSE:

7 Yeah.

8 MR. PERRY:

9 Yeah.

10 MS. DELAFOSSE:

11 Okay.

12 MR. PERRY:

13 And so the deductible, we've gotten
14 to the point where there is not a
15 deductible, so it'd be a recommendation
16 on what the --

17 MR. ST. ROMAIN:

18 Collection fee.

19 MR. PERRY:

20 The collection fee, but yeah. All
21 right. Okay.

22 MR. MARCELLO:

23 Mr. Chairman, some year or two ago,
24 we received a breakdown -- if I'm not --
25 if I'm reading this correctly, fiscal

1 year expenditures or budget program
2 budget for fiscal year '24 was 5.4
3 million and we also -- I saw, we, the
4 state also received money from the EPA as
5 well, right?

6 MS. DELAFOSSE:

7 (Indicated a positive response.)

8 MR. PERRY:

9 That's right.

10 MR. MARCELLO:

11 So the total UST expenditures or
12 budget is seven point what have you, and
13 we received the breakdown.

14 MS. DELAFOSSE:

15 Thereabout, yes.

16 MR. MARCELLO:

17 But we -- can we get one for fiscal
18 year '24 as well?

19 MS. DELAFOSSE:

20 Sure.

21 MR. MARCELLO:

22 All right.

23 MR. PERRY:

24 That would be awesome. That's good.
25 Okay. And on that note, Frank, what

1 may help us out too is, is Theresa will
2 get that and maybe a little time with you
3 guys to help understand a little bit
4 better because that's a lot of
5 information. So -- but we do want to
6 understand that and, you know, it helps
7 us --

8 MR. MARCELLO:

9 No question.

10 MR. PERRY:

11 -- it helps us.

12 MS. DELAFOSSE:

13 Sure.

14 MR. PERRY:

15 Okay. Great.

16 Anything else from the board? Other
17 business?

18 MR. GAUBERT:

19 One clarification. At the last
20 meeting, we discussed a little bit about
21 the actuary and the rules of engagement
22 for the actuary. Just for clarification,
23 do we have a contract in place for the
24 actuary now?

25 MS. DELAFOSSE:

1 (Indicated a positive response.)

2 MR. GAUBERT:

3 And what's the term of contract?

4 MS. DELAFOSSE:

5 The current contract is a three year
6 term and contemplates an annual
7 evaluation each of those three years.
8 Between -- I think it's around 32, 33,000
9 annually for each report.

10 MR. GAUBERT:

11 Yeah. So the rules of engagement --
12 we had a little conversation about it
13 last time -- are set for the term of that
14 contract?

15 MS. DELAFOSSE:

16 No. I wouldn't say so. I mean, the
17 contract could be amended at any point in
18 time. You know, certainly they're well
19 under way with this year's draft and
20 we're -- you know, we had a meeting with
21 a couple board members and some
22 department folks to kind of go over some
23 of their numbers and discuss certain
24 aspects of their projections -- or their
25 evaluation, I guess, and I think we're

1 going to have an internal meeting next
2 week. So, I mean, we're certainly locked
3 in for this year's product, but, you know
4 we're open to suggestions or ideas of,
5 you know, modifying that or anything.
6 But that's --

7 MR. GAUBERT:

8 I know for the most part that's old
9 news. We've talked about it multiple
10 times over the years.

11 MS. DELAFOSSE:

12 Sure.

13 MR. GAUBERT:

14 You know, and there's -- you know,
15 when we ask about the -- you know, when
16 Nick asked about the fees for next year,
17 you know, that certainly comes from, you
18 know, the actuary report. And
19 historically, you know, the fees remain
20 stagnant because the actuary report
21 remains stagnant. You know, we've had
22 conversations about, you know, modifying
23 those rules to not go out as far, you
24 know, in the actuary review past 2050,
25 you know, bring that time frame down to,

1 you know, a shorter time frame, ten years
2 or so.

3 MS. DELAFOSSE:

4 Yeah. I haven't had a chance to
5 review the revised draft that -- I think
6 Laura just sent it yesterday with
7 Pinnacle, because we had sent some
8 additional information after that
9 conversation we had a couple weeks back.
10 And again, we haven't had a chance to go
11 through that. But I do know they're
12 going to add some analysis language
13 specific to shorter durations. And all
14 of their exhibits go out further than
15 that as well -- I mean, all the exhibits
16 have all the years.

17 MR. GAUBERT:

18 Right.

19 MS. DELAFOSSE:

20 So -- but they're going to include
21 some narrative -- or they did. And
22 again, we haven't had a chance to look at
23 that yet. But they did include some
24 narrative language regarding the shorter
25 durations and, you know, what those

1 decisions look like, what the money looks
2 like, you know, at that point in time as
3 well.

4 MR. GAUBERT:

5 Okay.

6 MS. DELAFOSSE:

7 So --

8 MR. MARCELLO:

9 So this was their first --
10 Pinnacle's first --

11 MS. DELAFOSSE:

12 No. They sent the first draft on
13 January 15th.

14 MR. MARCELLO:

15 No. This is the first of three
16 years?

17 MS. DELAFOSSE:

18 Oh, yes, it is. A new contract.

19 MR. MARCELLO:

20 It is.

21 MS. DELAFOSSE:

22 That's correct.

23 MR. MARCELLO:

24 And the contract starts on the
25 state's -- on your fiscal year?

1 MS. DELAFOSSE:

2 I think it's a September 1st start

3 --

4 MR. MARCELLO:

5 A September.

6 MS. DELAFOSSE:

7 -- but, yes.

8 MR. MARCELLO:

9 Okay. And so they're reflecting on
10 '23?

11 MR. BAKER:

12 '24.

13 MS. DELAFOSSE:

14 No. They're using fiscal year '24
15 data.

16 MR. BAKER:

17 This one is '24.

18 MR. MARCELLO:

19 Calendar year?

20 MS. DELAFOSSE:

21 Fiscal year.

22 MR. BAKER:

23 Fiscal year.

24 MR. MARCELLO:

25 Fiscal year. Okay. Okay.

1 MR. PERRY:

2 So the contract will go through
3 fiscal year '27?

4 MS. DELAFOSSE:

5 It'll have evaluation, as it stands
6 currently, for '24, '25 and '26.

7 MR. PERRY:

8 6, okay. Sorry.

9 MS. DELAFOSSE:

10 Yes.

11 MR. MARCELLO:

12 But it ends in '27.

13 MS. DELAFOSSE:

14 Yes.

15 MR. PERRY:

16 Okay.

17 MR. MARCELLO:

18 It ends in fiscal year '27.

19 MR. PERRY:

20 Okay. This will help there, thanks.

21 MS. DELAFOSSE:

22 And we -- I mean, we can talk with
23 them about -- I think adjusting the time
24 frame some with regard to, you know,
25 having it a little closer to the end of

1 the fiscal year. You know, we have to
2 wait until -- I think we have to wait
3 until August or September really to get
4 the data. So, I mean, we're -- you know,
5 we can't -- I don't know that we can move
6 it dramatically, but --

7 MR. BAKER:

8 We actually shoot to get it earlier
9 in the year, but this year, we actually
10 had a delay in getting the new contract
11 in order. So it got us delayed a couple
12 of months, so --

13 MR. PERRY:

14 Okay. Okay. Good. It's good.

15 For the board, any other questions?

16 (No response.)

17 MR. PERRY:

18 Okay. All right. So that gets us
19 through other business. If there is no
20 other business, we'll move to close the
21 meeting.

22 I need to get a motion to adjourn.

23 MR. MARCELLO:

24 So moved.

25 MR. HOPPES:

1 Second.

2 MR. PERRY:

3 All right. Frank so moves. Jesse
4 seconds.

5 All right. Thanks.

6 All board members in favor, please
7 say I.

8 (All indicated aye.)

