

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD
Columbus, Ohio

Financial Statements
and
Supplementary Financial Information
For the years ended June 30, 2011 and 2010
and Independent Auditors' Report Thereon



Dave Yost • Auditor of State

Ohio Petroleum Underground Storage
Tank Release Compensation Board
50 West Broad Street
P. O. Box 163188
Columbus, Ohio 43216-3188

We have reviewed the *Independent Auditors' Report* of the Ohio Petroleum Underground Storage Tank Release Compensation Board, Franklin County, prepared by Schneider Downs & Co., Inc., for the audit period July 1, 2010 through June 30, 2011. 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 "Dave Yost".

Dave Yost
Auditor of State

January 4, 2012

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INDEPENDENT AUDITORS' REPORT

Ohio Petroleum Underground Storage
Tank Release Compensation Board
Columbus, Ohio

We have audited the accompanying statements of net deficit of Ohio Petroleum Underground Storage Tank Release Compensation Board (the Board) as of June 30, 2011 and 2010 and the related statements of revenues, expenses and changes in net deficit and cash flows for the years then ended. These financial statements are the responsibility of the Board's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with 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. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Board as of June 30, 2011 and 2010 and the respective changes in net deficit and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 9, 2011 on our consideration of the Board's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is 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 internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on Pages 3 through 8 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, which 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 auditing standards generally accepted in the United States of America, 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 that 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.

SCHNEIDER DOWNS & CO., INC.

Columbus, Ohio
December 9, 2011

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

Management's Discussion and Analysis
For the Years ended June 30, 2011 and 2010

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 years ended June 30, 2011 and 2010. 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 statements of net deficit, statements of revenues, expenses, and changes in net deficit, and statements of cash flows. These are followed by notes to the financial statements.

The Statements of Net Deficit present information on the assets and liabilities, with the difference between the two reported as net deficits. Over time, increases or decreases in net deficits may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.

The Statements of Revenues, Expenses and Changes in Net Deficit report the operating revenues and expenses and non-operating revenue and expenses of the Board for the fiscal year with the difference being combined with any capital contributions to determine the change in net deficit for the fiscal year.

The Statements of Cash Flows report cash and cash equivalent activities 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 and cash equivalents balance reconciles to the cash and cash equivalents balance at the end of the current fiscal year.

Financial Position

The following summarizes the Board's financial position as of June 30, 2011, 2010 and 2009:

	<u>2011</u>	<u>2010</u>	<u>2009</u>
ASSETS:			
Current assets	\$ 15,431,103	\$ 19,946,667	\$ 19,246,631
Capital assets	92,181	114,481	123,257
Other noncurrent assets	<u>-</u>	<u>12,189,444</u>	<u>12,231,666</u>
Total	\$ <u>15,523,284</u>	\$ <u>32,250,592</u>	\$ <u>31,601,554</u>

OHIO PETROLEUM UNDERGROUND STORAGE
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	<u>2011</u>	<u>2010</u>	<u>2009</u>
LIABILITIES:			
Current liabilities	\$ 22,265,842	\$ 26,680,331	\$ 27,039,341
Noncurrent liabilities	-	16,411,932	21,202,969
Reserve for unpaid claims - noncurrent	<u>23,091,516</u>	<u>29,727,028</u>	<u>31,398,101</u>
Total Liabilities	43,357,358	72,819,291	79,640,411
NET ASSETS (DEFICIT):			
Investment in capital assets	92,181	114,481	123,257
Unrestricted net deficit	<u>(29,926,255)</u>	<u>(40,683,180)</u>	<u>(48,162,114)</u>
Total Net Assets (Deficit)	<u>(29,834,074)</u>	<u>(40,568,699)</u>	<u>(48,038,857)</u>
Total Liabilities And Net Deficit	<u>\$ 15,523,284</u>	<u>\$ 32,250,592</u>	<u>\$ 31,601,554</u>

Current assets decreased by approximately \$4,516,000 (22.64%) from last year primarily due to a decrease in investments, cash with custodian, accounts receivable, and insurance claim receivable of approximately \$3,496,000, \$641,000, \$331,000, \$34,000, respectively.

Unrestricted investments decreased by approximately \$3,500,000 (23.56%) due to the early retirement of the Series B Bonds. At its June 9, 2010 meeting, the Board voted to retire all outstanding Series B bonds in August 2010. Accordingly, the remaining Series B bonds, totaling \$21,300,000, were retired on August 15, 2010 using \$12,100,000 in investments restricted at June 30, 2010 and \$9,900,000 of unrestricted investments. Early retirement of the bonds resulted in a \$2,100,000 savings in interest costs that would have been paid over the remaining term of the bonds if they had fully matured as scheduled on August 15, 2013.

