

**OHIO PETROLEUM UNDERGROUND
STORAGE TANK RELEASE
COMPENSATION BOARD**

FRANKLIN COUNTY, OHIO

REGULAR AUDIT

FOR THE FISCAL YEAR ENDED JUNE 30, 2022



Rea & associates

www.reacpa.com

OHIO AUDITOR OF STATE
KEITH FABER



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Management
Ohio Petroleum Underground Storage Tank Release Compensation Board
4151 Executive Parkway, Suite 350
Westerville, Ohio 43081

We have reviewed the *Independent Auditor's Report* of the Ohio Petroleum Underground Storage Tank Release Compensation Board, Franklin County, prepared by Rea & Associates, Inc., for the audit period July 1, 2021 through June 30, 2022. Based upon this review, we have accepted these reports in lieu of the audit required by Section 117.11, Revised Code. The Auditor of State did not audit the accompanying financial statements and, accordingly, we are unable to express, and do not express an opinion on them.

Our review was made in reference to the applicable sections of legislative criteria, as reflected by the Ohio Constitution, and the Revised Code, policies, procedures and guidelines of the Auditor of State, regulations and grant requirements. The Ohio Petroleum Underground Storage Tank Release Compensation Board is responsible for compliance with these laws and regulations.

A handwritten signature in black ink that reads "Keith Faber".

Keith Faber
Auditor of State
Columbus, Ohio

January 23, 2023

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**OHIO PETROLEUM UNDERGROUND STORAGE TANK
RELEASE COMPENSATION BOARD
FRANKLIN COUNTY**

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INDEPENDENT AUDITOR'S REPORT

To the Board
Ohio Petroleum Underground Storage Tank Release Compensation Board
4151 Executive Parkway, Suite 350
Westerville, Ohio 43081

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of the Ohio Petroleum Underground Storage Tank Release Compensation Board, located in Franklin County, Ohio (the Board), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the financial position of the Ohio Petroleum Underground Storage Tank Release Compensation Board, located in Franklin County, Ohio, as of June 30, 2022, and the changes in financial position and its cash flows for the year then ended in accordance with the accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Board and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Board's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, no such opinion is expressed.
- evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Board's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, and pension and other post-employment benefit schedules, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with GAAS, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic

financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December 23, 2022 on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Board's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control over financial reporting and compliance.

Rea & Associates, Inc.

Rea & Associates, Inc.
Gahanna, Ohio
December 23, 2022

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

Management's Discussion and Analysis
For the Year Ended June 30, 2022
(Unaudited)

The following Management's Discussion and Analysis (MD&A) section of the Ohio Petroleum Underground Storage Tank Release Compensation Board's (the Board) financial report represents a discussion and analysis of the Board's financial performance during the fiscal year ended June 30, 2022. Please read it in conjunction with the Board's financial statements, which follow this section.

OVERVIEW OF THE FINANCIAL STATEMENTS

The Board accounts for all transactions under a single enterprise fund (Financial Assurance Fund) and the financial statements are prepared using proprietary fund (enterprise fund) accounting. Under this method of accounting, an economic resources measurement focus and an accrual basis of accounting are used. Revenue is recognized in the year for which coverage is provided, and expenses are recorded when incurred. The financial statements include Statement of Net Position; Statement of Revenues, Expenses and Changes in Net Position; and Statement of Cash Flows. These are followed by notes to the financial statements.

The Statement of Net Position presents information on the assets and deferred outflows of resources and liabilities and deferred inflows of resources, with the difference between these items reported as net position. Over time, increases or decreases in the net position may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.

The Statement of Revenues, Expenses and Changes in Net Position reports the operating revenues and expenses and non-operating revenue and expenses of the Board for the fiscal year.

The Statement of Cash Flows reports cash inflows and outflows for the fiscal year resulting from operating activities, noncapital financing activities, capital and related financing activities, and investing activities. The net result of these activities added to the beginning of the year's cash balance reconciles to the cash balance at the end of the current fiscal year.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

Management's Discussion and Analysis
For the Year Ended June 30, 2022
(Unaudited)

Financial Position

The following summarizes the Board's financial position as of June 30, 2022 and 2021:

	<u>2022</u>	<u>Restated, 2021</u>
ASSETS:		
Current assets	\$ 13,059,316	\$ 18,288,306
Unrestricted investments	12,201,837	11,983,247
Capital assets	168,436	249,762
Net OPEB asset	<u>181,790</u>	<u>108,748</u>
 Total Assets	 \$ <u>25,611,379</u>	 \$ <u>30,630,063</u>
DEFERRED OUTFLOWS OF RESOURCES		
Pension	\$ 152,153	\$ 61,543
OPEB	<u>0</u>	<u>54,201</u>
 Total Deferred Outflows of Resources	 \$ <u>152,153</u>	 \$ <u>115,744</u>
LIABILITIES:		
Current liabilities	\$ 18,217,969	\$ 21,026,265
Lease liability	20,549	102,190
Net pension liability	500,969	900,169
Reserve for unpaid claims – noncurrent	<u>25,263,154</u>	<u>24,225,765</u>
 Total Liabilities	 \$ <u>44,002,641</u>	 \$ <u>46,254,389</u>
DEFERRED INFLOWS OF RESOURCES		
Pension	\$ 648,866	\$ 397,237
OPEB	<u>194,183</u>	<u>337,276</u>
 Total Deferred Inflows of Resources	 \$ <u>843,049</u>	 \$ <u>734,513</u>
NET POSITION		
Net investment in capital assets	\$ 66,246	\$ 66,905
Unrestricted net position	<u>(19,148,404)</u>	<u>(16,310,000)</u>
 Total Net Position	 \$ <u>(19,082,158)</u>	 \$ <u>(16,243,095)</u>

Current assets and unrestricted investments decreased by approximately \$5,010,000 (16.55%) from last year primarily due to decreases in investments of \$5,530,000, and increases in cash with custodian and fees receivable of \$447,000, and \$87,000 respectively.

As of June 30, 2022, unrestricted investments is comprised of \$8,769,000 in current unrestricted investments with maturity dates less than one year, and \$12,202,000 in non-current unrestricted investments with maturity dates

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exceeding one year. As of June 30, 2021, the current and non-current portions of unrestricted investments were \$14,518,000 and \$11,983,000, respectively. The decrease in unrestricted investments of approximately \$5,530,000 (20.87%) is due to payments made from the obligated account for claim settlements and a decrease in the fair market value of the investments held by the Board.

At its November 20, 2019 meeting, the Board approved entering into a Settlement Agreement and Release (Settlement Agreement) with a major oil company in exchange for a mutual release and covenant not to sue. Pursuant to the Settlement Agreement executed on December 5, 2019, the Board agreed to pay and the major oil company agreed to accept \$12,600,000 as full and complete satisfaction of all claim applications that have or could be submitted by the major oil company or its vendors for corrective action costs it incurred related to eligibility applications submitted on or before the effective date of the Settlement Agreement. In compliance with the payment schedule established under the Settlement Agreement, the third payment of \$4,000,000 was issued in July 2021.

Commencing in fiscal year 2013, the Board has used unobligated funds to purchase U.S Treasury Notes and U.S. Agency Bonds. As of July 1, 2021 the Board had approved the investment of \$16,000,000 of unobligated funds in U.S. Treasury Notes and U.S. Agency Bonds with maturity dates laddered over a period not to exceed five years with the intent to hold the investments to maturity. As approved by the Board, investments that mature or are redeemed are reinvested in U.S. Treasury Notes and U.S. Agency Bonds. Investments with maturity dates exceeding one year are reported separately from Current Assets as Unrestricted Investments in the Statement of Net Position.

The increase in the cash with custodian of \$447,000 (15.57%) is due to the timing of the transfer of excess funds from the custodial account to the STAR Ohio unobligated account at year end. A significant amount of the annual tank fees for the program year commencing July 1 are received in May and June and transfers of the excess cash from the custodial account to the unobligated account are typically made prior to June 30. A larger percentage of the fees received in May and June and held in the custodial account were transferred to the unobligated account prior to June 30 in the 2021 fiscal year than in the 2022 fiscal year.

Fees receivable, net of allowance for uncollectible amounts, increased by \$87,000 (10.05%) from the prior year. A detailed review of each receivable was undertaken and based on information available as of June 30, 2022, accounts were separated into six categories, each with an assigned probability of collection. The estimated collectible amount was then determined by applying the assigned probability of collection percentage to each category. The estimated collectible amount of the largest category of outstanding fees, which consists of delinquent fees certified to the State of Ohio Attorney General's Office, Collections Enforcement for collection, as well as delinquent fees not yet certified, is calculated using percentages based on the per-tank fee and late fee payments received for delinquent accounts previously certified to Collections Enforcement. Historically, the Attorney General's Office has collected 14.41%, 5.68% and 3.61% of the fees certified within one, two and three years of the date of certification, respectively. Late payment fees have been collected by the Attorney General's Office at rates of 5.41%, 1.88% and 1.04% within one, two, and three years of the date of certification, respectively.

The allowance for uncollectible amounts was approximately \$3,184,000 and \$2,734,000 for fiscal years 2022 and 2021, respectively. The \$451,000 increase in the allowance for uncollectible amounts is primarily attributable to the fees assessed for fiscal year 2022 which remain unpaid as of June 30, 2022.

Collateral on loaned securities decreased by approximately \$14,500 (47.94 %) from the prior year due to a decrease in cash equity with the Treasurer of State as of June 30, 2022.