9 MR. PERRY:

10 All opposed, nay.

11 (No response.)

12 MR. PERRY:

13 All right. Hearing none, we'll
14 adjourn and see you back on June 5th.

15 Okay. Thank ya'll.

16 **THE MEETING ADJOURNED AT 1:46 P.M.**

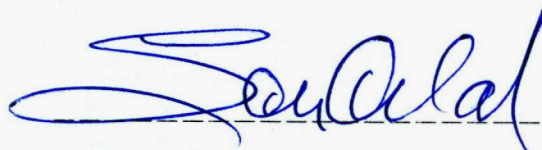
17 * * * * *

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

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

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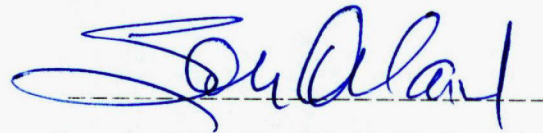


Lori Overland, C.C.R.

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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.



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V				5,000 (1) 16:9 5,426,000 (2) 13:21;14:19 5,596,000 (1) 13:22 5.4 (1) 57:2 5.7 (1) 15:7 596 (1) 14:22 5th (8) 33:16,18,24;34:1; 35:6,19,21;66:14
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In The Matter Of:
Motor Fuels Underground Storage Tank Trust
Fund Advisory Board

Hearing
February 20, 2025

Associated Reporters, Inc.
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Page 1	Page 3
1 2 3 STATE OF LOUISIANA 4 DEPARTMENT OF ENVIRONMENTAL QUALITY 5 MOTOR FUELS UNDERGROUND STORAGE TANK TRUST 6 FUND ADVISORY BOARD 7 8 9 10 11 12 The above-entitled meeting was held at 13 the LDEQ, Galvez Building, Conference 14 Center, 602 North 5th Street, Baton Rouge, Louisiana, beginning at 1:03 p.m., on 15 February 20, 2025. 16 17 18 19 BEFORE: 20 Lori B. Overland 21 Certified Court Reporter 22 In and For the State of 23 Louisiana 24 25	1 INDEX 2 3 EXAMINATION: PAGE (S) : 4 None 5 EXHIBITS: 6 None 7 8 REPORTER'S PAGE 67 9 REPORTER'S CERTIFICATE 68 10 11 * * * * * 12 13 14 15 16 17 18 19 20 21 22 23 24 25
Page 2	Page 4
1 APPEARANCES 2 3 Todd Perry Chairman 4 5 Jeff Baker Cy Morin 6 Jesse Hoppes Nick St. Romain 7 Theresa Delafosse Damien Watt 8 Josh Milazzo Grady Gaubert 9 Frank Marcello Michelle Barnett Oscar Magee 10 11 Danielle McCarty Durwood Franklin, via phone 12 Jason Efferson, via phone Lacey Vitteri, via phone 13 Gary Fulton Madalyn Marcel 14 Carlye Roussel Josh Welch 15 Fran Falke Trey Kemp 16 Sarah Wade Natalie Isaacks Kristine Stanley 17 18 * * * * * 19 20 21 22 23 24 25	1 * * * * * 2 MR. PERRY: 3 Welcome everybody to our -- I guess 4 it'll be by the DEQ year, our third 5 quarter Motor Fuel Trust Fund meeting. 6 And -- but our first meeting of the 7 fiscal year. So good to see everybody. 8 So we'll call the meeting to order. And 9 first order of business is roll call. So 10 what we'll do is -- Ms. Michelle is right 11 on time. Perfect timing. So we'll 12 start, Oscar, with you and we'll work our 13 way around this way. 14 MR. MAGEE: 15 Yeah. Oscar Magee, LDEQ legal. 16 MR. BAKER: 17 Jeff Baker, Motor Fuel Trust Fund 18 LDEQ. 19 MS. DELAFOSSE: 20 Theresa Delafosse, Financial 21 Services Division. 22 MR. WATT: 23 Damien Watt, LMOGA. 24 MR. MILAZZO: 25 Josh Milazzo, Louisiana Oil

Page 5 1 Marketers. 2 MR. ST. ROMAIN: 3 Nick St. Romain, Louisiana Oil 4 Marketers. 5 MR. PERRY: 6 Todd Perry, PPM Consultants. 7 MR. GAUBERT: 8 Grady Gaubert, Louisiana Oil 9 Marketers. 10 MR. MARCELLO: 11 Frank Marcello, Louisiana Oil 12 Marketers. 13 MR. HOPPES: 14 Jesse Hoppes, Leaaf Environmental. 15 MR. MORIN: 16 Cy Morin, DEQ audit. 17 MS. MCCARTY: 18 Danielle McCarty, DEQ Trust Fund. 19 MR. PERRY: 20 We'll pick Ms. Michelle up. 21 MS. BARNETT: 22 Hey, sorry I'm late. Michelle 23 Barnett. 24 MR. PERRY: 25 You're good. You're good. We still	Page 7 1 Madalyn Marcel, Trust Fund. 2 MS. ROUSSEL: 3 Carlye Roussel, Trust Fund. 4 MR. PERRY: 5 Awesome. And then on the phone, I 6 know Durwood Franklin is there and -- 7 MR. BAKER: 8 Lacey. 9 MR. PERRY: 10 Lacey is on with DEQ. Anyone else 11 on the phone need to introduce 12 themselves? Okay. 13 MR. EFFERSON: 14 Oh, Jason Efferson, Trust Fund. 15 MR. PERRY: 16 All right, Jason. Glad to have you 17 on with us. 18 Okay. We were emailed out a copy of 19 the November 21st, 2024 board meeting. 20 Hopefully, everyone has had a chance to 21 review it. And I do appreciate the fact 22 that we get that electronically and it's 23 not in our packets, so thank ya'll for 24 that. 25 So we're going to open the floor up
Page 6 1 got you. 2 MS. BARNETT: 3 DEQ OMI. 4 MR. PERRY: 5 Thank you, ma'am. 6 MS. STANLEY: 7 Kristine Stanley, PPM. 8 MS. ISAACKS: 9 Natalie Isaacks, Louisiana Oil 10 Marketers. 11 MR. FULTON: 12 Gary Fulton, Underground Storage 13 Tank Division. 14 MR. WELCH: 15 Joshua Welch, Trust Fund. 16 MR. KEMP: 17 Trey Kemp, DEQ Trust Fund. 18 MS. FALKE: 19 Fran Falke, Financial Services 20 Division. 21 MS. WADE: 22 Sarah Wade, DEQ Financial Services. 23 MR. PERRY: 24 Awesome. 25 MS. MARCEL:	Page 8 1 for a consideration and adoption motion 2 to accept the board minutes from the 3 November 21st meeting. 4 MR. HOPPES: 5 I'll make a motion to accept. 6 MR. WATT: 7 I second. 8 MR. PERRY: 9 All right. So Jesse made a first. 10 Mr. Damien seconded. So all in favor, 11 please signify, board members, by saying 12 I. 13 (All indicated aye.) 14 MR. PERRY: 15 Any opposed, say no. 16 (No response.) 17 MR. PERRY: 18 Hearing none, the minutes are 19 adopted. 20 All right. That moves us into item 21 number four, Financial Services Report. 22 Ms. Theresa, we're glad to see you and 23 look forward to hearing you. What's 24 going on? 25 MS. DELAFOSSE:

