

RI UST Review Board

4-8-08 Board Meeting (Amended)

Quorum

The Board meeting, held at 235 Promenade Street; Room 425 A, Providence, was called to order by Chairman Gray at 12:04 p.m. Members present were Commissioners Gray, Hurley, Beaudette, Boisselle, Allienello, Palozzi(non voting member), and DeBlois. Staff present were Kevin Gillen and Michaela K. Brockmann.

Approval of Previous Meeting Minutes

Commissioner DeBlois moved to accept the December 6th, 2007 meeting minutes. Commissioner Hurley seconded the motion. A vote was taken. All voting members voted to accept the minutes from December 6th, 2007.

Chairman's Report

Chairman Gray stated he had two items to discuss with the Board. He first informed Board members about Commissioner Boisselle's father's illness. Secondly, he stated that the legal department for the DEM had undergone some changes and as a result, he was hoping that a determination on legal counsel assigned to the Board would be made shortly.

Colbea Insurance Update

Chairman Gray asked Kevin Gillen, Supervisor of the UST Division, to

provide members with an update on the insurance issue on this site. Mr. Gillen replied that Mr. Breckel, the responsible party, had applied for insurance and that the insurance company paid for those costs not covered under the fund. By way of clarification, Commissioner DeBlois stated that the Board was acting as the primary source of reimbursement.

Reimbursement Recommendations

Commissioner Gray broke up the reimbursement recommendations into four categories. The first section contained five Exxon Mobil claims. Commissioner DeBlois moved for approval for these claims, the motion was seconded by Commissioner Hurley. There was no discussion and a vote was taken. Commissioner Boisselle recused herself and all remaining voting members voted to accept the recommendations.

Commissioner Gray then brought all the Drake sites before the board for their approval. Commissioner Boisselle moved to approve the Drake claims, Commissioner Allienello seconded her motion. Commissioner Hurley recused himself and all remaining voting members approved the motion to accept the recommendations.

Commissioner Gray explained that the next recommendation up for approval was the Avila Brothers site. He explained that this was separated as a result of the appeal which stated that only eighty percent of eligible costs would be approved. Commissioner Hurley

moved to accept the reimbursement recommendation and a second was made by Commissioner Allienello. All voting members voted in the affirmative.

Commissioner DeBlois moved to accept all the remaining claims. Commissioner Allienello seconded the motion. Commissioner Boisselle asked if RFR#'s 280 and 289 were new sites. Staff replied that those sites had come to the Board several times. A vote was taken and all voting members moved to accept the remaining claims.

Nominating Committee

Commissioner DeBlois and Commissioner Allienello recommended to the Board that Chairman Gray remain as chairman and Commissioner Boisselle remain as Vice-Chair. Commissioner Hurley moved to accept the nominating committee's recommendations. This motion was seconded by Commissioner Beaudette. All voting members voted to accept the committee's recommendations.

Old Business

Commissioner DeBlois asked for an update on the Bristol/Warren appeal. Chairman Gray stated that he expected to have an update after legal representation had been assigned.

New Business

Chairman Gray recommended May 5th, 2008 as the new deadline date

for claim submittal.

Commissioner Boisselle and Chairman Gray explained to the Board that the supplemental budget was pending and included in that was a proposal for a diversion of two million dollars. A discussion followed regarding the viability of the fund and concern was voiced regarding the fund's ability to maintain EPA approval as the fund mechanism.

Commissioner Palozzi then explained to the Board that as part of the Department of Business Regulation's omnibus bill, DBR was seeking to remove their position on the Board. Discussion followed lauding Commissioner Palozzi's contribution to the Board.

Commissioner Hurley asked that staff meet with claimants prior to the Board meeting to resolve any "no back up issues."

Adjournment

Commissioner Hurley moved to adjourn the meeting at 12:40. The motion was seconded by Commissioner DeBlois and all voting members approved the adjournment of the meeting.

Respectfully Submitted by

Michaela K. Brockmann