Secretary of State Audit Report

Kate Brown, Secretary of State

Gary Blackmer, Director, Audits Division

Enterprise Fund of the State of Oregon

Department of Environmental Quality

Clean Water State Revolving Fund Loan Program

For the Fiscal Year Ended June 30, 2012

2013-11
May 2013

http://www.sos.state.or.us/audits/index.html

Office of the Secretary of State

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The Honorable John Kitzhaber
Governor of Oregon

Dick Pedersen, Director
Oregon Department of Environmental Quality

This report presents the results of our audit of the Clean Water State Revolving Fund (CWSRF) program, an enterprise fund of the State of Oregon, Department of Environmental Quality (department), for the year ended June 30, 2012.

As required by auditing standards, we performed the audit to obtain reasonable assurance about whether the financial statements and accompanying notes have been presented fairly by management. Our Independent Auditor's Report and the financial statements for the fiscal year ended June 30, 2012, are included in the Financial Section of this report. We concluded that the financial statements are fairly presented in accordance with accounting principles generally accepted in the United States of America.

Auditing standards also require us to review the department's internal control of the CWSRF program and compliance with applicable laws, regulations, contracts, and grant agreements. Our report on the results of those reviews is included in the Other Report section of this report. Our consideration of internal control was limited to the scope necessary to achieve our audit objectives and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses as defined by generally accepted auditing standards.

We appreciated the cooperation and assistance of the department's management and staff during the course of our audit.

OREGON AUDITS DIVISION

Gary Blackmer
Director

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FINANCIAL SECTION

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INDEPENDENT AUDITOR'S REPORT

We have audited the accompanying financial statements of the Clean Water State Revolving Fund (CWSRF) program, an enterprise fund of the State of Oregon, Department of Environmental Quality (department) as of and for the year ended June 30, 2012, as listed in the table of contents. These financial statements are the responsibility of the Department of Environmental Quality's management. Our responsibility is to express an opinion on these financial statements based on our audit.

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. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the department's internal control over financial reporting relating to the CWSRF program. Accordingly, we express no such opinion. 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 audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statements of the CWSRF program, an enterprise fund of the State of Oregon, Department of Environmental Quality, are intended to present the financial position, changes in financial position and cash flows that are attributable to the transactions of the CWSRF program. They do not purport to, and do not, present fairly the financial position of the Department of Environmental Quality or the State of Oregon as of June 30, 2012, the changes in their financial position or their cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to previously present fairly, in all material respects, the financial position of the CWSRF program as of June 30, 2012, and the respective

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changes in financial position and cash flows thereof for the year 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 May 7, 2013, on our consideration of the department's internal control over financial reporting relating to the CWSRF program and on our tests of its compliance with certain provisions of laws, regulations, contracts, grants 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 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. That report is separately presented in the Other Report section of this report.

OREGON AUDITS DIVISION

Kate Brown
Secretary of State

May 7, 2013

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM
ENTERPRISE FUND
BALANCE SHEET
JUNE 30, 2012

	Loan Fund	Administration	TOTAL
Assets			
Current Assets:			
Cash and Cash Equivalents	$ 145,784,537	$ 6,291,120	$ 152,075,657
Loan Interest Receivable	2,636,106	-	2,636,106
Due From Other Funds	-	6	6
Total Current Assets	148,420,643	6,291,126	154,711,769
Noncurrent Assets:			
Loans Receivable, Net	408,580,781	-	408,580,781
Loan Interest Receivable	906,023	-	906,023
Deferred Charges	219,575	-	219,575
Total Noncurrent Assets	409,706,379	-	409,706,379
Total Assets	$ 558,127,022	$ 6,291,126	$ 564,418,148
Liabilities and Net Assets			
Current Liabilities:			
Accounts Payable	$ -	$ 4,346	$ 4,346
Payroll Payable	-	122,370	122,370
Compensated Absences Payable	-	67,978	67,978
Loan Disbursements Payable	2,608,579	-	2,608,579
Due To Other Funds	-	938	938
Bond Interest Payable	207,926	-	207,926
Bonds Payable	1,878,387	-	1,878,387
Total Current Liabilities	4,694,892	195,632	4,890,524
Noncurrent Liabilities:			
Compensated Absences Payable	-	1,165	1,165
Bonds Payable	19,033,847	-	19,033,847
Total Noncurrent Liabilities	19,033,847	1,165	19,035,012
Total Liabilities	23,728,739	196,797	23,925,536
Net Assets:			
Unrestricted	534,398,283	6,094,329	540,492,612
Total Unrestricted Net Assets	534,398,283	6,094,329	540,492,612
Total Liabilities and Net Assets	$ 558,127,022	$ 6,291,126	$ 564,418,148

The accompanying notes are an integral part of the financial statements.

