



Petroleum Underground Storage Tank Release Compensation Board

P.O. Box 2280 • Westerville, Ohio 43086-2280
Phone: (614) 752-8963 • Fax: (614) 752-8397
www.petroboard.org

**MINUTES OF THE 205th MEETING OF THE
PETROLEUM UNDERGROUND STORAGE TANK
RELEASE COMPENSATION BOARD
September 11, 2024 – 10:00 a.m.**

BOARD MEMBERS IN ATTENDANCE

Jim Rocco
Steve Bergman
Larry Burks
Scott Fleming
Dan Ridi

EX-OFFICIO MEMBERS IN ATTENDANCE

Jason Anthony, representing Director Sheryl Creed Maxfield, Ohio Department of Commerce
Donna Waggener, representing Director Anne Vogel, Ohio Environmental Protection Agency
Harold Anderson, representing Robert Sprague, State Treasurer of Ohio

OTHERS IN ATTENDANCE

Starr Richmond	Executive Director, PUSTRCB
Jonathan Maneval	Assistant Director, PUSTRCB
Vijetha Deshineni	Chief Fiscal Officer, PUSTRCB
Cindy Stauffer	Compliance Supervisor, PUSTRCB
Hannah Brame	Claims Supervisor, PUSTRCB
Beth Fligner	Assistant Attorney General
Howard Silver	Hearing Officer

Minutes submitted by:


Jonathan Maneval
Assistant Director

Call to Order:

Chairman Rocco convened the two hundred-fifth meeting of the Petroleum Underground Storage Tank Release Compensation Board on Wednesday, September 11, 2024.

The following members were in attendance: Jim Rocco; Steve Bergman; Larry Burks; Scott Fleming; Dan Ridi; Jason Anthony, representing Director Sheryl Creed Maxfield, Ohio Department of Commerce; Donna Waggener, representing Director Anne Vogel, Ohio Environmental Protection Agency; and Harold Anderson, representing Robert Sprague, State Treasurer of Ohio.

Minutes:

Chairman Rocco asked if there were any comments or questions regarding the minutes from the June 12, 2024 Board meeting and there were none. Mr. Burks moved to approve the minutes and Mr. Fleming seconded. A vote was taken, and all were in favor. The minutes were approved as presented.

Election of Officers and Committee Member Appointments:

Chairman Rocco requested motions from the floor for the nomination of Chairman for the upcoming year. Mr. Burks made a motion to re-elect Jim Rocco as Board Chair and Mr. Ridi seconded. Hearing no other nominations, a vote was taken, and all were in favor. Mr. Rocco will remain as Chair. The Chairman asked if any members wanted to volunteer to serve as Vice-Chair, and Mr. Burks said he would be happy to serve as Vice-Chair. Mr. Bergman then nominated Mr. Burks to serve as the Board Vice-Chair and Mr. Ridi seconded. Hearing no other nominations, a vote was taken and Ms. Waggener and Messrs. Bergman, Fleming, Ridi, Anderson, Anthony, and Rocco were in favor. Mr. Burks abstained. The motion passed. Mr. Burks will serve as Vice-Chair.

Finance and Rules Committee Appointments

Chairman Rocco stated that the Chair and Vice Chair serve on both the Finance and Rules Committees. The Chairman then appointed Mr. Fleming and the designee from the State Treasurer’s Office to serve on the Finance Committee. He appointed Mr. Bergman and the Designee from the Department of Commerce to serve on the Rules Committee.

2025 Meeting Dates

Chairman Rocco set the following meeting dates: January 8, February 12, March 19, June 11, September 10, and November 19, 2025. All meetings will begin at 10:00 a.m. The Chairman noted that committee meetings are typically at 9:00 a.m.

BUSTR Report:

Chairman Rocco called upon Jason Anthony, Bureau Chief, to present the Bureau of Underground Storage Tank Regulations’ (BUSTR) report.

