

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative McJunkin**

A Bill

HOUSE BILL 1199

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED TITLE 8, CHAPTER
9 7, SUBCHAPTER 9, TO RAISE THE ENVIRONMENTAL ASSURANCE FEE
10 TO FOUR-TENTHS OF ONE CENT FOR A LIMITED TIME; TO LOWER
11 THE DEDUCTIBLE TO TEN THOUSAND DOLLARS FOR ACCESS TO THE
12 PETROLEUM STORAGE TANK TRUST FUND FOR CORRECTIVE ACTION;
13 TO ALLOW LIMITED USE OF TRUST FUNDS FOR COSTS OF THE
14 DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY; TO ALLOW THE
15 DEPARTMENT DIRECTOR TO AUTHORIZE PAYMENTS FROM THE TRUST
16 FUND; TO GIVE THE ATTORNEY GENERAL AUTHORITY TO INTERVENE
17 IN THIRD PARTY SUITS INVOLVING THE TRUST FUND; TO PROTECT
18 TRADE SECRETS; *TO DECLARE AN EMERGENCY*; AND FOR OTHER
19 PURPOSES."

Subtitle

22 "TO AMEND THE PETROLEUM STORAGE TANK TRUST FUND ACT."

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26 SECTION 1. Arkansas Code Annotated §8-7-902 is amended to read as
27 follows:

28 "8-7-902. Definitions.

29 As used in this subchapter, unless the context otherwise requires:

30 (1) Aboveground storage tank means any one or a combination of
31 containers, vessels, and enclosures located above ground, including structures
32 and appurtenances connected to them, whose capacity is greater than one
33 thousand three hundred twenty gallons (1,320 gals.) and not more than thirty
34 thousand gallons (30,000 gals.) and that is used to contain or dispense motor
35 fuels, distillate special fuels, or other refined petroleum products. Such

1 term does not include mobile storage tanks used to transport petroleum from
2 one location to another or those used in the production of petroleum or
3 natural gas;

4 (2) Accidental release means any sudden or nonsudden release of
5 petroleum from a storage tank that results in a need for corrective action or
6 compensation for bodily injury or property damage, or both, neither expected
7 nor intended by the tank owner or operator;

8 (3) Advisory committee or committee means the Advisory Committee on
9 Petroleum Storage Tanks as established in this subchapter;

10 (4) Commission means the Arkansas Pollution Control and Ecology
11 Commission;

12 (5) Corrective action means those actions which may be necessary to
13 protect human health and the environment as a result of an accidental release,
14 sudden or nonsudden;

15 (6) Department means the Arkansas Department of Pollution Control and
16 Ecology;

17 (7) Director means the Director of the Arkansas Department of
18 Pollution Control and Ecology;

19 (8) Distributor means and includes any person, including the State of
20 Arkansas and any political subdivision thereof, but not including the United
21 States of America or any of its instrumentalities except to the extent
22 permitted by the Constitution or laws thereof, who is customarily in the
23 wholesale business offering for resale or delivery of motor fuels to dealers,
24 consumers, or others in tanks of two hundred gallons (200 gals.) or more which
25 are not connected to a motor vehicle; and is:

26 (A) Making the first sale in the State of Arkansas of any motor fuel,
27 imported into the state from any other state, territory, or foreign country,
28 after it shall have been received within this state within the meaning of §
29 26-55-201 et seq.; or

30 (B) Consuming or using in the State of Arkansas any motor fuel so
31 imported and shall have purchased it before it shall have been received by any
32 other person in this state, within the meaning of § 26-55-201 et seq.; or

33 (C) Producing, refining, preparing, distilling, manufacturing,
34 blending, or compounding motor fuel in this state;

35 (9) Fund means the Petroleum Storage Tank Trust Fund created by this

1 subchapter;

2 (10) Occurrence means an accident, including continuous or repeated
3 exposure to conditions, which results in a release from a storage tank;

4 (11) Owner or operator, when the owner or operator are separate
5 parties, means the person who is required to obtain financial assurances under
6 the state or federal underground storage tank program;

7 (12) Person means any individual; corporation; company; firm;
8 partnership; association; trust; joint-stock company or trust; venture;
9 municipal; state; or federal government or agency; or any other legal entity,
10 however organized;