Fees receivable, net of allowance for uncollectible amounts, decreased by approximately \$331,000 (17.26%) from the prior year. A detailed review of each receivable was undertaken and based on information available as of June 30, 2011 accounts were separated into six categories, each with an assigned probability of collection. The estimated collectible amount was then determined by applying the assumed probability of collection percentage to each category. The collectible amount of the largest category of outstanding fees is calculated using percentages based on the per-tank fee and late fee payments received for delinquent accounts certified for collection to the Attorney General's Office of Collections Enforcement. Historically, the Attorney General's Office has collected 15.68%, 4.84% and 4.96% of 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 6.38%, 2.35% and 1.55% within one, two and three years of the date of certification, respectively.

The allowance for uncollectible amounts was approximately \$5,630,000 and \$5,360,000 for fiscal years 2011 and 2010, respectively. The \$266,000 increase in the allowance for uncollectible amounts is primarily attributable to the difference in the allowance for fees assessed during fiscal year 2011 and unpaid at June 30, 2011 and the value of the accounts determined uncollectible.

OHIO PETROLEUM UNDERGROUND STORAGE
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Insurance claim receivable decreased by approximately \$34,000. In fiscal year 2010, several computer file servers, computer peripheral equipment, copier machine and other miscellaneous office equipment and supplies were damaged by a water leak, which occurred on a floor above the Board's office suite. In total about \$34,700 in damages were incurred, including an insurance policy deductible amount of \$500. The claim payment was received in fiscal year 2011. No additional claims are anticipated to be filed in association to this event.

Collateral on loaned securities decreased by approximately \$13,000 (60.06%) from the prior year due to a decrease in cash equity held by the Treasurer of State.

Capital assets decreased by approximately \$22,300 (19.48%). Approximately \$24,800 was spent for data processing equipment; \$5,400 was spent on office furniture; and accumulated depreciation increased \$52,500. Approximately \$11,700 in fully depreciated capital assets no longer in use were salvaged during the fiscal year. In fiscal year 2011, approximately \$9,100 was spent to replace the main production copier, \$5,400 was spent on furniture for the reconfiguration of the fiscal office, and \$3,600 was spent on data backup hardware. Approximately \$10,700 was spent to replace water-damaged data processing equipment; and \$800 was spent on the design and development of the reasonable costs tracking module within the Statistical Tank and Reimbursement Records System database.

There is no related debt on capital assets.

Other noncurrent assets decreased by approximately \$12,189,000. These represented restricted investments held by the bond trustee for the payment of revenue bond interest and principal. Bond covenants require this account to be funded on or before July 1 with the current and ensuing years' anticipated debt service. In fiscal year 2010, this debt service account was funded on June 30. Due to the retirement of the Series B bonds on August 15, 2010, the debt service account was no longer funded as of June 30, 2011, which resulted in a decrease in restricted investments of approximately \$12,061,000. Additionally, deferred bond issuance costs of approximately \$128,000 were amortized during fiscal year 2011 due to the retirement of the bonds.

Current liabilities decreased by \$4,400,000 (16.55%) primarily due to decreases in bonds payable, interest payable and fees received in advance of \$4,800,000, \$510,000 and \$253,000, respectively, and an increase of approximately \$1,178,000 in the current portion of reserve for unpaid claims.

Bonds payable and interest payable decreased by \$4,800,000 and \$510,000, respectively, due to the retirement of the Series B bonds in August 2010 as previously discussed. As of June 30, 2011, the Board has no outstanding bonds.

Fees received in advance decreased approximately 2.26%. This decrease is primarily attributed to a few midsize owners and marketers paying their annual fees prior to June 30 in FY 2010, but not remitting fees prior to June 30 in FY 2011.

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For the Years ended June 30, 2011 and 2010

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, 2011. In determining the amount to obligate, the Board considers the unobligated balance, claims paying experience and anticipated revenue. The amount obligated for the payment of claims during fiscal year 2011 was \$8,000,000. In June 2011, the Board obligated \$9,000,000 for the payment of claims anticipated to be paid in fiscal year 2012.

Claims payable decreased approximately \$178,000 (24.12%) due to individual claims included in the fiscal year 2011 claims payable amount having gross face values adjusted for disallowed costs lower than those claims included in the fiscal year 2010 claims payable.

Long-term liabilities decreased by approximately \$16,400,000 as a result of retiring the Series B bonds and the amortization of the remaining related discount.

In July 1998, the Board issued a second series of revenue bonds, Series B, in the principal amount of \$35,000,000. The issuance consisted of serial bonds of \$9,170,000 with interest rates ranging from 5.81% to 6.20% and maturity dates of August 15, 1999 through 2008, and term bonds of \$25,830,000 with an interest rate of 6.375% and maturing through August 15, 2013. The Series B bonds were retired early on August 15, 2010. The amortization schedules are presented in the notes to the financial statements.