Mr. Anthony reported that BUSTR is in the process of contracting with three vendors to perform responsible party searches. The responsible party searches identify owners and operators that are responsible for the investigation and cleanup of releases from petroleum underground storage tanks (USTs).

Mr. Anthony reported that BUSTR's staff is still doing a telework schedule with personnel working remotely two days a week. He said he does not see the hybrid schedule ending anytime soon.

Mr. Anthony reported 33 no further actions (NFAs) were issued in July 2024 and, to date, 323 NFAs had been issued for the year starting October 1, 2023. He said 202 onsite inspections were conducted in July 2024. He said there are about 7,000 UST facilities, and about 4,764 inspections had been completed in the inspection cycle starting August 2022. He noted they are in the last year of the current inspection cycle, which will end July 31, 2025. He said they should be able to complete the remaining inspections as long as no inspectors are lost. He said four sites were issued COSAs (Compliance Order and Settlement Agreements) or assessments in July.

Mr. Anthony said the federal grant money for the corrective action side of the UST program was received in August. He noted the grant amount was cut by \$50,000, which is a trend they are seeing. He said it is unfortunate because the work they do is very important and if the budget keeps getting cut there will be nothing left.

Mr. Anthony said BUSTR currently has 29 people on staff. He mentioned that his former position is likely to be reclassified into something else. He said it will be up to the Fire Marshal and Chief Deputy, but they are looking at bringing back the Assistant Chief position. He said a goal over the next five years is to do some succession planning and knowledge sharing, so when people retire or leave, the Bureau can continue going on.

Mr. Anthony reported that 19 students graduated from the Certified UST Installer and Inspector courses. He explained that BUSTR gives its own version of the 36-hour installer course and generally the students are from delegated fire departments including Columbus, Cleveland, Cincinnati, Akron, Canton, and North Canton. He said they are taught to inspect permit-related work and mentioned that they are not able to do operational compliance inspections. He said the courses will be given again in April 2025. He said that he, Jim Feeman, and Jeremy Bauserman recently provided continuing education training to Fire Safety Inspectors teaching them the basics of USTs and gas stations. He said the training will be offered again in April 2025.

Mr. Anthony reported the number of registered tanks, and the number of new UST facilities is increasing. He said the number of gas stations closing is at a slower rate. He reported there are currently about 21,000 registered tanks, and 3,340 owners of registered facilities. He pointed out that the number of NFAs, inspections, and re-inspections are summarized at the end of the report. Chairman Rocco noted about three quarters of inspections are requiring re-inspections and asked if they are mostly to address minor things. Mr. Anthony said the federal rules changed in 2015, which Ohio implemented in 2017. He said Ohio had a compliance rate between 70 to 80%, but the new federal requirements for spill and overfill testing, walkthrough inspections, and ATG (automatic tank gauging) calibration really drove down the compliance rate. He said Ohio's compliance rate is going back up because they are now in the second round of the three-year inspections and some of the problems may be fixed. He said the bigger companies tend to be better at sending requested information and have a better compliance rate than the mom-and-pops because the mom-and-pops do not really have the assets. He also noted there were a lot of spill bucket failures during the pandemic, but owners could not replace them because

pieces and parts were unavailable. He said they want to be helpful to businesses and they keep re-inspecting until they come into compliance.

Financial Reports:

Chairman Rocco called upon Vijetha Deshineni, Chief Fiscal Officer, to present the financial reports.

Audit Update

Ms. Deshineni said the audit entrance meeting with the auditors is scheduled for October 2, 2024, and she anticipates the in-house portion of the audit to begin in mid-October. She commented that the audited financial statements are due to the Auditor of State by December 31, 2024.

May, June, and July Financials

Ms. Deshineni said the May, June, and July financials were provided in the meeting materials and she apologized that they were not provided earlier by email. She said she would be discussing the July 2024 financial report.

