



June 21, 2019

Colorado Department of Labor and Employment  
9:00 AM

Present: Bruno Busnardo, Scott Paulson, Renee Shellhorse, Tony Congram, Jane Bral and Lukas Staks.

Absent: Steve Callahan, Mahesh Albuquerque

Note: The meeting was recorded and started at 9:00 AM.

### MINUTES APPROVAL

Renee Shellhorse motioned to approve the May 17, 2019 minutes. The motion was seconded by Tony Congram, and carried unanimously.

### STAFF REPORT:

### FUND STATUS

- A. The Fund balance at the end of May was \$7.084 million dollars.
- B. In April 80 applications were received requesting \$1,983,678.65 million. \$2,162,144 million were approved. Turnaround time is currently 51 days.
- C. In the Aged List, there was 1 RAP remaining from the second half of 2018 which was going to be presented at this meeting.

### PRESENTATION OF APPLICATIONS--TANK REMOVAL:

Owner ID 23043 - Stinker Store #334. Approved reimbursement \$15,130

Owner ID 22346 - SSE #518. Approved reimbursement \$26,000

Owner ID 1863 - South Park Exxon (Formerly South Park Shell). Approved reimbursement \$28,000

These applications were presented before the Committee to approve a total of \$69,130 in tank removal costs. Renee Shellhorse moved to approve all applications and Scott Paulson seconded. The motion carried unanimously.

### PRESENTATION OF APPLICATIONS--RAPs:

**RAP# 33374 - Seibert Travel Plaza -17507 State Hwy 59, Seibert.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible (Incentive requested but not eligible due to non-compliance). Costs submitted on the application were \$16,752.59 less unallowed costs in the amount of \$97.65 for a recommended reimbursement award subtotal in the amount of \$16,654.94. Compliance issue was a maximum potential reduction of 15% for Release Detection. John Stickle, JA & J, LLC, applicant, Joel Kissel, Kissel Consulting, consultant, represented

the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site for \$16,752.59 less the \$10k deductible, unallowed costs in the amount of \$97.65 and no reduction for Release Detection. As such, the committee granted the incentive and waived the deductible. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33495 - Empire 3589 - 803 Riverside Ave., Fort Collins.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$64,397.82 with no unallowed costs for a reimbursement award subtotal in the amount of \$64,397.82. Compliance issue was a maximum potential reduction of 25% for Release Detection. Josh Skov, EPP - Colorado Acquisition, LLC, applicant, Martin Eckert, Eagle Environmental, represented the site. After discussion between the Committee members and the representative, Jane Bral moved to approve the site for \$64,397.82, less \$10K deductible, 2% reduction for Release Detection, and any application preparation costs over 1% of the reimbursement award. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33455 - International Grocery - 700 Dayton St., Aurora.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. There were no costs submitted on the application as it was presented for eligibility only. Compliance issue was a maximum potential reduction of 25% for Release Detection. In addition, there was a potential denial for substantial non-compliance per PSTC policy #4 for Operating a UST after 12/22/1998 that does not meet the 12/22/1998 requirements pertaining to spill/overflow prevention and corrosion protection or has not been permanently closed pursuant to regulation at the time of release discovery. [Cit. ref. § 2-2-4] [Internal lining inspection failed in addition to the five year gap in Cathodic Protection testing does not meet corrosion protection requirements; there is no assurance the tanks were fully protected]. Anes Saleh, Elham Saleh Living Trust, applicant, Martin Eckert and Robin Lockwood, Eagle Environmental, consultant, represented the site. After discussion between the Committee members and the representative, Renee Shellhorse moved to approve the site for eligibility only. Any payment will have a 25% reduction for Release Detection compliance issues, the \$10K deductible, and any application preparation costs over 1% of the reimbursement award. Scott Paulson seconded and the motion carried unanimously.

**RAP# 33427 - Alta Convenience #5275 - 725 State Ave., Alamosa.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$26,454.11 with no unallowed costs, for a reimbursement award subtotal in the amount of \$26,454.11. There were no compliance issues. Rich Spresser, Pester Marketing Company, applicant, Clint Wagner, Geologic Services & Consultants, Inc., consultant, represented the site. After discussion between the Committee and the representatives, Scott Paulson moved to approve the site for \$26,454.11 less the \$10K deductible. Jane Bral seconded and the motion carried unanimously.