11 (13) Petroleum means petroleum, including crude oil or any fraction
12 thereof, which is liquid at standard conditions of temperature and pressure
13 [sixty degrees Fahrenheit (60° F) and fourteen and seven-tenths pounds (14.7
14 lbs.) per square inch absolute];

15 (14) Storage tank means an aboveground storage tank or underground
16 storage tank as defined in this subchapter;

17 (15) Release means any spilling, leaking, emitting, discharging,
18 escaping, leaching, or disposing from a storage tank into ground water,
19 surface water, or subsurface soils. This term does not include releases that
20 are permitted or authorized by the department or by federal law;

21 (16) Supplier means any person who is customarily in the wholesale
22 business of offering distillate special fuels or liquefied gas special fuels
23 for resale or use to any person in this state and who makes bulk sales of
24 fuel. The term supplier shall include pipeline importers, first receivers,
25 and second receivers;

26 (17) Terminal means a bulk storage facility for storing petroleum
27 products supplied by pipeline or marine vessels;

28 (18) (A) Underground storage tank means any one (1) or combination of
29 tanks, including underground pipes connected thereto, which is or has been
30 used to contain petroleum, and the volume of which, including the volume of
31 the underground pipes connected thereto, is ten percent (10%) or more beneath
32 the surface of the ground.

33 (B) The term underground storage tank does not include any:

34 (i) Farm or residential tank of one thousand one hundred gallons (1,100
35 gals.) or less capacity used for storing motor fuel for noncommercial

1 purposes;

2 (ii) Tank used for storing heating oil for consumptive use on the
3 premises where stored;

4 (iii) Septic tank;

5 (iv) Intrastate and interstate pipeline facilities regulated by the
6 Public Service Commission or other applicable state or federal agency and all
7 other pipeline facilities, including gathering lines regulated under:

8 (a) The Natural Gas Pipeline Safety Act of 1968, 49 U.S.C. App. 1671,
9 et seq., 49 USCS Appx. 1671 et seq.;

10 (b) The Hazardous Liquid Pipeline Safety Act of 1979, 49 U.S.C. App.
11 2001, et seq.;

12 (v) Surface impoundment, pit, pond, or lagoon;

13 (vi) Storm water or wastewater collection system;

14 (vii) Flow-through process tank;

15 (viii) Liquid trap or associated gather lines directly related to oil
16 or gas production and gathering operations; or

17 (ix) Storage tank situated in an underground area, such as a basement,
18 cellar, mineworking, drift, shaft, or tunnel, if the storage tank is situated
19 upon or above the surface of the floor.

20 (x) Any pipes connected to any tank which is described in subparagraphs
21 (i) through (ix) of this subdivision.

22 (19) Substantial compliance means there is a reasonable assurance
23 that the owner or operator is in compliance with all state and federal laws
24 and regulations relating to storage tanks, including those relating to
25 financial responsibility."
26

27 SECTION 2. Arkansas Code Annotated §8-7-903 is amended to read as
28 follows:

29 "8-7-903. Rules and regulations - Powers of department.

30 (a) The Director of the Department of Finance and Administration is
31 authorized to adopt appropriate rules and regulations not inconsistent with
32 this subchapter as he may deem necessary to carry out the intent and purposes
33 of and to assure compliance with this subchapter.

34 (b) The commission is authorized to adopt appropriate rules and
35 regulations not inconsistent with this subchapter to carry out the intent and

1 purposes of and to assure compliance with this subchapter.

2 (c) The department shall have the authority to enter upon the property
3 of any owner or operator of an aboveground storage tank to obtain information,
4 conduct surveys, or review records for the purpose of determining substantial
5 compliance, as defined by this subchapter and regulations promulgated
6 thereunder, with all state and federal laws and regulations relating to
7 aboveground storage tanks prior to commission approval of a claim for
8 reimbursement or disbursement."

9

10 SECTION 3. Arkansas Code Annotated §8-7-904 is amended to read as
11 follows:

12 "8-7-904. Advisory committee.