Reserve for unpaid claims decreased by approximately \$5,636,000 (14.94%) as a result of claim reimbursements being paid at a rate greater than the increase in ultimate estimated loss. Ultimate estimated loss is an estimate of the amount the Financial Assurance Fund will ultimately pay 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) insured events increased approximately \$1,700,000 from June 30, 2010 to June 30, 2011; fiscal year 2011 claim payments were approximately \$7,300,000. Additional discussion regarding the reserve for unpaid claims can be found in Note 3 to the financial statements. The Board issues a stand-alone report, titled "Estimated Unpaid Claims Liability as of June 30, 2011" that represents the analysis of the loss reserves. It may be obtained by writing to the Board at P.O. Box 163188, Columbus, Ohio, 43216-3188 or calling 614-752-8963.

Total net deficit decreased approximately \$10,735,000 million (26.46%) due primarily to operating net revenues exceeding net expenses during fiscal year 2011.

The unrestricted net deficits include management's estimate of the current and long-term reserve for unpaid claims of approximately \$32,092,000.

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

Management's Discussion and Analysis
For the Years ended June 30, 2011 and 2010

Financial Information

Revenue

The following schedule presents a summary of revenues for the fiscal years ended June 30, 2011, 2010 and 2009:

	<u>2011</u>	<u>2010</u>	<u>2009</u>
Operating Revenues:			
Tank fees	\$ 14,385,142	\$ 15,092,057	\$ 14,635,166
Other	<u>1,329</u>	<u>502</u>	<u>1,567</u>
	<u>14,386,471</u>	<u>15,092,559</u>	<u>14,636,733</u>
Nonoperating Revenues:			
Other income	-	110,127	-
Earnings on investments	<u>17,517</u>	<u>60,998</u>	<u>413,584</u>
	<u>17,517</u>	<u>171,125</u>	<u>413,584</u>
Total Revenue	<u>\$ 14,403,988</u>	<u>\$ 15,263,684</u>	<u>\$ 15,050,317</u>

Total revenue for 2011 decreased approximately \$860,000 (5.63%) from the previous year. This is primarily due to decreases in operating revenues and nonoperating revenues of approximately \$706,000 and \$154,000, respectively.

The 4.68% decrease in operating revenues is due a decrease in the tank fees collected for the current and prior fiscal years, an increase in the allowance for uncollectible accounts, and an increase of refundable fees. Board staff identified fees and penalties that were paid but not due, resulting in an increase in refundable fees of approximately \$131,000. For 2011, the Board maintained its fee structure of \$600 per-tank for the standard \$55,000 deductible and \$800 per-tank for the reduced \$11,000 deductible.

The 89.76% decrease in nonoperating revenues is the net result of a decrease in other income and earnings on investments of approximately \$110,000 and \$43,500, respectively.

In fiscal year 2010, other income of \$100,000 was recognized as restitution resulting from a judgment against an environmental consultant for the filing of claims for costs associated with corrective action work that was improperly performed and falsely reported. In addition, approximately \$10,100 resulted from a gain recognized on insurance proceeds resulting from the claim filed with its insurer for costs to replace equipment damaged by water. The amount reimbursed under the insurance claim exceeded the carrying value of the damaged assets. In fiscal year 2011, no such events occurred.

Earnings on investments decreased 71.28% due to the utilization of unrestricted investments for the retirement of the Series B bonds in August 2011.

OHIO PETROLEUM UNDERGROUND STORAGE
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Management's Discussion and Analysis
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The following schedule presents a summary of expenses for the fiscal years ended June 30, 2011, 2010 and 2009:

	<u>2011</u>	<u>2010</u>	<u>2009</u>
Incurring claims and claims adjustment	\$ 1,667,900	\$ 4,836,170	\$ 6,562,131
Administration	1,716,131	1,474,590	1,438,469
Depreciation	<u>52,530</u>	<u>54,831</u>	<u>67,918</u>
 Total Operating Expenses	 <u>\$ 3,436,561</u>	 <u>\$ 6,365,591</u>	 <u>\$ 8,068,518</u>

Total operating expenses decreased approximately \$2,929,000 from 2010 (46.01%) due to a decrease in the incurred claims and claims adjustment expense of approximately \$3,168,000, and an increase in administration expenses of \$242,000.

Incurring claims and claims adjustment expense decreased 65.51% from the prior year. For fiscal year 2011, incurred claims and claims adjustment expenses represent the incurred claims and claims adjustment expense and the decrease in the change in reserve for unpaid claims of approximately \$2,604,000 and \$936,000, respectively. For fiscal year 2010, the expense was approximately \$4,419,000 and the change in reserve for unpaid claims increased by approximately \$417,000.

