



Petroleum Underground Storage Tank Release Compensation Board

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MINUTES OF THE 211th MEETING OF THE PETROLEUM UNDERGROUND STORAGE TANK RELEASE COMPENSATION BOARD November 19, 2025 – 10:00 a.m.

BOARD MEMBERS IN ATTENDANCE

Jim Rocco
Steve Bergman
Jessica Biggs
Scott Fleming
John Gordon
Brett Hillyer
Ben Miller
Dan Ridi

EX-OFFICIO MEMBERS IN ATTENDANCE

Jessica Langdon, representing Director John Logue, Ohio Environmental Protection Agency
Jason Anthony, representing Director Sheryl Creed Maxfield, Ohio Department of Commerce
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
Scott Adams	State Treasurer's Office
Dan Adams	Atlas Technical Consultants
Ryan Elliott	Vorys, on behalf of OECA

Minutes submitted by:

Jonathan Maneval
Assistant Director

Call to Order:

Chairman Rocco convened the two hundred-eleventh meeting of the Petroleum Underground Storage Tank Release Compensation Board on Wednesday, November 19, 2025.

The following members were in attendance: Jim Rocco; Steve Bergman; Jessica Biggs; Scott Fleming; John Gordon; Ben Miller; Dan Ridi; Jessica Langdon, representing Director John Logue, Ohio Environmental Protection Agency; Jason Anthony, representing Director Sheryl Creed Maxfield, Ohio Department of Commerce; and Harold Anderson, representing Robert Sprague, State Treasurer of Ohio.

The following member was not in attendance: Larry Burks.

Minutes:

Chairman Rocco asked if there were any comments or questions regarding the minutes from the October 1, 2025 Board meeting and there were none. Mr. Anderson moved to approve the minutes, and Mr. Hillyer seconded. A vote was taken, and Mmes. Biggs and Langdon and Messrs. Fleming, Gordon, Hillyer, Miller, Ridi, Anthony, Anderson, and Rocco were in favor. Mr. Bergman abstained. The minutes were approved as presented.

BUSTR Report:

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

Mr. Anthony said each year BUSTR does responsible party searches to identify the parties responsible for release events that have occurred. He said contracts for three vendors had been completed and are awaiting approval by the Department of Commerce legal counsel so they can move forward with those searches. He said they typically do about 60 searches a year.

Mr. Anthony reported that the annual corrective action cycle started October 1, 2025, and 37 NFAs (no further action actions) were issued in the month of October. He stated that 1,047 report reviews were completed in the month of October 2025, and 230 on-site inspections were performed in October 2025. He reported that 603 on-site inspections had been completed for the three-year inspection cycle that started August 1, 2025. He mentioned that they are having a problem moving sites to enforcement in the new OTTER Engage system and generating letters and editing those documents. He explained that there are currently no fines or penalty assessments because of that problem. He said there have been 366 on-site inspections with violations for the inspection cycle.

Mr. Anthony stated that the leaking underground storage tank grant (LUST grant) money from the U.S. Environmental Protection Agency (U.S. EPA) was received in August 2025, prior to the federal government shutdown.

Mr. Anthony reported that BUSTR staff are currently working through their required training including OSHA training, fire safety inspector training, continuing education training, and other training required by the Department of Commerce. He reported that 15 new underground storage tank (UST) inspectors

graduated in May of 2025, which is a low number of attendees for the class. He noted that another two-week inspector class is scheduled for a week in March and a week in April 2026, and he expects the class will be full. He said continuing education is provided to fire safety inspectors in April and September every year. He said BUSTR will continue providing training to the regulated community and fire departments on the new OTTER Engage platform.

Mr. Anthony stated that the new OTTER Engage application went live on July 28, 2025, and they are currently in the hyper care stage, which will end in December 2025. He said any flaws or defects will be fixed for free, but after December 2025, any additions or changes to the database will be made by the vendor through a billable hours subscription contract.