13 (a) (1) There is established an advisory committee on petroleum storage
14 tanks to be composed of the following members:

15 (A) A representative from the property and casualty segment of the
16 insurance industry;

17 (B) A representative from a company that is a refiner and also has
18 service stations or other motor fuel retail outlets in the state;

19 (C) A representative from a company that is a jobber or wholesaler of
20 petroleum products in the state;

21 (D) An independent retail service station dealer;

22 (E) The State Fire Marshal or his designee;

23 (F) A representative from a company that installs or repairs petroleum
24 storage tanks; and

25 (G) A representative from a company that has one or more employees with
26 knowledge and expertise regarding environmental protection and management
27 matters.

28 (2) The Governor shall appoint the members of the advisory committee.
29 The member appointed under subdivision (a) (1) (B) of this section shall be from
30 a list of three (3) names submitted by the Arkansas Petroleum Council. The
31 member appointed under subdivision (a) (1) (C) of this section shall be from a
32 list of three (3) names submitted by the Arkansas Oil Marketers Association.
33 The member appointed under subdivision (a) (1) (D) of this section shall be from
34 a list of three (3) names submitted by the Service Station Dealers of
35 Arkansas. The member appointed under subdivision (a) (1) (G) of this section

1 shall be from a list of three (3) names submitted by the Arkansas
2 Environmental Federation.

3 (3) Each member of the committee shall serve a four-year term and until a
4 successor has been appointed.

5 (4) Any vacancies shall be filled by the Governor to serve the remainder
6 of the term.

7 (b) Committee members shall serve without compensation but shall be
8 entitled to per diem and mileage allowances for attendance at committee
9 meetings at the same rate authorized by law for legislators' attendance at
10 meetings of joint interim committees of the General Assembly. Committee
11 members shall be entitled to reimbursement for actual expenses incurred for
12 lodging while attending committee meetings which involve overnight stays.

13 (c) The committee shall select a member to serve as chairman each year.

14 (d) The committee shall meet as necessary to carry out its duties under
15 this subchapter and at the call of the chair.

16 (e) The department shall provide adequate staff to support the activities
17 of the committee.

18 (f) The committee shall adopt all rules and regulations necessary to
19 conduct its business.

20 (g) The committee shall advise and make recommendations to the director
21 regarding claims for payment under this subchapter.

22 (h) The committee shall advise the department and the commission
23 regarding promulgation of rules and regulations concerning storage tanks.

24 (i) No member of the committee shall participate in any decision on any
25 claim in which the firm or organization by which that member is employed, or
26 in which that member has a direct or indirect financial interest, is
27 involved."

28

29 SECTION 4. Arkansas Code Annotated §8-7-905 is amended to read as
30 follows:

31 "8-7-905. Petroleum Storage Tank Trust Fund.

32 (a) There is established on the books of the State Treasurer, State
33 Auditor, and Chief Fiscal Officer of the State a fund to be known as the
34 Petroleum Storage Tank Trust Fund, hereinafter referred to as the fund.

35 (b) The fund will be administered by the director who shall make

1 disbursements from the fund as authorized by this subchapter.

2 (c) The fund shall consist of gifts, grants, donations, and such other
3 funds as may be made available by the General Assembly, including all interest
4 earned upon money deposited in the fund, all fees assessed under this
5 subchapter, any moneys recovered by the department, and any other moneys
6 legally designated for the fund.

7 (d) Moneys in the fund may be expended by the director solely for the
8 following purposes, as limited by the provisions of subsection (e) of this
9 section:

10 (1) The state share mandated by the federal Resource Conservation and
11 Recovery Act of 1976, as amended;

12 (2) To pay costs incurred by the commission or the advisory committee
13 in the performance of their duties under this subchapter;

14 (3) To pay reimbursement for taking corrective action or to compensate
15 owners or operators for claims by third parties for bodily injury and property
16 damage, or both, caused by accidental releases from qualified storage tanks;

17 (4) To pay reasonable and necessary costs and expenses of the
18 department for taking corrective action, caused by accidental releases from a
19 storage tank of unknown ownership or when corrective action is not commenced
20 by the owner or operator in a timely manner;

21 (5) To reimburse owners and operators in the vicinity of the release
22 for performing short-term testing or monitoring which is in addition to that
23 required by the department's rules and regulations if the department has a
24 reasonable basis for believing that such petroleum underground storage tank or
25 tanks may be the source of the release. The owners and operators of petroleum
26 underground storage tanks, including out-of-service and nonoperational tanks,
27 not found to be the source of the release and who cooperated with the
28 department may apply to the fund for reimbursement, for such testing and
29 monitoring costs, not including lost managerial time or loss of revenues
30 because of temporary business closure.

