

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA INSURANCE DEPARTMENT

F I N A L M I N U T E S

MEETING OF:

**UNDERGROUND STORAGE TANK INDEMNIFICATION BOARD
THIRD QUARTER BOARD MEETING**

TIME: 10:00 A.M.

Held at

PENNSYLVANIA INSURANCE DEPARTMENT

901 North 7th Street

Capital Associates Building

First Floor Conference Center, Forster Room

Harrisburg, Pennsylvania 17102

as well as

VIA MICROSOFT TEAMS

September 18, 2025

Underground Storage Tank Indemnification Board
Third Quarter Board Meeting
September 18, 2025

BOARD MEMBERS:

Stephanie J. Catarino Wissman, Vice Chair
Kevin Forsythe, Board Member
Gauttam Patel, alternate for Kevin Forsythe, Board Member
J. Andy Greiner, Board Member
Nila Manning, Board Member
Ted Harris, alternate for Nila Manning, Board Member
Jessica Shirley, Board Member - Absent
Michael Humphreys, Board Member - Present but delegating duties to alternate
Laura Lyon Slaymaker, alternate for Michael Humphreys, Board Member
J. Stephen Hieber, Chairman - Absent
William Buckfelder, Board Member - Absent
Alex Baloga, Board Member
Michael Howells, alternate for Alex Baloga, Board Member
Senator Chris Gebhard, Board Member - Absent
Emily Eyster, alternate for Senator Carolyn Comitta, Board Member
Andrew W. McMenamin, alternate for Representative Greg Vitali, Board Member
Chris Hartman, Board Member - Absent

COMMONWEALTH STAFF PRESENT:

Benjamin Lorah, Executive Director, USTIF
Erin Burlew, Esquire, Department Counsel, Pennsylvania Insurance Department, Office of General Counsel
Preston M. Buckman, Esquire, USTIF Board Counsel
Amy Forbes-Witt, Claims Manager, USTIF
Carole Clarke Smith, Esquire, Department Counsel, Pennsylvania Insurance Department, Office of General Counsel
H. Kraig Wilson, Claim Evaluator II, USTIF
Lisa Fry, Financial Operations Manager, USTIF
Miles Hazan, Administrative Operations Manager, USTIF
Michael Snow, Information Technology Generalist 2, Pennsylvania Insurance Department
Timothy Slack, Solid Waste Program Specialist, Pennsylvania Department of Environmental Protection

Underground Storage Tank Indemnification Board
Third Quarter Board Meeting
September 18, 2025

COMMONWEALTH STAFF PRESENT (CONT.):

Lindsay Williamson, Esquire, Department Counsel,
Pennsylvania Department of Environmental
Protection, Office of General Counsel
Courtney Bullock, Claims Evaluator, Bureau of Special
Funds
E. Alex Eckman, Environmental Program Manager,
Pennsylvania Department of Environmental Protection
Carla King, Executive Secretary, Office of
Liquidations, Rehabilitations and Special Funds
Randy Martin, Storage Tank Program Manager,
Pennsylvania Department of Environmental Protection

ALSO PRESENT:

Kevin Burke, Director Environmental Claims, ICF
Linda Crabb, Environmental Claim Manager, ICF
Belinda Wilson, Senior Environmental Claim Manager,
ICF
James Ferro, Claims Representative Senior Manager,
ICF
Allison Walker, Sargent's Court Reporting Service,
Inc.

1 ***

2 Underground Storage Tank Indemnification Board

3 Third Quarter Board Meeting

4 September 18, 2025

5
6 The regularly scheduled meeting of the
7 Underground Storage Tank Indemnification Board was
8 held on Thursday, September 18, 2025. Stephanie J.
9 Catarino Wissman, Vice Chair, called the meeting to
10 order at 10:00 a.m.

11 ***

12 Roll Call/Introductions

13 [A roll call of Board members was taken. A quorum of
14 Board members was present.]