As previously stated, the Board annually obligates funds for the payment of claims in the upcoming fiscal year. For fiscal year 2011, the Board obligated \$8,000,000. Claim settlement determinations issued for 2011 and 2010 were approximately \$7,041,000 and \$7,631,000, respectively. Claimants are provided a 30-day period in which to object to the claim settlement determination. If an objection is not received, payment is issued to the claimant within 45 days of the date of the determination. Claim payments made during 2011 totaled approximately \$7,303,000.

Administration costs increased 16.38% from fiscal year 2010. The change is a result of increases in salary, legal and professional costs, and amortization of bond issue costs. Salaries increased approximately \$74,700 (7.16%) primarily due to the hiring of an Assistant Director. The position was vacated September 2009 and was filled in September 2010. Legal and professional expenses increased approximately \$90,600 (52.86%) in fiscal year 2011 primarily due to an increase in special counsel collection costs from collections of delinquent fees that were certified to the Attorney General's Office of Collections Enforcement, and the use of an professional actuary to assist with the estimate of the unpaid claims liability for the year ended June 30, 2010. Amortized bond issue costs increased over the prior year by approximately \$86,400 due to the remaining bond issue costs of approximately \$128,000 being fully amortized upon the early retirement of the Series B bonds in August 2011.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENTS OF NET DEFICIT

	June 30	
	2011	2010
CURRENT ASSETS		
Cash with custodian	\$ 2,390,397	\$ 3,031,022
Linked deposit	100,000	100,000
Unrestricted investments	11,344,351	14,840,813
Insurance claim receivable	-	34,191
Collateral on loaned securities	8,789	22,007
Fees receivable, net of allowance for uncollectible amounts of \$5,626,792 and \$5,360,864, respectively	1,587,566	1,918,634
	15,431,103	19,946,667
RESTRICTED INVESTMENTS	-	12,061,594
DEFERRED BOND ISSUANCE COSTS - Net	-	127,850
CAPITAL ASSETS AT COST - Net of accumulated depreciation	92,181	114,481
	\$ 15,523,284	\$ 32,250,592
CURRENT LIABILITIES		
Fees received in advance	\$ 10,917,448	\$ 11,170,050
Claims payable	558,544	736,106
Current portion of reserve for unpaid claims	8,441,456	7,263,894
Bonds payable	-	4,825,000
Bond interest payable	-	509,203
Refundable fees	2,052,324	1,921,349
Accounts payable	74,938	48,369
Accrued liabilities	212,343	184,353
Obligations under loaned securities	8,789	22,007
	22,265,842	26,680,331
BONDS PAYABLE - Less current portion	-	16,411,932
RESERVE FOR UNPAID CLAIMS - Less current portion	23,091,516	29,727,028
	45,357,358	72,819,291
NET ASSETS (DEFICIT):		
Invested in capital assets, net of related debt	92,181	114,481
Unrestricted net deficit	(29,926,255)	(40,683,180)
	(29,834,074)	(40,568,699)
	\$ 15,523,284	\$ 32,250,592

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENTS OF REVENUES, EXPENSES AND CHANGE IN NET DEFICIT
FOR THE YEARS ENDED JUNE 30, 2011 AND 2010

	<u>2011</u>	<u>2010</u>
OPERATING REVENUES		
Tank fees, net of refunds	\$ 14,385,142	\$ 15,092,057
Other	1,329	502
	<u>14,386,471</u>	<u>15,092,559</u>
OPERATING EXPENSES		
Incurred claims and claims adjustment	1,667,900	4,836,170
Administration	1,716,131	1,474,590
Depreciation	52,530	54,831
	<u>3,436,561</u>	<u>6,365,591</u>
Total Operating Revenues	<u>14,386,471</u>	<u>15,092,559</u>
Total Operating Expenses	<u>3,436,561</u>	<u>6,365,591</u>
Increase In Net Assets From Operations	<u>10,949,910</u>	<u>8,726,968</u>
NONOPERATING EXPENSE		
Other income	-	110,127
Earnings on investments	17,517	60,998
Interest expense	(232,802)	(1,427,935)
	<u>(215,285)</u>	<u>(1,256,810)</u>
Total Nonoperating Expense	<u>(215,285)</u>	<u>(1,256,810)</u>
Increase In Net Assets	10,734,625	7,470,158
NET DEFICIT		
Beginning of year	<u>(40,568,699)</u>	<u>(48,038,857)</u>
End of year	<u>\$ (29,834,074)</u>	<u>\$ (40,568,699)</u>