Page 9 1 Good afternoon, everybody. I'm glad 2 to be here as well. If you turn to the 3 appropriate page in your report -- I 4 don't -- I guess it's not tabbed at this 5 time, but you'll see the financial 6 statement as of December 31st, 2024, 7 which is halfway through the fiscal year. 8 This is our cash basis financial 9 statement and it's the standard 10 presentation of the three different 11 columns, with the left-hand column being 12 the final results from last fiscal year, 13 the center column being as of 12/31 last 14 year, 2023, and the right-hand column 15 being our most recent results for the 16 second quarter, which ended 12/31/2024. 17 As you can see, our bulk 18 distribution fee collections are right on 19 par with where we were last year, right 20 under 11.3 million, a slight difference 21 from last year, but nothing significant 22 or noteworthy there. We'll highlight 23 again the interest earnings that we have 24 had. We've seen great success with that 25 MOU with the treasury being invested	Page 11 1 million. We had the transfer, that was 2 the remaining transfer from our total 3 expenditures in fiscal year 2024. We 4 transfer that amount in July, so it shows 5 up in the next year, as we are on a cash 6 basis presentation. So we transfer the 7 five million during the year and the 8 remaining balance in July, once we have 9 those final numbers. 10 So that leaves our next inflows at 11 2.9 million. So the cash balance has 12 grown to that affect. And then we have a 13 cash balance of 127.1 million. And that 14 nice little round number 9999 right 15 there. So that's our cash balance 16 without the interest. And when you net 17 out the most recent site liability 18 calculation we have from the actuary, 19 that leaves us with a negative equity 20 balance of 46 million. 21 So if there are no questions, I will 22 move on to the next sheet. 23 MR. PERRY: 24 So -- and you may -- if I get ahead 25 of you, Theresa, I apologize, but I know
Page 10 1 separately in that money market fund. 2 And we've earned 2.8 million dollars for 3 the first half of the year. So if that 4 doubles, we'll be in great shape and 5 continue to be able to use that resource 6 for inactive and abandoned and the grant 7 program and whatever else we move on with 8 that. 9 In the second section, the 10 disbursements, you'll see the claims for 11 reimbursement also are nearly exactly 12 where they were at this time last year, 13 right at 7.7 million. With our other 14 charges, that second row, the 15 professional services and the interest 16 column, that's the inactive work that Tad 17 handles and Gary's group, so we are 18 looking at a low spot right now. I'll -- 19 you know, hopefully we have an up-tick 20 for the second half of the fiscal year. 21 I know they're actively continuing to 22 work on those sites. I think it may just 23 be a matter of timing. 24 So the net difference so far this 25 year is an increase of just under 3.6	Page 12 1 that we expect -- is it every two years, 2 we get the actuary update, their 3 forecast? 4 MS. DELAFOSSE: 5 We've been doing that annually. 6 MR. PERRY: 7 Annually. 8 MS. DELAFOSSE: 9 It's just, we are still working 10 through some kind of adjustments that we 11 requested them to make and -- 12 MR. PERRY: 13 Right. 14 MS. DELAFOSSE: 15 -- providing additional information, 16 but we absolutely will have that final 17 report, hopefully within a months time. 18 MR. PERRY: 19 Okay. 20 MS. DELAFOSSE: 21 And we can send that out 22 electronically in advance to give the 23 members ample time to digest that and be 24 prepared to ask questions at the next 25 meeting.

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1 MR. PERRY:
2 And then once we see that, then as
3 we get through the year, June 30th, then
4 we'll actually get kind of another sense
5 of where we think the -- loss is not the
6 right word, but what the balance would be
7 less liabilities?
8 MS. DELAFOSSE:
9 Yes, that's correct.
10 MR. PERRY:
11 Okay.
12 MS. DELAFOSSE:
13 On the next page, we have our
14 projected -- or some detailed information
15 regarding the program balance that is
16 transferred, you know, in May/June and
17 July for each year. So the first bold
18 row is the program balance. So you'll
19 see our net -- or the total transfer
20 necessary in fiscal 23 was that
21 5,426,000. And then for the subsequent
22 fiscal year, it was 5,596,000. I did
23 some, you know, brief percentage
24 calculations on this and it looks like
25 we're, you know, trending upward about

Page 14

1 two to three percent a year, which is
2 representative of the market adjustments
3 in pay that are made every July, so I
4 think that's pretty typical. We haven't
5 seen any significant changes in those
6 costs for administering the program.
7 So -- and again, we did the more
8 detailed financial presentation at last
9 August meeting, I think. I'll continue
10 with that plan, unless there's any
11 specific components of the financial
12 picture that we want kind of a detailed
13 look at for the June meeting. So ya'll
14 just let me know and -- or, of course, in
15 the interim, if there's anything ya'll
16 want to see.
17 So then you see the amount shown on
18 the financial statement at the bottom,
19 the 5,426,000 is part from 23 -- as
20 Lacey's note says -- part from fiscal
21 year 23 and part from fiscal year 24.
22 And then that 596 that's shown so far on
23 the fiscal year 2025 statement was the --
24 kind of the true up or the final amount
25 from the previous fiscal year, but it

Page 15

1 shows up in the subsequent year because
2 it's a cash basis presentation. So
3 because it happens after June 30th, it's
4 in the next year. So you see our project
5 activity for fiscal 25 is -- again, I
6 think it's a two percent increase from
7 the previous year, so it's right at 5.7.
8 So that covers it for me.
9 MR. PERRY:
10 Okay, Theresa. Thank you.
11 And to the board, any questions for
12 Theresa and her report?
13 (No response.)
14 MR. PERRY:
15 Okay. Everybody is good. All
16 right. Thanks, Theresa.
17 MS. DELAFOSSE:
18 Thank you.
19 MR. PERRY:
20 Nice job.
21 MS. DELAFOSSE:
22 Thank you.
23 MR. PERRY:
24 All right. That takes us through
25 item four. Now, let's move to item five.

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1 And, Cy, we hope you get to stay right
2 down the center of your report.
3 MR. MORIN:
4 Yes, sir. So the first page of the
5 report list 21 open motor fuel cases.
6 Two are currently under review. One has
7 a small potential credit of about \$17
8 owed and we have one with the potential
9 assessment of 5,000. The plan is to
10 finally finalize these in the coming
11 months here soon in this quarter.
12 Three cases are awaiting review at
13 the time of this report. One has a
14 potential clean audit with no assessment.
15 The other two have potential assessments
16 totaling about 2,600. Again, these are
17 pending final review and, you know, we
18 plan to do these in the coming weeks.
19 We have 15 cases on here that are
20 still in progress with results to be
21 determined, reviewed and finalized. And
22 one case, the last case on here, was
23 added -- it was scheduled during the last
24 quarter for January of this year. It was
25 started in January of this year.