Ms. Deshineni reported that, as of September 10, 2024, the unobligated account balance was \$20 million. She said this amount includes \$4.92 million in STAR Ohio (State Treasury Asset Reserve of Ohio) and \$739,000 in the custodial account, and \$14.43 million invested in U.S. treasuries and U.S. agency callable bonds. She said the obligated account balance for the payment of claims is \$7.35 million.

Ms. Deshineni said tank revenues would be discussed as part of her fee statement statistics report.

Ms. Deshineni said the claims expense for the month of July was \$180,000. She said since July 1, 2024, a total of \$712,000 had been paid for claims for fiscal year 2025. She noted this amount is 8.9% of the \$8 million obligated by the Board for the payment of claims for fiscal year 2025.

Ms. Deshineni reported that 14 permanent positions are filled, and two positions are vacant, which include the Collections Specialist and the Claims Administrative Assistant positions.

Ms. Deshineni reported that operating expenses for the month of July were approximately \$160,000. She noted that, as of July 31, expenses should be about 8.3% of the amounts budgeted for the fiscal year and reported all expenses are at or below where they should be at this time, except for printing and copying and temporary services. She said printing and copying expenses are at 38% of the amount budgeted due to the annual fee statement mailing supplies from the final quarter being paid in July. The temporary services are 19% of the amount budgeted. She noted that a temporary employee was used to fill the Coverage Analyst position, which was filled by a permanent employee in August. She said the Claims Administrative Assistant resigned in August 2024 and a temporary employee is currently filling the position. She said new workstations were purchased for the employees, and the current office workstations will be moved to the employees' remote work locations.

Fee Statement Statistics

Ms. Deshineni said as of August 31, 2024, the per-tank fees collected for the current 2024 program year were \$8 million, which represents 97% of the billed amount. She said between July 1 and August

31, 2024, just under \$46,000 was collected for prior years' fees, net of refunds of \$7,050. She said for the same period in the previous fiscal year, [\$7.98] million in tank fees for the 2023 program year were collected, and [\$37,000] in prior year fees were collected net of refunds of \$25,200.

Ms. Deshineni said between the fee statement mailing in April 2023 and August 31, 2024, \$8.32 million was collected for program year 2023 fees and approximately \$178,000 was collected for prior year fees net of refunds paid of \$83,000. She said, for program year 2024, a total of 15,592 tanks were billed at the standard deductible (\$55,000) per-tank fee and 5,166 tanks were billed at the reduced deductible (\$11,000) per-tank fee. Ms. Deshineni said as of August 31, 2024, fees had been paid at the standard deductible rate for 14,786 tanks and at the reduced deductible rate for 4,962 tanks. She said fees for a total of 19,748 tanks had been paid by 2,813 owners. She said this compares to fees being paid for 19,697 tanks by 2,827 owners for the same prior year period.

Ms. Deshineni said the \$8 million collected to date represents 95.56% of the \$8.43 million budgeted for program year 2024. She said the 19,748 tanks with fees paid for program year 2024 reflect 97.42% of the 20,270 tanks budgeted to apply for Certificates of Coverage this year.

Chairman Rocco said it is interesting to see the number of tanks has stayed relatively constant. Mr. Anthony commented that he thinks tanks are going to be removed in the next five to 10 years because they are at the end of their warranty. The Chairman said the U.S. EPA recently came out with some numbers that indicate about three quarters of the tank population will be over 30 years old by 2032. He said most older tanks had 30-year warranties and some newer tanks have 20-year warranties. He said there are a lot of tanks that are, in theory, getting to the end of the warranty and so the question is how good those tanks are, and how it is determined if those tanks are still good at some point. Vice-Chairman Burks asked if there is an issue of Fund coverage when tanks get that old. The Chairman said there is no issue from the Fund's perspective as long as the tank is tight, but if the tank is out of warranty, it may be an issue for anybody that has other insurance.

Compliance and Fee Assessment Report:

Chairman Rocco called on Cindy Stauffer, Compliance Supervisor, to present the compliance and fee assessment report.