Mr. Anthony reported there are 21,189 registered tanks and 3,415 owners of 6,911 registered facilities, as of November 8, 2025. He mentioned that the number of registered tank systems continues to go up and the number of tank owners also increased. He said there are 2,261 active releases and 1,882 active closures. He reported that 33,147 NFAs have been issued since the inception of the program, which is the second highest in the nation. He said it is a great reflection of the BUSTR corrective action program and the Financial Assurance Fund for such a high number of sites to have been cleaned up over the last 30-plus years.

Chairman Rocco asked how the new OTTER Engage platform is working out. Mr. Anthony said it is working well for inspectors and the corrective action team. However, there have been some snafus because some things were requested in development, but they are now realizing it should not have been done. He said the enforcement section is struggling because they really cannot do anything. He commented that the biggest issues are with the permits. He explained that for a long time, permits were not scrutinized too much, but they are starting to really drill down on permits because they want to know what is being put in the ground. He said they are having a problem with the legacy permits from the old database. He explained that there are around 220 permits from the old database, and the problem is transitioning them into the new database. He said they are also having problems matching up field inspection reports being submitted to the matching permit case file in the new database.

Chairman Rocco asked if the Board has access to the new database and Mr. Anthony said there were some user role issues, where a new user role needs to be added. Executive Director, Starr Richmond, commented that it is available to everyone. Mr. Anthony said one of the biggest things is importing historical documents into the new database. He said it is a one-time thing, and they need to make sure it is done right. He said once they are imported, users will be able to see and download any historical documents for sites.

Chairman Rocco asked if corrective action reports are being submitted electronically and Mr. Anthony confirmed they are being submitted electronically. He commented that a Department of Commerce and Governor's Office initiative was to move away from paper. The Chairman questioned if the printed reports being submitted with claim applications are still needed for the claim review process since they can be accessed electronically. Director Richmond said files are in the process of being scanned and eventually everything will be done electronically in the platform through a workflow process. Ms. Brame said she generally thinks claim review can be done now using reports accessed electronically. She mentioned that certain pages might need to be printed so notes can be added to them. Mr. Anthony

mentioned that BUSTR still has the capability to print internally if they want to look at something like installation plans or mapping. The Chairman recommended the staff look into using electronic corrective action reports and noted that BUSTR should receive the report before any associated claim would be submitted. He added that it would save owners from having to mail in the printed copy and mean less paper as well as less to be digitized.

Vice-Chairman Fleming asked how many new stores are being completed annually and Mr. Anthony said he could find out and provide that number to him. Mr. Anthony commented that a significant number of new locations have been built in the past five years. He said about 1,100 permits were issued last year but noted that number includes modifications, installations, closures, and removals.

Financial Reports:

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

Audit Update

Ms. Deshineni said the auditors completed the in-house portion of the audit and said she anticipates the audited financial statements will be submitted to the Auditor of State by the December 31, 2025 deadline.

September Financials

Ms. Deshineni said the September financials were emailed to each member and she would be discussing that report.

Ms. Deshineni reported that, as of November 18, 2025, the unobligated account balance was \$22.42 million. She said this amount includes \$6.32 million in STAR Ohio (State Treasury Asset Reserve of Ohio) and the custodial account, and \$16.1 million invested in U.S. treasuries and U.S. agency callable bonds. She said the obligated account balance for the payment of claims is \$6.17 million.

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

Ms. Deshineni said as of September 30, 2025, expenses should be at 25% of the amounts budgeted for the fiscal year. She reported that interest income is ahead of projections at 30.49% of the budgeted amount.

Ms. Deshineni said the claims expense for the month of September was \$455,000. She said since July 1, 2025, a total of [\$1.26] million had been paid for claims for fiscal year 2026. She noted this amount is 15% of the \$8 million obligated by the Board for the payment of claims for fiscal year 2026. She pointed out the legal and professional expenses were low for the month of September. She explained that quarterly or annual invoices were paid in July and August, but no such payment was made in September.

Ms. Deshineni reported that total operating expenses for September were approximately \$163,000.

Fee Statement Statistics

Ms. Deshineni said as of October 31, 2025, the per-tank fees collected for the current program year

2025 were \$8.23 million, which represents 99% of the billed amount. She said between July 1 and October 31, 2025, approximately \$245,000 was collected for prior years' fees, net of refunds of \$11,000. She said for the same period in the previous fiscal year, \$8.14 million in tank fees for program year 2024 were collected, and \$85,000 in prior year fees were collected.

