

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  
SECOND 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**

June 12, 2025

Underground Storage Tank Indemnification Board  
Second Quarter Board Meeting  
June 12, 2025

BOARD MEMBERS:

J. Stephen Hieber, Tank Installers of Pennsylvania,  
Chairman  
Stephanie J. Catarino Wissman, Vice Chair  
William Buckfelder, Board Member  
Andrew Greiner, Board Member  
Nila Manning, Board Member  
Chris Hartman, Board Member  
Kevin Forsythe, Board Member  
Troy Conrad, alternate for Jessica Shirley, Board  
Member - Absent  
Laura Slaymaker, on behalf of Michael Humphreys,  
Board Member - Absent  
Greg R. Perry, Board Member  
Alex Baloga, Board Member  
Emily Eyster, on behalf of Carolyn Comitta, Board  
Member - Absent  
Andrew W. McMenamin, on behalf of Greg Vitali, Board  
Member - Absent

ALSO PRESENT:

Preston M. Buckman, Esquire, Department Counsel,  
Pennsylvania Insurance Department, Office of  
General Counsel  
Benjamin Lorah, Executive Director, USTIF  
Carla King, Executive Secretary, Pennsylvania  
Insurance Department  
Randy Martin, Pennsylvania Department of  
Environmental Protection  
Steven A. Travis, Insurance Claims Evaluator, USTIF  
Amy Forbes-Witt, AIC, AINS, PCLS, Insurance Claims  
Manager, USTIF  
Courtney Bullock, Claims Evaluator, Bureau of Special  
Funds  
Miles Hazan, Administrative Operations Manager, USTIF

Underground Storage Tank Indemnification Board  
Second Quarter Board Meeting  
June 12, 2025

ALSO PRESENT: (cont.)

H. Kraig Wilson, Insurance Claims Evaluator,  
USTIF  
Teresa Isabella, Insurance Claims Evaluator, USTIF  
Lisa Fry, Financial Operations Manager, USTIF  
Timothy Slack, Solid Waste Program Specialist,  
Pennsylvania Department of Environmental Protection  
Linda Crabb, Environmental Claim Manager, ICF  
James Ferro, Claims Representative Senior Manager,  
ICF  
Belinda Wilson, Claim Manager, ICF  
Kevin Burke, Project Manager, ICF  
Derek Richmond, Sargent's Court Reporting  
Service, Inc.  
Stacey L. Henry, Pinnacle Environmental Management  
Support  
Michael Snow, Information Technology Generalist 2,  
Pennsylvania Insurance Department  
Raina Workman, Deputy Director of Legislative  
Affairs, Pennsylvania Insurance Department

1 \*\*\*

2 Underground Storage Tank Indemnification Board

3 Second Quarter Board Meeting

4 June 12, 2025

5  
6 The regularly scheduled meeting of the Underground  
7 Storage Tank Indemnification Board was held on  
8 Thursday, June 12, 2025. J. Stephen Hieber,  
9 Chairman, called the meeting to order at 10:00 a.m.

10 \*\*\*

11 [Benjamin Lorah, Executive Director, USTIF, noted the  
12 meeting was being recorded and continued  
13 participation constituted consent to be recorded.]

14 \*\*\*

15 Roll Call/Introductions

16 [A roll call of Board members and introduction of  
17 attendees was taken by Ben Lorah. A quorum of Board  
18 members was present.]

19 \*\*\*

20 New Business - Adoption of First Quarter 2025 Board  
21 Meeting Minutes

22 [Benjamin Lorah, Executive Director, USTIF, reviewed  
23 a change made in the minutes, which moved from a  
24 transcript to summary minutes. He explained the  
25 process for summary minutes and how corrections are

1 made.

2 He noted the major changes made for the first  
3 quarter minutes were organizing the Board members and  
4 non-Board members as attendees. He also noted that  
5 the remainder of the changes made were minor typos.  
6 There were no substantive changes and a copy of the  
7 changes was sent to the Board as part of the Board  
8 packets.]

9 CHAIR HIEBER:

10 Is there a motion to approve the  
11 minutes of the first quarter?

12 MR. GREINER:

13 I make a motion that we approve the  
14 minutes from the first quarter as  
15 submitted.

16 CHAIR HIEBER:

17 And the second?

18 MS. WISSMAN:

19 I second.

20 CHAIR HIEBER:

21 Is there any further discussion? Not  
22 hearing any, let's take a vote. All  
23 those in favor say aye.

24 [The motion carried unanimously.]

25 \*\*\*

1 New Business - Board Member Updates and Term Renewals  
2 [Benjamin Lorah, Executive Director, USTIF, stated  
3 the Board is comprised of 14 members with 10 members  
4 appointed by the Governor and 4 appointed by the  
5 General Assembly. Currently, the only vacancy is for  
6 the Senate's President Pro Tempore Appointee.