31 (6) To pay department costs as needed for its operations under this
32 subchapter and §8-7-801 et seq. in an amount not to exceed three hundred
33 fifty-nine thousand dollars (\$359,000) in fiscal year 1993-1994 and not to
34 exceed three hundred eighty-seven thousand dollars (\$387,000) in fiscal year
35 1994-1995 and thereafter. This source of funding shall be used by the

1 department only if funding from storage tank registrations, as provided in §8-
2 7-802(a)(2), is insufficient to meet the reasonable needs of the department.

3 (e) Notwithstanding any other provisions of this subchapter, the
4 director, upon finding that a release may present an imminent and substantial
5 hazard to the health of persons or to the environment and that an emergency
6 exists requiring immediate action to protect the public health and welfare or
7 the environment, may, without receiving prior advice from the advisory
8 committee, issue an order reciting the existence of such an imminent hazard
9 and emergency and ordering a disbursement or reimbursement of up to fifty
10 thousand dollars (\$50,000) from the fund so that such action may be taken as
11 he determines to be necessary to protect the health of such persons or the
12 environment and to meet the emergency.

13 (f)(1) No expenditure from the fund shall be made for expenses for
14 retrofitting or replacement of petroleum storage tanks.

15 (2) No expenditure from the fund pursuant to subdivisions (d)(3) and
16 (d)(5) of this section shall be made for attorneys' fees.

17 (g) The liability or obligation of the fund is not the liability or
18 obligation of the State of Arkansas provided, however, that this subsection
19 shall not be construed as relieving the fund of any liability or obligation
20 prescribed in this subchapter upon the entry of a valid court order or valid
21 final order of the Arkansas State Claims Commission establishing a judgment
22 against any state agency, board, department, or commission or where a
23 settlement agreement has been reached arising from third-party claims against
24 any state agency, board, department, or commission where such state agency,
25 board, department, or commission is determined to be the owner or operator.

26 (h) Nothing in this subchapter shall be construed to abrogate or waive
27 the provisions of Article 5, § 20, Arkansas Constitution."

28

29 SECTION 5. Arkansas Code Annotated §8-7-906 is amended to read as
30 follows:

31 "8-7-906. Petroleum environmental assurance fee.

32 (a) There is established a petroleum environmental assurance fee to be
33 paid, except as provided in subsection (c) of this section, on each gallon of
34 motor fuel or distillate special fuel purchased or imported into this state.

35 (b) The fee shall be paid by the first distributor or supplier

1 receiving fuel from a terminal in this state, or, if the fuel will never be
2 stored in a terminal in this state, then by the distributor or supplier who
3 first imports fuel into this state by tank truck.

4 (c) Exchanges of fuels on a gallon-for-gallon basis within a terminal
5 or fuels exported from this state are exempt from the fee.

6 (d) Proof of payment shall be provided to the owner or operator.

7 (e) The fee shall be remitted to the Director of the Department of
8 Finance and Administration at the time, in the manner, and on forms prescribed
9 by the director and may be collected and remitted at the same time and in the
10 same manner as the motor fuel tax and special motor fuels tax under §§
11 26-55-101 et seq. and 26-56-101 et seq.

12 (f) All fees collected under this subchapter shall be deposited in the
13 Petroleum Storage Tank Trust Fund. The applicable fund balances shall be
14 required to be maintained in perpetuity.