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM
ENTERPRISE FUND
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

	Loan Fund	Administration	TOTAL
Operating Revenues:			
Loan Interest Income	$ 10,772,747	$ -	$ 10,772,747
Interest Income on Cash and Cash Equivalents	728,704	34,374	763,078
Loan Fees	-	1,735,457	1,735,457
Total Operating Revenues	11,501,451	1,769,831	13,271,282
Operating Expenses:			
Bond Interest	888,891	-	888,891
Other Bond Costs	15,387	-	15,387
Principal Forgiveness on Loans	1,881,764	-	1,881,764
Salaries and Benefits	-	1,512,307	1,512,307
Services and Supplies	-	266,014	266,014
Indirect Costs	-	281,410	281,410
Total Operating Expenses	2,786,042	2,059,731	4,845,773
Operating Income (Loss)	8,715,409	(289,900)	8,425,509
Non-Operating Revenues:			
Federal Grants	14,427,650	-	14,427,650
Total Non-Operating Revenues	14,427,650	-	14,427,650
Change in Net Assets	23,143,059	(289,900)	22,853,159
Net Assets - Beginning	511,255,224	6,384,229	517,639,453
Net Assets - Ending	$ 534,398,283	$ 6,094,329	$ 540,492,612

The accompanying notes are an integral part of the financial statements.

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM
ENTERPRISE FUND
STATEMENT OF CASH FLOWS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

	Loan Fund	Administration	TOTAL
Cash Flows From Operating Activities:			
Repayments from Loan Interest	$ 13,311,744	$ -	$ 13,311,744
Repayments from Loan Principal	52,712,082	-	52,712,082
Disbursements to Borrowers	(46,456,827)	-	(46,456,827)
Receipts from Loan Fees	-	1,735,457	1,735,457
Receipts from Treasury Interest Credits	728,704	34,374	763,078
Payments to Vendors	-	(269,258)	(269,258)
Payments to Employees	-	(1,518,438)	(1,518,438)
Payments for Indirect Cost	-	(281,417)	(281,417)
Net Cash Provided (Used) by Operating Activities	20,295,703	(299,282)	19,996,421
Cash Flows From Noncapital Financing Activities:			
Receipts from Federal Grants	14,427,650	-	14,427,650
Principal Payments on Bonds	(1,448,226)	-	(1,448,226)
Interest Payments on Bonds	(901,442)	-	(901,442)
Net Cash Provided (Used) in Noncapital Financing Activities	12,077,982	-	12,077,982
Net Increase (Decrease) in Cash and Cash Equivalents	32,373,685	(299,282)	32,074,403
Cash and Cash Equivalents, Beginning	113,410,852	6,590,402	120,001,254
Cash and Cash Equivalents, Ending	$ 145,784,537	$ 6,291,120	$ 152,075,657
Reconciliation of Operating Income to Net Cash Provided (Used) by Operating Activities:			
Operating Income (Loss)	$ 8,715,409	$ (289,900)	$ 8,425,509
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:			
Bond Interest Payments Reported as Operating Expense	901,442	-	901,442
Amortization of Bond Costs	15,387	-	15,387
Amortization of Bond Discount	12,380	-	12,380
Amortization of Bond Premium	(10,720)	-	(10,720)
Net Changes in Assets and Liabilities:			-
Loan Interest Receivable	2,538,996	-	2,538,996
Amount Due From Other Funds	-	(6)	(6)
Loans Receivable	7,067,563	-	7,067,563
Loan Disbursements Payable	1,069,457	-	1,069,457
Accounts Payable	-	(4,175)	(4,175)
Payroll Payable	-	(6,678)	(6,678)
Due To Other Funds	-	(309)	(309)
Bond Interest Payable	(14,211)	-	(14,211)
Compensated Absences Payable	-	1,786	1,786
Total Adjustments	11,580,294	(9,382)	11,570,912
Net Cash Provided (Used) by Operating Activities	$ 20,295,703	$ (299,282)	$ 19,996,421

The accompanying notes are an integral part of the financial statements.