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED JUNE 30, 2011 AND 2010

	2011	2010
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from customers	\$ 14,837,669	\$ 15,600,667
Cash paid to employees	(1,089,229)	(1,018,593)
Cash paid to claimants	(7,303,412)	(7,507,241)
Cash paid to others	(652,059)	(474,762)
	5,792,969	6,600,071
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES		
Cash received from legal restitution	-	100,000
Payment of bond principal	(21,300,000)	(4,530,000)
Cash paid for interest	(678,938)	(1,502,268)
	(21,978,938)	(5,932,268)
CASH FLOWS USED IN CAPITAL AND RELATED FINANCING ACTIVITIES		
Purchase of capital assets	(30,230)	(64,121)
Proceeds from disposal of capital assets	-	28,193
	(30,230)	(35,928)
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of investments	(50,101,263)	(42,803,089)
Sale of investments	53,629,125	35,819,904
Investments matured	12,030,195	6,896,000
Interest on investments	17,517	60,998
	15,575,574	(26,187)
NET (DECREASE) INCREASE IN CASH WITH CUSTODIAN	(640,625)	605,688
CASH WITH CUSTODIAN		
Beginning of year	3,031,022	2,425,334
End of year	\$ 2,390,397	\$ 3,031,022

	<u>2011</u>	<u>2010</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES:		
Increase In Net Assets From Operations	\$ 10,949,910	\$ 8,726,968
Adjustments to reconcile increase in net assets from operations to net cash provided by operating activities:		
Depreciation	52,530	54,831
Allowance for uncollectible accounts	265,928	(312,282)
Amortization of bond issue costs	127,850	41,465
Reserves for unpaid claims	(5,457,950)	(2,809,017)
Changes in assets and liabilities:		
Fees receivable	65,140	351,542
Insurance claim receivable	34,191	(34,191)
Fees received in advance	(252,602)	375,012
Claims payable	(177,562)	137,944
Refundable fees	130,975	15,100
Accounts payable and accrued liabilities	54,559	52,699
	<u>(5,156,941)</u>	<u>(2,126,897)</u>
Net Cash Provided By Operating Activities	\$ 5,792,969	\$ 6,600,071

See notes to financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

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 resulting 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. 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. The accrual basis of accounting is applied to the Fund.

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.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

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. At the November 10, 2010 meeting, the Board voted to not implement a supplemental fee for fiscal year June 30, 2012. 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 a linked deposit account, and not placed in a debt service account. The unobligated fund balance is \$12,710,377 and \$16,355,415 at June 30, 2011 and 2010, respectively.

Investments - Investments are recorded at fair value in accordance with Governmental Accounting Standard Board ("GASB") Statement No. 31, *Accounting and Financial Reporting For Certain Investments and for External Pools*.

Capital Assets - Capital asset purchases are recorded at historical cost, and are depreciated using the straight-line method over the estimated useful life of five years.

Refundable Fees - The Board has determined that certain prior-year 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.

Bond Issuance Costs - Costs associated with the revenue bond issues are capitalized by the Board and amortized using the effective interest method over the term of the issuance (15 years). During the year ended June 30, 2011, the Board paid off the bonds and expensed all remaining bond issuance costs. Deferred bond issuance cost of \$127,850 at June 30, 2010 is net of accumulated amortization of \$494,122.

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 the Board approves a claim 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 incurred-but-not-reported ("IBNR") claims, the Board's payment experience, the eligibility approval rate and third-party claims.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Application of Financial Accounting Standards Board (“FASB”) Statements and Interpretation - In accordance with GASB Statement No. 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, the Board follows GASB guidance as applicable to proprietary funds and is required to apply FASB Statements and Interpretations, Accounting Principles Board Opinion, and Accounting Research Bulletins issued on or before November 30, 1989 that do not conflict with or contradict GASB pronouncements. As permitted by Generally Accepted Accounting Standards, the Board has elected not to apply FASB Statements and Interpretations issued after November 30, 1989.

In November 2010, GASB issued Statement No. 61, *The Financial Reporting Entity: Omnibus - an amendment of GASB Statements No. 14 and 35*. The statement amends GASB statements No. 14 and 35 and improves guidance for including, presenting and disclosing information about component units and equity interest transactions. This statement is effective for periods beginning after June 15, 2012. Management has not yet evaluated the impact that the adoption of this statement will have on its financial statements.

In December 2010, GASB issued Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. This statement contributes to GASB efforts to codify all sources of generally accepted accounting principles for government entities into a single source. This statement is effective for periods beginning after December 15, 2011. Management has not yet evaluated the impact that the adoption of this statement will have on its financial statements.

In June 2011, GASB issued Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. This statement provides financial reporting guidance for deferred outflows of resources and deferred inflows of resources. This statement is effective for periods beginning after December 15, 2011. Management has not yet evaluated the impact that the adoption of this statement will have on its financial statements.