15 (g) *Beginning on July 1, 1993 and continuing through December 31, 1998,*
16 *the maximum rate for the environmental assurance fee shall be four-tenths*
17 *(4/10th) of one cent (1¢) for each gallon of fuel. After December 31, 1998,*
18 *the maximum rate for the environmental assurance fee shall be at a rate of*
19 *two-tenths (2/10ths) of one cent (1¢) for each gallon of fuel. The fees shall*
20 *be collected at the maximum rate provided, however, that when the balance of*
21 *the fund reaches fifteen million dollars (\$15,000,000), the rate shall drop at*
22 *the beginning of the next calendar quarter to such rate as the commission*
23 *determines is necessary to maintain a fifteen million dollar (\$15,000,000)*
24 *balance. The rate shall be increased at the beginning of the next calendar*
25 *quarter when the fund balance drops to twelve million dollars (\$12,000,000) or*
26 *less and remain at the higher amount not to exceed the applicable maximum rate*
27 *provided herein until the fund balance reaches fifteen million dollars*
28 *(\$15,000,000). The commission shall review the fund balance at least*
29 *quarterly and report the rate of collection for the environmental assurance*
30 *fee for the upcoming quarter to the Director of the Department of Finance and*
31 *Administration.*

32 (h) All fees shall be subject to collection and enforcement of
33 collection under the Arkansas Tax Procedure Act, §26-18-101 et seq."

34

35 SECTION 6. Arkansas Code Annotated §8-7-907 is amended to read as

1 follows:

2 "8-7-907. Payments for corrective action.

3 (a) No payment for corrective action shall be paid from the fund until
4 the owner or operator has expended ten thousand dollars (\$10,000) on
5 corrective action for the occurrence except in cases where the director is
6 using his emergency authority under §8-7-905(e). It is the intent of the
7 General Assembly that this initial level of expenditure be considered the
8 equivalent of an insurance policy deductible. Owners or operators of
9 underground storage tanks must demonstrate financial responsibility for the
10 ten thousand dollar (\$10,000) deductible for corrective actions.

11 (b) Payment for corrective action shall not exceed one million dollars
12 (\$1,000,000) per occurrence.

13 (c) All payments for corrective action expenses of the owner or
14 operator shall be made only following proof that:

15 (1) Corrective action has adequately addressed the release and the
16 release is no longer a threat to public health and safety or the environment;

17 (2) At the time of discovery of the release, the owner or operator had
18 paid all fees required under state law or regulations applicable to petroleum
19 storage tanks;

20 (3) At the time of the occurrence, the owner or operator was in
21 substantial compliance as defined by this subchapter and regulations
22 promulgated thereunder and with all state and federal laws and regulations
23 relating to storage tanks, including those relating to financial
24 responsibility; and

25 (4) The department was given timely notice of the release and the owner
26 or operator cooperated fully with the department in corrective action to
27 address the release.

28 (d) The commission may provide through rule and regulation for interim
29 payments for corrective action. Interim payments shall be subject to these
30 limitations:

31 (1) Proof of compliance with the requirements of subdivisions
32 (c)(2)-(4) of this section must be provided.

33 (2) Specific assurances must be provided that an approved corrective
34 action plan, department directive or order is being implemented and followed
35 to date.

1 (3) Interim payments shall consist of payment of an amount not to
2 exceed ninety percent (90%) of reimbursable expenditures to date. The
3 remaining ten percent (10%) shall be released only upon final payment for
4 corrective action concerning the occurrence.

5 (e) In the event moneys are expended from the fund for corrective
6 action and the owner or operator was not at the time of the occurrence in
7 substantial compliance as defined by this subchapter and regulations
8 promulgated hereunder, the department may recover from the owner or operator
9 the amount of moneys expended from the fund for the corrective action by
10 filing an action in the appropriate circuit court or by using the
11 administrative procedures set forth in §8-7-804."

12

13 SECTION 7. Arkansas Code Annotated §8-7-908 is amended to read as
14 follows:

15 "8-7-908. Third-party claims.

16 (a) No payment to any owner or operator against whom a third-party
17 claim is brought for bodily injury or property damage, or both, shall be paid
18 from the fund until the owner or operator has expended twenty-five thousand
19 dollars (\$25,000) on third-party claims for the occurrence except in cases
20 where the director is using his emergency authority under § 8-7-905(e). It is
21 the intent of the General Assembly that this initial level of expenditure be
22 considered the equivalent of an insurance policy deductible. Owners and
23 operators of underground storage tanks must demonstrate financial
24 responsibility for the twenty-five thousand dollar (\$25,000) deductible for
25 third-party liability costs.

26 (b) Payment for third-party claims shall not exceed one million dollars
27 (\$1,000,000) per occurrence.

