

**CLEANUP FUND TASK FORCE
MINUTES OF NOVEMBER 16, 2009 MEETING**

Members present:

Nick Bokides,
Barbara Dunn
Steve Goldberg
Charles Ice
Deborah Lichtenberger
Zack Moran
Jerry Piritz
Rich Premzic
Eric Swenson (by phone)
Julie Thompson

Members absent: Jim Arnold, Ron Chinn, Dan Johnson, Markus Niebanck

Alternates present: (none)

Alternates absent: Hans Herb, Nicole Gleason, Misty Kaltreider, Mark Magargee, David Zedrick, Dwayne Ziegler

State Water Board staff present: Dave Charter, Ron Duff, Marie McCrink, Jennifer Nitta, Allan Patton, Selica Potter

Public Participants: Eric Holm, Richard Botke

AGENDA ITEMS

Orders of business

1. Minutes from 11/03/09 meeting were approved by the task force members, with a correction to Morning Session Item 1 – capitalize **Task Force** and Afternoon Session Item 4 – add two words.....**reviewed** scheduled meetings for December 2 and 17, 2009 and **added** January 26, 2010.

Morning session

1. USTCF Status of Payment Presentation / Q&A
 - Review of payment release list and process.
 - Review of Payment turn-around-time (TAT) - Once payment is released from CF to accounting they have a 2 week TAT, then it is sent to the State Controllers Office (SCO) and typically a check goes out in 2 weeks. Payment TAT has improved due to the new way of encumbering funds.
 - C, D, and School Fund accounts – discussion of effects of the passage of AB1188.

2. Working Group Update – Marie McCrink, Julie Thompson, Zack Moran - Remediation Equipment Guideline Status Update. Initial discussion took place, additional meeting scheduled.
3. Allan Patton Presentation on Cash Flow Analysis (AB1188)
 - Review of presentation to the Board and discussion on the three options for C claimants: 1) make no change; 2) un-suspend half the suspended LOCs, 3) un-suspend all the suspended LOCs.
 - Task Force Motion Approved by All Present:
 - i. Support the immediate un-suspension of all previously suspended C Claimant LOCs
 - ii. CF requested to take an expeditious approach to fill all open staff vacancies that affect the RR review process.

Afternoon session

1. Update from Eric Swanson regarding his Pilot Program. Outline will be emailed to Task Force members for review and input.
2. Goals to Accomplish Final Report to the Board.
 - Dec 2nd meeting, list of important topics for the report with 1-2 sentence descriptions.
 - Dec 17th meeting, complete final list of topics, and set distribution and review deadlines. Task Force volunteers (Steve, Julie, Markus, Zack, Nichole) to create first draft for review process.
 - Move January – meeting to 2nd week of January to approve final report.
 - Report to be submitted to the Board in January 2010 and request to CF to have an informational item added to the Board meeting in February.
3. The discussion of long term recommendations continued. The topics included:
 - Pre-Approval / Pre-Planning Process. Report to Board to recommend changes in how pre-approval is handled, with emphasis on better communication with all stakeholders, improvements to the turn around time (30 days), and forms that will improve matching of RR invoices to approvals and language/terminology in the LUFT manual.
 - CAP Reduction. Discussed new release and non MTBE cap reduction to 1 million dollars - requires legislation. Data was requested of the CF on the number of sites over 1 million and over 1.5 million.
 - Cost Guidelines. Report to Board to recommend revision of cost guidelines to be a combination of lump sum amounts (for deliverables where appropriate) and time & materials rates.
 - 5-Year Review. Follow up discussion on adding reviews at other milestones such as claim expenditures of various dollar amounts, such as \$100k, \$250K etc. (or 5 years which ever comes first), at phase changes in site cleanup, and random reviews. Random reviews could possibly be performed by a 3rd party. It was suggested that the 3rd party reviews be discussed with the EPA for potential support.

- Claim De-obligation. Discussion and determination that this item will not appear in the final report.
 - Evaluate RTA. Takes legislation change to increase the RTA cap. Task Force member would like this topic in the final report for a future legislation change.
 - Appeal Process. Appeal reviews have taken a back seat to RRs and payments by CF Staff so there is a large backlog right now. Appeals are tracked but not to the detail of what type of appeal. Historically, appeals have not been consistently handled. CF has created a new standardized Appeal Form which should help improve the process. Task Force recommends that status of appeals also be available on the web and the appeals process be evaluated by Staff for changes to streamline the process and catch up on outstanding appeals
4. Planned future meetings – The Task Force will meet once a month in the first quarter of 2010 and every other month after that.

Agenda for December 2, 2009 Task Force Meeting

1. Finalize discussions of long term recommendation actions.
2. Report from working groups.
3. Complete list of important topics for the report with 1-2 sentence descriptions.