15 ***

16 [Benjamin Lorah, Executive Director, USTIF, noted the
17 meeting was being recorded and continued
18 participation constituted consent to be recorded.

19 Mr. Lorah requested an introduction of all
20 attendees.]

21 ***

22 New Business - Right-to-Know Law Training

23 [Erin Burlew, Department Counsel for the Pennsylvania
24 Insurance Department, presented to discuss the Right-
25 to-Know Law and the importance of government

1 accountability. She stated the public should have
2 access to public information as required by the law.

3 A public record is a record that is not exempt,
4 confidential or privileged.

5 Ms. Burlew suggested every action being processed
6 or transacted should be conducted in such a way as to
7 believe the newspaper will print it. She advised the
8 use of a specific form is required when requesting
9 public records. Employees should forward any
10 requests for public information to their Right-to-
11 Know Law Officer.

12 Ms. Burlew discussed the Right-to-Know Law
13 timeline. The department has five business days from
14 the date a request is received to respond
15 accordingly. The USTIF does, under extenuating
16 circumstances, have the option to use up to 30 days
17 to respond to a request.

18 She reviewed the procedural steps taken by the
19 USTIF once a properly submitted request is received.
20 The Right-to-Know Law permits the search of Board
21 records and the work being done by same. It permits
22 individual work emails and personal emails to be
23 searched if the request comes in at a time when Board
24 work information is discussed in a work or personal
25 email. The search could include email addresses as

1 well.

2 Ms. Burlew explained Board members would have to
3 search their own emails and forward the emails with
4 the knowledge that this process is legal and viable.

5 The one exception to this rule is that records
6 requested cannot be obtained if the Board is working
7 on internal, pre-decisional deliberations. Ms. Burlew
8 commented on the fact, because the Underground
9 Storage Tank Indemnification Board works for the
10 Pennsylvania state government, any subject matter
11 presented and discussed in an email in order to
12 decide and then present to a quorum would not be
13 exempt from public records.

14 The information in a Board packet would be open
15 to the public. She referred to the regulation being
16 discussed today. It is a draft regulation, but it
17 has been presented to the Board for decision. So
18 that is a public record that is also posted in other
19 places. Information can be redacted, and just the
20 pertinent information remains. Communications on
21 legal issues would be attorney-client privileged.

22 The location of the resource account was noted to
23 be on the website.

24 Andy Greiner requested clarification on sending
25 an email discussing a regulation to be voted on and

1 if that email could be subject to the Sunshine Laws.
2 Ms. Burlew replied it would not be subject to the
3 Sunshine Laws. It would be withheld as an internal,
4 pre-decisional deliberation.]

5 ***

6 New Business - Adoption of Second Quarter 2025
7 Meeting Minutes

8 VICE CHAIR WISSMAN:

9 Is there a motion to approve the
10 minutes of the second quarter 2025
11 board meeting as revised?

12 MR. GREINER:

13 I make a motion that we approve the
14 minutes to the second quarter meeting
15 as revised.

16 MS. SLAYMAKER:

17 I'll second.

18 VICE CHAIR WISSMAN:

19 Let's do a voice vote.

20 All in favor of the minutes as
21 amended, please say aye.

22 VICE CHAIR WISSMAN:

23 Any opposed? All right. The minutes
24 are adopted.

25 ***

1 New Business - Board Member Updates and Term Renewals
2 [Mr. Lorah updated the Board on member changes. Greg
3 Perry, of the PA Farm Bureau, PA State Grange and PA
4 Farmers Union, resigned his position in August.

5 Nominations for the vacancy left open by Mr. Perry's
6 resignation include nominees from the Farm Bureau and
7 State Grange. These nominations will be forwarded to
8 the Governor's Office for consideration.

9 Mr. Lorah also commented that Board member
10 Senator Chris Gebhard was appointed by the Senate
11 President Pro Tempore in August 2025. The Board now
12 has one vacancy.]