Ms. Deshineni said between the fee statement mailing in April 2024 and October 31, 2025, \$8.63 million was collected for program year 2024 fees and approximately \$126,000 was collected for prior year fees net of refunds paid of \$101,000. She said, for program year 2025, a total of 15,822 tanks were billed at the standard deductible (\$55,000) per-tank fee and 5,099 tanks were billed at the reduced deductible (\$11,000) per-tank fee. Ms. Deshineni said as of October 31, 2025, fees had been paid at the standard deductible rate for 15,097 tanks and at the reduced deductible rate for 5,099 tanks. She said fees for a total of 20,196 tanks had been paid by 2,853 owners. She said this compares to fees being paid for 19,981 tanks by 2,872 owners for the same prior year period. She said for program year 2024, fees have been paid for 20,658 tanks by 2,967 owners.

Ms. Deshineni said the \$8.48 million collected to date is 101.6% of the \$8.34 million budgeted for Program year 2025. She said the 20,196 tanks with fees paid for program year 2025, reflect about 99.59% of the 20,280 tanks budgeted to apply for certificates this year.

Mr. Gordon said he noticed a slight difference in the number of tanks in the BUSTR report versus the number of tanks in the Board report and asked why that is. Chairman Rocco said there will always be a difference because there are tanks, such as hazardous-substance tanks, which are not covered by the Fund but are still registered with BUSTR. Mr. Anthony noted that federally-owned tanks are also registered with BUSTR but not in the Fund.

Compliance and Fee Assessment Report:

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

Ms. Stauffer stated that the information being reported reflects numbers as of October 31, 2025, unless otherwise noted. She reported that refunds totaling \$10,988 had been paid since July 1, 2025. She commented that a Refunds Payable Analyst started with the Board on June 30, 2025, and she anticipates an increase in refunds being paid through the end of the program year. She said there are currently 2,686 pending refunds, which total \$1,541,201. She said \$8,850 of pending refunds had been used to offset outstanding fees during this program year. She said since July 1, 2025, the fees collected by the Attorney General's Office and Special Counsel less collection costs total \$46,124. She said the staff is in the process of finalizing the next certification and hopes to submit it to the Attorney General's Office soon.

Ms. Stauffer said as of October 31, 2025, three Orders Pursuant to Law were under appeal. However, one of those appeals was recently withdrawn. She said information to support one appeal is expected and a hearing is scheduled for the other appeal. She said one Determination to Deny a Certificate of Coverage is currently under appeal and information to support the appeal is expected.

Ms. Stauffer stated that currently there are no Ability to Pay Applications 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 November 5, 2025, Certificates of Coverage had been issued to 2,432 owners for program year 2025. She said there are 367 Applications for Certificates of Coverage currently being processed. She said for program year 2025, there are 48 owners with unresolved Pending Denials and nine owners with unresolved Determinations to Deny a Certificate of Coverage.

Ms. Stauffer stated that there are 34 owners with uncashed refund checks totaling \$44,767. She said there are 14 owners with potential refunds totaling \$83,246 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 44 owners with possible refunds totaling \$70,305 have not responded to the final more information request letters. She said 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.

Chairman Rocco asked if the pending refunds are pending because the staff has not been able to process them and Ms. Stauffer confirmed that they need to be reviewed and processed. The Chairman commented that the number of pending refunds is significant considering the total number of tank owners. Ms. Stauffer said they are hoping to push a lot of refunds through now that there is a staff member solely focused on processing them. The Chairman questioned if there is a point in time from a practical standpoint where the staff just gives up on processing the pending refund. He said if the refund has not been requested, and they have not been processed in 10 years, it becomes a problem if the site is closed, the company does not exist anymore, or the owner has passed away. Ms. Stauffer said it does make it difficult when the owner is deceased. She said the staff try to look to the children and figure out how to separate it. The Chairman commented that owners are more likely to search for their money through the State's unclaimed funds website than look on the Board's website and asked if unclaimed refunds can be submitted to the State's unclaimed funds program. Director Richmond said the State's unclaimed funds program is only for private entities and cannot be used by the Board. Mr. Bergman asked if the 2,600 listed in pending refunds represents the total number of refunds that are known and currently need to be processed, and Ms. Stauffer confirmed that it is.