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2012

1. Summary of Significant Accounting Policies

The accompanying financial statements of the State of Oregon Department of Environmental Quality have been prepared in conformity with generally accepted accounting principles (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB), the Financial Accounting Standards Board (FASB) and the American Institute of Certified Public Accountants (AICPA).

A. Reporting Entity

The Oregon Clean Water State Revolving Fund (CWSRF) was established pursuant to Oregon Revised Statutes 468.423 – 468.440 and the 1987 amendments to the federal Clean Water Act. The purpose of the CWSRF is to provide low interest loans to local governments for the planning, design, and construction of wastewater treatment facilities, implementation of nonpoint source pollution management plans, and the design and implementation of estuary management plans. The loan repayment period is a maximum of 20 years, and all repayments, including interest and principal, must be credited to the CWSRF.

The CWSRF program is administered by the State of Oregon Department of Environmental Quality (DEQ). The CWSRF program consists of several funds to record loan and related activity, and an Administrative fund that collects loan fees and pays the operating costs of the program, and are collectively referred to as the Fund. DEQ's primary responsibilities for the CWSRF include obtaining capitalization grants from the U.S. Environmental Protection Agency (EPA), soliciting potential interested parties for loans, negotiating loan agreements with eligible public agencies, reviewing and approving payment requests from loan recipients, monitoring the loan repayments, and conducting inspection and engineering reviews to ensure compliance with all applicable laws, regulations, and program requirements.

DEQ charges the Fund for staff time spent on CWSRF activities, and the Fund pays those expenses from the Administration fund. The charges include the salaries and benefits of the employees, as well as indirect costs allocated to the Fund. The rate of indirect cost is negotiated annually with EPA.

The Annual Financial Report is prepared for the U.S. Environmental Protection Agency as an Enterprise Fund of the State of Oregon, which uses the accrual basis of accounting. For the purpose of the State of Oregon's Comprehensive Annual Financial Report (CAFR), the Fund is included as a Governmental Fund – Special Revenue. Due to differences in basis of accounting, there may be differences between the amounts reported in these financial statements and the State of Oregon's CAFR.

B. Basis of Presentation – Fund Accounting

DEQ programs and accounts are organized by “funds”, each of which is a separate accounting entity. Each major program utilizes a separate set of self-balancing accounts to record the assets, liabilities, net assets, revenues, and expenses of their activities. DEQ’s CWSRF loan program is classified as a proprietary fund for the purposes of these financial statements, however DEQ treats this fund as a governmental fund. Proprietary funds contain two types of funds: Enterprise Funds and Internal Service Funds. The CWSRF loan program is accounted for in an Enterprise Fund. Enterprise Funds account for operations that are financed and operated in a manner similar to private business enterprises.

C. Measurement Focus and Basis of Accounting

The basic financial statements for the Fund are presented as an Enterprise Fund. As such, the Fund is accounted for using the flow of economic resources measurement focus and is maintained on the accrual basis of accounting, in accordance with State policy (OAM 15.40.00). Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded at the time the liabilities are incurred, regardless of the timing of the related cash flow. All revenues and expenses of the Fund are considered to be operating revenues and operating expenses, with the exception of grant income, which is considered to be non-operating revenue. All assets and liabilities associated with the operations of the Fund are included on the Balance Sheet. The State has elected to follow the accounting pronouncements of the Governmental Accounting Standards Board (GASB), as well as statements issued by the Financial Accounting Standards Board on or before November 30, 1989, unless the pronouncements conflict with or contradict GASB pronouncements. The State, however, does not apply FASB pronouncements issued after November 30, 1989.

D. Cash and Cash Equivalents

All monies of the Fund are deposited with the Office of the State Treasurer, which is responsible for maintaining these deposits in accordance with Oregon law. The Fund considers all such deposits to be cash and cash equivalents. Interest earnings on these deposits are received by the Fund on a monthly basis. The Fund has no other cash deposits or investments.