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Management's Discussion and Analysis
For the Year Ended June 30, 2022
(Unaudited)

Capital assets decreased by approximately \$81,000 (32.56%). Approximately \$33,000 was spent on data processing equipment. Accumulated depreciation and amortization increased by approximately \$94,000, which includes \$84,000 related to the amortization of the lease for office space which is now classified as a right-to-use-asset in accordance with Governmental Accounting Standards Board (GASB) Statement No. 87. Approximately \$20,770 in depreciated capital assets were salvaged during the year. A loss on disposal of \$40 was recorded due to the disposal of one asset not being fully depreciated at the time of disposal. Of the \$33,000 spent on data processing equipment, \$15,000 was spent to replace two copier/printers; \$13,900 was spent on the design and development of the warrant module within the Statistical Tank and Reimbursement Records System database; \$2,100 was spent on a replacement computer; \$1,200 was spent for a replacement air conditioning unit for the server room; and \$800 was spent for internet security hardware. Additional information on Capital Assets can be found in Note 5 to the financial statements.

Current liabilities decreased by \$2,808,000 (13.36%) primarily due to decreases in claims payable and unclaimed monies payable of (\$3,773,000) and (\$137,000), respectively; and increases in the current portion of reserve for unpaid claims and fees received in advance of (\$773,000) and (\$294,000), respectively.

Claims payable decreased 77.58% due to payments made in accordance with the Settlement Agreement. The remaining balance payable under the Settlement Agreement of \$500,000 is included in claims payable as of June 30 and is scheduled for payment in July 2022.

Unclaimed monies payable is comprised of uncashed payments made by the Board for fee payment refunds and claims settlements. Unclaimed monies payable decreased 83.92% primarily due to a single environmental services contractor claiming previously uncashed claim settlement payments.

The current portion of reserve for unpaid claims represents the amount obligated for the payment of claims in the upcoming fiscal year less claims payable as of June 30, 2022. In determining the amount to obligate, the Board considers the unobligated balance, claims paying experience and anticipated revenue. At its June 19, 2021 meeting the Board obligated \$12,000,000 for the payment of claims anticipated to be paid in the 2022 fiscal year. At its June 8, 2022 meeting, the Board obligated \$9,000,000 for the payment of claims anticipated to be paid in the 2023 fiscal year.

Fees received in advance increased 4.42%. A few owners of 100 to 300 tanks submitted payment of the fiscal year 2022 annual per-tank fees prior to June 30, 2022, whereas payment of the fiscal year 2021 annual per-tank fees were paid after June 30, 2021.

Reserve for unpaid claims, including the current portion, increased by approximately \$1,812,000 (5.77%). The July 2021 \$4 million payment required by the Settlement Agreement decreased the amount of claims payable as of June 30, 2022, when compared to June 30, 2021. This had the effect of increasing the current portion of the reserve for unpaid claims. Ultimate estimated loss is an estimate of the amount the Financial Assurance Fund will ultimately pay for releases discovered on or before June 30, 2022, and includes both losses for the most recent year and changes in the estimates of ultimate losses for prior years. The estimated ultimate loss for both reported and incurred but not reported (IBNR) covered events increased approximately \$9,116,000 from June 30, 2021 to June 30, 2022; fiscal year 2022 claim payments were approximately \$11,079,000. Additional discussion regarding the reserve for unpaid claims can be found in Note 3 to the financial statements. The Board retained Milliman Inc. to perform an independent analysis of the Fund's loss reserves. Milliman's report, titled "Analysis of Fund Liabilities as of June 30, 2022" represents the analysis of the loss reserves. The report may be obtained by writing to the Board at P.O. Box 2280, Westerville, Ohio 43086-2280 or by calling 614-752-8963.

OHIO PETROLEUM UNDERGROUND STORAGE
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Management's Discussion and Analysis
For the Year Ended June 30, 2022
(Unaudited)

Total net position decreased approximately \$2,839,000 (17.48%) due primarily to operating and non-operating expenses exceeding operating revenue during fiscal year 2022.

The unrestricted net position includes management's estimate of the current and long-term reserve for unpaid claims of approximately \$34,263,000.

Financial Information

Revenue

The following schedule presents a summary of revenues for the fiscal years ended June 30, 2022 and 2021:

	<u>2022</u>	<u>2021</u>
Operating Revenues:		
Tank fees	\$ 8,543,989	\$ 8,304,171
Recovery of bad debt	114,913	123,842
Other	161	8,662
	<u>8,659,063</u>	<u>8,436,675</u>
Non-operating Revenues:		
Earnings on investments	<u>(707,099)</u>	<u>29,916</u>
Total Revenue	<u>\$ 7,951,964</u>	<u>\$ 8,466,591</u>

Total revenue for 2022 decreased approximately \$515,000 (6.08%) from the previous year due to an increase in operating revenues and a decrease in non-operating revenues of \$222,000 and \$737,000, respectively.

Operating revenues increased \$231,000 primarily due to an increase in the tank fees collected for the current and prior years, net of refunds paid, and an increase in the amount of outstanding fees collectible. For 2022, the Board maintained its fee structure of \$350 per-tank for the standard \$55,000 deductible and \$550 for the reduced \$11,000 deductible.

Non-operating revenues decreased by \$737,000 due to a decrease in earnings on monies held in the State Treasury Asset Reserve of Ohio ("STAR Ohio") and on US Treasury and US Agency Bond investments. During fiscal year 2022, the interest earned on monies held in STAR Ohio was \$14,000. The investments in US Treasuries and Agency Bonds earned \$72,000 in interest and the fair market value decreased \$794,000 from the prior year.

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Management's Discussion and Analysis
For the Year Ended June 30, 2022
(Unaudited)

Expenses

The following schedule presents a summary of expenses for the fiscal years ended June 30, 2022 and 2021:

	2022	2021
Operating Expenses		
Incurred claims and claims adjustment	\$ 9,365,924	\$ 9,363,110
Administration	1,308,863	1,118,597
Depreciation	114,266	27,717
	10,789,053	10,509,424
Non-operating Expenses:		
Interest Expense	1,934	-
Loss on Disposal of Assets	40	-
	1,974	-
Total Operating Expenses	\$ 10,791,027	\$ 10,509,424

Total operating expenses increased approximately \$282,000 from 2021 (2.68%) due to increases in administration expense and depreciation expense of \$190,000 and \$87,000 respectively.

Incurred claims and claims adjustment expense remained consistent with the prior year. For fiscal year 2022, incurred claims and claims adjustment expense represent the provision for insured events of the current year and the change in the provision for prior years of approximately \$3,511,000 and \$5,605,000, respectively. For fiscal year 2021, the provision for insured events of the current year was approximately \$5,447,000 and the change in the provision for prior years was an increase of approximately \$3,916,000.

As previously stated, the Board annually obligates funds for the payment of claims in the upcoming fiscal year. For fiscal year 2022, the Board obligated \$12,000,000. Claim determinations issued for fiscal years 2022 and 2021 provided for reimbursement amounts of approximately \$7,283,000 and \$7,581,000, respectively. Claimants are provided a 30-day period in which to object to the claim determination. If an objection is not received, payment is issued to the claimant within 45 days of the date of the determination. Claim reimbursement payments made during 2022 totaled \$11,079,000, and included a payment of \$4,000,000 in accordance with the Settlement Agreement.

Administration costs increased 17.01% from fiscal year 2021. This change is a result of increases in salary and legal and professional expenses and a decrease in rent expenses.

- Salary expense increased by \$259,000 due to Pension Plan and Other Post-Employment Benefits (OPEB) adjustments which are proportionately allocated to the Fund.
- Legal and Professional expenses increased by \$21,000 due to increases in the costs for the Assistant Attorney General, collection of delinquent accounts, and IT support.
- Rent expense decreased by \$83,000 due to the implementation of GASB Statement No 87. In fiscal year 2022, rent expense consists of the variable operating expenses included in the lease of the Board's office space. The expenses are the Board's pro-rata share of the costs related to the maintenance and operation of the building.