Claims Reports:

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

Ms. Brame reported that a long-time Claims Analyst had retired and a new Claims Analyst was recently hired and is currently being trained.

Ms. Brame provided an overview of the claims process for new members. She indicated when a release is suspected, the responsible person must submit an eligibility application. She said the process to review the eligibility application is intensive and requires the evaluation of, among other things, whether the application was timely received, whether a valid Certificate of Coverage existed, if the UST system was operating in compliance with BUSTR's rules, if a release is confirmed, and the appropriate deductible. She said if eligibility is granted, then claim reimbursement applications are

submitted. She stated that the applications are evaluated, and determination letters are issued to explain the face value of the costs submitted, and what, if any, costs are disallowed as non-reimbursable. She said corrective action costs, which are costs for performing the environmental investigation and remediation required by BUSTR, are submitted in a series of claim applications as the different program tasks are completed and until the State Fire Marshal indicates that no further action is required. She said the Board's rules outline what costs can and cannot be reimbursed, as well as the claim filing deadlines, which are generally within one year of the completion of a given program task. She explained that if during the review of a claim, deficiencies or omissions in the submitted information are identified, the analyst may issue a request for more information. The responsible person has 90 days to respond to the request and any information that is not documented within that deadline is disallowed as undocumented. She said at certain stages of corrective action, a cost estimate and completion schedule is required to be submitted for pre-approval. Failure to seek cost pre-approval when required results in reimbursement being limited to 50% of the usual, customary, and reasonable cost for performing that work. She noted that cost pre-approval may also be sought voluntarily. She stated that both eligibility and claim determinations may be appealed. She said the appeal process generally involves reviewing additional pertinent information and attempting to resolve the issues without a hearing. However, an administrative hearing will be held, if necessary.

Ms. Brame reported, as of November 3, 2025, the total maximum liability of in-house open claims is approximately \$7.32 million. She said using the claim payout ratio of 74%, which is the average ratio over the past five years, the anticipated payout of unpaid in-house claims is about \$5.42 million.

Ms. Brame reported, as of November 3, 2025, a total of 438 claims with face values above the deductible amount were pending review and noted that review of five claims is being held pending receipt of requested information. She reported that the claims staff are currently reviewing claims received prior to April 2025. She stated that, as of November 3, 2025, 11 claim determinations were under appeal and noted that these appeals pertain to only six release sites, as there are multiple appeals for three sites. She said the staff is awaiting supporting information for seven appeals, information to support one appeal was received and is under review, and an appeal hearing is scheduled for the remaining three appeals.

Ms. Brame reported that, as of November 3, 2025, a total of 144 claim applications were received, and 189 claim determinations were issued. She said the average payout per claim application for program year 2025 is \$10,677 and the average claim payout is 56.9% of the net claim value (face value – deductible). She said the average percentage of the claim face value that was disallowed was 35.7%. She said the staff has been monitoring the percentage of disallowed costs for this program year. She said, of the \$586,855 disallowed as not reimbursable in the month of October, approximately \$368,474 was disallowed as an undocumented cost that was submitted as a lump sum charge. She said backup information was requested but not provided within the 90-day deadline. She said that amount accounted for a large percentage of what was disallowed. In addition, \$65,580 was disallowed as a cost not associated with an eligible release and a claim in the amount of \$53,689 was denied because it was not submitted by the responsible person. She said those major issues account for approximately 83% of what was disallowed in the month of October. She said about 17% was disallowed for reasons such as non-reimbursable markup, costs that exceed what are typical, and other reasons. She said the staff

will continue to monitor the percentage of disallowed costs.