Page 17 1 So since the last meeting, we added 2 three new cases and two cases were 3 finalized and closed and removed from the 4 list. 5 If there's no questions, we can go 6 ahead and turn to the second page. The 7 second page is the same two cases that 8 are in legal. They're with the Office of 9 Debt Recovery. As of December 31st, 10 we've received no payments. As I said, 11 the judgments will be revived within the 12 years when the judgments expire. 13 I think last time, Mr. Perry, you 14 asked if maybe the one that was expiring 15 this year would be done by the -- you 16 know, by this meeting time. 17 MR. PERRY: 18 Right. 19 MR. MORIN: 20 And when I talked to legal, they 21 said they usually make sure they revive 22 them at least one month ahead of the 23 deadline. 24 MR. PERRY: 25 Makes sense.	Page 19 1 be, you know, \$100,000 in penalties, and 2 then, you know, five years maybe, it 3 was down to \$40,000 in penalties, now, 4 we're seeing \$7,000 in penalties? Is 5 there any trend to that or you think it's 6 everybody has been pretty good for the 7 last couple of decades? 8 MR. MORIN: 9 I mean, yeah, if you look at our 10 older cases, we did have some that had 11 pretty significant assessments. That's 12 probably been pretty far in the past, I 13 would say. 14 MR. PERRY: 15 Right. 16 MR. MORIN: 17 Over the most recent years, we've 18 had a few here and there who would have 19 assessments similar to what you see here, 20 like a smaller assessment. So in 21 general, yes, the trend has been defined 22 less outstanding -- 23 MR. PERRY: 24 And I think -- that's good. And I 25 think --
Page 18 1 MR. MORIN: 2 So this one is going to be expiring 3 in November, so the plan is to do it, you 4 know, prior to that. And the other one 5 will be done in 27, before March of 27. 6 The two remaining cases on here 7 still represent just over \$55,000 in 8 motor fuel delivery fees and penalties. 9 And that's it. 10 MR. PERRY: 11 Well, Cy, as always, thanks for the 12 report. 13 MR. MORIN: 14 Yeah. 15 MR. PERRY: 16 One question, and I've asked this 17 before, but I want to ask it again. If 18 you think about -- you know, I think your 19 group, ya'll do, you know, depending on 20 the year, between 12 and 20 audits, you 21 know, depending on what's going on. But 22 of those audits, if you go back and look 23 ten years ago, were the findings more 24 significant in regards to penalty 25 amounts, maybe the total in 2014 might	Page 20 1 MR. MORIN: 2 -- based on -- 3 MR. PERRY: 4 -- if you looked at UST compliance 5 too, we see that, you know, our UST 6 owners, you know, that as they learned, 7 they are doing a better job being in 8 compliance too. So everybody understands 9 the program and how to remit, they'll do 10 a better job of remitting, so good. 11 Thanks. 12 To the board, any questions for Cy? 13 (No response.) 14 MR. PERRY: 15 Everybody good? All right. Cy, 16 great job, man. 17 MR. MORIN: 18 Thanks. 19 MR. PERRY: 20 All right. That takes us through 21 item number five. Item number six, man, 22 this is getting kind of hard to call your 23 name Jeff, because I know it's not many 24 more times I can call your name. But 25 Trust Fund Status Report from our

Page 21	Page 23
1 illustrious leader, Mr. Jeff Baker. 2 MR. BAKER: 3 I want the same courtesy and no 4 questions for my stuff too. 5 MR. PERRY: 6 You should be so lucky. You should 7 be so lucky. 8 MS. DELAFOSSE: 9 Too much good information to not 10 have questions, Jeff. 11 MR. BAKER: 12 All right. If ya'll turn to the 13 trust fund section of the report. The 14 first worksheet of this section, number 15 one of ten, provides the board with a 16 summary of pertinent information related 17 to the trust fund as of the end of the 18 second quarter of fiscal year 2025. 19 At the top of the page, under the 20 Active Trust Fund Eligible Site section, 21 the report provides a breakdown of sites 22 in the investigation and corrective 23 action phases. Note that the sites 24 currently in the corrective action phase 25 have an average age of 15.8 years, where	1 December 2024, the trust fund had 17 2 pending applications to process, totaling 3 \$396,000. 4 Under the Fiscal Summary section at 5 the bottom of the page, for the second 6 quarter of fiscal year 2025, the trust 7 fund received 188 applications, totaling 8 \$3.2 million. We determined as deficient 9 or returned four applications for various 10 reasons and \$200,000 was disallowed as 11 ineligible for reimbursement. During 12 this period, a total of 211 applications 13 were processed for payment, recommending 14 \$4.9 million in reimbursements. Compared 15 to the last quarter -- the same quarter 16 of last fiscal year, the trust fund 17 received 216 reimbursement applications, 18 totaling \$3.8 million and processed 215 19 applications, recommending \$3.1 million. 20 Does anybody have any questions 21 about this section? 22 (No response.) 23 MR. BAKER: 24 Okay. Moving on. The next page, 25 page two of ten, titled, Active Trust
Page 22	Page 24
1 the average age of the sites in the 2 investigation phase of four years, with 3 an overall average of 9.6 years. These 4 ages are determined as the time 5 difference of when the trust fund 6 received the first application for 7 reimbursement and the date of the report. 8 Next, note the total number of site 9 closures of 1,569 as of the report date 10 with a total cost of \$345.3 million of 11 reimbursements. 12 Moving on under the CAP Budget 13 Summary section, note the sites currently 14 in the corrective action phase have CAP 15 budgets totaling \$102.9 million with 16 reimbursements of \$87.6 million, leaving 17 \$15.2 million of approved budget 18 remaining. 19 Under the next section, they had 17 20 sites that have been determined trust 21 fund eligible over the last three years, 22 but as of the end of this quarter, we 23 have not received requested reimbursement 24 yet. 25 Okay. Moving on. At the end of	1 Fund Sites With Corrective Action Plans. 2 This is a breakdown of all the active 3 sites we have in the corrective action 4 phase. This provides site specific 5 information related to application 6 counts, time periods of trust fund 7 reimbursement, site location and various 8 reimbursement data. Column totals at the 9 top of this page are reflected in the 10 values of the summary reports. 11 Okay. If ya'll skip to page five of 12 ten. This table gives the members an 13 overview of the 115 CAP sites with 14 reimbursement by costing category and the 15 CAP budget totals. Note, the current 16 reimbursements of (A) 115.7 million, 17 including the values listed above, as 18 well as the total CAP reimbursements. 19 Does anybody have any questions 20 about this page? 21 (No response.) 22 MR. BAKER: 23 Okay. Moving on. The next report, 24 page 16, or page six of ten, is titled, 25 Active Trust Fund Sites in the

Page 25 1 Investigation/Assessment Phase. This 2 report also breaks down individual sites 3 in this phase and provides site specific 4 information related to application 5 counts, time period of trust fund 6 reimbursements, site location and various 7 reimbursement data. Also, these column 8 totals are reflected on the summary 9 report as well. 10 Moving on to the next -- let's see, 11 page ten of ten. This gives you a 12 summary of the data that -- this data 13 said, there's 130 sites currently under 14 investigation. These sites, many of 15 which are still actively being 16 investigated, have an average expenditure 17 as of the end of 2024 of 111,000. The 18 listed costing categories and associated 19 cost give the board members an overall 20 summary of how the investigation costs 21 are disbursed, where you have emergency 22 cost, investigation, interim monitoring, 23 report and interim corrective action. 24 Does anybody have any questions on 25 this report?	Page 27 1 sites for the same period last year. You 2 may note that some of these sites are 3 still on our active list. We often 4 continue to see reimbursement application 5 for NFA'd sites for a couple of quarters 6 after the official closure. 7 Does anybody have any questions 8 about that page? 9 (No response.) 10 MR. BAKER: 11 Ya'll are being kind to me today. 12 MR. PERRY: 13 It's almost not over. 14 MS. BALLARD: 15 I do have a question. I'm sorry. 16 MR. BAKER: 17 Yes, ma'am? 18 MS. BALLARD: 19 That 17, is that -- if you go back 20 to Page 1, is that the 17 sites released 21 that have been made trust fund eligible 22 in the past three years, but haven't 23 submitted a reimbursement, or is that the 24 second 17 NFA'd, not related at all? 25 MR. BAKER:
Page 26 1 (No response.) 2 MR. BAKER: 3 Moving on. Go to Page 21. This is 4 the report labeled Incidents Determined 5 as Eligible for the Motor Fuel Trust 6 Fund. This report shows two potential 7 trust fund sites that were reviewed and 8 made eligible during the current fiscal 9 year. That represents two active 10 incidents. This compares to last year's 11 eligibilities of 12 sites and 12 12 incidents. 13 Just an FYI on this one, we had a 14 number of eligibilities signed right 15 after the first of year, about mid 16 January. We had about -- I think it was 17 13 or 14 incidents of sites sign off, so 18 that report is going to bump up 19 substantially in the next quarter. 20 Moving on. Page 22, the report 21 labeled Trust Fund Sites that had a 22 Release Granted No Further Action. Note 23 that in the second quarter of 2025, 17 24 active trust fund sites have received no 25 further action. This compares to 14	Page 28 1 I'm having a hard time hearing you. 2 I'm sorry. 3 MS. BALLARD: 4 Okay. 5 MS. DELAFOSSE: 6 That's neither of the 17s, Michelle. 7 MS. BALLARD: 8 Okay. 9 MS. DELAFOSSE: 10 That's the third 17. 11 MR. MORIN: 12 It's a coincidence. 13 MS. BALLARD: 14 Okay. Wow. What a coincidence. 15 MR. ST. ROMAIN: 16 I caught that on the first two. 17 MR. HOPPES: 18 Oh, this one right here, yeah. 19 These two 17s right here? 20 MS. BALLARD: 21 Yes. Yes. 22 MR. BAKER: 23 No. That's a different 17. 24 MS. BALLARD: 25 Okay. So we got three 17s.