In June 2011, GASB issued Statement No. 64, *Derivative Instruments: Application of Hedge Accounting Termination Provisions*. This statement sets forth criteria that establish when the effective hedging relationship continues and hedge accounting should continue to be applied. This statement is effective for periods beginning after June 15, 2011. Management has not yet evaluated the impact that the adoption of this statement will have on its financial statements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 3 - COVERAGE

Petroleum underground storage tank owners/operators must pay a fee each fiscal year as determined by the Board (\$600 per tank in 2011 and 2010). 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 2011 and 2010). 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>
Fewer than 100	\$1 million
101 to 200	\$2 million
201 to 300	\$3 million
More than 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, 2011 AND 2010

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 during the past two years:

	<u>Year Ended June 2011</u>	<u>Year Ended June 2010</u>
Unpaid claims and claim adjustment expenses- Beginning of the year	\$ <u>37,727,028</u>	\$ <u>40,398,101</u>
Incurred claim and claim adjustment expenses:		
Provision for insured events of current year	2,603,500	4,418,500
(Decrease) Increase in provision for prior years	<u>(935,600)</u>	<u>417,670</u>
Total Incurred Claims And Claim Adjustment Expense	<u>1,667,900</u>	<u>4,836,170</u>
Claim and claim adjustment payments attributable to insured events of prior years	7,303,412	7,507,243
Total Unpaid Claims And Claim Adjustment Expenses- End of year	<u>\$ 32,091,516</u>	<u>\$ 37,727,028</u>
This liability is shown in the statement of net deficit as follows:		
Claims payable	\$ 558,544	\$ 736,106
Current portion of reserve for unpaid claims	8,441,456	7,263,894
Reserve for unpaid claims-less current portion	<u>23,091,516</u>	<u>29,727,028</u>
Estimated Unpaid Liability	<u>\$ 32,091,516</u>	<u>\$ 37,727,028</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).

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 3 - COVERAGE (Continued)

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 nonreimbursable and undocumented costs and deductible amounts. In fiscal year 2011, the reported gross face value increased by approximately \$12,488,200, and the estimated ultimate face value increased by approximately \$8,005,000.

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 ("STAR 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.

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 does operate in a manner similar to Rule 2a7 of the Investment Company Act of 1940. Investments in STAR Ohio are valued at STAR Ohio's share price, which is the price the investment could be sold for on June 30, 2011. The value of the STAR Ohio investments was approximately \$11,344,000 and \$14,841,000 as of June 30, 2011 and 2010, respectively.

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 by writing to State Treasury Asset Reserve of Ohio, STAR Ohio, 30 East Broad Street, 9th Floor, Columbus, Ohio 43215-3461 or by calling 1-800-648-7827.

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>2011</u>	<u>2010</u>
Carrying amount	\$2,390,397	\$3,031,022
Custodial balance	\$1,715,225	\$2,524,284

Differences between the carrying amount and custodial balances were principally due to 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.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 4 - CASH AND INVESTMENTS (Continued)

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.

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 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 GASB 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. Also as stated in GASB Statement No. 40, obligations of the U.S. government or obligations explicitly guaranteed by the U.S. government are not considered to have credit risk and do not require disclosure of credit quality. Cash on deposit with the bond trustee and held as restricted investments were collateralized with securities held by the pledging financial institution's trust department but not in the Board's name.

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 does not experience interest rate risk on U.S. Treasury notes, money market funds and cash assets. The investments held in STAR Ohio limit exposure to fair value losses arising from increasing interest rates by limiting the final stated maturity on any investment to 397 days and limiting the weighted average maturity of the portfolio to 60 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 ORC, affected by credit risk include certificates of deposit, commercial paper, bankers' acceptances and counterparties involved in repurchase agreements.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 4 - CASH AND INVESTMENTS (Continued)

The Fund's unrestricted investments are held in the Treasurer of State's investment pool ("STAR Ohio"). Unrestricted investments are carried at fair value, which approximates cost and includes \$1,024,296 and \$1,516,418 obligated by the Board for the payment of claims at June 30, 2011 and 2010, respectively. Standard & Poor's rating for the STAR Ohio fund is AAAM. STAR Ohio's investment policy requires all securities held by STAR Ohio be rated the equivalent of A-1+ or A-1 and at least 50% of the Total Average Portfolio be rated A-1+ or better. As of June 30, 2011, STAR Ohio's investments in U.S. Agencies were rated AAA by Standard & Poor's and Aaa by Moody's Investor Services. Obligations of the U.S. government are explicitly guaranteed by the U.S. government and are not considered to have credit risk.

Securities Lending - As of June 30, 2011 and 2010, the Board had no securities out on loan. The Board has been allocated with cash collateral of \$8,789 and \$22,007 for fiscal years 2011 and 2010, respectively, 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.