Mr. Gordon commented that the six-month turnaround time for claims review seems to be much quicker than before, and Ms. Brame said claims are being processed a little bit faster. Mr. Ridi asked if information was ever provided for the claim that needed documentation within 90 days. Ms. Brame said no documentation was provided at all. She said in this instance, the staff had a discussion with the consultant, and the consultant indicated the responsible party was having trouble obtaining the necessary documentation. She said the staff specifically asked if the responsible party wanted the claim to be processed without the necessary documentation and they had said yes. The Chairman said it is odd they did not provide it given the amount of money and the information should be there. He said it puts them in a position where they would have to appeal if they wanted to try to collect it. Ms. Brame noted that, according to the Administrative Code, costs that are not documented within 90 days of the request cannot be considered for reimbursement, regardless of whether documentation is later provided.

Ms. Brame reported that, as of November 3, 2025, a total of 31 eligibility applications were received for program year 2025 and 10 eligibility determinations were issued. She said of these eligibility determinations, three were approved and seven were denied. She said the reasons for denial included three for late filing of the application, one for lack of a valid Certificate of Coverage, and one for tanks being out of compliance with BUSTR's rules at the time of the release, and two for no corrective actions being required by BUSTR. She said as of November 3, 2025, a total of 175 eligibility applications were open. She noted that 18 of these applications were unreviewable until the necessary reports are received, and more information has been requested for 19 of the applications. She also noted that, as of November 3, 2025, six eligibility determinations were under appeal. She said additional information is expected for three appeals and information for three appeals has been received and is under review.

Ms. Biggs asked what the timeframe is for late filing. Ms. Brame said the eligibility application must be filed within one year from when the release is suspected. She said if a claim is filed and information or documentation is needed to complete the claim application, a request for information is sent, which gives them 90 days to send it in. Ms. Biggs asked if the deadline is ever extended if they communicate within the 90 days that they are struggling to gather the information and Ms. Brame indicated extensions have been granted.

Ms. Brame reported for program year 2025, a total of 38 cost pre-approval requests were received. She said the cost pre-approval requests included seven requests for new remedial action plans (RAPs); 16 requests for annual costs for RAPs or free product recovery; one request for an interim response action that required BUSTR approval; nine requests for either Tier 3 or monitoring/calibration plans; two cost exceedance notifications; and three voluntary requests for cost pre-approval. She said as of November 3, 2025, a total of 34 cost pre-approval notifications had been issued and 30 cost pre-approval requests were pending review.

Mr. Anthony asked if documentation of financial responsibility mechanisms can be shared with BUSTR when it is submitted to the Board through the annual fee statement process. Assistant Director, Jonathan Maneval, said there is currently a procedure in place that when documentation of a financial

responsibility mechanism is submitted to the Board, it is separated from the application, scanned and the digital copy is provided to BUSTR staff. Mr. Anthony asked to be copied on the emails when that documentation is sent to BUSTR. He noted there is a new feature within their database, which allows financial responsibility documentation to be attached to a facility, and it is something the BUSTR inspectors look for and a violation that gets written up frequently.

Chairman Rocco said the federal and state rules require owners to demonstrate \$1 million dollars of financial responsibility. He said in Ohio tank owners must do two things they must demonstrate coverage with the Fund, and they must have a financial responsibility mechanism for the Fund deductible. He explained that there are several mechanisms to demonstrate financial responsibility including self-insurance, insurance, bonding, and so on. Ms. Biggs asked what evidence is needed for the self-insurance mechanism and Mr. Anthony explained that language for the self-insurance mechanism was copied almost verbatim from Title 40 of the Code of Federal Regulations, but generally, tank owners must prove their net worth through audited financial statements.

Mr. Ridi asked if any releases have cost more than \$1 million and what the maximum amount is that we know of. Director Richmond said the maximum that she has seen is \$1.4 million, but she noted that once the costs go over \$1 million, the Fund no longer covers it. Mr. Ridi asked how many releases have reached the \$1 million limit and Ms. Richmond said there have not been many, maybe 10 to 15. She said those releases typically have immediate corrective action (ICA) activities where they are trying to mitigate the release, mobilize people to stop the release, and clean up free product and those costs can add up very quickly. She added that ICA costs are higher because it is an emergency call out. The Chairman said fortunately we do not see it happen a lot. He commented that bigger tank owners typically buy pollution liability insurance for beyond \$1 million in case there is a catastrophic loss, since they will be on the hook for the rest of the costs.