Ms. Stauffer reported that the position responsible for processing refunds of fees was vacant from November 2023 to July 2024, and the position responsible for certifying accounts for collection has been vacant since December 2023. She stated the hope is to fill the collections position soon.

Ms. Stauffer reported that refunds totaling \$7,050 had been paid since July 1, 2024. She said the amount of pending refunds currently totals \$1,454,982. She said no refunds had been used to offset outstanding fees this program year. She said since July 1, 2024, the fees collected by the Attorney General's Office and Special Counsel less collection costs totaled \$5,798. She said the next certification is being finalized and the intent is to send it to the Attorney General's Office soon.

Ms. Stauffer said three Orders Pursuant to Law are currently under appeal and information to support those appeals is expected. She said four Determinations to Deny a Certificate of Coverage were under appeal and information to support two of those appeals is expected and discussions are in process for

the other two appeals. She said one appeal of a Determination to Deny a Certificate of Coverage was closed since the June meeting.

Ms. Stauffer stated that one Ability to Pay Application is pending review. The Ability to Pay program allows former UST owners experiencing financial difficulty to apply for and receive a determination of their ability to pay delinquent fees.

Ms. Stauffer reported that, as of September 3, 2024, Certificates of Coverage had been issued to 2,397 owners for program year 2024. She said there are 339 Applications for Certificates of Coverage pending review. She said for program year 2024, there are 72 owners with unresolved Pending Denials and one Determination to Deny a Certificate of Coverage had been issued for program year 2024.

Ms. Stauffer stated that there are 46 uncashed refund checks totaling \$60,383. She said there are 15 owners with potential refunds totaling \$80,901 to whom more information request letters had been sent notifying them that additional information is needed before the refund may be issued. She said a second more information request letter will be issued to these owners. She said 39 owners with possible refunds totaling \$63,815 have not responded to the final more information request letters. She said, because these refunds cannot be issued without the additional information, a final review will be conducted and, if possible, a partial refund will be issued to the payer and the remaining amounts will be reapplied to the owner's account.

Ms. Waggener asked what the oldest refund is of the 2,500 in pending refunds. Ms. Stauffer said the pending refunds could be for fee payments going back to 1989 and commented that the staff does try to get the old refunds issued. Chairman Rocco said the question really is when the staff identifies that a refund is due as opposed to what the refund is for. He said processing the old refunds can be a challenge because a lot of times the people the money is owed to cannot be found, and there ends up being a lot of unclaimed refunds. Vice-Chairman Burks asked if there is a process to advertise unclaimed money and whether the money goes to the State or if it is kept by the Fund. Starr Richmond, Executive Director, explained that unclaimed moneys are published on the Board's website and the money is kept in the Fund.

Claims Reports:

Chairman Rocco called on Hannah Brame, Claims Supervisor, to present the claims reports.

Ms. Brame reported, as of September 4, 2024, the total maximum liability of in-house open claims is approximately \$9.04 million. She said using the claim payout ratio of 77%, which is the average ratio over the past five years, the anticipated payout of unpaid in-house claims is about \$6.96 million.

Ms. Brame reported, as of September 4, 2024, a total of 464 claims with face values above the deductible amount were pending review and noted that review of four claims is pending receipt of requested information. She reported that the claims staff are currently reviewing claims received prior to January 2024, as well as some claims that had previously been held due to pending litigation. She stated that, as of September 4, 2024, five claim determinations were under appeal. She explained that these appeals pertain to only three release sites. She said additional information provided is under review for four appeals and an appeal response was issued for the remaining appeal. She noted that

one appeal was closed since the Board's June meeting.

Chairman Rocco asked why the 123 below-deductible claims are being held and Ms. Brame explained that claims are not reviewed until the deductible is met because there are instances where the release is granted NFA status by BUSTR before the deductible is met, and those claims are closed without a detailed review.