E. Loans Receivable

Loans are funded by Federal capitalization grants, State matching funds, loan repayments and fund earnings. The CWSRF monies are disbursed to borrowers on a cost reimbursement basis. When borrowers have incurred qualifying expenses, they request a loan disbursement from the Fund, and at that time a disbursement is made and recorded in the Fund accounting records. Interest begins accruing when funds are disbursed to the borrower. After the project is complete, repayment begins with an interest-only payment. Full repayment must be received by the Fund within 20 years of project completion.

DEQ is required, under the terms of its grant award from EPA, to offer additional subsidization to certain borrowers. DEQ has chosen to offer this subsidization in the form of principal forgiveness, and has implemented this provision in administrative rule (OAR 340-054-0065). Loans Receivable are stated net of the allowance for principal forgiveness.

F. Deferred Charges

The Deferred Charges shown on the Balance Sheet are the cost of issuing State bonds to raise the required matching for the Federal capitalization grants. These expenses consist of bond issuance costs and are amortized over the life of the bonds using the straight-line method. The $219,575 represents the unamortized issuance costs of five bond issues (1997A, 2000A, 2008A, 2009A, and 2010A). There is presently no related arbitrage liability.

G. Long-Term Obligations

Long-term obligations of the Fund consist of bonds issued to provide the required State matching funds for the Federal capitalization grants, and the non-current portion of compensated absences. Bonds issued on behalf of the CWSRF are reported on the Balance Sheet net of the related premium and/or discount. Bond premium and discount are amortized over the life of the bond issues. Bond premium and discount are reported in the Statement of Revenues, Expenses and Changes in Fund Net Assets as bond interest expense.

H. Compensated Absences

Employees accumulate earned but unused vacation and sick-leave benefits. There is no liability for unpaid accumulated sick leave since the State does not pay any amounts when employees separate from State service. A liability for vacation leave (compensated absences) is accrued when incurred in proprietary funds as employees may be paid for up to a maximum of 250 hours of accrued vacation leave upon separation from State service.

2. Cash and Cash Equivalents

On June 30, 2012, the book balance of cash and cash equivalents was $152,075,657 and the bank balance was $152,464,038. All cash in the Fund is deposited in demand accounts with the State Treasurer in the Oregon Short-Term Fund (OSTF), a cash and investment pool for use by all state agencies.

The custodial credit risk for deposits is the risk that, in the event of a bank failure, the State Treasurer will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The CWSRF does not have a policy regarding custodial credit risk for deposits; however, the insurance and collateral requirements for deposits in the OSTF are established by banking regulations and Oregon law.

Further details of the investments and a copy of the OSTF audited annual financial report may be obtained by writing to the Oregon State Treasury, 350 Winter Street NE, Suite 100, Salem, Oregon 97301-3896 or located at the following web site: http://www.ost.state.or.us/About/Investment/Default.asp#OSTF.

3. Loans Receivable

The Fund makes loans to qualified entities at interest rates ranging from zero percent to the market rate (see ORS 468.440). Interest rates vary depending on the length of the loan, the type of loan, and program rules (at OAR 340-054). Rates range from 25% of the bond rate for 5 year loans to 65% of the bond rate for 20 year loans. Recipients make semiannual or, in some cases, annual payments, generally starting six months after project completion.

There is an allowance account for that portion of loan disbursements that will not be repaid due to principal forgiveness offered to some borrowers. Principal forgiveness is offered to some borrowers, based on criteria in administrative rule, to comply with a requirement included in DEQ's grant agreement with EPA. There is no additional allowance account, because Fund management believes all existing borrowers will pay as agreed. The detail of loans receivable as of June 30, 2012 is as follows:

Loans Receivable	$	414,050,274
Less: Principal Forgiveness on Disbursements		(5,469,493)
Net Loans Receivable, 6/30/2012	$	408,580,781

4. Bonds Payable

In July 2003 EPA agreed to the use of the CWSRF Fund assets to pay the principal and interest on general obligation bonds that were previously issued by the State to provide the 20 percent state matching funds as required by the Clean Water Act. The following table summarizes bonds outstanding as of June 30, 2012:

General Obligation Pollution Control Bonds

Original Issue				Bonds Outstanding				
Series	Due Dates	Interest Range	Amount	Beginning Balance	Increases	Decreases	Ending Balance	Due Within One Year
1997A	1998 – 2018	3.80% - 5.00%	$8,000,000	$3,750,000	-	$455,000	$3,295,000	$480,000
2000A	2001 – 2021	4.15% - 5.50%	8,000,000	5,050,000	-	385,000	4,665,000	410,000
2008A	2009 – 2028	2.00% - 4.50%	4,800,000	4,294,194	-	183,226	4,110,968	188,387
2009A	2010 – 2029	2.00% - 4.00%	4,890,000	4,425,000	-	230,000	4,195,000	600,000
2010A	2011 – 2030	2.00% - 3.75%	4,945,000	4,745,000	-	195,000	4,550,000	200,000
		Total	$30,635,000	$22,264,194	-	$1,448,226	$20,815,968	$1,878,387

The bond interest rates noted above differ depending on the term of the individual security. Thus, those securities with the longest term yield the highest interest rate.

The following table summarizes the amounts necessary to pay all future bonded debt principal and interest requirements as of June 30, 2012 for each year during the next five-year period ending June 30, 2017, and in five-year increments thereafter.

Years Ending June 30	Bond Principal	Bond Interest	Total Debt Service
2013	1,878,387	840,502	2,718,889
2014	1,503,548	776,161	2,279,709
2015	1,636,290	710,411	2,346,701
2016	1,684,032	638,963	2,322,995
2017	1,786,774	562,426	2,349,200
2018 – 2022	6,845,645	1,749,696	8,595,341
2023 – 2027	3,715,323	744,982	4,460,305
2028 – 2030	1,765,969	108,384	1,874,353
TOTALS:	$ 20,815,968	$ 6,131,525	$ 26,947,493

5. Changes In Long-Term Liabilities

The liability for compensated absences is calculated based on the vacation accrual at June 30, 2013 for each employee whose duties include CWSRF related activities. Data for this calculation is obtained at year end from DEQ's Payroll Department.

Bonds payable includes amounts payable on bonds issued to benefit the CWSRF fund, and includes the unamortized amounts of bond discount or premium.

The long term liability activity for the year ended June 30, 2012 was as follows:

	Bal. at 7/1/2011	Increases	Decreases	Bal. at 6/30/2012	Due Within One Year
Bonds Payable	$ 22,264,194	$ -	$ 1,448,226	$ 20,815,968	$ 1,878,387
Issuance Premium	199,653	-	10,720	188,933	-
Issuance Discount	(105,047)	-	(12,380)	(92,667)	-
Total Bonds Payable	22,358,800	-	1,446,566	20,912,234	1,878,387
Compensated Absences	67,357	64,389	62,603	69,143	67,978
Total Long-Term Liabilities	$ 22,426,157	$ 64,389	$ 1,509,169	$ 20,981,377	$ 1,946,365

6. Loan Fees

In order to support administration and project management costs, loan fees are assessed on loans originating after 1992. A fee of 0.5 percent is assessed on the outstanding loan principal balance and is collected annually, beginning with the second loan payment. Fees are deposited to a separate Treasury account and are used only for administrative and project management costs. Also, fees on planning loans are not assessed, in order to encourage Oregon communities to complete more planning.

7. Employee Retirement Plan

The Oregon Public Employees Retirement System (PERS) provides retirement plans for the Fund's employees. PERS is administered by the Public Employees Retirement Board under the guidelines of Oregon Revised Statutes, as required by ORS chapter 238 and 238A. PERS issued a separate, publicly available, audited financial report that may be obtained from the Fiscal Services Division, Public Employees Retirement System, P.O. Box 23700, Tigard, Oregon 97281-3700.

<u>PERS Pension</u>

The Fund's employees who were plan members before August 29, 2003 participate in PERS, a cost-sharing multiple-employer defined benefit pension plan. The PERS has two tiers of benefits. Employees hired before January 1, 1996 are in Tier One. Tier One employee benefits are reduced if retirement occurs prior to age 58 with fewer than 30 years of service. Tier Two members are eligible for full benefits at age 60. Tier Two does not have the Tier One assumed earnings rate guarantee. The PERS retirement allowance, payable monthly for life, may be selected from several retirement benefit options. Options include survivorship benefits and lump sum payments. PERS also provides death and disability benefits.