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1 MR. BAKER:
2 Yeah.
3 MS. BALLARD:
4 Thank you.
5 MR. PERRY:
6 And, Michelle, that's a good
7 question. And then what we do know, Jeff
8 mentioned to us, is that there were a
9 number of eligibilities that were done in
10 the last few weeks and they'll show up on
11 our next report and it'll kind of
12 equalize those numbers out.
13 MS. BALLARD:
14 Oh, okay.
15 MR. PERRY:
16 But that's good -- no, that's a very
17 good question.
18 MR. BAKER:
19 Normally, what we typically see is
20 the number of eligibilities being granted
21 and the number of NFAs are fairly close.
22 They kind of track each other.
23 MR. PERRY:
24 Okay.
25 MR. HOPPES:

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1 One quick question, the emergency
2 initial costs are extremely low. I was
3 just curious if you think that's --
4 MR. ST. ROMAIN:
5 It's all on one site.
6 MR. HOPPES:
7 It is at all one site?
8 MR. ST. ROMAIN:
9 Yes.
10 MR. HOPPES:
11 If -- you know, do you think that's
12 just because people aren't aware of it
13 and they aren't doing it or if it's more
14 --
15 MR. BAKER:
16 We don't often have emergency cost.
17 That's an unusual occurrence.
18 MR. HOPPES:
19 Okay.
20 MR. BAKER:
21 That usually -- emergency cost
22 usually occur when you have an immediate
23 potential of harm to human beings.
24 MR. HOPPES:
25 Okay.

Page 31

1 MR. BAKER:
2 You typically have state police out
3 there, you have fire departments. It's
4 not your typical release and you're just
5 trying to get it cleaned up. It's --
6 typically, it has an immediate potential
7 to harm humans at that point.
8 MR. HOPPES:
9 That's right. Okay.
10 MR. BAKER:
11 Okay. Just some points of interest.
12 The trust fund has completed and posted
13 on our web page the latest version of the
14 cost control guidance document that
15 became effective January 3rd, 2025. This
16 incorporated a number of language updates
17 and a new unit rate for high resolution
18 site characterization logging tools.
19 Okay. We are currently updating the
20 associated revised reimbursement
21 application spreadsheet and should --
22 that's associated with that guidance
23 document because we have our application
24 spreadsheet reflects the unit rates and
25 everything in the guidance document. We

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1 should have that finished probably by mid
2 March of this year.
3 Okay. And as soon as we finish this
4 one, we -- based on the last couple of
5 years of CPI data, as we've looked at it,
6 it appears that the current unit rates
7 will require an adjustment to maintain
8 the RAC's ability to continue assessment
9 and remediation activities for the
10 current and future UST releases. So
11 we're probably going to be looking at
12 doing some unit rate increases and we're
13 going to shoot to have that guidance
14 document out and effective by July 1st.
15 Let's see. The department will be
16 in contact with the RACs to review the
17 rates and we'll make adjustments in line
18 when the CPI increases and -- and --
19 since the most recent rate increase we
20 had was 2022 -- I think sometimes in
21 2022.
22 Okay. Draft dates for the remaining
23 -- you always ask me this, Todd, so I was
24 prepared this time.
25 MR. PERRY:

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1 You're ready.
2 MR. BAKER:
3 Draft dates for the remaining board
4 meetings for this year is June 6th,
5 August 28th and November 20th.
6 That concludes my report. Does
7 anybody have any questions?
8 MR. PERRY:
9 To the board, for Jeff, any
10 questions for Jeff?
11 (No response.)
12 MR. PERRY:
13 So June 6th is scheduled to be our
14 next --
15 MS. ISAACKS:
16 June 5th.
17 MR. PERRY:
18 June 5th?
19 MR. BAKER:
20 I'm sorry.
21 MR. PERRY:
22 Yeah. I thought so.
23 MR. BAKER:
24 It's June 5th, you're right.
25 MR. PERRY:

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1 June 5th. And we -- well, we hope
2 that we can get you to that meeting. I
3 know your time is short, but we need to
4 -- we got to get you to at least come to
5 that meeting.
6 But if everybody is okay with Jeff?
7 (No response.)
8 MR. PERRY:
9 And then -- you know, we talked
10 about it at the last meeting, but Jeff,
11 you're tenure to our state now. You had
12 how many years of service?
13 MR. BAKER:
14 Around 12.
15 MR. PERRY:
16 Yeah.
17 MR. BAKER:
18 Well, how many I have in total?
19 MR. PERRY:
20 Yeah, total. Yeah, sorry.
21 MR. BAKER:
22 It'll be 32.
23 MR. PERRY:
24 32. Man, we really appreciate that.
25 Gold record. You've led our Department

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1 of Motor Fuel Trust Fund now for the last
2 12 years and you've done a great job, a
3 lot of innovation you've attained and it
4 doesn't go without recognition, and we'd
5 like to acknowledge that with you on June
6 5th to celebrate that with you. So
7 thanks for all your hard work.
8 Okay, Jeff, thank you, sir.
9 MR. GAUBERT:
10 What's the official date, Jeff, for
11 you?
12 MR. BAKER:
13 Mine?
14 MR. GAUBERT:
15 Yeah.
16 MR. BAKER:
17 You know, that's a good question.
18 MR. GAUBERT:
19 June 5th at 3:00 o'clock.
20 MS. DELAFOSSE:
21 It might be June 5th with three
22 weeks off before that.
23 MR. PERRY:
24 If he comes in tan, we'll know.
25 MS. DELAFOSSE:

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1 Yeah.
2 MR. BAKER:
3 I have a new grandbaby coming in
4 early May that's in Maryland right now,
5 so we'll be going up there for a couple
6 of weeks. Got to see that new grandbaby.
7 MR. GAUBERT:
8 Yeah.
9 MR. PERRY:
10 Okay. Thank you, sir.
11 MR. GAUBERT:
12 Thank you, Jeff.
13 MR. PERRY:
14 All right. That gets us past item
15 six. Now, we'll go to item 7. Oscar,
16 we'd like the third party claims report.
17 MR. MAGEE:
18 There have been no third party
19 claims.
20 MR. PERRY:
21 That is the report we like. It's
22 our -- well, we got two favorite reports,
23 but that's one of them. So -- so no
24 third party claims.
25 Anything else we should know about?