7 Mr. Lorah reported that the Governor reappointed  
8 Nila Manning to another four-year term, representing  
9 the Pennsylvania Petroleum Association, which will  
10 expire on April 30, 2029. The Governor also  
11 reappointed Steve Hieber to another four-year term,  
12 representing the Tank Installers of Pennsylvania,  
13 which will expire on April 30, 2029. There were no  
14 other Board members' terms expiring for the remainder  
15 of the calendar year.

16 Mr. Lorah thanked everyone for submitting their  
17 statements of financial interest this past spring.

18 Mr. Lorah updated the Board on a press event for  
19 the 30<sup>th</sup> anniversary USTIF annual report. The event  
20 is scheduled for June 23, 2025, at 10:30 a.m. at a  
21 location to be chosen in central Pennsylvania.  
22 Speakers will include the Commissioner, the Deputy  
23 Commissioner, and a Board member. Commonwealth Media  
24 Services will be taking additional footage, so a  
25 short video about the USTIF can be created for the

1 website and to share with participants. He added as  
2 additional information is made available, he will  
3 share it with the Board.]

4 \*\*\*

5 Administrative Items - USTIF Claims Summary

6 [Amy Forbes-Witt, AIC, AINS, PCLS, Insurance Claims  
7 Manager, USTIF, reported as of May 31, 2025, 60 new  
8 claims were received and zero claims were reopened.  
9 She noted 43 claims were closed eligible for  
10 payments, two were closed without payments, six  
11 claims denied, seven claims withdrawn, 58 closed and  
12 744 open claims.

13 Ms. Forbes-Witt noted the dollars paid for claims  
14 payments equals \$12,729,477.15, and the cost for  
15 closed claims equates to an average of \$238.595.15.

16 Ms. Forbes-Witt addressed the Tank Installer  
17 Indemnification Program (TIIP), noting 0 claims were  
18 received and 0 claims closed but still have 2 open  
19 TIIP claims. She reported reserves are still set at  
20 \$1.425 million, and no TIIP payments have been made  
21 so far this year.

22 Ms. Forbes-Witt referred to the graph of the 2025  
23 Claims YTD v. 5 YTD average. She reported that they  
24 are still below average in comparison to the five-  
25 year average. She also referred to the Total USTIF

1 Claims by Year graph provided by the Department of  
2 Environmental Protection. She noted that 2024 was the  
3 lowest year for USTIF claims. She added they are on  
4 par for the same in 2025 with 60 claims through May  
5 31, 2025, versus 63 claims for the same time period  
6 in 2024.]

7 \*\*\*

8 Administrative Items - USTIF Financial Statements  
9 [Benjamin Lorah, Executive Director, USTIF, provided  
10 USTIF Financial Statements for the first quarter of  
11 2025 for the Board's review. He noted an increase in  
12 long-term investments year over year of around \$33  
13 million. The increase is due to excess fee revenue  
14 to operations revenue. Mr. Lorah drew the Board's  
15 attention to the total fund balance, which increased  
16 by \$36 million year over year.

17 Regarding fees, he stated they are steady to last  
18 year, which is good. He added there is usually a  
19 slight decrease of fee revenue year over year. He  
20 added that the value of investments was down year  
21 over year due to market volatility.

22 Mr. Lorah shared fee collections are on par with  
23 last year and are just slightly lower than the five-  
24 year average. There is usually a big income in  
25 December which he attributed to the annual capacity



1 fee.

2 Mr. Lorah noted only a couple of things on the  
3 cash flow statement. The claim indemnification  
4 payments and third-party administration payments are  
5 down year over year due to decreased claim counts.  
6 He also noted a million-dollar year over year  
7 increase in the allocation amount.

8 Mr. Lorah addressed funded and unfunded  
9 liabilities, noting liabilities continue to decrease  
10 year over year due to fewer claims. He noted their  
11 available fund balance continues to maintain a  
12 positive balance year over year. He added for the  
13 past four years there has been a positive fund  
14 balance, meaning that they are capable of paying  
15 claims.]

16 \*\*\*

17 Administrative Items - DEP Pollution Prevention Grant  
18 Program Statistics

19 [Troy Conrad, Director, Bureau of Environmental  
20 Cleanup & Brownfields, Pennsylvania Department of  
21 Environmental Protection, addressed the Pollution  
22 Prevention Grant Program Statistics for the current  
23 fiscal year beginning on July 1, 2024. He reported  
24 two grants were approved for \$17,500 with no  
25 applications pending, and 1,159 grants have been

1 approved totaling over \$5.9 million since the  
2 program's inception on January 3, 1998.]