The Fund is required by State statute to contribute actuarially computed amounts as determined by PERS (the agency). Rates are subject to change as a result of subsequent actuarial valuations. The rate of each covered employee's salary for fiscal year 2012 was 8.80%.

Employer contributions for the years ending June 30, 2012, 2011, and 2010 were $56,976, $10,633, and $7,915, respectively, equal to the required contributions for each year.

Public employees hired on or after August 29, 2003 become part of OPSRP, unless membership was previously established in the Oregon Public Employees Retirement System (PERS). The OPSRP pension plan has two components: the Pension Program (defined benefit) and the Individual Account Program (defined contribution). PERS member contributions go into the Individual Account Program (IAP) portion of OPSRP. PERS members retain their existing PERS accounts, but member contributions are deposited in the member's IAP account, not into the member's PERS account.

<u>Oregon Public Service Retirement Plan (OPSRP)</u>
The 2003 Oregon Legislature created the Oregon Public Service Retirement Plan (OPSRP), also a cost-sharing multiple-employer defined benefit pension plan. The Pension Program is administered by the Public Employees Retirement Board under the guidelines of Oregon Revised Statutes, chapter 238A. The OPSRP pension plan has two components: the Pension Program (defined benefit) and the Individual Account Program (defined contribution). Employees hired after August 28, 2003, participate in OPSRP after completing six months of service. The Pension Program provides a monthly pension benefit payable for life as well as death and disability benefits as established by ORS Chapter 238A.

The Fund is required by statute to contribute actuarially computed amounts as determined by PERS (the agency). Rates are subject to change as a result of subsequent actuarial valuations. The rate of each covered employee's salary for fiscal year 2012 was 7.44%. The department now has permanently assigned CWSRF employees hired on or after August 29, 2003 and therefore is required to contribute to the OPSRP Pension Program. Employer contributions for the years ending June 30, 2012, 2011 and 2010 were $25,938, $8,910, and $6,633, respectively, equal to the required contribution amount.

Beginning January 1, 2004, PERS members became part of the Individual Account Program (IAP) portion of OPSRP. PERS members retain their existing PERS accounts, but member contributions are now deposited in the member's IAP account, not into the member's PERS account. All covered employees are required by State statute to contribute 6.0 percent of their salary to the plan. Current law permits State agencies to pay the 6.0 percent member contributions for their employees. The amount contributed by DEQ for the years ending June 30, 2012, 2011, and 2010 were $56,765, $58,076, and $43,235, respectively, equal to the required contributions for each year.

8. Other Post Employment Benefit Plans

The Fund's employees may be eligible to participate in health insurance plans and other benefit plans after retirement, collectively known as Other Postemployment Benefits (OPEB). OPEB plans are offered through the Public Employees Retirement System (PERS) as established by ORS 238 and the Public Employees Benefit Board (PEBB) as established by ORS 243. A copy of the audited annual financial report may be obtained from Fiscal Services Division, Public Employees Retirement System, P.O. Box 23700, Tigard, Oregon 97281-3700.

Retirement Health Insurance Account

The Retirement Health Insurance Account (RHIA) is a cost-sharing multiple-employer OPEB plan which provides a payment of up to $60 toward the monthly cost of health insurance for eligible PERS members. To be eligible for the RHIA subsidy, the member must: 1) have eight years or more of qualifying service in PERS at the time of retirement or receive a disability allowance as if the member had eight years or more creditable service in PERS, 2) receive both Medicare Parts A and B coverage, and 3) enroll in a PERS-sponsored health insurance plan.

The Department is required by statute to contribute actuarially computed amounts as determined by PERS. Rates are subject to change as a result of subsequent actuarial valuations. For the year ended June 30, 2012, the Fund contributed .09 percent of PERS covered payroll for Tier One and Tier Two plan members to fund the normal cost portion of the RHIA benefits. In addition, the Fund contributed .5 percent of all PERS-covered payroll to amortize the unfunded actuarial accrued liability over a fixed period with new unfunded actuarial accrued liabilities amortized over 20 years. Combined employer contributions for the years ended June 30, 2012, 2011, and 2010, were approximately $5,563, $2,468, and $1,838, respectively, equal to the required contributions each year.