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1 MR. MAGEE:
2 It's cold out there.
3 MR. PERRY:
4 Yeah, it is chilly. It is chilly.
5 All right. That takes us to item
6 eight, other business. To the board,
7 anything you want to bring up and get in
8 the minutes?
9 MR. ST. ROMAIN:
10 Yeah. I have a couple of things.
11 MR. PERRY:
12 Yes, sir?
13 MR. ST. ROMAIN:
14 Just wanted to ask, does the
15 department have any anticipated
16 legislation that ya'll are pushing
17 through as it relates to underground
18 storage tanks?
19 MS. DELAFOSSE:
20 I'm not aware of anything. Are you,
21 Michelle?
22 MS. BALLARD:
23 Related to what?
24 MS. DELAFOSSE:
25 Any upcoming legislation that the

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1 department may purpose?
2 MS. BALLARD:
3 No. No. No.
4 MR. ST. ROMAIN:
5 Okay.
6 MS. BALLARD:
7 That doesn't mean there won't be
8 any, but --
9 MR. PERRY:
10 Sure.
11 MS. BALLARD:
12 -- I'm unaware of it, you know, at
13 this time.
14 MR. PERRY:
15 And, Michelle, Theresa, Gary, Jeff,
16 you know, DEQ team -- yes, sir Gary?
17 Thank you.
18 MR. FULTON:
19 Well, the only thing that we do have
20 is -- all we're doing is updating the
21 regulations based on the past statute
22 changes for the deductible -- not the
23 deductible, part of the deductible, but
24 the two million and a half stuff. That's
25 already in the statute, but all we're

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1 doing is transferring that over to the
2 regulation, so it's just a minor update.
3 So you will see something in the near
4 future on that. I don't know exactly
5 where it is, but I can definitely get
6 ya'll that information.
7 MR. PERRY:
8 So it's formality to take the --
9 MR. FULTON:
10 It's a formality, yes.
11 MR. PERRY:
12 Yeah. Basically, we got the statute
13 built --
14 MR. FULTON:
15 Yeah.
16 MR. PERRY:
17 -- the department has adopted it, we
18 just won't get it back till --
19 MR. FULTON:
20 Right, yeah. Yes, sir.
21 MR. BAKER:
22 Everything that was in Act 167 had
23 to get moved into reg --
24 MR. PERRY:
25 Okay. And then --

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1 MR. FULTON:
2 Nothing else changed.
3 MR. PERRY:
4 Into 33. Okay.
5 MS. ISAACKS:
6 So at the -- and I don't know if
7 this relates, that's why I'm going to
8 ask. But at the industry coalition
9 meeting, DEQ brought up the expedited
10 penalty changes, so is that related to us
11 also, the tanks and all?
12 MR. FULTON:
13 I will have to find out. I'm going
14 to have to find out.
15 MS. ISAACKS:
16 Okay.
17 MR. FULTON:
18 So I'll find out for you.
19 MS. ISAACKS:
20 Okay. Just if it was -- just --
21 MR. FULTON:
22 That's new to me too, so --
23 MS. ISAACKS:
24 -- the chemicals and tank.
25 MR. FULTON:

Page 41 1 Yeah. Right. 2 MS. ISAACKS: 3 Thank you. 4 MR. PERRY: 5 Thank you, Natalie. Appreciate you 6 mentioning that. 7 And so now I think the other thing 8 is, you know, we worked hard and the 9 department has done a great job of being 10 a partner to the underground storage tank 11 owners. I know they're interested 12 parties around the state and we just want 13 to continue that cooperation and anytime 14 you guys are thinking about legislation, 15 we'd love to, you know, work along side 16 you to, you know, develop, you know, good 17 rules and, you know, good ideas. And 18 we've got some too, and we'll be sharing 19 that back and forth, so -- okay. You 20 okay there, Grady? 21 MR. GAUBERT: 22 Yeah. 23 MR. PERRY: 24 Okay. All right. 25 MR. HOPPES:	Page 43 1 like tabs on it. Because I think we are 2 starting to build interest and it's just, 3 how do we want to use it and to make sure 4 we're paying attention to it. 5 MS. DELAFOSSE: 6 And kind of what's earmarked, too, 7 yeah. 8 MR. HOPPES: 9 Yeah, sure. 10 MS. DELAFOSSE: 11 I know -- 12 MR. ST. ROMAIN: 13 Well, I know we'll start having 14 withdrawals out of it soon. 15 MS. DELAFOSSE: 16 That's right. 17 MR. ST. ROMAIN: 18 So we probably need to add a regular 19 section. 20 MS. DELAFOSSE: 21 Yeah. 22 MR. HOPPES: 23 That's exactly what I was going to 24 ask so, yeah. 25 MS. DELAFOSSE:
Page 42 1 I got one too. 2 MR. PERRY: 3 Great. Jesse, thank you. 4 MR. HOPPES: 5 Just a couple things on the grant 6 and the abandoned tanks program. I 7 noticed we -- the spending got lower this 8 time, but I just think it might be 9 appropriate since we now have interest 10 kind of building just to stay on it a 11 little more and possibly add it to the 12 agenda. 13 MS. DELAFOSSE: 14 Okay. 15 MR. HOPPES 16 Just to kind of talk about, you 17 know, what the current balance is, what's 18 the plan on spending and, you know, like 19 where we're spending the money and how 20 it's going. Like I would be curious if 21 we have any updates on the grant program 22 in general from last year. With us only 23 spending that \$60,000 or so, I'm assuming 24 that nothings come out of that yet. And 25 just so we kind of keep track of it and	Page 44 1 That's a good suggestion. 2 Gary did tell me they got, within 3 the last month, I think their first 4 installation for the grant program. 5 MR. FULTON: 6 Yeah. I was going to bring that up 7 too. 8 MS. DELAFOSSE: 9 Okay. 10 MR. FULTON: 11 We had our first -- last week and 12 through the weekend, we did the 13 inspection and had some critical 14 junctures for the first site that we have 15 (inaudible). So that's our first and I 16 heard -- I think we have two more notice 17 of intents to do two more sites. So for 18 last year's pool of 18 I believe it was, 19 we're having now -- they're starting to 20 get to putting them on and they're 21 starting to do the installs so, yeah. 22 It's been five or six so far for this 23 year. 24 MR. PERRY: 25 That was the next question.

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1 MR. FULTON:
2 But I need to verify that.
3 MR. PERRY:
4 Okay. So I'm going to sum that up.
5 So last year, we had 17 or 18 --
6 MR. FULTON:
7 Yeah.
8 MR. PERRY:
9 -- grant applications awarded and
10 they've got two years to begin the work
11 --
12 MR. FULTON:
13 Yeah.
14 MR. PERRY:
15 -- on those upgrades. And we're
16 starting to see -- we've got our first
17 inspection recently. We know there's a
18 couple of more coming.
19 MR. FULTON:
20 Two more -- we got two more notice
21 of intent to install.
22 MR. PERRY:
23 And -- that's right. And then on
24 this year's grant program, which is
25 January 1st to March 31st, we received

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1 five or six applications.
2 MR. FULTON:
3 I believe five or six so far.
4 MR. PERRY:
5 Okay. Well, I know it's a program
6 that we're excited about. It's a program
7 we think could do good things for our
8 state and our UST owners, and we just
9 want to be, you know, good partners and
10 watch over that. I do think, you know,
11 Jesse and Frank are right that we need to
12 get maybe that built into our report of
13 financials just to keep track of it. And
14 -- because, you know, over time, there
15 may be some opportunities to enhance and
16 improve the program.
17 MR. GAUBERT:
18 Question. What's the time frame
19 from an application to awarding the
20 grant?
21 MR. FULTON:
22 It's January 1st through March 31st.
23 MS. DELAFOSSE:
24 That's --
25 MR. FULTON:

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1 We have that much time --
2 MS. DELAFOSSE:
3 -- that's when we accept the
4 applications. And then I think the --
5 MR. FULTON:
6 That's when we accept the
7 applications. And then from March to, I
8 think, June 30th is when we review all of
9 the applications. So we'll -- generally,
10 we get about -- like last year, we got
11 20. I think one fell out and one wasn't,
12 so we had like 18 I believe. So we
13 expect to get all 20, yeah.
14 MR. GAUBERT:
15 Okay. So --
16 MR. FULTON:
17 And generally, as soon as we approve
18 one, we send the letter out.
19 MR. GAUBERT:
20 So all of the grants, they -- all of
21 the applications for last year, the 20 or
22 so, have been awarded in June of last
23 year; is that correct?
24 MR. FULTON:
25 Right. Right.