OHIO PETROLEUM UNDERGROUND STORAGE
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Management's Discussion and Analysis
For the Year Ended June 30, 2022
(Unaudited)

Depreciation increased 312.26% from the prior year. For fiscal year 2022, depreciation includes approximately \$30,000 related to the depreciation of capital assets, and \$84,000 related to the amortization of the Board's leased office space, which is now classified as a right-to-use-asset in accordance with Governmental Accounting Standards Board (GASB) Statement No. 87. Additional information on depreciation can be found in Notes 5 and 6 to the financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENT OF NET POSITION
JUNE 30, 2022

ASSETS AND DEFERRED OUTFLOWS OF RESOURCES

CURRENT ASSETS	
Cash with custodian	\$ 3,318,240
Unrestricted investments	8,768,974
Collateral on loaned securities	15,794
Fees receivable, net of allowance for uncollectible amounts of \$3,184,481	956,308
Total Current Assets	13,059,316
NON-CURRENT ASSETS	
Unrestricted investments	\$ 12,201,837
Capital assets at cost - Net of accumulated depreciation	168,436
Net OPEB asset	181,790
Total Non-Current Assets	12,552,063
Total Assets	\$ 25,611,379
DEFERRED OUTFLOWS OF RESOURCES	
Pension	\$ 152,153

LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION

CURRENT LIABILITIES	
Fees received in advance	\$ 6,938,670
Claims payable	1,090,405
Current portion of reserve for unpaid claims	7,909,595
Refundable fees	1,898,370
Unclaimed monies payable	26,338
Accounts payable	26,036
Accrued liabilities	231,120
Lease liability	81,641
Obligations under loaned securities	15,794
Total Current Liabilities	18,217,969
NON-CURRENT LIABILITIES	
Lease liability	\$ 20,549
Net pension liability	500,969
Total Non-Current Liabilities	521,518
RESERVE FOR UNPAID CLAIMS - Less current portion	25,263,154
Total Liabilities	\$ 44,002,641
DEFERRED INFLOWS OF RESOURCES	
Pension	\$ 648,866
OPEB	194,183
Total Deferred Inflows of Resources	\$ 843,049
NET POSITION	
Net investment in capital assets	\$ 66,246
Unrestricted net position	(19,148,404)
Total Net Position	\$ (19,082,158)

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
FOR THE YEAR ENDED JUNE 30, 2022

OPERATING REVENUES	
Tank fees, net of refunds	\$ 8,543,989
Recovery of bad debt	114,913
Other	<u>161</u>
Total Operating Revenues	<u>8,659,063</u>
OPERATING EXPENSES	
Incurred claims and claims adjustment	9,365,924
Administration	1,308,863
Depreciation and amortization	<u>114,266</u>
Total Operating Expenses	<u>10,789,053</u>
OPERATING INCOME (LOSS)	<u>(2,129,990)</u>
NON-OPERATING REVENUE (EXPENSE)	
Earnings on investments	(707,099)
Interest expense	(1,934)
Loss on disposal of assets	<u>(40)</u>
Total Non-operating Revenue (Expense)	<u>(709,073)</u>
Increase (Decrease) in Net Position	(2,839,063)
NET POSITION	
Beginning of year	<u>(16,243,095)</u>
End of year	<u><u>\$ (19,082,158)</u></u>

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2022

CASH FLOWS FROM OPERATING ACTIVITIES	
Cash received from customers	\$ 8,981,814
Cash paid to employees	(1,382,246)
Cash paid to claimants	(11,464,065)
Cash paid to others	<u>(395,990)</u>
Net Cash Used in Operating Activities	<u>(4,260,487)</u>
CASH FLOWS USED IN CAPITAL AND RELATED FINANCING ACTIVITIES	
Purchase of capital assets	(32,980)
Principal paid on leased asset	(80,667)
Interest paid on leased asset	<u>(1,934)</u>
Net Cash Used in Capital and Related Financing Activities	<u>(115,581)</u>
CASH FLOWS FROM INVESTING ACTIVITIES	
Purchase of investments	(22,644,770)
Sale of investments	23,333,740
Investments matured	4,000,000
Interest on investments	<u>134,125</u>
Net Cash Provided by Investing Activities	<u>4,823,095</u>
NET INCREASE (DECREASE) IN CASH WITH CUSTODIAN	<u>447,027</u>
CASH WITH CUSTODIAN	
Beginning of year	<u>2,871,213</u>
End of year	<u><u>\$ 3,318,240</u></u>

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENT OF CASH FLOWS, Continued
FOR THE YEAR ENDED JUNE 30, 2022

RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH
USED IN OPERATING ACTIVITIES:

Operating income (loss)	<u>\$ (2,129,990)</u>
Adjustments to reconcile operating income to net cash used in operating activities:	
Depreciation and amortization	114,266
Allowance for uncollectible accounts	450,808
Reserves for unpaid claims	1,810,551
Changes in assets and liabilities:	
Fees receivable	(538,122)
Fees received in advance	293,621
Claims payable	(3,773,162)
Refundable fees	68,234
Unclaimed monies payable	(137,430)
Accounts payable and accrued liabilities	(19,148)
Net Pension Liability	(399,200)
Net OPEB Liability/(Asset)	(73,042)
Deferred Outflow - Pension	(90,610)
Deferred Outflow - OPEB	54,201
Deferred Inflow - Pension	251,629
Deferred Inflow - OPEB	(143,093)
 Total Adjustments	 <u>(2,130,497)</u>
 Net Cash Used in Operating Activities	 <u>\$ (4,260,487)</u>

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 1 - DESCRIPTION OF THE BOARD

The Ohio Petroleum Underground Storage Tank Release Compensation Board (the Board) was established as a body both corporate and politic of the State of Ohio upon enactment of House Bill 421 (the Act) in 1989 in response to USEPA Resource Conservation and Recovery Act Subtitle I regulations, which require responsible persons to demonstrate financial responsibility for paying the costs of corrective action resulting from accidental releases of petroleum from the operation of underground storage tanks. The Board consists of the Treasurer of State and the directors of the State of Ohio Departments of Commerce and Environmental Protection as ex-officio members, and nine members appointed by the Governor with the advice and consent of the Senate.

The Board may issue revenue bonds, payable solely from its revenues, for the purpose of funding the Financial Assurance Fund (the Fund). The Act created the Fund to reimburse responsible persons for the costs of corrective actions and third-party compensation for bodily injury or property damage resulting from releases of petroleum from underground storage tanks. Pursuant to the Act, the Board may determine the amount of payment or reimbursement to responsible persons.

The Fund is authorized by law to collect (1) annual and supplemental fees from underground storage tank owners/operators, (2) interest earned on monies in the Fund, and (3) proceeds from revenue bonds authorized by the Board. Authorized disbursements from the Fund are for (1) the Board's administrative expenses, (2) payment of claims to tank owner/operators who hold valid certificates of coverage, (3) transfers of funds required under trust agreements established in connection with bond issuances, and (4) placement of certificates of deposit with financial institutions for the purpose of providing low-cost financing to eligible tank owners through the Board's linked deposit program.

The Board may establish annual fees and assess supplemental fees needed to maintain the financial soundness of the Fund. The Act prohibits the Board from assessing annual fees for any year in which the unobligated fund balance exceeds \$45 million, except the Board may assess a fee in the year to which the determination applies to the extent required in or by, or necessary to comply with covenants or other requirements in, revenue bonds. Supplemental fees may be assessed in any fiscal year in which the unobligated fund balance is less than \$15 million. The Act excludes the State of Ohio from responsibility for liabilities of the Fund.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A summary of significant accounting policies consistently applied by management in the preparation of the accompanying financial statements follows:

Classification and Basis of Accounting - The Fund is classified as an Enterprise Fund and is reporting as a special-purpose government engaged in business-type activities. Under this method of accounting, an economic resources measurement focus and an accrual basis of accounting are used.

Operating revenues and expenses generally result from providing services in connection with ongoing operations. Operating revenues are primarily derived from tank fees. Operating expenses include the costs of claims and related administrative expenses. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Application of Governmental Accounting Standards Board (GASB) Statements and Interpretation - In accordance with GASB Statement No. 20, "Accounting and Financial Reporting for Proprietary Funds and Other Governmental

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Entities That Use Proprietary Fund Accounting”, the Board follows Governmental Accounting Standards Board (GASB) guidance as applicable to proprietary funds.

Use of Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amount of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

Cash – The Treasurer of the State of Ohio (Treasurer) acts as the custodian of the funds for the State. Cash of the Board is pooled and invested by the Treasurer. Account integrity is maintained through a series of checks and balances with the Auditor, Treasurer, and the Office of Budget and Management.

The Cash with the Treasurer has the general characteristics of a demand deposit account whereby additional cash can be deposited at any time and can also be effectively withdrawn at any time, within certain budgetary limitations, without prior notice or penalty.

Unobligated Fund Balance - The Ohio Revised Code requires the Board to maintain an unobligated fund balance at a level that ensures the continued financial soundness of the Fund and allows the Board to assess a supplemental fee in any fiscal year in which the unobligated fund balance is less than \$15 million. The unobligated fund balance is included in unrestricted investments and defined by the Ohio Administrative Code as monies not previously designated by the Board for claims reimbursement, not legally restricted, not placed in the unclaimed monies trust account, not placed in a linked deposit account, and not placed in a debt service account. The unobligated fund balance is \$23,397,217 at June 30, 2022.

Investments - Investments are stated at fair value in accordance with GASB Statement No. 72, “Fair Value Measurement and Application”. The Board’s investments consist of U.S. Treasury Notes and Agency Bonds, which are stated at fair value. Dividends, interest earnings, the net increase (decrease) in the fair value of investments (which includes both the change in fair value and realized gains and losses), and investment expenses are aggregated and reported as net investment income in the statement of revenues, expenses and changes in net position. The cost of securities sold is determined using the average cost method. Purchases and sales of investments are recorded as of the trade date.

Capital Assets - Capital asset purchases equal to or greater than \$500 are recorded at historical cost, and are depreciated using the straight-line method over the estimated useful life of five years. Personal property with a value less than \$500, and maintenance and repair costs are expensed. In accordance with GASB Statement No. 87, Capital assets includes lease right-to-use assets, which are recorded at the commencement of the term using the present value of the expected payments over the contract term. Lease right-to-use assets are amortized over the term of the contract.

Refundable Fees - The Board has determined that certain fees were collected from individuals not required to contribute to the Fund. Accordingly, the Board has recorded a liability for the refund of these fees.