Finance Committee Report:

Chairman Rocco said prior to the Board meeting, the Finance Committee met to determine whether to recommend any changes to the fee and deductible amounts and to review various policy statements.

Chairman Rocco said the per-tank fees are currently \$350 for the [\$55,000] deductible and \$550 for the [\$11,000] deductible. He said the committee looked at five-year income and expense projections, which are based on many assumptions and estimates. He explained that they essentially looked at projected cash flow, payouts, and funds. He said they consider interest on investments, additional income, and administrative costs, which were estimated to increase 3% annually going forward. He said they looked at claim expenses and liability for claims in-house, future claims associated with eligibilities in-house, and then an estimate of potential new eligibilities and claims going forward. He noted the claim liability estimate was roughly \$41 million for the most recent year. He said if the claims expense is kept at \$8 million each year going forward, the claim liability balance will be about \$25 million in 2030. He said, as reported earlier, there is nowhere near that amount of claims in house, and he mentioned that the claim submissions have roughly been equal to the claims expense on an annual basis. He commented that \$8 million was already allocated for claims this year and there is \$15 million in investments. He said everything appears to be in good shape and the committee is recommending leaving the tank fees as they currently are at \$350 and \$550 per tank. He said the committee looked at

the deductibles and felt it does not make sense to change the deductibles either and to keep the \$11,000 and \$55,000 deductible amounts for the next fiscal year. He noted that the Finance Committee will go through the process again next year. He then requested a motion to adopt the recommendation of the Finance Committee to make no changes to the deductible amounts, or the per-tank fee amounts for program year 2026. Mr. Ridi so moved, and Mr. Bergman seconded. A vote was taken, and all were in favor. The motion passed.

Chairman Rocco said the meeting that was tentatively scheduled for February 2026 would not be needed, as there will be no need to do a rule change.

Chairman Rocco said the committee reviewed several of the Board's policies, including the Collections Policy, Warrant Requestion Policy, Investment Policy, and Asset Management Policy. He said the committee has no recommended changes associated with those policies. He mentioned that copies of the policies were available if anyone wanted to look at them.

New Business:

Employee Handbook Update

Chairman Rocco called on Jonathan Maneval, Assistant Director, to discuss updates to the Board's Employee Handbook.

Mr. Maneval said it has been a number of years since the Board's Employee Handbook has been updated and that he and Director Richmond had undertaken a project go through it to ensure the information is correct, it reflects current agency and statewide policies, and to add additional information they felt was needed or would be beneficial for the staff to know about. He said the draft is close to being finalized and requested the Board's legal counsel, Beth Fligner, look at it and provide comments. He explained this would be consistent with what has been done in the past. He then requested a volunteer from the Board to also review it and Vice-Chairman Fleming volunteered to review it and provide any notes or recommended changes. Mr. Maneval explained that the plan is to provide the draft to Ms. Fligner and Vice-Chairman Fleming within the next few weeks with the intent that their comments be provided by the end of December. He said the finalized draft would then be presented and adopted at the January Board meeting.

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 USTs; 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 State 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 2024 Certificates of Coverage for the three owners of the three facilities included on the program year 2024 Certificates issued list.

Mr. Anderson moved to ratify the issuance of the 2024 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 2024 Certificates of Coverage for the 17 USTs located at the seven facilities included on the program year 2024 Certificates denied list.

Vice-Chairman Fleming moved to ratify the denial of the 2024 Certificates of Coverage that were listed. Mr. Miller 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 2025 Certificates of Coverage for the 71 owners of the 841 facilities included on the program year 2025 Certificates issued list.

Mr. Gordon moved to ratify the issuance of the 2025 Certificates of Coverage for the facilities listed. Mr. Miller 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 2025 Certificates of Coverage for the 26 USTs located at the 10 facilities included on the program year 2025 Certificates denied list.

Vice-Chairman Fleming moved to ratify the denial of the 2025 Certificates of Coverage that were listed, and Mr. Bergman 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, January 14, 2026, at 10:00 a.m.

Mr. Anderson made a motion to adjourn the meeting and Vice-Chairman Fleming 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.