Retiree Health Insurance Premium Account

The Retiree Health Insurance Premium Account (RHIPA) is a single-employer OPEB plan that provides for payment of the average difference between the health insurance premiums paid by retired state employees, under contracts entered into by the PERS Board, and the health insurance premiums paid by state employees who are not retired. Retired state employees are qualified to receive the RHIPA subsidy if they had eight or more years of qualifying service in PERS at the time of retirement or are receiving a disability pension calculated as if they had eight or more years of qualifying service, but are not eligible for federal Medicare coverage.

The Fund is required by statute to contribute actuarially computed amounts as determined by PERS. Rates are subject to change as a result of subsequent actuarial valuations. For the year ended June 30, 2012, the Fund contributed .05 percent of PERS-covered payroll for Tier One and Tier Two plan members to fund the normal cost portion of RHIPA benefits. In addition, the Fund contributed .11 percent of all PERS-covered payroll to amortize the unfunded actuarial accrued liability over a fixed period with new unfunded actuarial accrued liabilities amortized over 20 years. A copy of the Oregon PERS annual financial report may be obtained from Fiscal Services Division, PERS, P.O. Box 23700, Tigard, Oregon 97281-3700. The Fund's actual contribution for the year ended June 30, 2012, 2011, and 2010, was approximately $1,149, $571, and $425, respectively, which was equal to the actuarial required contribution.

Public Employees Benefit Board Plan

The Public Employees Benefit Board (PEBB) plan is an agent multiple-employer plan which offers medical, dental, and vision benefits to eligible retired employees. Chapter 243 of the Oregon Revised Statutes assigns PEBB the authority to establish and amend the benefit provisions of the PEBB Plan. The PEBB Plan allows qualifying retired employees to continue their healthcare on a self-pay basis until eligible for Medicare, usually at age 65. The PEBB Plan funding policy provides for contributions at amounts sufficient to fund benefits on a pay-as-you-go basis. Active employees do not make contributions.

Participating retirees pay their own monthly premiums based on a blended premium rate since retirees are pooled together with active employees for insurance rating purposes. PEBB activity is reported as part of the State of Oregon's annual report and does not issue a separate financial report.

The State of Oregon's liability was $64.6 Million for the fiscal year ended June 30, 2012. The Fund's portion of this liability was not specifically identified.

9. Commitments

As of June 30, 2012 the CWSRF has active loan agreements in the amount of $321,713,955 and has disbursed a total of $148,325,204 in cash to these active borrowers. The amount of undisbursed loan commitments is, therefore, $173,388,751.

10. Risk Financing

The Department of Administrative Services, State Services Division administers property, liability and workers compensation insurance programs covering State government. The State Services Division has found it is more economical to manage the risk of loss internally and, therefore, minimizes the purchase of commercial insurance policies to the extent possible. The moneys set aside by the State Services Division under ORS 278 of the Oregon Revised Statutes are used to service the following risks:

- Direct physical loss or damage to State property
- Tort liability claims brought against the State, its officers, employees, or agents
- Inmate injury
- Workers' compensation
- Employee dishonesty
- Faithful performance bonds for key positions as required by law and additional positions as determined by agency policy

The State Services Division purchases commercial insurance for specific insurance needs not covered by self-funding. For example, the self-insured property and liability program is backed by an excess property policy with a limit of $400 million and a blanket commercial crime policy with a limit of $20 million. The amount of claim settlements did not exceed commercial insurance coverage for each of the past three fiscal years.

All State agencies, commissions, and boards participate in the self-insured property and liability program. The State Services Division allocates the cost of claims and claim administration by charging an assessment to each State agency, based on its share of losses. Statewide risk charges are based on independent biennial actuarial forecasts and division expenses, less any available fund balance from the prior biennium.

Periodically the State Services Division reevaluates claims liabilities taking into consideration recently settled claims, the frequency of claims, and other economic and social factors. Contracted actuaries estimate claims and allocated and unallocated expenses using the last 20 to 25 years of State claims experience and the projected numbers of employees, payroll, vehicles and other property. Liabilities include an amount for claims and legal expenses that have been incurred, but not reported and are discounted at an annual rate of two percent. The actuaries forecast ultimate losses by line of coverage.