Lease Liability – At the commencement of a lease, the Board measures the lease liability as the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of the lease payments made.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Pensions/Other Postemployment Benefits (OPEB) - For the purposes of measuring the net pension/OPEB liability/(asset), deferred outflows of resources and deferred inflows of resources related to pensions/OPEB, and pension/OPEB expense, information about the fiduciary net position of the pension/OPEB plans and additions to/deductions from their fiduciary net position have been determined on the same basis as they are reported by the OPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. The OPERS pension system reports investments at fair value.

Deferred Outflows of Resources – In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. Deferred outflows of resources represent a consumption of net position that applies to a future period and will not be recognized as an outflow of resources (expense/expenditure) until then. For the Board, deferred outflows of resources are reported on the statement of net position for pension and OPEB and are explained in Notes 7 and 8.

Deferred Inflows of Resources – In addition to liabilities, the statement of net position reports a separate section for deferred inflows of resources. Deferred inflows of resources represent an acquisition of net position that applies to a future period and will not be recognized until that time. For the Board, deferred inflows of resources are reported on the statement of net position for pension and OPEB and are explained in Notes 7 and 8.

Revenue Recognition - Fees are recognized in the year for which coverage is provided. Fees received in advance of the coverage year are deferred. Earnings on investments are accrued as earned.

Claims Expenses - Claims expenses are recognized to the extent risk has transferred to the Fund. Risk is deemed transferred when the Board approves a claim for payment. Accordingly, claims expenses are accrued when a claim is approved for payment. In order to expedite certain claims, the Board may approve partial (installment) payments. Partial claims expenses are also recognized when approved. These partial payments are subject to further review, upon which the Board may approve additional payments, or, in limited circumstances, require a refund.

The amount of the reserve for unpaid claims is estimated using actuarial assumptions and is not discounted to present value. Assumptions include the estimate of IBNR claims, the Board's payment experience, the eligibility approval rate and third-party claims.

Accounting Pronouncements - The GASB has issued the following new accounting pronouncements that will be effective in future years and may be relevant to the Board:

- GASB No. 94, "Public-Private and Public-Public Partnerships and Availability Payment Arrangements"
- GASB No. 96, "Subscription-Based Information Technology Arrangements"
- GASB No. 99, "Omnibus 2022"
- GASB No. 100, "Accounting Changes and Error Corrections – an amendment of GASB Statement No. 62"
- GASB No. 101, "Compensated Absences"

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Management has not yet determined the impact that these new GASB Pronouncements will have on the Board's financial statements.

NOTE 3 - COVERAGE

Petroleum underground storage tank owners/operators must pay a fee each fiscal year as determined by the Board (\$350 per tank in 2022). The tank owners/operators must also demonstrate an ability to fund \$55,000 of eligible costs caused by petroleum releases, in compliance with rules promulgated by the State Fire Marshal. Tank owners/operators with six or fewer tanks may elect to reduce their deductible from \$55,000 to \$11,000 by paying an additional fee per tank (\$200 in 2022). The Board's obligation to pay eligible claims is limited to (1) an annual maximum per individual owner/operator and (2) the availability of unobligated assets in the Fund. The maximum annual disbursement per fiscal year to an individual owner/operator is as follows:

<u>Number of Tanks Owned</u>	<u>Maximum Annual Disbursements (Net of Deductibles)</u>
Less than 100	\$1 million
101 to 200	\$2 million
201 to 300	\$3 million
Over 300	\$4 million

The Board is not required to make payments for the costs of corrective action when the amount of approved claims exceeds the unobligated fund balance. The Board annually sets fees to ensure the solvency of the Fund based on projected revenues, administrative expenses and claim payment obligations. In the event that unobligated funds fall below \$15 million, the Board is able to assess a supplemental fee, and again consider payout of all eligible claims.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 3 - COVERAGE (Continued)

The Board establishes a liability for both reported and unreported covered events, which includes estimates for future payments of losses. The amount of the liability is estimated using actuarial techniques. The following represents changes in those aggregate liabilities of the Board during the past fiscal year:

	<u>Year Ended</u> <u>June 30, 2022</u>
Unpaid claims and claim adjustment expenses- Beginning of year	\$ <u>36,225,765</u>
Incurred claim and claim adjustment expenses:	
Provision for insured events of current year	3,510,633
Change in provision for prior years	<u>5,605,291</u>
Total Incurred Claims and Claim Adjustment Expense	<u>9,115,924</u>
Claim and claim adjustment payments attributable to Insured events of prior years	<u>(11,078,535)</u>
Total Unpaid Claims and Claim Adjustment Expenses- End of year	<u>\$ 34,263,154</u>
This liability is shown in the statement of net position as follows:	
Claims payable	\$ 1,090,405
Current portion of reserve for unpaid claims	7,909,595
Reserve for unpaid claims-less current portion	<u>25,263,154</u>
Estimated Unpaid Liability	<u>\$ 34,263,154</u>

Changes in the unpaid claim liability are the combined impact of:

- i. Estimated ultimate losses on newly reported claims (increases the liability);
- ii. Changes in the estimated ultimate losses on previously reported claims (may increase or decrease the liability);
- iii. Changes in the estimated ultimate losses on unreported claims (may increase or decrease the liability);
- iv. Claim reimbursement payments (decreases the liability).

The amounts that the Fund will ultimately pay (items i, ii, and iii) are measured, in part, by the reported gross claim face values adjusted for non-reimbursable and undocumented costs and deductible amounts.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 4 - CASH AND INVESTMENTS

Provisions within the Ohio Revised Code govern the investment and deposit of Board monies. In accordance with these statutes, investments are restricted to obligations of the United States or of any agency or instrumentality thereof (and funds consisting exclusively of, and repurchase agreements secured by, those obligations), obligations guaranteed as to principal and interest by the United States, obligations of the State of Ohio or any political subdivision thereof, the State Treasury Asset Reserve of Ohio investment pool, and certificates of deposit of any national bank located in Ohio and certain other banks incorporated in Ohio and subject to inspection by the Superintendent of Institutions.

Cash:

Cash with custodian is held by the Treasurer of State. The carrying amount and custodial balance of cash with custodian at June 30 were as follows:

	<u>2022</u>
Carrying amount	\$ 3,318,240
Custodial balance	\$ 3,573,440

The difference between the carrying amount and the custodial balance is net of the warrants issued but uncashed as of June 30, 2022, and deposits in transit.

Custodial balances are collateralized with securities held by the pledging financial institution's trust department or an agent in the State's name.

Investments:

The Investment policy approved by the Board provides investment guidance for the monies within the Fund. The objective of the investment policy is to conform with state and federal legal requirements and to maintain safety of principal with a focus on liquidity, yield, and the minimization of cost.

U.S Government and U.S. Government Agency Obligations – At its January 9, 2013 meeting, the Board authorized the investment of \$6,000,000 of unobligated funds in equal amounts of U.S. Treasury Notes and U.S. Agency Bonds with maturity dates of the investments laddered over one, two and three years. Authorization was also granted by the Board to reinvest the funds in like securities upon maturity. In May 2013, U.S. Treasury Notes and U.S. Agency Bonds with par values of \$3,000,000 each were purchased. At its March 20, 2014 meeting, the Board authorized the investment of an additional \$2,000,000 of unobligated funds in equal amounts of U.S. Treasury Notes and U.S. Agency Bonds having maturity dates of three years which were subsequently purchased in June 2014. At its January 13, 2016 meeting, the Board authorized the investment of an additional \$6,000,000 of unobligated funds in equal amounts of U.S. Treasury Notes and U.S. Agency Bonds having maturity dates laddered equally over two, three, and four years which were subsequently purchased between January and March 2016. At its November 29, 2017 meeting, the Board authorized the investment of an additional \$2,000,000 of unobligated funds in U.S. Agency Bonds with maturity dates of three years, which were subsequently purchased in January 2018. At its January 9, 2019 meeting, the Board authorized the reinvestment of US Treasuries or U.S. Agency Bonds at the discretion of the Treasurer of State and the Executive Director of the Board, so long as the duration of the buy and hold portfolio does not exceed three years.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 4 - CASH AND INVESTMENTS (Continued)

STAR Ohio - STAR Ohio is an investment pool managed by the State Treasurer’s Office, which allows governments within the State to pool their funds for investment purposes. STAR Ohio is not registered with the Securities and Exchange Commission as an investment company, but has adopted Governmental Accounting Standards Board

Statement No. 79, “Certain External Investment Pools and Pool Participants.” The Board measures their investment in STAR Ohio at the net asset value (NAV) per share provided by STAR Ohio. The NAV per share is calculated on an amortized cost basis that provides a NAV per share that approximates fair value. For the year ended June 30, 2021, there were no limitations on any participant withdrawals due to redemption notice periods, liquidity fees, or redemption gates. The value of the STAR Ohio investments were approximately \$6,773,000 as of June 30, 2022.

The State Treasurer’s Office issues a publicly available stand-alone financial report for STAR Ohio that includes financial statements and required supplementary information. That report may be obtained online at <http://tos.ohio.gov/star-ohio>, or by writing to State Treasury Asset Reserve of Ohio, STAR Ohio, 30 East Broad Street, 9th Floor, Columbus, Ohio 43215-3461 or by calling 1-800-228-1102.

Linked Deposits - The Act authorizes the Board to place certificates of deposit with financial institutions at interest rates below current market rates. These deposits are insured by the Federal Deposit Insurance Corporation. The financial institutions loan these deposits to tank owners approved by the Board to replace or improve underground storage tanks. The financial institutions assume credit risks associated with these loans.

