Summary Financial Assurance Board
Indiana Government Center South
Conference Center Room A
Teams Meeting
Indianapolis, Indiana
Thursday, November 20, 2025

A. Call to Order
Chair Vijay called the meeting to order at 1:30 p.m. A quorum was present.

Members present: Nivas Vijay, Brian Wolff, Kim Logan, Lauren Nielsen, Tom Navarre, and Kevin Ryan.

Chair Vijay had the board members introduce themselves and indicate their role on the board.

The meeting was held in person at the Indiana Government Center and on Microsoft Teams. All members participated in person, except for Mr. Navarre and Mr. Ryan, who participated via Teams.

B. **Approval of October 24, 2024 Meeting Summary**
Meeting summary approved.

C. IDEM Reports
Briony Towler Chief Financial Officer presented the Fund Administrator's Report for Fiscal Year '25. Highlights included $9.5 million in claim payments, an ending fund balance of $244.2 million, and the interest earned of $10.1 million.

Ms. Towler also presented the over under revenue of $42,150,098 balance for FY25. The aviation fuel account had a total revenue after payouts of $481,731. There was a statutory transfer to INDOT of $2,141,656 in February 2025.

Ms. Towler provided background on the aviation fuel account and how it transfers to INDOT once a year.

Katie Blackburn, Chief, UST Operations Section, presented on incidents reported and confirmed, corrective action eligibilities received and approved, and 375 claims received for just under $7.8 million in Fiscal Year '25.

In Fiscal Year '25, 359 claims were reviewed with an amount reimbursed of $4.57 million. In August 2024 and January 2025, each month had large claim received with mostly ineligible costs. When you take those two claims out, the percentage approved goes from 74.48% to 81.2% for the year.

Ms. Blackburn also presented information on the 50 percent decommissioning & replacement program eligibilities received and deemed eligible, and 69 cost claims for just over $20.4 million.

Ms. Blackburn showed 51 claims reviewed for the 50 percent program in FY25, with the percent approved at 86.63%, and an amount reimbursed of $5,294,816.

Tim Veatch, Petroleum Branch Chief, started his presentation with kudos to Katie's group for their outreach efforts and work to drive down review times. Then, he transitioned into a discussion on the National Tanks Conference themes of public partnerships and building relationships and the balance between education and enforcement.

Mr. Veatch discussed each of his direct reports briefly, stating their name and specific areas of focus.

Then, Mr. Veatch gave a Petroleum Branch overview, starting with the Tanks Compliance Section which is responsible for pollution prevention, compliance management, inspections, and contractor certification for regulated tanks. There are currently 3,973 active facilities in Indiana. This section met their EPA inspection goal for the second year in a row.

Next, he discussed the Petroleum Remediation Section (PRS) which is primarily responsible for ensuring owners and operators are investigating and cleaning up their releases properly. This section also oversees release reporting, project management of USTs, ASTs, and other petroleum releases, and UST closure report reviews. PRS operates with an EPA grant. Primary report outs are releases reported, cleanups completed, and cleanups initiated. This section will be working on some outreach efforts to get stagnant sites moving, outreach for independent closure sites, and focusing on suspected releases

Mr. Veatch presented the Tanks Administration and Claim Section responsibilities of claim review, notification processing, billing and eligibility reviews. There are 248 ELTF eligible active releases, only about a third of the active LUST universe. Average cost to closure is $306,217, the median $99,664. A goal for 2026 is to issue eligibility determinations to releases that have not applied to ELTF. Other goals include finding new ways to promote the 50% program and demonstrate its success and improve the notification process.

Additional information was presented on the 50% program including 5,721 (43.68%) of Indiana tanks are greater than 30 years old, only 10% of these tanks currently have an approved eligibility to the 50% program, and the breakdown of the number of tanks by owner category was provided in a bar chart.

Lauren Nielsen asked questions about prioritization of tanks for the 50% program and Kevin Ryan asked questions about standard number of tanks at the average Kroger station up to a Buc-ee's station.

Ms. Colleen Rennaker, Deputy Assistant Commissioner, presented agency updates specific to the UST and ELTF program. Executive Order 25-38, creating opportunity through reductions of excessive environmental regulation, was issued by the Governor on March 12, 2025. In response, the agency solicited comments and the Petroleum Branch will be reviewing IDEM's notification form usage as it relates to requirements in 329 IAC 9.

Ms. Rennaker also presented on the ELTF Rule Status, 328 IAC 1. Draft language incorporating SEA 246 provisions is being reviewed and should be out for public comment early in 2026. There are also updated cost guidance rates included.

Ms. Rennaker presented the US Department of Justice conviction against Alan Jones who has been ordered to pay $123,523 in restitution to the ELTF. She also went on to request feedback on what IDEM can do to make the Financial Assurance Board meetings more meaningful to interested parties and IDEM. Chair Vijay indicated it is also a priority of his. Mr. Veatch, Ms. Rennaker, and Chair Vijay all have indicated the large balance in the ELTF could be easily utilized, with the age of tanks in our state and the number of ongoing and potential projects. Collectively we need to work together on explaining how the funds are being spent.

Ms. Nielsen asked questions about inspections of old tanks slated to be removed but not doing an inspection on the new tanks. Ms. Rennaker responded that 1300 inspections are completed yearly based on a schedule, but we do additional inspections, when possible, if an inspector is going to be in the area. Unfortunately, once the 30-day notice is received there is often a 12-month delay in getting tanks, so we often don't know when installations are going to happen.

D. Other Matters

Open Forum

Mr. Chris Braun, of Plews Shadley Racher & Braun, addressed the Board and attendees as the outside council for the Indiana Food and Fuel Association (IFFA). Mr. Braun worked closely with the regulated community and the regulators to draft Senate Bill 246 two and a half years ago. The final bill passed the House 85 to 0 and the Senate 48 to 0 to became effective on July 1, 2023. As many of you know, it expanded the use of ELTF for the decommissioning / replacement program, one of the first of its kind in the country and allowed cleanup funding for regulated ASTs.

Mr. Braun indicated the fifty percent program is helping many owners, especially the small Mom and Pop stations. In discussions with consultants, he has been given a range of $600,000 to $850,000 for these projects which is a huge expense for an owner. The fund balance of $244 million dollar balance is a good start, but if you take $325,000 as an average project cost times 1729 small facilities with tanks over 30 years old, the total needed is $565,175,000. From an actuarial standpoint, we have only funded about half of the need.

Mr. Braun reiterated the numbers of small, medium, and large owners from Mr. Veatch's presentation and said we need to remain vigilant of the fund to safeguard its use for the purposes the legislature passed unanimously two and a half years ago.

E. Adjournment

Chair Vijay adjourned the meeting at 2:39 p.m.