**RAP# 33461 - JR's Fuel Stop #819 - 425 S 6th St., Westcliffe.** This application was presented before the Committee as a Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$10,391.41 with no unallowed costs. There were no compliance issues. Jim Garlutz, Duran Oil Company, applicant, Clint Wagner, Geologic Services & Consultants, Inc., consultant, represented the site. After discussion between the Committee members and the representatives, Renee Shellhorse moved to approve the site for \$10,391.41 with the \$10K deductible. Scott Paulson seconded and the motion carried unanimously.

**RAP# 33379 - JR's #815 - 1025 Park Ave., Monte Vista.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$18,594.42 with no unallowed costs for a reimbursement award subtotal in the amount of \$18,594.42. There were no compliance issues. Jim Garlutz, Duran Oil Company, applicant, Clint Wagner, Geologic Services & Consultants, Inc., consultant, represented the site. After discussion between the Committee members and the

representatives, Renee Shellhorse moved to approve the site for \$18,594.42 with the \$10K deductible to be waived per the 2017-2018 incentive. Scott Paulson seconded and the motion carried unanimously.

**RAP# 33413 - M & M Food Stores, Inc.- 1004 W. 29th Ave., Pueblo.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$45,457.65 with no unallowed costs for a reimbursement award subtotal in the amount of \$45,457.65. There were no compliance issues. Moe Sholcranifar, M & M Food Stores, Inc., applicant, and Clint Wagner, Geologic Services & Consultants, Inc., consultant, represented the site. After discussion between the Committee members and the representative, Scott Paulson moved to approve the site for \$45,457.651 with the \$10K deductible to be waived per the 2017-2018 incentive. Tony Congram seconded and the motion carried unanimously.

**RAP# 33471 - Alamosa Bulk Plant - 1316 21st St., Alamosa.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible. Costs submitted on the application were \$17,876.81 with no unallowed costs for a total recommended reimbursement in the amount of \$17,876.81. Compliance issue was a maximum potential reduction of 15% for Release Detection. Debra Yarbrough, The Monte Vista Cooperative, applicant, and Clint Wagner, Geologic Services & Consultants, Inc., consultant, represented the site. After discussion between the representative and the Committee, Tony Congram moved to approve the site in the amount of \$17,876.81, less the \$10k deductible, and 5% reduction for release detection. Jane Bral seconded and the motion carried unanimously.

**RAP# 33330 - Eagle Convenience Store #6 - 233 N. Dexter St., Wray.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$16,026.43 with no unallowed costs, for a reimbursement award subtotal in the amount of \$16,026.43. There were no compliance issues. John Bacon, Colorado Retail Venture Services, LLC, and Glen Vallance, CGRS, consultant, represented the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site in the amount of \$16,026.43. Jane Bral seconded and the motion carried unanimously.

**RAP# 33400 - Far Better Convenience - 101 S. Quentine Ave., Milliken.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$11,378.95 with no unallowed costs for a reimbursement award subtotal in the amount of \$11,378.95. There were no compliance issues. Matt Larsen, CGRS, consultant, represented the site. After discussion between the representatives and the Committee, Renee Shellhorse moved to approve the site in the amount of \$11,378.95, with the \$10K deductible to be waived per the 2017-2018 incentive. Tony Congram seconded and the motion carried unanimously.

**RAP# 33331 - CRVS Cennex #5 - 600 E. 8th Ave., Yuma.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$7,215.48 with no unallowed costs for a reimbursement award subtotal in the amount of \$7,215.48. There were no compliance issues. John Bacon, Colorado Retail Ventures Services, LLC, applicant, and Glen Vallance, CGRS, consultant, represented the site. After discussion between the representative and the Committee, Tony Congram moved to approve the site in the amount of \$7,215.48 with the \$10K deductible to be waived per the 2017-2018 incentive, less any application preparation costs over 1% of the reimbursement award. Scott Paulson seconded and the motion carried unanimously.