The fair value of the investments as of June 30, 2022 are as follows:

Investment Type	Fair Value	Investment Maturities (in years)	
		Less than 1	1-3
U.S. government obligations	\$ 5,667,540	\$ 1,000,862	\$ 4,666,678
U.S. government agency obligations	8,530,533	995,374	7,535,159
STAR Ohio	6,772,738	6,772,738	-
	<u>\$ 20,970,811</u>	<u>\$ 8,768,974</u>	<u>\$ 12,201,837</u>

The Board categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation of inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; and Level 3 inputs are significant unobservable inputs. The Board’s U.S. government obligations and U.S. government agency obligations are valued using pricing models (Level 2 inputs). STAR Ohio is reported at NAV per share, which approximates fair value.

Custodial Credit Risk - Custodial credit risk for deposits is the risk that in the event of a public depository failure, the Board will be unable to recover the value of deposits. Public depositories must provide security for all public funds on deposit. These institutions may either specifically collateralize individual accounts in addition to amounts insured by the Federal Deposit Insurance Corporation (FDIC), or may pledge a pool of government securities valued at least 102% of the total value of public monies on deposit at the institution.

Repurchase agreements must be secured by the specific government securities upon which the repurchase agreements are based. These securities must be obligations of or guaranteed by the United States and mature or be redeemable within five years of the date of the related repurchase agreement. State law does not require security

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 4 - CASH AND INVESTMENTS (Continued)

for public deposits and investments to be maintained in the Board's name. The Board is not exposed to custodial credit risk because the funds are held by the State Treasurer's Office.

STAR Ohio investments are not exposed to custodial credit risk, as defined by Statement No. 40. Securities in STAR Ohio are either insured, registered or held by STAR Ohio or by its agent in the name of STAR Ohio. The Board's investment in U.S. government obligations and U.S. government agency obligations are not exposed to custodial credit risk since the Board's investments are held in the Board's name at Huntington National Bank.

Interest Rate Risk - Interest rate risk is the risk that changes in interest rates of debt investments will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater sensitivity of its fair value to changes in market interest rates. The Board mitigates interest rate risk by maintaining adequate liquidity, investing primarily in shorter term securities, and diversification of maturity dates so ongoing operations can be funded without a sale of investments. The investments held in STAR Ohio limit exposure to fair value losses arising from increasing interest rates by limiting the weighted average maturity of the portfolio to 60 days, and limiting the final stated maturity on any investment to 397 days, with the exception of U.S. Treasury and Federal Agency obligations with a floating rate of interest which are limited to a maximum maturity of 762 days.

Credit Risk - Credit risk is the risk of loss due to the failure of a security issuer to pay principal or interest, or the failure of the issuer to make timely payments of principal or interest. Eligible investments, pursuant to the Ohio Revised Code, affected by credit risk include certificates of deposit, commercial paper, bankers' acceptances, and counterparties involved in repurchase agreements.

The Fund's unrestricted investments include investments held in the Treasurer of State's investment pool (STAR Ohio), and investments in U.S. government obligations and U.S. government agency obligations held by Huntington National Bank in the Board's name. Standard and Poor's rating for both the U.S. government obligations and U.S. government agency obligations is AA+. Unrestricted investments are carried at fair value, which approximates cost and includes \$868,329 obligated by the Board for the payment of claims at June 30, 2022. Standard & Poor's rating for the STAR Ohio fund is AAAM. STAR Ohio's investment policy requires money market funds to be rated AAAM by Standard & Poor's Corporation, and all other securities held by STAR Ohio to have short-term ratings equivalent of A-1+ or A-1. Commercial paper holdings are required to have short-term ratings of A-1/P-1 or above. Collateralization of bank deposit investments is required to secure a rating of AAAM. As of June 30, 2022, all investments met the short-term and long-term credit ratings requirements of STAR Ohio's investment policies.

Concentration of Credit Risk - Concentration of credit is the risk of loss that may be attributed to the magnitude of the Board's investment in a single issuer. The calculation of risk excludes investments issued by or guaranteed by the U.S. government, U.S. government agencies, and STAR Ohio. In 2022 the Board had no single issuer which was not exempt that represented 5% or more of the Board's total investments.

Securities Lending - As of June 30, 2022 the Board had no securities out on loan. The Board has been allocated with cash collateral of \$15,794 for fiscal year 2022 from the securities lending program administered through the Treasurer of State's Office based on the amount of cash equity with the State's common cash and investment account.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 5 - CAPITAL ASSETS

A summary of the changes in capital assets for the year ended June 30, 2022 follows:

	Balance June 30,2021 (restated)	Additions	Disposals/ Deletion	Balance June 30, 2022
Capital assets:				
Right to use lease asset	\$ 182,857	\$ -	\$ -	\$ 182,857
Furniture	118,454	-	-	118,454
Data processing equipment	<u>922,066</u>	<u>32,980</u>	<u>(20,770)</u>	<u>934,276</u>
Total Capital Assets	<u>1,223,377</u>	<u>32,980</u>	<u>(20,770)</u>	<u>1,235,587</u>
Less accumulated depreciation/amortization				
Right to use lease asset	-	84,396	-	84,396
Furniture	107,301	8,511	-	115,812
Data processing equipment	<u>866,314</u>	<u>21,359</u>	<u>(20,730)</u>	<u>866,943</u>
Total Accumulated Depreciation and Amortization	<u>973,615</u>	<u>114,266</u>	<u>(20,730)</u>	<u>1,067,151</u>
Net Capital Assets	<u>\$ 249,762</u>	<u>\$ (81,286)</u>	<u>(40)</u>	<u>\$ 168,436</u>

NOTE 6 - LEASES

In June 2017, the Governmental Accounting Standards Board issued Statement No. 87, Leases, which improves accounting and financial reporting for leases by governments. This statement requires recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. The implementation of this statement is effective June 30, 2022.

The Board leases office space under a lease agreement requiring monthly payments and expiring on September 30, 2023. Due to the implementation of GASB Statement 87, the lease has met the criteria of leases thus requiring it to be recorded by the Board. The monthly lease payments include the Board's pro rate share of the annual operating expenses for the property which as a variable expense is not included in the calculation of the lease liability. The future lease payments were discounted based on an interest rate using the Board's incremental borrowing rate. The discount is being amortized over the life of the lease.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 6 – LEASES (Continued)

For the period ending June 30, 2022, the total amount of lease payments for the Board’s office space was \$80,667 and the lease payable was \$102,190.

During the fiscal year, the following activity occurred in the lease liability:

	Restated Balance June 30, 2021	Additions	Deductions	Balance June 30, 2022	Amount Due One year
Lease Payable	\$ 182,857	-	\$ 80,667	\$ 102,190	\$ 81,641

Future principal and interest payments under the lease agreement are as follows:

Years ending June 30	Principal	Interest	Total
2023	81,641	960	82,601
2024	20,549	51	20,600
Total	\$ 102,190	1,011	103,201

NOTE 7 - DEFINED BENEFIT PENSION PLANS

The Board’s employees are covered by the Ohio Public Employees Retirement System. The State of Ohio accounts for the activities of the retirement systems and the amounts of these funds are not reflected in the accompanying financial statements.

Net Pension Liability - The net pension liability reported on the statement of net position represents a liability to employees for pensions. Pensions are a component of exchange transactions – between an employer and its employees - of salaries and benefits for employee services. Pensions are provided to an employee on a deferred-payment basis as part of the total compensation package offered by an employer for employee services each financial period. The obligation to sacrifice resources for pensions is a present obligation because it was created as a result of employment exchanges that already have occurred.

The net pension liability represents the Board’s proportionate share of the Ohio Public Employee Retirement System (OPERS) Pension Plan’s collective actuarial present value of projected benefit payments attributable to past periods of service, net of its fiduciary net position. The net pension liability calculation is dependent on critical long-term variables, including estimated average life expectancies, earnings on investments, cost of living adjustments and others. While these estimates use the best information available, unknowable future events require adjusting this estimate annually.

The Ohio Revised Code limits the Board’s obligation for this liability to annually required payments. The Board cannot control benefit terms or the manner in which pensions are financed; however, the Board does receive the benefit of employees’ services in exchange for compensation including pension.

GASB 68 assumes the liability is solely the obligation of the employer, because (1) they benefit from employee services; and (2) State statute requires all funding to come from these employers. All contributions to date have

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLANS (Continued)

come solely from these employers (which also includes costs paid in the form of withholdings from employees). State statute requires the OPERS to amortize unfunded liabilities within 30 years. If the amortization period exceeds 30 years, the OPERS Board of Trustees must propose corrective action to the State legislature. Any resulting legislative change to benefits or funding could significantly affect the net pension liability. Resulting adjustments to the net pension liability would be effective when the changes are legally enforceable.

The proportionate share of each plan's unfunded benefits is presented as long-term net pension liability on the accrual basis of accounting. Any liability for the contractually required pension contribution outstanding at the end of the year is included in accrued liabilities on the accrual basis of accounting.

Plan Description - The Board participates in OPERS, which administers three separate pension plans: The traditional plan is a cost-sharing, multiple-employer defined benefit pension plan; the member-directed plan is a defined contribution plan and the combined plan is a cost-sharing, multiple-employer defined benefit pension plan with defined contribution features.