13 ***

14 New Business - USTIB Handbook

15 [Mr. Lorah stated Miles Hazan had been working on the
16 USTIB handbook. It contains information on the
17 background of Board operations and an overview of the
18 USTIF and TIIP programs, the regulatory process as
19 well as Robert's Rules of Order. It incorporates
20 references to the enabling statute and the
21 regulations that apply to the Board's operations.

22 Mr. Lorah commented that a draft of the handbook
23 was provided for this meeting. He requested comments
24 or suggestions for changes in the handbook, and he
25 would incorporate them into the handbook for review

1 at the Board's December meeting.]

2 ***

3 Administrative Items - USTIF Claims Summary

4 [Amy Forbes-Witt reported, as of August 31, 2025,
5 there were 83 new claims and one reopened claim year-
6 to-date. Closed claims numbered 78 for those paid
7 out and 3 claims that were closed without payment.
8 There were 9 denied claims, and 10 claims that were
9 withdrawn.]

10 She further stated the program had closed 100
11 claims thus far, and the total pending claim count
12 was now 726. Payments on closed claims equaled
13 \$16,047,634.34. The cost for closed claims equated to
14 \$205,738.90 on average.

15 Ms. Witt stated no new TIIP claims were received
16 so far this year. No TIIP claims were closed. There
17 were two open TIIP claims. The reserves are set at
18 \$1,485,000, and no TIIP payments were made so far
19 this year.]

20 ***

21 [Mr. Lorah discussed running behind on claims as
22 compared to the five-year average. He noted a
23 downward trend in claims, and if this trend
24 continued, this would be another record low for
25 claims this year.]

1 Mr. Greiner asked Mr. Lorah about what might have
2 been the highest payout on a claim and the current
3 coverage limit payouts. Mr. Lorah replied the
4 current coverage limit payouts were \$1.5 million.]

5 ***

6 Administrative Items - USTIF Administrative
7 Operations

8 [Mr. Lorah provided an operations update. He stated
9 their third-party administrator, ICF, would have
10 their contract renewed on October 1, 2025. ICF will
11 be working on an IT modernization effort to stabilize
12 their databases and workflows.

13 Mr. Lorah stated USTIF had been appointed to the
14 ASTSWMO, Association of State and Territorial Solid
15 Waste Management Officials, Financial Responsibility
16 Task Force. The USTIF will have a 3-year term. DEP
17 is a member of the parent committee.

18 Mr. Lorah discussed an initial meeting with the
19 DEP. His goal with DEP was to begin to align and
20 continue to coordinate the operations of same. He
21 also ordered an independent financial audit of the
22 USTIF, which is required by statute and will be
23 presented at the Board's December meeting.

24 Mr. Lorah stated Miles Hazan reached out to new
25 tank owners in order to provide them with property

1 information. The DEP provides the USTIF with change
2 of ownership information. This helps USTIF to
3 identify new owners.]

4 ***

5 Administrative Items - USTIF Financial Statements
6 [Ben Lorah referred to statements for the second
7 quarter of 2025.

8 He stated their assets stand at approximately
9 \$514 million, primarily driven by market conditions.
10 He advised, at this time, the Board had liabilities
11 of \$13 million and a total fund balance at around
12 \$500 million.

13 Mr. Lorah stated, for the past two months, the
14 Board had been exceeding the five-year average for
15 fee collections. He announced their expenditures
16 were \$42.8 million. He noted actuarial liabilities
17 totaling around \$243 million with a fund balance of
18 \$494 million. Mr. Lorah noted a positive balance to
19 pay claims of approximately \$251 million. At this
20 point, their program was fully funded.

21 Mr. Greiner asked about the not yet finalized
22 state budget potentially taking money out of their
23 funds to help with the budgetary talks, but was
24 advised by Mr. Lorah that USTIF was not involved in
25 that discussion.]

Administrative Items - DEP Pollution Prevention Grant
Program Statistics

[Randy Martin, Department of Environmental
Protection, reported, for the fiscal year ending June
30th of 2025, two grants were approved for \$17,500.
For the fiscal year that began July 1, 2025, no
grants were approved or pending.