28 (c) All payments for third-party claims shall be made only following
29 proof that:

30 (1) At the time of the occurrence, the owner or operator was in
31 substantial compliance with the financial responsibility requirements;

32 (2) At the time of discovery of the release, the owner or operator had
33 paid all fees required under state law or regulations applicable to petroleum
34 storage tanks; and

35 (3) A valid final court order or valid final order of the Arkansas

1 State Claims Commission establishing a judgment against the owner or operator
2 for bodily injury or property damage caused by an accidental release from a
3 qualified storage tank has been entered.

4 (d) Any owner or operator against whom a third-party claim is filed in
5 court or in the State Claims Commission shall give written notice of the claim
6 to the Department no later than sixty (60) days after service of summons or
7 receipt of notification of the claim from the State Claims Commission. Upon
8 receipt of such notice, the Department shall immediately notify the Attorney
9 General, who shall have the right to intervene in any such lawsuit in order to
10 protect the interests of the State in the fund. Payment of third-party claims
11 from the fund may be denied for any owner or operator who fails to give the
12 Department notice as required herein.

13 (e) The commission may provide through rules or regulations for
14 payments for third-party claims under settlement agreements between the
15 parties without entry of a final court order or State Claims Commission order.
16 Settlement payments for third-party claims shall be subject to these
17 limitations:

18 (1) Proof of compliance with the requirement of subdivisions (c)(1) and
19 (c)(2) of this section must be provided.

20 (2) Specific assurances, such as dismissal with prejudice of the cause
21 of action, that payment shall release the owner or operator from all future
22 liability to the third-party claimant for this occurrence must be provided.

23 (3) The director must determine that litigation would result in costs
24 to the fund which would exceed the settlement amount and, therefore, it would
25 be in the best interests of the fund to pay the settlement amount.

26 (f) In the event moneys are expended from the fund for third-party
27 claims and the owner or operator was not at the time of the occurrence in
28 substantial compliance as defined by this subchapter and regulations
29 promulgated hereunder, the department may recover from the owner or operator
30 the amount of moneys expended from the fund for the third-party claim by
31 filing an action in the appropriate circuit court or by using the
32 administrative procedures set forth in §8-7-804."

33

34 SECTION 8. Arkansas Code Annotated Title 8, Chapter 7, Subchapter 9 is
35 amended by adding a new section to read as follows:

1 "8-7-909.

2 (a) Any records, reports, or information obtained by the department or
3 its employees in the administration of this subchapter, except release data,
4 shall be kept confidential upon a showing satisfactory to the director that
5 the records, reports or information would constitute a trade secret under the
6 Arkansas Trade Secrets Act, §4-75-601 et seq.

7 (b) As necessary to carry out the provisions of this subchapter,
8 information afforded confidential treatment may be transmitted under a
9 continuing claim of confidentiality to other officers or employees of the
10 state or of the United States, if the owner or operator of the facility to
11 which the information pertains is informed of the transmittal and if the
12 information has been acquired by the department under the provisions of this
13 subchapter.

14 (c) The provisions of this section shall not be construed to limit the
15 department's authority to release confidential information during emergency
16 situations.

17 (d) Any violation of this section shall be unlawful and shall
18 constitute a misdemeanor."

19

20 SECTION 9. All provisions of this act of a general and permanent nature
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
22 Revision Commission shall incorporate the same in the Code.

23

24 SECTION 10. If any provision of this act or the application thereof to
25 any person or circumstance is held invalid, such invalidity shall not affect
26 other provisions or applications of the act which can be given effect without
27 the invalid provision or application, and to this end the provisions of this
28 act are declared to be severable.

29

30 SECTION 11. All laws and parts of laws in conflict with this act are
31 hereby repealed.

32

33 SECTION 12. *Emergency. It is hereby found and determined by the*
34 *Seventy-Ninth General Assembly that underground fuel storage tanks are a*
35 *threat to the environment; that an increase in the petroleum environmental*

1 assurance fee is needed to properly protect the environment; that to
2 effectively and economically administer the fee this act must be effective as
3 of July 1, 1993. Therefore, an emergency is declared to exist and this act
4 being necessary for the preservation of the public peace, health and safety
5 shall be in full force and effect from and after July 1, 1993.

6 /s/L. McJunkin

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