OPERS provides retirement, disability, survivor and death benefits, and annual cost of living adjustments to members of the traditional plan. Authority to establish and amend benefits is provided by Chapter 145 of the Ohio Revised Code. OPERS issues a stand-alone financial report that includes financial statements, required supplementary information and detailed information about OPERS's fiduciary net position that may be obtained by visiting <https://www.opers.org/financial/reports.shtml>, by writing to the Ohio Public Employees Retirement System, 277 East Town Street, Columbus, Ohio 43215-4642, or by calling 800-222-7377.

Senate Bill (SB) 343 was enacted into law with an effective date of January 7, 2013. In the legislation, members were categorized into three groups with varying provisions of the law applicable to each group. The following table provides age and service requirements for retirement and the retirement formula applied to final average salary (FAS) for the three member groups under the traditional plan as per the reduced benefits adopted by SB 343 (See OPERS Comprehensive Annual Financial Report referenced above for additional information including requirements for reduced and unreduced benefits):

Group A	Group B	Group C
Eligible to Retire on of January 7, 2013 or five years after January 7, 2013	20 years of service credit prior to January 7, 2013 or eligible to retire ten years after January 7, 2013	Members not in other groups and members hired on after January 7, 2013
Age and Service Requirements:		
Age 60 with 60 months of service credit or age 55 with 25 years of service credit	Age 60 with 60 months of service credit or age 55 with 25 years of service credit	Age 57 with 25 years of service credit or age 62 with 5 years of service credit
Formula:		
2.2% of FAS multiplied by years of service for the first 30 years and 2.5% for service in years in excess of 30	2.2% of FAS multiplied by years of service for the first 30 years and 2.5% for service in years in excess of 30	2.2% of FAS multiplied by years of service for the first 35 years and 2.5% for service in years in excess of 35

Final average salary (FAS) represents the average of the three highest years of earnings over a member's career for groups A and B. Group C is based on the average of the five highest years of earnings over a member's career.

Members who retire before meeting the age and years of service credit requirement for unreduced benefit receive a percentage reduction in the benefit amount.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLANS (Continued)

When a benefit recipient has received benefits for 12 months, an annual cost of living adjustment (COLA) is provided. This COLA is calculated on the base retirement benefit at the date of retirement and is not compounded. For those retiring prior to January 7, 2013, the COLA will continue to be a 3% simple annual COLA. For those retiring subsequent to January 7, 2013, beginning in calendar year 2019, the COLA will be based on the average percentage increase in the Consumer Price Index, capped at 3%.

Funding Policy: The Ohio Revised Code provides statutory authority for member and employer contributions as follows:

FY 2022 Statutory Maximum Contribution Rates		
Employer	14.0	%
Employee	10.0	%
 FY 2022 Actual Contribution Rates		
Employer		
Pension	14.0	%
Post-employment Health Care Benefits	0.0	
Total Employer	14.0	%
 Employee	 10.0	 %

Employer contribution rates are actuarially determined and are expressed as a percentage of covered payroll. The Board's contractually required contribution was \$129,717 for fiscal year 2022. The entire amount was used to fund pension benefits.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - The net pension liability for OPERS was measured as of December 31, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Board's proportion of the net pension liability was based on the Board's share of contributions to the pension plan relative to the contributions of all participating entities. Following is information related to the proportionate share and pension expense:

	<u>Pension Plan</u>
Proportionate Share of the Net Pension Liability	\$ 500,969
2021 Proportion of the Net Pension Liability	.005758%
2020 Proportion of the Net Pension Liability	.006079%
2021 Change in Proportionate Share	(.000321%)
 Pension Expense	 \$ (118,764)

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLANS (Continued)

At June 30, 2022, the Board reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Pension Plan</u>
Deferred Outflows of Resources	
Board contribution subsequent to the measurement date	63,968
Differences between expected and actual experience	25,539
Changes of Assumptions	62,646
Total Deferred Outflows of Resources	\$ 152,153
Deferred Inflows of Resources	
Differences between expected and actual experience	\$ 10,987
Net difference between projected and actual earnings on pension plan investment	595,885
Change in proportionate share	41,994
Total Deferred Inflows of Resources	\$ 648,866

The \$63,968 reported as deferred outflows of resources related to pension resulting from the Board's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the fiscal year ending June 30, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

For Fiscal Year Ending June 30	<u>Pension Plan</u>
2022	\$ (109,413)
2023	(216,361)
2024	(140,117)
2025	(94,790)
Total	\$ (560,681)

Actuarial Assumptions OPERS - Actuarial valuations of an ongoing plan involve estimates of the values of reported amounts and assumptions about the probability of the occurrence of events far into the future. Examples include assumptions about future employment, mortality, and cost trends. Actuarially determined amounts are subject to continual review or modification as actual results are compared with past expectations and new estimates are made about the future.

OHIO PETROLEUM UNDERGROUND STORAGE
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NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLANS (Continued)

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employers and plan members) and include the types of benefits provided at the time of each valuation. The total pension liability was determined by an actuarial valuation as of December 31, 2021, using the following actuarial assumptions and methods applied to all prior periods included in the measurement:

Wage Inflation	2.75 %
Projected Salary Increases	2.75 - 10.75 % including wage inflation at 2.75%
COLA or Ad Hoc COLA	
Pre-January 7, 2013 Retirees	3.00 %, simple
Post-January 7, 2013 Retirees	3.00%, simple, through 2022 then 2.05% simple
Investment Rate of Return	6.90 %
Actuarial Cost Method	Individual entry age normal

Pre-retirement mortality rates are based on 130% of the Pub-2010 General Employee Mortality tables for males and females. Post-retirement mortality rates are based on 115% of the PubG-2010 Retiree Mortality Tables for males and females. Post-retirement mortality rates for disabled retirees are based on the PubNS-2010 Disabled Retiree Mortality Tables for males and females. For all of the previously described tables, the base year is 2010 and mortality rates for a particular calendar year are determined by applying the MP-2020 mortality improvement scales for males and females to these tables.

The allocation of investment assets within the Defined Benefit portfolio is approved by the OPERS Board of Trustees as outlined in the annual investment plan. Plan assets are managed on a total return basis with a long-term objective of achieving and maintaining a fully funded status for the benefits provided through the defined benefit pension plans. The long-term expected rate of return on defined benefit investment assets was determined using a building-block method in which best-estimate ranges of expected future real rates of return are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future rates of return by the target asset allocation percentage, adjusted for inflation. Best estimates of arithmetic rates of return were provided by OPERS' investment consultant. For each major asset class that is included in the Defined Benefit portfolio's target asset allocation as of December 31, 2021, these best estimates are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Weighted Average Long-Term Expected Real Rate of Return (Geometric)</u>
Fixed Income	24.00 %	1.03 %
Domestic Equities	21.00 %	3.78 %
Real Estate	11.00 %	3.66 %
Private Equity	12.00 %	7.43 %
International Equities	23.00 %	4.88 %
Risk Parity	5.00 %	2.92 %
Other investments	4.00 %	2.85 %
Total	<u>100.00 %</u>	<u>4.21 %</u>

Discount Rate - The discount rate used to measure the total pension liability was 6.9%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members and those of the contributing employers are made at the contractually required rates. Based on those assumptions, the pension plan's fiduciary

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLANS (Continued)

net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of Board’s Proportionate Share of the Net Pension Liability to Changes in the Discount Rate - The following table presents the Board’s proportionate share of the net pension liability calculated using the current period discount rate assumption of 6.9%, as well as what the Board’s proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (5.9%) or 1% higher (7.9%) than the current rate:

	1% Decrease (5.9%)	Current Discount Rate (6.9%)	1% Increase (7.9%)
Board’s proportionate share of the net pension liability	\$ 1,320,828	\$ 500,969	\$ (181,262)

NOTE 8 – DEFINED BENEFIT OPEB PLAN

The Board’s employees are covered by the Ohio Public Employees Retirement System. The State of Ohio accounts for the activities of the retirement systems and the amounts of these funds are not reflected in the accompanying financial statements.

Net OPEB Asset - The net OPEB asset reported on the statement of net position represents an asset to employees for other post-employment benefits (OPEB). OPEB is a component of exchange transactions - between an employer and its employees - of salaries and benefits for employee services. OPEB are provided to an employee - on a deferred-payment basis - as part of the total compensation package offered by an employer for employee services each financial period. The obligation to sacrifice resources for OPEB is a present obligation because it was created as a result of employment exchanges that already have occurred.

The net OPEB asset represents the Board’s proportionate share of the OPEB plan’s collective actuarial present value of projected benefit payments attributable to past periods of service, net of each OPEB plan’s fiduciary net position. The net OPEB asset calculation is dependent on critical long-term variables, including estimated average life expectancies, earnings on investments, cost of living adjustments and others. While these estimates use the best information available, unknowable future events require adjusting these estimates annually.

Ohio Revised Code limits the Board’s obligation for this asset to annually required payments. The Board cannot control benefit terms or the manner in which OPEB are financed; however, the Board does receive the benefit of employees’ services in exchange for compensation including OPEB.

GASB 75 assumes the asset is solely the right of the employer, because they benefit from employee services. OPEB contributions come from these employers and health care plan enrollees which pay a portion of the health care costs in the form of a monthly premium. The Ohio revised Code permits, but does not require, the retirement system to provide healthcare to eligible benefit recipients. Any change to benefits or funding could significantly affect the net OPEB asset. Resulting adjustments to the net OPEB asset would be effective when the changes are legally enforceable. The retirement system may allocate a portion of the employer contributions to provide for these OPEB benefits.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 8 – DEFINED BENEFIT OPEB PLAN (Continued)

The proportionate share of the plan’s unfunded benefits is presented as a net OPEB asset on the accrual basis of accounting. Any liability for the contractually-required OPEB contribution outstanding at the end of the year would be included in accrued liabilities on the accrual basis of accounting. The Board had no such liability at fiscal year-end.