Ms. Brame reported that, during program year 2023, a total of 463 claim applications were received and 580 claim determinations were issued. She stated that, as of September 4, 2024, a total of 74 claim applications were received and 116 claim determinations were issued. She said the average payout per claim application for program year 2024 is \$7,138 and the average claim payout is 58.8% of the net claim value (face value – deductible). She said the average percentage of the claim face value that was disallowed was 28.9%. She commented that this percentage is much higher than the average of 22% for the prior two program years. She said they are planning to further evaluate this observed increase and will present an evaluation at the next Board meeting.

Ms. Brame reported for program year 2023, a total of 95 eligibility applications were received and 67 eligibility determinations were issued. She said, so far for program year 2024, a total of 21 eligibility applications were received and 15 eligibility determinations were issued. She said of these eligibility determinations, 12 were approved and three were denied. She said the reasons for denial included one for no release demonstrated, one for lack of a valid Certificate of Coverage, and one for no corrective action required by BUSTR. She said as of September 4, 2024, a total of 132 eligibility applications were open. She noted that 25 of these applications were unreviewable until the necessary reports are received, and more information has been requested for three of these applications. She also noted that, as of September 4, 2024, 10 eligibility determinations were under appeal. She said additional information is expected for one appeal, information for seven appeals has been received and is under review, a Report and Recommendation was issued for one appeal, and discussions and information exchange are underway for the remaining appeal.

Ms. Brame reported for program year 2023, a total of 140 cost pre-approval requests were received and 129 cost pre-approval notifications were issued. She said, so far for program year 2024, a total of 26 cost pre-approval requests were received. She said the cost pre-approval requests included three requests for new remedial action plans (RAPs); 11 requests for annual costs for RAPs or free product recovery; nine requests for either Tier 3 or monitoring/calibration plans; two cost exceedance notifications; and one voluntary request for cost pre-approval. She said as of September 4, 2024, a total of 30 cost pre-approval notifications had been issued and 44 cost pre-approval requests were pending review.

Mr. Anthony said the Fire Marshal receives letters from Director Richmond every week or so concerning claims and asked what is supposed to be done with them. Director Richmond explained that there is a 30-day objection period for claim determinations, and the Fire Marshal can object to those determinations. Mr. Anthony remarked that there is a misnomer at BUSTR that claims are being submitted and the Board is denying them blanketly. He said looking at the report, that is not true, and that a lot of money is being paid out. Chairman Rocco pointed out that looking at the denial reasons for program years 2013 - 2023, eligibility is primarily being denied for administrative reasons. He

stated that 113 of the 234 eligibility applications were denied because no corrective actions were required. Mr. Anthony said it might be helpful for BUSTR's corrective action staff to receive some training from the Board's staff, so they can understand how the eligibility and claims process works.

Mr. Bergman asked if the age of the tank population is a concern for the Board as far as anticipating additional incidents and releases. Chairman Rocco said the age of the tank population would suggest there will be tank removals, and the Board could expect there to be a higher number of release incidents going forward. He said if the State was to require all tanks at a certain age to be removed or if it were to require extensive testing on all the existing tanks of a certain age, it may cause additional release reporting, which would be an issue for the Board. He said he does not see that happening, but it is something to keep in mind. He said the direction things are going to reduce fossil fuel use and move toward electrification is something more concerning to him. He said as gasoline volume drops, the smaller sites will close, tanks will be removed, and tanks will potentially be abandoned. He said that may impact the Fund and it is something to keep in mind when looking at fees going forward.

Vice-Chairman Burks asked if release issues are typically from the tank, a connection to the tank, or a dispenser. Chairman Rocco said releases are usually from fittings and piping. Mr. Anthony said the leak autopsy report indicates the top number nationally is connections and said piping has been the number one driver for a long time. He added that tank problems tend to be compatibility problems and corrosion of components. Mr. Fleming said when equipment is being replaced and a release is found it is probably old residual contamination from back in the day and not necessarily a catastrophic tank failure. He commented that if a tank cannot be repaired, then it is \$600,000 to \$900,000 to upgrade a tank site.

