



October 11, 2019

Colorado Department of Labor and Employment  
9:00 AM

Present: Bruno Busnardo, Mahesh Albuquerque, Scott Paulson, Renee Shellhorse, Tony Congram, and Daniel Rosenberg (Sitting in for Lukas Staks).

Absent: Steve Callahan, Lukas Staks and Jane Bral

Note: The meeting was recorded and started at 9:05 AM.

### **MINUTES APPROVAL**

Renee Shellhorse motioned to approve the September 20, 2019 minutes. The motion was seconded by Tony Congram, and carried unanimously

### **2020 MEETING DATES APPROVAL**

Scott Paulson motioned to approve the PSTC meeting dates for 2020. The motion was seconded by Tony Congram, and carried unanimously

### **STAFF REPORT:**

#### **FUND STATUS**

- A. In September we received 54 claims for \$1.7 million and 66 were approved for \$1.1 million.
- B. There were two RAPs left from the first part of 2019, one will be presented today. .
- C. The Fund balance as of the end of September was \$4.2 million and the turnaround time is close to 39 days.

Mahesh Albuquerque announced changes with the Committee members. . This meeting was Bruno Busnardo's last, and to replace him, Brett Redd from STTI was chosen. Susan DeMeules, who is the manager of Operations for the division will replace Jane Bral as the designee of the OPS Director as Jane is retiring in November.

- D. Nominations for a new chairperson were given. Mahesh recused himself from it. Bruno Busnardo nominated Renee Shellhorse and Tony Congram seconded the nomination. Renee accepted and will serve as the new chairperson starting in November.
- E. Zach Hope was officially announced as the new Petroleum Program Manager. Rob Herbert will continue to as Remediation supervisor and Jenna Petropulos will continue as Fund Manager.
- F. Mahesh also reminded everyone to take advantage of all of the incentives the Fund is currently offering as well as new policies that will start in 2020. All information is available on OPS's website.

### **PRESENTATION OF APPLICATIONS--TANK REMOVAL:**

**Owner ID 1851 - Peerless Tyre #913** - Approved reimbursement \$30,000.00

**Owner ID 22168 - Granite Store** - Approved reimbursement \$4,000.00

**Owner ID 2276 - RTD East Metro** - Approved reimbursement \$30,000.00

These applications were presented before the Committee for a total of \$109,580.99 in tank removal costs. Tony Congram motioned to approve the Tank Removal applications and Scott Paulson Seconded, and the motion carried unanimously. These applications were approved by the Committee as presented.

#### **PRESENTATION OF APPLICATIONS--RAPs:**

**RAP# 33544 – 7-Eleven (Twin Star Energy #5) - 9171 E. Arapahoe Rd, Englewood.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$322,401.98 with no unallowed costs for a reimbursement award subtotal in the amount of \$322,401.98. Holly Edmonds, Twin Star Energy, LLC, applicant, Bryan Woody, Eagle Environmental, consultant, represented the site. After discussion between the Committee members and the representatives, Mahesh Albuquerque suggested closing the old event and leaving both cleanups under this event. The percent reduction would be split in half among both events in the meantime. Renee Shellhorse moved to approve the site for \$322,401.98, less the \$10K deductible and 7.5% from event 5750 and any application preparation costs over 1% of the reimbursement award. Tony Congram seconded and the motion carried unanimously.