The CWSRF participates in this risk financing program through DEQ, which, as a State agency, is a participant.

11. Subsequent Events

On July 3, 2012 the federal fiscal year 2012 capitalization grant from EPA was awarded, in the amount of $15,966,000. This amount provides additional capitalization for the loan program.

On November 15, 2012 the state issued the 2012P state match bonds, in the net amount of $4,783,020. These bonds provide matching funds for up to $23,915,510 in federal capitalization grants. Debt service on the bonds will come from the CWSRF interest earnings.

OTHER REPORT

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The Honorable John Kitzhaber
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Oregon Department of Environmental Quality

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*

We have audited the financial statements of the Clean Water State Revolving Fund (CWSRF) program, an enterprise fund of the State of Oregon, Department of Environmental Quality (department) for the year ended June 30, 2012, and have issued our report thereon dated May 7, 2013. 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

Management of the department is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the department's internal control over financial reporting relating to the CWSRF program 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 department's internal control over financial reporting relating to CWSRF. Accordingly, we do not express an opinion on the effectiveness of the department's internal control over financial reporting relating to CWSRF.

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 previously.

However, we identified a deficiency in internal control over financial reporting, described in the accompanying schedule of findings and responses that we consider to be a significant deficiency in internal control over financial reporting. 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.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the department's CWSRF program'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 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.*

The department's response to the finding identified in our audit is described in the accompanying schedule of findings and responses. We did not audit the department's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the department's management, Environmental Quality Commission, the Governor of the State of Oregon, the Oregon Legislative Assembly, and the Environmental Protection Agency and is not intended to be and should not be used by anyone other than those specified parties.

OREGON AUDITS DIVISION

Kate Brown
Secretary of State

May 7, 2013

Schedule of Findings and Responses

2012-1 Internal Controls Over Financial Reporting

Department management is responsible for establishing and maintaining internal controls to ensure that the Clean Water State Revolving Fund's (CWSRF) financial statements and accompanying note disclosures are complete, accurate and prepared in accordance with generally accepted accounting principles.

During our audit, we identified several inaccuracies in CWSRF's financial statements and note disclosures. After consideration, department management made the appropriate revisions. The inaccuracies were not identified by the department as they had not performed reviews of the CWSRF year-end financial reporting adjustments, the financial statements, and note disclosures. One person prepared and recorded the year-end adjustments and prepared the financial statements and note disclosures. Without an effective review process, there is a risk that the CWSRF's financial statements and accompanying note disclosures are not complete, accurate, and in accordance with generally accepted accounting principles.

We recommend department management implement a review process over year-end adjustments and financial reporting, and ensure it is completed prior to submitting the statements and note disclosures to the U.S. Environmental Protection Agency.

Agency's Response:

DEQ agrees, in part, with this finding and acknowledges this review was not completed for the fiscal year 2012 financial statements. DEQ implemented a review process over CWSRF adjustments and financial reporting as a result of the fiscal year 2008 financial statement audit and diligently carried out this review in subsequent fiscal years. However, while there is a process in place, DEQ did not complete this review for fiscal year 2012 due to a reorganization of the Management Services Division and the position vacancies that resulted from the reorganization. While the Accounting Manager position has been recently filled (December 2012), the Senior Accountant position is still vacant and workload is being managed to the utmost extent possible. DEQ is in the process of filling the Senior Accountant position which will ensure that future reviews of the CWSRF adjustments and financial reporting are conducted diligently, timely and thoroughly according to the process in place.

The Oregon Constitution provides that the Secretary of State shall be, by virtue of her office, Auditor of Public Accounts. The Audits Division exists to carry out this duty. The division reports to the elected Secretary of State and is independent of the Executive, Legislative, and Judicial branches of Oregon government. The division audits all state officers, agencies, boards, and commissions and oversees audits and financial reporting for local governments.

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This report, a public record, is intended to promote the best possible management of public resources. Copies may be obtained from:

internet: http://www.sos.state.or.us/audits/index.html

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The courtesies and cooperation extended by officials and employees of the Department of Environmental Quality during the course of this audit were commendable and sincerely appreciated.