New Business:

Administrative Appeal

Chairman Rocco called upon Howard Silver, the Board's hearing officer, to present his Report and Recommendation regarding the administrative appeal.

**Owner Number: 22662 Eligibility ID: 0001, Owner - Arpita Properties, LLC
Arpita Properties, LLC, 15 S. State Street, Phillipsburg**

Mr. Silver said the case being presented to the Board concerns a deadline that was not met. He said on May 30, 2019, an accidental petroleum release was suspected at the release site in Phillipsburg, Ohio. He said it was required to be reported to the State Fire Marshal within 24 hours; by May 31, 2019. He said a rule adopted by the Board requires an eligibility application be filed by a responsible person no further than one year after the release was required to be reported to the State Fire Marshal. He explained that this release was required to be reported by May 31, 2019, and therefore, the Board's rule required the eligibility application be filed no longer than one year later, by May 31, 2020. He said the eligibility application at issue in this case was filed on March 22, 2022. He said the eligibility application was denied by the Director of the Financial Assurance Fund, an appeal was filed, and a hearing was held. He said the facts are not in dispute, the application was due a year after May 31, 2019. Therefore, his recommendation to the Board is that the denial of eligibility by the Director of the

Financial Assurance Fund was correct, that it be affirmed, and the appeal be dismissed. Chairman Rocco pointed out that objections to the Report and Recommendation were filed. He asked what the basis for their argument was, given the application was filed well over a year past the deadline. Mr. Silver said there was reference made to COVID, but it was pointed out during the hearing that the Board remained open and available through email and telephone during the pandemic. He said they claimed they received certain correspondence from BUSTR, which referred to deadlines, but felt they did not receive sufficient information from the Board, which Mr. Silver indicated he did not find to be credible. He said all the information is available; they just needed to access it. Mr. Silver added that they also argued that the fees were always paid and up to date, and they would like grace. He said the law sets forth a deadline and it was missed. Mr. Ridi asked by how long the deadline was missed and Mr. Silver stated the Application was due by May 31, 2020, and it was received March 22, 2022. Ms. Waggener asked what their reason was for missing it by almost two years. Mr. Silver said because of the COVID pandemic, and it was not clear enough that it needed to be filed, and they would have filed it if they had known. Vice-Chairman Burks said its obvious to him that anything other than following the rules would open up a huge can of worms going forward.

Mr. Ridi asked if part of the process is to send notifications to owners before the filing deadline. Jonathan Maneval, Assistant Director, explained that twice a year, a query is run on the State Fire Marshal's database to generate a list of release numbers that were assigned during the previous six months. He said the staff uses the list of release numbers to send eligibility outreach letters to owners, which provide information about the eligibility process and the filing deadline. He stated that the letters are not sent for all release numbers assigned because not all of them require corrective action. He explained that they are typically targeted at smaller tank owners who have a Certificate of Coverage, who have a release requiring corrective actions, or have a suspected release and their filing deadline is approaching. He said no eligibility outreach letter was sent for the release in this case and it likely was because a site check was not done at the time of the suspected release. He said the release was suspected in 2019, but a site check confirming the presence of contaminants in soil and groundwater was not done for a number of years. He explained that when the staff looked at the data, it was probably unknown if corrective actions would be required. Mr. Silver pointed out that by the time it was known, the May 31, 2021 deadline was already passed. Mr. Ridi said in a way they reported their release, but they did not act on it for another two years. Mr. Silver noted that in the report they recognized the release had been suspected in May 2019. Mr. Anthony asked what the circumstances of the release were, and Mr. Silver said there was unexplained water in the premium gasoline tank, and it failed a tightness test.

