



February 21, 2020

Colorado Department of Labor and Employment  
 9:00 AM

Present: Renee Shellhorse, Susan DeMeules, Brett Redd, Steve Callahan, Tony Congram, Scott Paulson, Mahesh Albuquerque, and Lukas Staks.

Absent:

Note: The meeting was recorded and started at 9:01 AM.

**MINUTES APPROVAL: January 17, 2020.**

Scott Paulson motioned approval and Mahesh Albuquerque seconded. Minutes were approved unanimously.

**STAFF REPORTS**

- **January 2020** - 94 claims received, \$2.9 million requested, 53 claims approved, \$750,000 reimbursed.
- **Fund Balance** - \$3.3 million, average processing turnaround time of 41 days.

**OPS UPDATES/ANNOUNCEMENTS**

- Mahesh and Susan discussed the possibility of compliance reductions imposed on sites being reduced or increased depending on regulatory compliance with OPS. The compliance would be reviewed at various reimbursement milestones during the lifetime of an event.
- Zach Hope, Petroleum Manager, presented the changes made to Policy #4. Mahesh Albuquerque motioned approval and Susan DeMeules seconded. Motion carried unanimously.
- Committee meeting minute format will be changed moving forward. Brett Redd motioned to approve, Mahesh Albuquerque seconded, motion passed unanimously.

**PRESENTATION OF APPLICATIONS - POLICY 29 TANK REMOVAL**

OWNER ID	FACILITY NAME	APPROVED REIMBURSEMENT
18859	King Soopers Garage	\$30,000.00
23481	Botanical Interests Inc	\$4,000.00
22294	Gypsy Cafe	\$27,594.89
18678	Berthoud Station	\$20,000.00
22272	Carefree Convenience #2	\$30,000.00
22466	JRL 51st Street	\$14,000.00
4743	Former Schrader Country Store #140	\$2,000.00
21111	Speedy Mart	\$16,000.00
23067	Intermountain Trailer Sales	\$30,000.00
<b>TOTAL REIMBURSEMENT APPROVED</b>		<b>\$173,594.89</b>
<b>1st Motion:</b> Tony Congram <b>2nd Motion:</b> Scott Paulson Approved Unanimously		

**PRESENTATION OF APPLICATIONS--RAPs**

Committee Date	RAP	Site Name	Costs Submitted	Unallowed Costs	Approved Costs	Eligibility	PERCENT REDUCTIONS IMPOSED BY PSTC					Waiver Requested	Waiver Granted	Waiver Denied	Reasoning for denial and/or additional comments
							Reg	Rel. Det	Rel. Rep	Closure	Total				
2/21/2020	34023	Wallace Oil Company	\$21,693.55	\$0.00	\$21,693.55	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	
2/21/2020	34010	Cornerstop	\$39,553.37	\$0.00	\$39,553.37	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	Scott Paulson recuses himself.
2/21/2020	34024	Budget Rent A Car #1504	\$250,524.25	\$1,447.38	\$249,076.87	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	Approving with the condition of possible subrogation
2/21/2020	34222	Botanical Interests	\$0.00	\$0.00	\$0.00	TO/O NRP					0		<input type="checkbox"/>	<input type="checkbox"/>	Brett Redd recuses himself. Establishing eligibility only. Approved as a non responsible party with an abandoned tank, will move to State Lead Program.
2/21/2020	34283	Generator Exchange	\$0.00	\$0.00	\$0.00	TO/O NRP					0		<input type="checkbox"/>	<input type="checkbox"/>	Establishing eligibility only. Approved as a non responsible property owner.
2/21/2020	33943	Alta Convenience #6008	\$16,214.03	\$0.00	\$16,214.03	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	
2/21/2020	34065	Alta Convenience #6326	\$10,467.58	\$0.00	\$10,467.58	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	
2/21/2020	34142	#809 W Colfax UPI	\$22,706.70	\$0.00	\$22,706.70	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	
2/21/2020	34143	U-Pump-It #826	\$104,256.30	\$0.00	\$104,256.30	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	
2/21/2020	34169	Peerlyess Tyre #913	\$35,928.26	\$0.00	\$35,928.26	TO/O w/ ded					0	2019 Tank Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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2/21/2020	34170	Alameda U-Pump-It #806	\$18,449.45	\$0.00	\$18,449.45	TO/O w/ ded					0		<input type="checkbox"/>	<input type="checkbox"/>	1% reduction applied due to release detection. RUL failed on 2/7/2019 and was not replaced until 9/10/2019.
2/21/2020	34166	Alta Convenience #5111	\$12,801.59	\$0.00	\$12,801.59	TO/O w/ ded		1			1		<input type="checkbox"/>	<input type="checkbox"/>	
2/21/2020	33766	Murphy #8847 - Former Sam's Convenience Store	\$18,844.05	\$7,059.32	\$11,784.73	TO/O w/ ded		3	2		5		<input type="checkbox"/>	<input type="checkbox"/>	Percent reductions imposed due to compliance issues; failure to report confirmed release to OPS within 24 hours and failure to submit release detection records.
2/21/2020	34104	Western Petroleum Bulk Plant	\$10,038.48	\$0.00	\$10,038.48	TO/O w/ ded		3			3		<input type="checkbox"/>	<input type="checkbox"/>	3% reduction imposed due to non compliance under release detection, failure to submit required reports for visual inspections, pre-delivery ullage, and CP tests.
2/21/2020	34134	RTD East Metro	\$28,325.77	\$0.00	\$28,325.77	TO/O w/ ded		8			8		<input type="checkbox"/>	<input type="checkbox"/>	8% reduction imposed due to non compliance under release detection, failure to perform CP tests on time.

**Discussion of Third Party Costs by Martin Plank, Attorney Representative for Taghavi  
Re: Facility # 5271, Coal Mine Gas Express, 9819 W Coal Mine Ave, Littleton.**

- Martin Plank, legal representative for Taghavi, Inc., addressed Committee members regarding litigation between Taghavi and BDI (the adjacent landowner downgradient from the Taghavi property). BDI is proposing installation of a vapor barrier, and Taghavi asked whether the Committee could approve those costs as third party claims before costs are incurred. Additional information has been requested by OPS and will continue to work with both parties and technical reviewer for future resolution.

**EXECUTIVE SESSION:**

- Third-Party Claims re: *BDI v. Taghavi*

Meeting adjourned at 1:32 PM

*These minutes represent a summary of this meeting. For a detailed file, please submit a file review request to the Public Records Center*

J Garcia, Committee Organizer