3 \*\*\*

4 Administrative Items - DEP Environmental Cleanup  
5 Program Statistics

6 [Troy Conrad, Director, Bureau of Environmental  
7 Cleanup & Brownfields, Pennsylvania Department of  
8 Environmental Protection, also addressed  
9 Environmental Cleanup Program statistics for the  
10 current fiscal year beginning on July 1, 2024, noting  
11 DEP has expended approximately \$1.9 million of  
12 approved allocation. He added to date 130  
13 reimbursement applications were approved totaling  
14 approximately \$510,000. There were two applications  
15 pending.]

16 \*\*\*

17 Unfinished Business - Chapter 977 Regulation Revision  
18 Update

19 [Preston Buckman, Esquire, Board Counsel,  
20 Pennsylvania Insurance Department, Office of General  
21 Counsel, referred to the March meeting when he had  
22 explained that the latest version of proposed  
23 amendments to the USTIF regulations had been  
24 published in the *Pennsylvania Bulletin* in January  
25 2025. He reminded the Board of one supportive

1 comment from the public at that time and no comments  
2 from the two Legislative committees. Since the  
3 meeting, he has reviewed comments from the  
4 Independent Regulatory Review Commission (IRRC) and  
5 attempts have been made to address those comments.  
6 He added the Board should have a copy of the comments  
7 as well as the new Annex A, the preamble and  
8 regulatory analysis in the meeting packet.

9 Mr. Buckman summarized the IRRC comments into two  
10 subsets. The first subset had to do with making sure  
11 proposed amendments were in keeping with the  
12 directives and guidance contained in the Pennsylvania  
13 Code and Bulletin style and are technical tweaks that  
14 needed to be made. The term "UST facility" was  
15 changed to "site". Then they moved the definition of  
16 "UST facility", now "site" from the definition  
17 section 977.4 to section 977.31, which is the  
18 eligibility requirement section where the term is  
19 used.

20 Mr. Buckman added the second subset of comments  
21 from the IRRC was in regards to heating oil tanks.  
22 The IRRC pointed out that in the USTIF regulations,  
23 the definition of an underground storage tank  
24 excluded heating oil tanks, and in the USTIF  
25 regulations, there is also a definition of a heating

1 oil tank. IRRC wants to make sure this does not  
2 cause confusion. Mr. Buckman stated they hoped  
3 clarification in the preamble would help, and the  
4 change from "UST facility" to "site" would also  
5 provide clarity.

6 Mr. Buckman provided background information about  
7 when the DEP went through the regulatory formulation  
8 process in the 90's, they did not regulate heating  
9 oil tanks. Therefore, heating oil tanks were  
10 excluded from their definition of underground storage  
11 tanks. He added, when USTIF promulgated its  
12 regulations a few years later, they adopted the DEP  
13 definition. Then the General Assembly provided the  
14 Board with the authority in the enabling statute of  
15 the Storage Tank and Spill Prevention Act to allow  
16 owners of heating oil tanks to participate. Due to  
17 this, there needed to be a definition of a heating  
18 oil tank in the USTIF regulations so that it could be  
19 addressed in the eligibility criteria.

20 Mr. Buckman conveyed that IRRC's observation was  
21 fair. He hoped, when the regulation is viewed as a  
22 whole with the new definition, there will be clarity  
23 on this point in addition to the explanation  
24 provided.

25 Mr. Buckman concluded his remarks by stating they

1 are still on track to publish the new regulation in  
2 final form in the fall. He added the December  
3 meeting is the goal for telling the Board the final  
4 form regulation has been approved by the standing  
5 committees, the IRRC and at the very least is in  
6 front of the Office of Attorney General, which is the  
7 last step of the approval process.]

8 CHAIR HIEBER:

9 Could I have a motion for approval?

10 MR. GREINER:

11 I'd like to make a motion that we  
12 approve the submitted changes to Code  
13 Chapter 977. Thank you.

14 CHAIR HIEBER:

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

16 MR. CONRAD:

17 I second.

18 CHAIR HIEBER:

19 Thank you, Troy. At this time, I'd  
20 like to take a vote. All those in  
21 favor of adopting or approving Chapter  
22 977 regulation revisions, please say  
23 aye.

24 [The motion carried unanimously.]

25 \*\*\*

1 Unfinished Business - Remaining Meeting Dates for  
2 2025

3 [Ben Lorah, Executive Director, USTIF, provided the  
4 remaining quarterly meetings of September 18, 2025  
5 and December 11, 2025 for the Board's review.]

6 \*\*\*

7 Adjournment

8 CHAIR HIEBER:

9 At this point, if there is no  
10 objection, this meeting will be  
11 adjourned. Hearing none, the meeting  
12 is now adjourned. Thank you.

13 \*\*\*

14 [There being no further business, the Underground  
15 Storage Tank Indemnification Board's Second Quarter  
16 Board Meeting adjourned at 10:28 a.m.]

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.



Derek Richmond

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

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

5 June 12, 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 10:09 Administrative Items  
16  
17 10:16 Unfinished Business  
18  
19 10:28 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