



## Michigan Underground Storage Tank Authority Board of Directors Meeting Minutes

A meeting of the Michigan Underground Storage Tank Authority (MUSTA) Board (Board) was held on March 19, 2019, at 1:00 p.m. in Constitution Hall, ConCon Conference room on Atrium Level South, located at 525 West Allegan Street, Lansing, Michigan 48933.

**MEMBERS PRESENT:** Brian Eggers, Sr. – Chairman  
John Dimmick – Vice Chairman  
Sue Leeming  
Greg Gould  
Grenetta Thomassey – via telephone  
Juman Doleh-Alomary – via telephone

**MEMBERS ABSENT:** Bill Saad

### 1. Call to Order/Establishment of a Quorum

Brian Eggers, Sr., Chairman, called the meeting to order at 1:00 p.m. with a quorum established.

### 2. Review of Agenda

Brian Eggers, Sr., asked for any recommended changes to the proposed agenda, no suggestions were given.

### 3. Approval of the Tuesday, January 15, 2019, Minutes

Brian Eggers, Sr., Chairman asked if there were any corrections, comments, or additions to the January 15, 2019, meeting minutes. Upon hearing no comments, a motion was made by Sue Leeming and supported by John Dimmick to approve the January 15, 2019, minutes. **APPROVED UNANIMOUSLY**

### 4. Hearings on Requests for Review

Brian Eggers, Sr., stated that the Board received and reviewed all material for the following claims:

#### MUSTA Claim #18-064, Denial of Claim for Bristol Fuels

Clifford Knaggs, representing Bristol Fuels, requested that Claim #18-064 for Bristol Fuels be reopened for discussion as it had previously been heard and ruled on by the Board at its January 15, 2019 meeting. A motion was made by Sue Leeming and supported by John Dimmick to reopen the review. **APPROVED UNANIMOUSLY**

Mr. Knaggs stated that the term “release” as defined in Part 215 does not include “suspected or confirmed” and therefore, any reference to Part 211 should be superseded by the definition of release provided in Part 215. His position, therefore, is that although Bristol Fuels did not report the suspected release in question within the 24-hour reporting time-frame, the confirmed release was reported within 2h-hours of its discovery and therefore the claim should be approved.

Mr. Andrew Prins, from the Attorney General’s Office, recommended the Board uphold the Administrator’s denial maintaining that Part 215 referred to Part 211 thereby including it and its rule requirements into Part 215. Mr. Eggers, Sr. stated that the Board was not made up of attorneys, and therefore, could not ignore Andrew Prins written and verbal guidance

A motion was made by John Dimmick and supported by Sue Leeming to uphold the denial.

**APPROVED UNANIMOUSLY**

*MUSTA Claim #17-083, Denial of Claim for Ramo, Inc.*

Ms. Jamie Hawari, owner of Ramo Inc., was present and provided her reasons as to why the MUSTA Administrator’s decision should be overturned.

Bob Reisner provided the position of MUSTA and the reasoning for the initial denial and why it should be upheld.

After discussion, Brian Eggers, Sr. commented that the events involved in the discovery and reporting of the release were unfortunate, but that the 24-hour reporting of a release is clearly required by statute and is therefore unconditional.

A motion was made by Sue Leeming to uphold the denial and it was supported by John Dimmick. **APPROVED UNANIMOUSLY**

**5. Update on Program Status and Budgets**

Bob Reisner provided an update on program status and budgets which included the following:

- Underground Storage Tank Cleanup Fund Revenues, Expenditures, and Balance as of March 1, 2019;
- Underground Storage Tank Cleanup Fund Claims as of March 13, 2019;
- Underground Storage Tank Cleanup Fund Work Invoices as of March 7, 2019;
- Financial Responsibility Statistics as of March 7, 2019;
- Legacy Release Program Statistics as of March 7, 2019; and
- Public Highway Cleanup Statistics.

Bob Reisner noted that the percentage of owner operators that the Fund provides financial responsibility for went down. The decrease is the result of 317 more facilities on LARA’s

facility list than previously. The increase in the number of facilities maybe the result of LARA updating their database which raised the overall total number of Facilities.

Brian Eggers, Sr., and Sue Leeming both expressed praise on the success of the Fund in providing financial responsibility coverage for owners/operators.

**6. Status of Internal Audit**

Bob Reisner presented the Board with a copy of the Internal Consultation Engagement Memo provided by the Office of Performance and Transformation.

The consensus of the Board was that the memo demonstrated that MUSTA is following good operating and record keeping procedures.

**7. Update to the Schedule of Costs**

Bob Reisner presented the Board with an Updated Schedule of Costs for approval. This update included the additional descriptions as requested during the January 2019 Board meeting. A motion was made by Sue Leeming and supported by Juman Doleh-Alomary to approve the updated Schedule of Costs. **APPROVED UNANIMOUSLY**

**8. Public Comment**

None given.

**9. Next Scheduled Meeting**

The next scheduled meeting will take place May 15, 2019, in the Patriot Conference room on the Atrium North level of Constitution Hall.

**10. Adjournment**

The meeting was adjourned at 1:55 p.m.

Respectfully Submitted,  
Debra Pahl, MUSTA Secretary