Debt Service Account - Bond trustees maintaining debt service accounts (see Note 7) hold restricted investments in instruments similar to those described above. At June 30, restricted investments included U.S. Treasury notes held by trustees, but not in the Board's name, and money market funds as follows:

	2011 Fair Value	2010 Fair Value
U.S. Treasury Notes	-	\$ 6,062,666
Money Market Funds	-	565
Cash and Other Assets	-	5,998,363
Total	-	\$ 12,061,594

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

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010**

NOTE 5 - CAPITAL ASSETS

A summary of the changes in capital assets for the years ended June 30, 2010 and 2011 follows:

	<u>Balance June 30, 2009</u>	<u>Additions</u>	<u>Disposals/ Deletion</u>	<u>Balance June 30, 2010</u>	<u>Additions</u>	<u>Disposals/ Deletion</u>	<u>Balance June 30, 2011</u>
Capital assets:							
Furniture	\$ 99,367	-	\$ (349)	\$ 99,018	\$ 5,459	\$ (2,592)	\$ 101,885
Data processing equipment	<u>810,498</u>	<u>\$ 64,121</u>	<u>(60,812)</u>	<u>813,807</u>	<u>24,771</u>	<u>(9,102)</u>	<u>829,476</u>
Total capital assets	<u>909,865</u>	<u>64,121</u>	<u>(61,161)</u>	<u>912,825</u>	<u>30,230</u>	<u>(11,694)</u>	<u>931,361</u>
Less accumulated depreciation:							
Furniture	96,523	920	(349)	97,094	1,588	(2,592)	96,090
Data processing equipment	<u>690,085</u>	<u>53,911</u>	<u>(42,746)</u>	<u>701,250</u>	<u>50,942</u>	<u>(9,102)</u>	<u>743,090</u>
Total accumulated depreciation	<u>786,608</u>	<u>54,831</u>	<u>(43,095)</u>	<u>798,344</u>	<u>52,530</u>	<u>(11,694)</u>	<u>839,180</u>
Net capital assets	<u>\$ 123,257</u>	<u>\$ 9,290</u>	<u>\$ (18,066)</u>	<u>\$ 114,481</u>	<u>\$ (22,300)</u>	<u>-</u>	<u>\$ 92,181</u>

NOTE 6 - OPERATING LEASES

The Board leases office space under an operating lease agreement expiring in fiscal year 2013. Rent expense for each of the fiscal years ended June 30, 2011 and 2010 was approximately \$104,000. Future minimum payments under the renewed operating lease agreement for each of the years ended June 30, 2012 and June 30, 2013 are approximately \$108,000.

NOTE 7 - BONDS PAYABLE

On December 13, 1990, the Board authorized the issuance of not more than \$50 million of revenue bonds, pursuant to State statute, to reimburse responsible persons for the costs of corrective actions. The revenue bonds will be retired solely from annual fees, any supplemental fees assessed by the Board and interest income. The bonds do not constitute debt or a pledge of the faith and credit of the State.

In July 1993, the Board issued term revenue bonds with an interest rate of 6.75%. The bonds issued July 1993 matured on August 15, 2008.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 7 - BONDS PAYABLE (Continued)

In July 1998, the Board authorized and issued \$35,000,000 of revenue bonds for the purpose of making payments and reimbursements to the owners for the costs of corrective actions. The issuance consisted of serial bonds of \$9,170,000 with interest rates ranging from 5.81% to 6.20% and maturity dates of August 15, 1999 through 2008, and term bonds of \$25,830,000 with an interest rate of 6.375% and maturing through August 15, 2013.

Activity for long-term bond obligations for the years ended June 30, 2011 and 2010 is summarized as follows:

	Balance at 6/30/2009	Amortization of Bond Discount	Payments	Balance at 6/30/2010	Due Within One Year
Bonds Payable	\$25,732,969	\$33,963	(\$4,530,000)	\$21,236,932	\$4,825,000
	Balance at 6/30/2010	Amortization of Bond Discount	Payments	Balance at 6/30/2011	Due Within One Year
Bonds Payable	\$21,236,932	\$63,068	(\$21,300,000)	-	-

At its June 9, 2010 meeting, the Board voted to retire all outstanding Series B bonds in August 2010. Accordingly, the remaining Series B bonds, totaling \$21,300,000, were retired on August 15, 2010 using approximately \$12,100,000 in investments restricted at June 30, 2010 for the payment of debt service and the remaining amount from unobligated and unrestricted funds. Early retirement of the bonds resulted in a \$2,100,000 million savings in interest costs that would have been paid over the next three fiscal years if the bonds had fully matured as scheduled on August 15, 2013.