Chairman Rocco asked if there were any other questions. Hearing none, a motion was made to uphold the denial of eligibility, and a vote was taken with members voting in the affirmative. However, the Chairman subsequently stated that the vote needed to be done by roll call. He then requested a motion to adopt the findings of facts, conclusions of law, and the recommendation of the hearing officer that the July 31, 2023 determination of eligibility issued by the Director of the Financial Assurance Fund to Arpita Properties, LLC comprises valid state action as a matter of fact and law and that it be upheld. Mr. Anderson so moved, and Vice-Chairman Burks seconded. A roll call was taken, and the following members voted in the affirmative: Messrs. Rocco, Bergman, Burks, Fleming, Ridi, Anthony, Anderson, and Ms. Waggener. There were no nays. The motion passed.

Certificates of Coverage – Ratifications:

Chairman Rocco called on Cindy Stauffer, Compliance Supervisor, to present the lists of owners who have been issued or denied a Certificate of Coverage for ratification by the Board.

Ms. Stauffer said the process used to review the fee applications and issue or deny a Certificate of Coverage includes a review for completeness to determine full payment was received; financial responsibility for the deductible has been demonstrated; and the owner has certified with his signature that he is in compliance with the State Fire Marshal's rules for the operation and maintenance of petroleum underground storage tanks; and, if the tanks existed in previous years, a Certificate for the subject tanks has been issued to the owner in at least one of the prior two years. She said if a Certificate has not been issued in one of the prior two years and the tanks existed during those years, the owner must comply with rule 3737-1-04.1 by demonstrating the tanks are in compliance with the Fire Marshal's rules for the operation and maintenance of USTs.

Ms. Stauffer stated that, if the requirements are met, a Certificate is issued. She said if the requirements are not met, the Certificate is denied. She explained that if the Certificate is denied, the owner is provided with an opportunity to appeal the denial. She said that, throughout the denial process, the Board's staff works closely with the owner to resolve any deficiencies. She stated that all processes within the Board's rules and Revised Code were followed to make a determination to issue or deny the Certificates of Coverage.

Ms. Stauffer requested the Board ratify the Director's actions with respect to the issuance of the program year 2023 Certificates of Coverage for the 51 owners of the 88 facilities included on the program year 2023 Certificates issued list.

Vice-Chairman Burks moved to ratify the issuance of the 2023 Certificates of Coverage for the facilities listed. Mr. Bergman seconded. A vote was taken, and all members were in favor. The motion passed.

Ms. Stauffer requested the Board ratify the Director's actions with respect to the denial of the program year 2023 Certificates of Coverage for the 118 USTs located at the 49 facilities included on the program year 2023 Certificates denied list.

Vice-Chairman Burks moved to ratify the denial of the 2023 Certificates of Coverage that were listed. Mr. Bergman seconded. A vote was taken, and all members were in favor. The motion passed.

Ms. Stauffer requested the Board ratify the Director's actions with respect to the issuance of the program year 2024 Certificates of Coverage for the 2,431 owners of the 4,124 facilities included on the program year 2024 Certificates issued list.

Mr. Bergman moved to ratify the issuance of the 2024 Certificates of Coverage for the facilities listed. Mr. Fleming seconded. A vote was taken, and all members were in favor. The motion passed.

Ms. Stauffer requested the Board ratify the Director's actions with respect to the denial of the program year 2024 Certificates of Coverage for the five USTs located at the three facilities included on the program year 2024 Certificates denied list.

Mr. Bergman moved to ratify the denial of the 2024 Certificates of Coverage that were listed. Mr. Fleming seconded. A vote was taken, and all members were in favor. The motion passed.

Confirm Next Meeting and Adjourn:

Chairman Rocco said the next Board meeting will be held on Wednesday, November 20, 2024, at 10:00 a.m. He said the Finance Committee would be meeting at 9:00 a.m. prior to the Board meeting.

Mr. Bergman made a motion to adjourn the meeting and Mr. Ridi seconded. All members were in favor.

Note: Numbers in brackets [] were incorrectly stated at the meeting. The numbers as written reflect the correct numbers from the report materials provided at the meeting.