Mr. Martin commented, since the program's
inception in 1998, 1,159 grants had been approved,
totaling \$5.97 million.]

Administrative Items - Environmental Cleanup Program
Statistics

[Randy Martin reported, for the fiscal year ending
June 30, 2025, DEP expects to expend about \$2.7 of
the \$4 million the Board approved for the
environmental cleanup program. 158 heating oil
cleanup reimbursement applications were approved,
totaling \$633,350.

Mr. Martin stated DEP is working on 16 sites and
has expended \$96,948 of the \$4.6 million allocation
approved by the Board for the fiscal year that began
July 1, 2025.]

1 Unfinished Business - Chapter 977 Regulation Revision
2 Update

3 [Preston Buckman, Board Counsel, reported the Board
4 voted to approve the changes in the proposed Chapter
5 977 Regulation based on comments received from the
6 IRRC. As a result, the regulation moved from the
7 proposed regulation stage into the final form
8 regulation phase process.

9 Mr. Buckman stated comments were received from
10 the Office of General Counsel. He noted one
11 substantive comment involved the definition of a
12 heating oil tank. The Office of General Counsel
13 advised the Board to clarify in more detail which
14 heating oil tanks were being regulated. Language has
15 been added to the regulation as to what defines the
16 heating oil tanks being regulated.

17 Mr. Buckman concluded this process could be
18 completed by the end of the year. With the Board's
19 approval of this change suggested by the Office of
20 General Counsel, the regulation could be sent back
21 for final review. The regulation would then move on
22 to the IRRC as a final form regulation.]

23 ***

24 Unfinished Business - Chapter 977 Regulation Revision
25 Approval Vote

1 VICE CHAIR WISSMAN:

2 The Chair will entertain a motion to
3 adopt the Draft Annex as revised.

4 MR. GREINER:

5 This is Andy Greiner. I'd like to make
6 a motion that we accept the Draft Annex
7 as revised.

8 VICE CHAIR WISSMAN:

9 Thank you, Andy. Do I have a second?

10 MS. SLAYMAKER:

11 I'm Laura Slaymaker. I'll second.

12 VICE CHAIR WISSMAN:

13 Thank you, Laura. All those in favor,
14 please say aye. Any negative votes?

15 All right. Hearing none, the
16 motion is adopted.

17 [The motion carried unanimously.]

18 ***

19 Unfinished Business - Remaining Meeting Dates for
20 2025

21 [Mr. Lorah noted the last meeting date for this
22 calendar year is on December 11, 2025, at 10:00 a.m.
23 He added the meeting dates for 2026 will be set at
24 that meeting.]

25 ***

1 Adjournment

2 VICE CHAIR WISSMAN:

3 All right. So if there's no objection,
4 this meeting will be adjourned.

5 MR. GREINER:

6 A motion that we adjourn.

7 VICE CHAIR WISSMAN:

8 Thank you, Andy. Since there's no
9 objection, we are adjourned. Thank you
10 all very much.

11 ***

12 [There being no further business, the Underground
13 Storage Tank Indemnification Board's Third Quarter
14 Board Meeting adjourned at 10:41 a.m.]

15 ***

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

I hereby certify that the foregoing summary minutes of the Underground Storage Tank Indemnification Board Meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the Underground Storage Tank Indemnification Board Meeting.



Allison Walker

Minute Clerk

Sargent's Court Reporting
Service, Inc.

1 UNDERGROUND STORAGE TANK INDEMNIFICATION BOARD
2 THIRD QUARTER BOARD MEETING
3 REFERENCE INDEX
4

5 September 18, 2025
6

7 TIME

AGENDA

8
9 10:00 Official Call to Order
10
11 10:01 Roll Call/Introductions
12
13 10:05 New Business
14
15 10:21 Administrative Items
16
17 10:33 Unfinished Business
18
19 10:41 Adjournment
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50