**RAP# 33204 - King Soopers #698- 5810 Stetson Hills Blvd., Colorado Springs.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per

the 2017-2018 incentive. Costs submitted on the application were \$17,818.99 with no unallowed costs for a reimbursement award subtotal in the amount of \$17,818.99. There were no compliance issues. Ty Scott, Dillon Companies LLC dba King Soopers/City Market, applicant, and Matt Larsen, CGRS, consultant, represented the site. After discussion between the Committee members and the representatives, Scott Paulson moved to approve the site in the amount of \$17,818.99 and the \$10K deductible to be waived per the 2017-2018 incentive. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33356 - Hertz Rental - DIA - 24890 E. 78th Ave., Denver.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$18,695.20 with no unallowed costs for a reimbursement award subtotal in the amount of \$18,695.20. There were no compliance issues. Gordon Walters, The Hertz Corporation, applicant, and Brannan Davis, CGRS, consultant, represented the site. After discussion between the representative and the Committee, Jane Bral moved to approve the site in the amount of \$18,695.20 with the \$10K deductible to be waived per the 2017-2018 incentive, and any application preparation costs over 1% of the reimbursement award. Tony Congram seconded and the motion carried unanimously.

**RAP# 33145 - Lake Dillon Conoco - 122 Lake Dillon Dr., Dillon.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible to be waived per the 2017-2018 incentive. Costs submitted on the application were \$19,535.16 with no unallowed costs for a reimbursement award subtotal in the amount of \$19,535.16. There were no compliance issues. Danny Eilts, Dillon Gateway Development, LLC, applicant, and Brannan Davis, CGRS, represented the site. After discussion between the representatives and the Committee, Tony Congram moved to approve the site in the amount of \$19,535.16 with the \$10K deductible to be waived per the 2017-2018 incentive, less any application preparation costs over 1% of the reimbursement award. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33371 - Colorado Mental Health Institute at Pueblo - 1600 W. 24th St., Pueblo.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible (incentive requested but not eligible due to non-compliance). Costs submitted on the application were \$25,852.36 with no unallowed costs for a reimbursement award subtotal in the amount of \$25,852.36. Compliance issue was a maximum potential reduction of 15% for Release Detection. David Basham, State of Colorado Department of Human Services, applicant, and Glen Vallance and Kylene Baker, CGRS, consultant, represented the site. After discussion between the representatives and the Committee, it was decided that Release Detection was in Compliance and the applicant was eligible for the \$10K incentive. Scott Paulson moved to approve the site in the amount of \$25,852.36 with the \$10K deductible to be waived per the 2017-2018 incentive, less any application preparation costs over 1% of the reimbursement award. Renee Shellhorse seconded and the motion carried unanimously.

**RAP# 33329 - Colorado Retail Venture Services, LLC - 20974 Hwy 6, Sterling.** This application was presented before the Committee as Tank Owner/Operator with the \$10K deductible (incentive requested but not eligible due to non-compliance). Costs submitted on the application were \$16,946.54 less unallowed costs in the amount of \$115.00 for a recommended reimbursement award subtotal in the amount of \$16,831.54. Compliance issue was a maximum potential reduction of 15% for Release Detection. John Bacon, Colorado Retail Ventures Services, LLC, applicant, and Glen Vallance and Kylene Baker, CGRS, represented the site. After discussion between the representatives and the Committee, it was decided that Release Detection was in Compliance and the applicant was eligible for the \$10K incentive, Scott Paulson moved to approve the site in the amount of \$16,831.54 with the \$10K deductible to be waived per the 2017-2018 incentive. Jane Bral seconded and the motion carried unanimously.

**RAP# 33450 - North Park KOA - 53337 CO Highway 14, Walden.** This application was presented before the Committee as a Property Owner. Costs submitted on the application were \$20,684.56 less unallowed costs in the amount of \$1,053 for a recommended reimbursement award subtotal in the amount of \$19,631.56. Abraham Medina, Colorado State Board of Land Commissioners, applicant, represented the site. After discussion between the representative and the Committee, Renee Shellhorse moved to approve the in the amount of \$19,631.56. Jane Bral seconded and the motion carried unanimously.

The next meeting is scheduled for July 19, 2019.

**Meeting adjourned at 12:34 PM**

These minutes represent a summary of this meeting and are not intended to be a verbatim document.  
Luz Duque, Committee Organizer