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1 MR. GAUBERT:
2 Okay. And then the applications
3 from January 1st through March 31st this
4 year will be awarded by June?
5 MR. FULTON:
6 By June, yeah.
7 MR. GAUBERT:
8 Of this year?
9 MR. FULTON:
10 Yeah.
11 MR. BAKER:
12 And that will be for next year's --
13 for next year's expenditures.
14 MR. GAUBERT:
15 Next year's expenditures, but the --
16 MR. ST. ROMAIN:
17 So something approved in June can't
18 spend money until the following January?
19 MR. HOPPES:
20 Until July, right?
21 MS. DELAFOSSE:
22 Until July, yeah.
23 MR. BAKER:
24 We are allowing some expenditures.
25 Durwood, do you remember how far

Page 49 1 out? I was trying to remember that. 2 MS. DELAFOSSE: 3 Well, I think they have two years 4 once approved -- 5 MR. BAKER: 6 Yeah. 7 MS. DELAFOSSE: 8 -- to complete the work. So the 9 timing is going to be all over the place 10 in regard to when they're -- 11 MR. FULTON: 12 Right. 13 MS. DELAFOSSE: 14 -- when they're paid, but I think 15 once they're approved, they're entitled 16 to the reimbursement once they, you know, 17 provide all the necessary documentation. 18 MR. FULTON: 19 Yeah. We have one -- I think we had 20 one applicant that decided not to do it 21 from last year. So they have the option. 22 So it's actually up to them how much 23 money they -- 24 MR. PERRY: 25 You know, something, Gary -- and	Page 51 1 require changes to the regulation. 2 MR. FULTON: 3 But we can certainly -- 4 MS. DELAFOSSE: 5 Explore that and maybe do half the 6 funding in a January window and half from 7 July to September or something like that. 8 MR. PERRY: 9 Yeah. Just to keep it -- 10 MS. DELAFOSSE: 11 Yeah. 12 MR. PERRY: 13 -- a little bit more -- 14 MR. ST. ROMAIN: 15 If somebody finds a need that arises 16 in April, they can't get approved until 17 the following June, you know, so that's 18 15 months before they can even use the 19 program. 20 MR. FULTON: 21 Right. 22 MR. BAKER: 23 Durwood, what you pulling up? 24 MR. HOPPES: 25 If you go April this year, you have
Page 50 1 again, just kind of noodling it. This 2 will be our second year and I think it's, 3 you know, a great program. I appreciate 4 the way the department came along side of 5 us as we worked to make this program -- 6 bring it to life. I wonder if there's a 7 way that maybe -- and this may be asking 8 too much -- but maybe a quarterly cage 9 could be created to where grants could 10 kind of come in, in quarter windows, but 11 only maybe five would be awarded to where 12 it's -- 13 MR. FULTON: 14 I don't -- we can definitely look 15 into that. 16 MR. PERRY: 17 It -- that way, it kind of moves on 18 through the year instead of just that one 19 frozen window in. Again, they need -- we 20 need to think through all the potential 21 repercussions of what that would mean. 22 MR. FULTON: 23 Yeah. We'll have to see how -- 24 MS. DELAFOSSE: 25 I was going to say, yeah, it might	Page 52 1 to wait all the way to January, March 2 window to -- 3 MS. DELAFOSSE: 4 To reapply. 5 MR. ST. ROMAIN: 6 To apply. 7 MS. DELAFOSSE: 8 Yes. 9 MR. HOPPES: 10 And then you don't even get it until 11 the next -- yeah. 12 MR. ST. ROMAIN: 13 So could -- you have people that 14 could be missing out on the grant -- 15 MR. FULTON: 16 Right. 17 MR. ST. ROMAIN: 18 -- just because of the timing. 19 MS. DELAFOSSE: 20 The timing, yeah. 21 MR. FULTON: 22 I don't think it would be too 23 complicated to change the regs for that. 24 Yeah. 25 MR. GAUBERT:

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1 Does that require legislative
2 approval or is that --
3 MR. FULTON:
4 Possibly.
5 MR. GAUBERT:
6 -- internal to change?
7 MR. FULTON:
8 That's a good question. I'll have
9 to find out. I believe so, but -- well,
10 I mean, of course, it'd have to go to the
11 legislature.
12 MS. DELAFOSSE:
13 For the regulation development
14 process, but not to change the statute.
15 MR. FULTON:
16 I don't think it's through the
17 senate or the house. It'd go through the
18 regulatory process.
19 MS. DELAFOSSE:
20 Right.
21 MR. PERRY:
22 Okay. So maybe, once we get past
23 March 31st, maybe a small workgroup. And
24 I know, Nick, you were part of the first
25 workgroup to help develop those

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1 regulations with Durwood and yourself.
2 But maybe, you know, a small group along
3 with the department to kind of think
4 about that, think about, you know, some
5 program enhancements. Now, does that
6 sound like something that --
7 MR. FULTON:
8 Yeah. Yeah.
9 MR. PERRY:
10 Okay. So, Michelle, I guess that
11 would be the request, you know, we would
12 kind of want to get the secretary --
13 MR. FULTON:
14 That would be a question for the
15 secretary.
16 MR. PERRY:
17 Yeah. Form a workgroup to, you
18 know, look at the program for the first
19 two years and, you know, see some things
20 that can be enhanced that, you know, just
21 evolve it, make it better.
22 MS. BALLARD:
23 I definitely think that's doable.
24 MR. PERRY:
25 Okay. Awesome. Awesome.

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1 Anything else on that?
2 MR. MARCELLO:
3 You had two questions?
4 MR. HOPPE:
5 I think that was pretty much it. I
6 was curious about the money spent on the
7 grant and just adding that to the agenda.
8 MR. PERRY:
9 Yeah.
10 MR. ST. ROMAIN:
11 I have one more. Just a little
12 housekeeping. At the next meeting, do we
13 need it on the agenda to recommend next
14 year's UST fee? I know it takes affect
15 the following year. It use to be around
16 that May/June meeting that we recommend
17 --
18 MS. DELAFOSSE:
19 To make a recommendation to the
20 secretary?
21 MR. ST. ROMAIN:
22 I think it has to officially be on
23 the --
24 MS. DELAFOSSE:
25 Okay. We can put it in the other

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1 business section for the next board
2 meeting.
3 MR. ST. ROMAIN:
4 I think it has to be listed for it
5 to be mentioned.
6 MS. DELAFOSSE:
7 Yeah.
8 MR. PERRY:
9 Yeah.
10 MS. DELAFOSSE:
11 Okay.
12 MR. PERRY:
13 And so the deductible, we've gotten
14 to the point where there is not a
15 deductible, so it'd be a recommendation
16 on what the --
17 MR. ST. ROMAIN:
18 Collection fee.
19 MR. PERRY:
20 The collection fee, but yeah. All
21 right. Okay.
22 MR. MARCELLO:
23 Mr. Chairman, some year or two ago,
24 we received a breakdown -- if I'm not --
25 if I'm reading this correctly, fiscal