**RAP# 33815 – Stinker Store #312 – 5000 N. Federal Blvd, Denver.** This application was presented before the Committee as an Abandoned Tank Owner. Costs submitted on the application were \$13,783.69 with no unallowed costs for a reimbursement award subtotal in the amount of \$13,783.69. John Tuttle, Stinker Stores Co, Inc., applicant, Martin Eckert, Eagle Environmental, consultant, represented the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site for \$13,783.69. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33809 – Holy Cross Electric Association – 3799 Hwy 82, Glenwood Springs.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$11,347.36 with no unallowed costs for a reimbursement award subtotal in the amount of \$11,347.36. There were no compliance issues. Barry Croissant, Holy Cross Electric Ass, Inc., applicant, Brett Redd, STTI, consultant, represented the site. After discussion between the Committee members and the representatives, Tony Congram moved to approve the site for \$11,347.36, less the \$10K deductible and any application preparation costs over 1% of the reimbursement award. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33458 – All American Gas – 210 N. Public Rd., Lafayette.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. There were no costs submitted on the application as it is for eligibility only. Compliance issue was a maximum potential reduction of 5% for Registration, and 25% for Release Detection. Applicant may request going to State Lead and it is possible to pursue subrogation from insurance company. Ali L Alch, All American Gas, applicant, John Drafts, Palmetto, consultant, represented the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site for eligibility only, any payments will be reduced by the \$10K deductible, 0% reduction for Registration, 5% for Release Detection, and \$210 in tank registration fees and penalties. Mahesh Albuquerque seconded and the motion carried unanimously.

**RAP# 33729 – 7-Eleven #18589 – 511 Agate Ave., Granby.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$33,430.06 with no unallowed costs for a reimbursement award subtotal in the amount of \$33,430.06. There were no compliance issues. Ryan Pederson, Stantec Consulting Services, consultant, represented the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site for \$33,430.06, less the \$10K deductible and any application preparation costs over 1% of the reimbursement award. Tony Congram seconded and the motion carried unanimously.

**RAP# 33803 – 7-Eleven #27043 – 820 Simms St., Unit 8, Golden.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$21,250.64 with no unallowed costs for a reimbursement award subtotal in the amount of \$21,250.64. There were no compliance issues. Ryan Pederson, Stantec Consulting Services, consultant, represented the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site for \$21,250.64, less the \$10K deductible and any application preparation costs over 1% of the reimbursement award. Renee Shellhorse seconded and the motion carried unanimously.



**RAP# 33702 – 7-Eleven #16712 – 1245 E. Eisenhower Blvd., Loveland.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$27,283.00 with no unallowed costs for a reimbursement award subtotal in the amount of \$27,283.00. There were no compliance issues. Ryan Pederson, Stantec Consulting Services, consultant, represented the site. After discussion between the Committee members and the representatives, Renee Shellhorse moved to approve the site for \$27,283.00, less the \$10K deductible and any application preparation costs over 1% of the reimbursement award. Mahesh Albuquerque seconded and the motion carried unanimously.

**RAP# 33717 – 7-Eleven #27094 – 105 E. 37th Ave., Loveland.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible (Incentive requested but not eligible due to non-compliance). Costs submitted on the application were \$23,091.00 with no unallowed costs for a reimbursement award subtotal in the amount of \$23,091.00. Compliance issue was a maximum potential reduction of 10% for Release Reporting. Ryan Pederson, Stantec Consulting Services, consultant, represented the site. After discussion between the Committee members and the representatives, Tony Congram moved to approve the site for \$23,091.00, less the \$10K deductible, any application preparation costs over 1% of the reimbursement award, and a 0% reduction for Release Reporting. Scott Paulson seconded and the motion carried unanimously.

#### **MODIFICATION PROPOSAL POLICIES #4 AND #29**

Zach Hope, Petroleum Manager at OPS, presented the proposed changes to delete and/or change all the outdated statements on Policy #4. The policy proposal will be sent to the Committee members for review and next week it will be posted on OPS's website for public comment. The changes should be ready in December for approval. Susan DeMeules recommended amending Policy #29 to help incentivise the removal of smaller tanks. It was suggested that OPS add a statement, for tanks up to 2000 gallons, you may receive reimbursement of \$2000. Any tanks over 2000 gallons would fall under the \$1 per gallon of tank volume up to the \$30,000 max per facility. Renee Shellhorse motioned to amend Policy #29 and Tony Congram seconded.

The next meeting is scheduled for November 15, 2019.

Meeting adjourned at 11:41 AM

These minutes represent a summary of this meeting and are not intended to be a verbatim document.

Luz Duque, Committee Organizer