NOTE 8 - DEFINED BENEFITS

Defined Benefit Retirement Plan - All Board employees are required to participate in the statewide Ohio Public Employees Retirement System ("OPERS"). OPERS administers three separate pension plans: the Traditional Pension Plan ("TP") - a cost-sharing multiple-employer defined benefit pension plan; the Member Directed Plan ("MD") - a defined contribution plan; and the Combined Plan ("CO") - a cost-sharing multiple-employer defined benefit pension plan that has elements of both a defined benefit and defined contribution plan. OPERS provides retirement, disability, survivor and death benefits, and annual cost-of-living adjustments to qualifying members of both the TP and CO plans. Members of the MD plan do not qualify for ancillary benefits, including post-employment healthcare coverage. Authority to establish and amend benefits is provided by state statute in accordance with Chapter 145 of the Ohio Revised Code ("ORC"). For the years ended December 31, 2010 and 2009, the employee contribution rate was 10%, and the employer contribution rate was 14% of covered payroll.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

NOTE 8 - DEFINED BENEFITS (Continued)

The Board's contributions, representing 100% of employer contributions for the year ended June 30, 2011, and for each of the preceding two years, are as follows:

<u>Year Ended</u> <u>June 30</u>	<u>Amount</u>
2011	\$106,954
2010	\$101,002
2009	\$110,425

OPERS issues a publicly available stand-alone financial report that includes financial statements and required supplementary information. That report may be obtained by writing to Ohio Public Employees Retirement System, 277 East Town Street, Columbus, Ohio 43215-4642 or by calling 614-222-5601 or 1-800-222-7377.

Other post-employment benefits for health care costs provided by OPERS are as follows:

The post-retirement healthcare coverage includes a medical plan, prescription drug program and Medicare Part B premium reimbursement for qualifying members. In order to qualify for post-retirement healthcare coverage, age and service retirees under the TP and CO must have 10 or more years of qualifying Ohio service credit. Healthcare coverage for disability recipients and primary survivor recipients is available. The healthcare coverage provided by the retirement system meets the definition of an Other Post-Employment Benefit ("OPEB") as described in GASB Statement No. 45, "Accounting and Financial Reporting by Employers for Post-Employment Benefits Other Than Pension." OPEB are advance-funded on an actuarially determined basis. A portion of each contribution to OPERS is set aside for the funding of post-retirement healthcare. The ORC provides statutory authority for employer contributions and permits, but does not mandate, OPERS to provide OPEB to its eligible members and beneficiaries. The ORC currently limits the employer contribution to a rate not to exceed 14% of covered payroll. Active members do not make contributions to the OPEB plan. OPERS Post-Employment Health Care Plan was established under, and is administered in accordance with, Internal Revenue Code 401(h). The portion of the employer's contribution to OPERS set aside for the funding of OPEB for members in the traditional plan was 5.5% from January 1 through February 28, 2010, and 4.23% from March 1 through December 31, 2010. This is compared to 7.0% for both plans from January 1 through March 31, 2009 and 5.5% for both plans from April 1 through December 31, 2009. These rates are the actuarially determined contribution requirements for OPERS. The portion of the Board's 2011 and 2010 contribution that was used to fund post-employment benefits was \$38,193 and \$39,679, respectively. The ORC provides the statutory authority requiring public employers to fund post-retirement healthcare through their contributions to OPERS.

OHIO PETROLEUM UNDERGROUND STORAGE
TANK RELEASE COMPENSATION BOARD

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2011 AND 2010

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 - SUBSEQUENT EVENTS

On August 5, 2011, Standard and Poor's downgraded the United States Government's credit rating from AAA to AA+. Standard and Poor's has stated that the downgrade reflects its view that the effectiveness, stability and predictability of American policymaking and political institutions have weakened at a time of ongoing fiscal and economic challenge. Moody's and Fitch, the other two credit rating agencies, have not downgraded the credit rating at this time. The full impact of the credit rating downgrade cannot presently be determined, but a material adverse effect on the Board's financial position is not expected.

SUPPLEMENTARY FINANCIAL INFORMATION

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INSIGHT ■ INNOVATION ■ EXPERIENCE

**INDEPENDENT AUDITORS' 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**

Ohio Petroleum Underground Storage
Tank Release Compensation Board
Columbus, Ohio

We have audited the financial statements of the Ohio Petroleum Underground Storage Tank Release Compensation Board (“the Board”) as of and for the year ended June 30, 2011, and have issued our report thereon dated December 9, 2011. We conducted our audit in accordance with 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.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Board’s internal control over financial reporting as a basis for designing our auditing procedures 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 over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Board’s internal control over financial reporting.

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.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's financial statements are free of 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 determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audits, 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*.

We note a matter that we reported to management of the Board in a separate letter dated December 9, 2011.

This report is intended solely for the information and use of management, the Ohio Petroleum Underground Storage Tank Release Compensation Board and the Auditor of State and is not intended to be and should not be used by anyone other than these specified parties.

SCHNEIDER DOWNS & CO., INC.

Columbus, Ohio
December 9, 2011



Dave Yost • Auditor of State

OHIO PETROLEUM UNDERGROUND STORAGE TANK RELEASE COMPENSATION BOARD

FRANKLIN COUNTY

CLERK'S CERTIFICATION

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

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
JANUARY 17, 2012**