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1 year expenditures or budget program 2 budget for fiscal year 24 was 5.4 3 million and we also -- I saw, we, the 4 state also received money from the EPA as 5 well, right? 6 MS. DELAFOSSE: 7 (Indicated a positive response.) 8 MR. PERRY: 9 That's right. 10 MR. MARCELLO: 11 So the total UST expenditures or 12 budget is seven point what have you, and 13 we received the breakdown. 14 MS. DELAFOSSE: 15 Thereabout, yes. 16 MR. MARCELLO: 17 But we -- can we get one for fiscal 18 year 24 as well? 19 MS. DELAFOSSE: 20 Sure. 21 MR. MARCELLO: 22 All right. 23 MR. PERRY: 24 That would be awesome. That's good. 25 Okay. And on that note, Frank, what	1 (Indicated a positive response.) 2 MR. GAUBERT: 3 And what's the term of contract? 4 MS. DELAFOSSE: 5 The current contract is a three year 6 term and contemplates an annual 7 evaluation each of those three years. 8 Between -- I think it's around 32, 33,000 9 annually for each report. 10 MR. GAUBERT: 11 Yeah. So the rules of engagement -- 12 we had a little conversation about it 13 last time -- are set for the term of that 14 contract? 15 MS. DELAFOSSE: 16 No. I wouldn't say so. I mean, the 17 contract could be amended at any point in 18 time. You know, certainly they're well 19 under way with this year's draft and 20 we're -- you know, we had a meeting with 21 a couple board members and some 22 department folks to kind of go over some 23 of their numbers and discuss certain 24 aspects of their projections -- or their 25 evaluation, I guess, and I think we're
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1 may help us out too is, is Theresa will 2 get that and maybe a little time with you 3 guys to help understand a little bit 4 better because that's a lot of 5 information. So -- but we do want to 6 understand that and, you know, it helps 7 us -- 8 MR. MARCELLO: 9 No question. 10 MR. PERRY: 11 -- it helps us. 12 MS. DELAFOSSE: 13 Sure. 14 MR. PERRY: 15 Okay. Great. 16 Anything else from the board? Other 17 business? 18 MR. GAUBERT: 19 One clarification. At the last 20 meeting, we discussed a little bit about 21 the actuary and the rules of engagement 22 for the actuary. Just for clarification, 23 do we have a contract in place for the 24 actuary now? 25 MS. DELAFOSSE:	1 going to have an internal meeting next 2 week. So, I mean, we're certainly locked 3 in for this year's product, but, you know 4 we're open to suggestions or ideas of, 5 you know, modifying that or anything. 6 But that's -- 7 MR. GAUBERT: 8 I know for the most part that's old 9 news. We've talked about it multiple 10 times over the years. 11 MS. DELAFOSSE: 12 Sure. 13 MR. GAUBERT: 14 You know, and there's -- you know, 15 when we ask about the -- you know, when 16 Nick asked about the fees for next year, 17 you know, that certainly comes from, you 18 know, the actuary report. And 19 historically, you know, the fees remain 20 stagnant because the actuary report 21 remains stagnant. You know, we've had 22 conversations about, you know, modifying 23 those rules to not go out as far, you 24 know, in the actuary review past 2050, 25 you know, bring that time frame down to,

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1 you know, a shorter time frame, ten years
2 or so.
3 MS. DELAFOSSE:
4 Yeah. I haven't had a chance to
5 review the revised draft that -- I think
6 Laura just sent it yesterday with
7 Pinnacle, because we had sent some
8 additional information after that
9 conversation we had a couple weeks back.
10 And again, we haven't had a chance to go
11 through that. But I do know they're
12 going to add some analysis language
13 specific to shorter durations. And all
14 of their exhibits go out further than
15 that as well -- I mean, all the exhibits
16 have all the years.
17 MR. GAUBERT:
18 Right.
19 MS. DELAFOSSE:
20 So -- but they're going to include
21 some narrative -- or they did. And
22 again, we haven't had a chance to look at
23 that yet. But they did include some
24 narrative language regarding the shorter
25 durations and, you know, what those

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1 decisions look like, what the money looks
2 like, you know, at that point in time as
3 well.
4 MR. GAUBERT:
5 Okay.
6 MS. DELAFOSSE:
7 So --
8 MR. MARCELLO:
9 So this was their first --
10 Pinnacle's first --
11 MS. DELAFOSSE:
12 No. They sent the first draft on
13 January 15th.
14 MR. MARCELLO:
15 No. This is the first of three
16 years?
17 MS. DELAFOSSE:
18 Oh, yes, it is. A new contract.
19 MR. MARCELLO:
20 It is.
21 MS. DELAFOSSE:
22 That's correct.
23 MR. MARCELLO:
24 And the contract starts on the
25 state's -- on your fiscal year?

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1 MS. DELAFOSSE:
2 I think it's a September 1st start
3 --
4 MR. MARCELLO:
5 A September.
6 MS. DELAFOSSE:
7 -- but, yes.
8 MR. MARCELLO:
9 Okay. And so they're reflecting on
10 23?
11 MR. BAKER:
12 24.
13 MS. DELAFOSSE:
14 No. They're using fiscal year 24
15 data.
16 MR. BAKER:
17 This one is 24.
18 MR. MARCELLO:
19 Calendar year?
20 MS. DELAFOSSE:
21 Fiscal year.
22 MR. BAKER:
23 Fiscal year.
24 MR. MARCELLO:
25 Fiscal year. Okay. Okay.

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1 MR. PERRY:
2 So the contract will go through
3 fiscal year 27?
4 MS. DELAFOSSE:
5 It'll have evaluation, as it stands
6 currently, for 24, 25 and 26.
7 MR. PERRY:
8 6, okay. Sorry.
9 MS. DELAFOSSE:
10 Yes.
11 MR. MARCELLO:
12 But it ends in 27.
13 MS. DELAFOSSE:
14 Yes.
15 MR. PERRY:
16 Okay.
17 MR. MARCELLO:
18 It ends in fiscal year 27.
19 MR. PERRY:
20 Okay. This will help there, thanks.
21 MS. DELAFOSSE:
22 And we -- I mean, we can talk with
23 them about -- I think adjusting the time
24 frame some with regard to, you know,
25 having it a little closer to the end of

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1 the fiscal year. You know, we have to
2 wait until -- I think we have to wait
3 until August or September really to get
4 the data. So, I mean, we're -- you know,
5 we can't -- I don't know that we can move
6 it dramatically, but --
7 MR. BAKER:
8 We actually shoot to get it earlier
9 in the year, but this year, we actually
10 had a delay in getting the new contract
11 in order. So it got us delayed a couple
12 of months, so --
13 MR. PERRY:
14 Okay. Okay. Good. It's good.
15 For the board, any other questions?
16 (No response.)
17 MR. PERRY:
18 Okay. All right. So that gets us
19 through other business. If there is no
20 other business, we'll move to close the
21 meeting.
22 I need to get a motion to adjourn.
23 MR. MARCELLO:
24 So moved.
25 MR. HOPPE:

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1 Second.
2 MR. PERRY:
3 All right. Frank so moves. Jesse
4 seconds.
5 All right. Thanks.
6 All board members in favor, please
7 say I.
8 (All indicated aye.)
9 MR. PERRY:
10 All opposed, nay.
11 (No response.)
12 MR. PERRY:
13 All right. Hearing none, we'll
14 adjourn and see you back on June 5th.
15 Okay. Thank ya'll.
16 THE MEETING ADJOURNED AT 1:46 P.M.
17 * * * * *
18
19
20
21
22
23
24
25

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

Lori Overland, C.C.R.
25 # 97083

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

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