Plan Description - The Ohio Public Employees Retirement System (OPERS) administers three separate pension plans: The traditional plan is a cost-sharing, multiple-employer defined benefit pension plan; the member-directed plan is a defined contribution plan; and the combined plan is a cost-sharing, multiple-employer defined benefit pension plan that has elements of both a defined benefit and defined contribution plan.

OPERS maintains one health care trust, the 115 Health Care Trust (115 Trust), which was established in 2014 to initially provide a funding mechanism for a health reimbursement arrangement (HRA), as the prior trust structure could not support the HRA. In March 2016, OPERS received two favorable rulings from the Internal Revenue Service (IRS) allowing OPERS to consolidate health care assets into the 115 Trust. The 401(h) Health Care Trust (401(h) Trust) was a pre-funded trust that provided health care funding for eligible members of the Traditional Pension Plan and the Combined Plan through December 31, 2015, when plans funded through the 401(h) Trust were terminated. The Voluntary Employees’ Beneficiary Association Trust (VEBA Trust) accumulated funding for retiree medical accounts for participants in the Member-Directed Plan through June 30, 2016. The 401(h) Trust and the VEBA Trust were closed as of June 30, 2016 and the net positions transferred to the 115 Trust on July 1, 2016. Beginning in 2016, the 115 Trust, established under Internal Revenue Code (IRC) Section 115, is the funding vehicle for all health care plans.

The OPERS health care plans are reported as cost-sharing, multiple employer other post-employment benefit plans (OPEB) based on the criteria established by the Governmental Accounting Standards Board (GASB). Periodically, OPERS modifies the health care program design to improve the ongoing solvency of the plans. Eligibility requirements for access to the OPERS health care options have changed over the history of the program for Traditional Pension Plan and Combined Plan members. Prior to January 1, 2015, 10 or more years of service were required to qualify for health care coverage. Beginning January 1, 2015, generally, members must be at least age 60 with 20 years of qualifying service credit to qualify for health care coverage or 30 years of qualifying service at any age. Beginning 2016, eligible Traditional Pension Plan and Combined Plan retirees enrolled in Medicare A and B were eligible to participate in the OPERS Medicare Connector (Connector). The Connector, a vendor selected by OPERS, assists eligible retirees in the selection and purchase of Medicare supplemental coverage through the Medicare market. Eligible retirees that purchase supplemental coverage through the Connector may receive a monthly allowance in their HRA that can be used to reimburse eligible health care expenses.

The Ohio Revised Code permits, but does not require OPERS to provide health care to its eligible benefit recipients. Authority to establish and amend health care coverage is provided in Chapter 145 of the Ohio Revised Code. OPERS issues a stand-alone financial report. Interested parties may obtain a copy by visiting <https://www.opers.org/financial/reports.shtml>, by writing to the Ohio Public Employees Retirement System, 277 East Town Street, Columbus, Ohio 43215-4642 or by calling 1-800-222-7377.

Funding Policy – The Ohio Revised Code provides the statutory authority requiring public employers to fund health care through their contributions to OPERS. A portion of each employer’s contribution to OPERS may be set aside to fund OPERS health care plans.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 8 – DEFINED BENEFIT OPEB PLAN (Continued)

Employer contribution rates are expressed as a percentage of the earnable salary of active members. In fiscal year 2022, the Board contributed at a rate of 14% of earnable salary which is the maximum employer contribution rate permitted by the Ohio Revised Code. A portion of each employer contribution to OPERS may be set aside for the funding of post-employment health care coverage. The portion of employer contributions allocated to healthcare was zero for fiscal year 2022.

OPEB Liabilities or Asset, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB - The net OPEB asset for OPERS was measured as of December 31, 2021, and the total OPEB liability used to calculate the net OPEB asset was determined by an actuarial valuation as of December 31, 2020 and rolled forward to the measurement date of December 31, 2021. The Board's proportion of the net OPEB liability was based on the Board's share of contributions to the retirement system relative to the contributions of all participating entities. Following is information related to the proportionate share and OPEB expense:

		<u>OPERS Health Care Plan</u>
Proportionate Share of the Net OPEB Asset	\$	181,790
2021 Proportion of the Net OPEB Asset		.005804%
2020 Proportion of the Net OPEB Liability		.006104%
2020 Change in Proportionate Share		<u>(.000300%)</u>
OPEB Expense/(Income)	\$	(159,157)

At June 30, 2022, the Board reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

		<u>OPERS Health Care Plan</u>
Deferred Outflows of Resources		
Total Deferred Outflows of Resources	\$	<u>0</u>
Deferred Inflows of Resources		
Differences between expected and actual experience	\$	27,575
Net difference between projected and actual earnings on pension plan investment		86,665
Changes of Assumptions		73,587
Change in proportionate share		6,356
Total Deferred Inflows of Resources	\$	<u>194,183</u>

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 8 – DEFINED BENEFIT OPEB PLAN (Continued)

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in pension expense as follows:

For Fiscal Year Ending June 30	OPERS Health Care Plan
2022	\$ (120,780)
2023	(42,020)
2024	(18,936)
2025	(12,447)
Total	\$ (194,183)

Actuarial Assumptions OPERS - Actuarial valuations of an ongoing plan involve estimates of the values of reported amounts and assumptions about the probability of the occurrence of events far into the future. Examples include assumptions about future employment, mortality, and cost trends. Actuarially determined amounts are subject to continual review or modification as actual results are compared with past expectations and new estimates are made about the future.

Projections of health care costs for financial reporting purposes are based on the substantive plan (the plan as understood by the employers and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing costs between the System and plan members. The total OPEB asset was determined by an actuarial valuation as of December 31, 2020, rolled forward to the measurement date of December 31, 2021. The actuarial valuation used the following actuarial assumptions applied all periods included in the measurement:

Wage Inflation	2.75 %
Projected Salary Increases	2.75 - 10.75 % including wage inflation at 2.75%
Single Discount Rate	6.00 %
Investment Rate of Return	6.00 %
Municipal Bond Rate	1.84 %
Health Care Cost Trend Rate	5.5 % initial, 3.50% ultimate in 2034
Actuarial Cost Method	Individual entry age normal

Pre-retirement mortality rates are based on 130% of the Pub-2010 General Employee Mortality tables for males and females. Post-retirement mortality rates are based on 115% of the PubG-2010 Retiree Mortality Tables for males and females. Post-retirement mortality rates for disabled retirees are based on the PubNS-2010 Disabled Retiree Mortality Tables for males and females. For all of the previously described tables, the base year is 2010 and mortality rates for a particular calendar year are determined by applying the MP-2020 mortality improvement scales for males and females to these tables.

The allocation of investment assets within the Health Care portfolio is approved by the OPERS Board of Trustees as outlined in the annual investment plan. Assets are managed on a total return basis with a long-term objective of continuing to offer a sustainable health care program for current and future retirees. The System's primary goal is to achieve and maintain a fully funded status for benefits provided through the defined pension plans. Health care is a discretionary benefit. The long-term rate of return on health care investment assets was determined using a

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 8 – DEFINED BENEFIT OPEB PLAN (Continued)

building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage, adjusted for inflation. Best estimates of arithmetic rates of return were provided by the Board’s investment consultant.

For each major asset class that is included in the Health Care portfolio’s target asset allocation as of December 31, 2021, these best estimates are summarized in the following table:

Asset Class	Target Allocation	Weighted Average Long-Term Expected Real Rate of Return (Geometric)
Fixed Income	34.00 %	0.91 %
Domestic Equities	25.00 %	3.78 %
Real REITs	7.00 %	3.71 %
International Equities	25.00 %	4.88 %
Risk Parity	2.00 %	2.92 %
Other investments	7.00 %	1.93 %
Total	100.00 %	3.45 %

Discount Rate – A single discount rate of 6.00% was used to measure the total OPEB liability on the measurement date of December 31, 2021. Projected benefit payments are required to be discounted to their actuarial present value using a single discount rate that reflects (1) a long-term expected rate of return on OPEB plan investments (to the extent that the health care fiduciary net position is projected to be sufficient to pay benefits), and (2) tax-exempt municipal bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the contributions for use with the long-term expected rate are not met). This single discount rate was based on an actuarial assumed rate of return on the health care investment portfolio of 6.00% and a municipal bond rate of 1.84%. The projection of cash flows used to determine the discount rate assumed that employer contributions will be made at rates equal to the actuarially determined contribution rate. Based on these assumptions, the health care fiduciary net position and future contributions were sufficient to finance health care costs through the year 2121. As a result, the actuarial assumed long-term expected rate of return on health care investments was applied to projected costs through the year 2121, the duration of the projection period through which projected health care payments are fully funded.

Sensitivity of Board’s Proportionate Share of the Net OPEB Liability to Changes in the Discount Rate - The following table presents the Board’s proportionate share of the net OPEB asset calculated using the single discount rate of 6.00%, as well as what the Board’s proportionate share of the net OPEB asset if it were calculated using a discount rate that is 1% lower (5.00%) or 1% higher (7.00%) than the current rate:

	1% Decrease (5.00%)	Single Discount Rate (6.00%)	1% Increase (7.00%)
Board’s proportionate share of the net OPEB liability/(asset)	\$ (106,910)	\$ (181,790)	\$ (243,942)

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022

NOTE 8 – DEFINED BENEFIT OPEB PLAN (Continued)

Changes in the health care cost trend rate may also have a significant impact on the net OPEB asset. The following table presents the net OPEB asset calculated using the assumed trend rates, and the expected net OPEB liability or asset if it were calculated using a health care cost trend rate that is 1.0% lower or 1.0% higher than the current rate.

	1% Decrease	Current Health Care Cost Trend Rate Assumption	1% Increase
Board’s proportionate share of the net OPEB liability/(asset)	\$ (183,755)	\$ (181,790)	\$ (179,460)

Retiree health care valuations use a health care cost-trend assumption with changes over several years built into that assumption. The near-term rates reflect increases in the current cost of health care; the trend starting in 2022 is 5.50%. If this trend continues for future years, the projection indicates that years from now virtually all expenditures will be for health care. A more reasonable alternative is that in the not-too-distant future, the health plan cost trend will decrease to a level at, or near, wage inflation. On this basis, the actuaries project premium rate increases will continue to exceed wage inflation for approximately the next decade, but by less each year, until leveling off at an ultimate rate, assumed to be 3.50% in the most recent valuation.

NOTE 9 – CONTINGENCIES

The Board is involved in various claims and legal proceedings arising from the normal course of business. While the ultimate liability, if any, from these proceedings is presently indeterminable, in the opinion of management, these matters should not have a material adverse effect on the Board’s financial statements.

NOTE 10 – CHANGE IN ACCOUNTING PRINCIPLES

For the fiscal year ended June 30, 2022, the Board has implemented Governmental Accounting Standards Board (GASB) Statement No. 87, *Leases*, which requires recognition of certain lease assets and liabilities for leases that were previously classified as operation leases and recognized as inflows of resources or outflows of resources based upon the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. These changes were incorporated in to the Board’s financial statements; however, there was no effect on beginning net position/fund balance.

NOTE 11 – SUBSEQUENT EVENTS

At its November 30, 2022 meeting, the Board approved entering into a Settlement Agreement and Release with a major oil company to resolve allegations that the company received monies from its insurer for costs for which it also received reimbursement from the Financial Assurance Fund. The settlement amount agreed upon is \$3.2 million less attorney fees of 25% of the settlement amount.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Proportionate Share of the Net Pension Liability
Ohio Public Employees Retirement System

Last nine fiscal years *

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>
Proportion of the net pension liability					
Traditional Pension Plan	0.005758%	0.006079%	0.006128%	0.006170%	0.005438%
Proportionate share of the net pension liability					
Traditional Pension Plan \$	500,969	900,169	1,211,242	1,689,838	853,117
Covered payroll	\$ 926,554	\$ 899,267	\$ 947,372	\$ 933,458	\$ 817,494
Proportionate share of the net pension liability as a percentage of covered payroll	54.07%	100.10%	127.85%	181.03%	104.36%
Plan fiduciary net position as a percentage of the total pension liability					
Traditional Pension Plan	92.62%	86.88%	82.17%	74.70%	84.66%
	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	
Proportion of the net pension liability					
Traditional Pension Plan	0.005643%	0.005929%	0.005706%	0.005706%	
Proportionate share of the net pension liability					
Traditional Pension Plan \$	1,281,430	1,026,979	688,207	672,663	
Covered payroll	\$ 802,682	\$ 793,394	\$ 807,261	\$ 809,018	
Proportionate share of the net pension liability as a percentage of covered payroll	159.64%	129.44%	85.25%	83.15%	
Plan fiduciary net position as a percentage of the total pension liability					
Traditional Pension Plan	77.25%	81.08%	86.45%	86.36%	

* The proportion of the net pension liability presented for each fiscal year was determined as of the calendar year end that occurred within the fiscal year. The schedule is required to show information for 10 years; however, until a full 10-year trend is compiled, governments are required only to present information for those years for which information is available.

See notes to Required Supplementary Information.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Proportionate Share of the Net OPEB Liability / (Asset)
Ohio Public Employees Retirement System

	Last six fiscal years *					
	2022	2021	2020	2019	2018	2017
Proportion of the net OPEB liability / (asset)						
Health Care Plan	0.005804%	0.006104%	0.006144%	0.006917%	0.005520%	0.005728%
Proportionate share of the net OPEB liability / (asset)						
Health Care Plan \$	(181,790) \$	(108,748) \$	848,646 \$	807,943 \$	599,431 \$	578,547
Covered payroll	\$ 926,554	\$ 899,267	\$ 947,372	\$ 933,458	\$ 817,494	\$ 802,682
Proportionate share of the net OPEB liability / (asset) as a percentage of covered payroll	-19.62%	-12.09%	89.58%	86.55%	73.33%	72.08%
Plan fiduciary net position as a percentage of the total OPEB liability	128.23%	115.57%	47.80%	46.33%	54.14%	54.05%
Health Care Plan						

* The proportion of the net OPEB liability/(asset) presented for each fiscal year was determined as of the calendar year end that occurred within the fiscal year. The schedule is required to show information for 10 years; however, until a full 10-year trend is compiled, governments are required only to present information for those years for which information is available.

See notes to Required Supplementary Information.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Contributions
Ohio Public Employees Retirement System

Last nine fiscal years *

	2022	2021	2020	2019	2018
Contractually required contribution					
Pension	\$ 129,717	\$ 125,898	\$ 132,632	\$ 130,684	\$ 110,532
OPEB	-	-	-	-	3,917
Contributions in relation to the contractually required contribution	\$ 129,717	\$ 125,898	\$ 132,632	\$ 130,684	\$ 114,449
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	-
Covered payroll	\$ 926,554	\$ 899,267	\$ 947,372	\$ 933,458	\$ 817,494
Contributions as a percentage of covered payroll					
Pension	14.00%	14.00%	14.00%	14.00%	13.52%
OPEB	0.00%	0.00%	0.00%	0.00%	0.48%

	2017	2016	2015	2014
Contractually required contribution				
Pension	\$ 100,224	\$ 95,213	\$ 96,872	\$ 101,256
OPEB	12,151	15,862	16,145	12,006
Contributions in relation to the contractually required contribution	\$ 112,375	\$ 111,075	\$ 113,017	\$ 113,262
Contribution deficiency (excess)	\$ -	\$ -	\$ -	-
Covered payroll	\$ 802,682	\$ 793,394	\$ 807,261	\$ 809,018
Contributions as a percentage of covered payroll				
Pension	12.49%	12.00%	12.00%	12.52%
OPEB	1.51%	2.00%	2.00%	1.48%

* This schedule is required to show information for 10 years. However, until a full 10-year trend is compiled, governments are

See notes to Required Supplementary Information.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

Notes to Required Supplementary Information
For the Year Ended June 30, 2022

NET PENSION LIABILITY – OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM

Changes of benefit terms - There were no significant changes of benefit terms in 2022.

Changes of assumptions - Amounts reported in 2022 reflect changes in both demographic and economic assumptions. The following reflects the changes made during 2022.

- Wage Inflation: 3.25 % in 2021; down to 2.75% in 2022.
- Projected Salary Increases: 3.25% to 10.75% including wage inflation at 3.25% in 2021; down to 2.75% to 10.75% including wage inflation of 2.75% in 2022.
- COLA or Ad Hoc COLA: 2.15% simple in 2021; down to 2.05% simple in 2022.
- Investment Rate of Return: 7.2% in 2021; down to 6.9% in 2022.

NET OPEB LIABILITY - OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM

Changes of benefit terms - There were no significant changes of benefit terms in 2022.

Changes of assumptions - Amounts reported in 2022 reflect changes in both demographic and economic assumptions. The following reflects the changes made during 2022.

- Wage Inflation: 3.25 % in 2021; down to 2.75% in 2022.
- Projected Salary Increases: 3.25% to 10.75% including wage inflation at 3.25% in 2021; down to 2.75% to 10.75% including wage inflation of 2.75% in 2022.
- Municipal Bond Rate: 2.00% in 2021; down to 1.84% in 2022.
- Health Care Cost Trend Rate: 8.5% initial; down to 5.5% initial in 2022

INDEPENDENT AUDITOR’S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Board
Ohio Petroleum Underground Storage Tank Release Compensation Board
4151 Executive Parkway, Suite 350
Westerville, Ohio 43081

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the Ohio Petroleum Underground Storage Tank Release Compensation Board, located in Franklin County, Ohio (the Board), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Board’s basic financial statements, and have issued our report thereon dated December 23, 2022.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Board’s internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Board’s internal control. Accordingly, we do not express an opinion on the effectiveness of the Board’s internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Board's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Rea & Associates, Inc.
Gahanna, Ohio
December 23, 2022

OHIO AUDITOR OF STATE KEITH FABER



OHIO PETROLEUM UNDERGROUND STORAGE TANK RELEASE COMPENSATION BOARD

FRANKLIN COUNTY

AUDITOR OF STATE OF OHIO CERTIFICATION

This is a true and correct copy of the report, which is required to be filed pursuant to Section 117.26, Revised Code, and which is filed in the Office of the Ohio Auditor of State in Columbus, Ohio.



Certified for Release 2/2/2023

88 East Broad Street, Columbus, Ohio 43215
Phone: 614-466-4514 or 800-282-0370

This report is a matter of public record and is available online at
www.ohioauditor.gov