



MICHAEL F. EASLEY, GOVERNOR
William G. Ross Jr., SECRETARY
Dexter R. Matthews, Director

UNDERGROUND STORAGE TANK SECTION

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**TO: Environmental Consultants and Service Providers
UST Section Staff
UST Tank Owners and Operators**

SUBJECT: 2003 Reasonable Rate Document Questions & Answers

The following is a compilation of the most frequently asked questions that have been received concerning the new reasonable rate document. As new questions are received, they will be added to the list and a notice will be placed on the web.

1. Q. If non-regulated tanks have been removed previously, can Task 2.500 be used to go back to over-excavate the remaining contamination?
A. No. If over-excavation is the most cost-effective method at the site, then excavation using Section 7 should be used.
2. Q. Under the new RRD, what amount would be reimbursed for a Phase I LSA?
A. The amount stated for task 2.600 only. You may use the appropriate drilling task and 4.090 if you need to install a well of greater than 25 feet for that depth and those samples above the stated 2.600 Scope of Work.
3. Q. What is the max. rate for 6.022 when AFVR or MMPE are used? Does the travel SOW include one fully equipped vehicle for one or two people for a max. of 250 miles?
A. The max. rate for 6.022 when AFVR or MMPE is used is \$560. Yes, the travel SOW includes one fully equipped vehicle for one or two people for a max. distance of 250 miles.
4. Q. Is a weigh ticket required for Task 7.300 and how is the overburden handled during the removal of contaminated soils?
A. No weigh ticket is required for 7.300, but it is required for the disposal of the soils. Overburden should be handled just like regular soil that is being excavated and back filled. Be sure to explain why the excavation and back filled material are more than that disposed of in the Project Summary.
5. Q. At non-regulated tank removals, what if groundwater is encountered prior to reaching the required 6.8 tons of soil removed?

- A. If contamination is evident, 6.8 tons of soil are to be removed. Unless your tank is being removed by hand, the equipment is not going to be hampered by the water.
6. Q. At the time of tank removal is the 50 tons in addition to the 6.8 tons of soil that is required to be removed?
A. Yes. A total of 56.8 tons of soil would be removed if the maximum amount of soil is removed at the time of tank removal.
7. Q. In a case where the tank was closed in place and assessment work has taken place, does the tank have to be removed or can additional assessment work be conducted?
A. No, the tank and associated work as described in Task 2.500 is to be completed before any additional work is to be conducted unless the tank can not be removed as indicated by the notes following Task 2.500.
8. Q. Can 6.173 be used for deed recordation when contamination is documented offsite?
A. Only if the Department has requested that a surveyed plat map be generated and the proposed land use restrictions are going to be applied to more than just the subject property.
9. Q. Are bids required for drilling if the drilling is projected to exceed \$2,000?
A. Bids are not required for those drilling tasks with a maximum rate.
10. Q. Is it required to use 2.600 and 2.610 for LSAs or can individual task codes be used?
A. For non-regulated tanks, only 2.600 and 2.610 may be used for LSAs. If well depth is more than 25 feet, then the appropriate drilling task code and 4.090 may be used for the drilling and analyticals above the SOW for tasks 2.600 and 2.610.
11. Q. What if my assessment work is not completed before March 1, 2003?
A. Assessment work in progress before March 1, 2003 but not completed will be allowed 60 days past the 1st of March for completion and receipt of the report to the regional office. If the report is not received within 60 days of the 1st of March, then the assessment activity will be claimed under the new rates. If you are waiting on an eligibility determination prior to conducting any work, this will not allow you to conduct assessment work under the 1998 RRD. Work is to continue and be completed within 60 days of the 1st and the report received by the regional office. **(Deadline has past. This is no longer valid.)**
12. Q. Does the use of drums for soil cuttings during drilling require pre-approval?
A. Yes. Soil cuttings are to be spread onsite or stockpiled onsite rather than be placed into drums. If drums are to be used, a justification for them must be submitted to the regional office prior to use.
13. Q. If the invoice amount is less than the maximum rate can the maximum rate be charged?
A. No, the Trust Fund will reimburse the lesser of the two amounts. To charge more than the actual invoice amount constitutes fraud.

14. Q. Is there a task for the movement of drums?
A. No.
15. Q. Where should replacement of sorbent socks be placed?
A. Task 2.281.
16. Q. Where are monitoring/recovery well permit fees charged to in the RRD?
A. Task 8.100 but must be accompanied by the invoice from the agency requesting them.
17. Q. For well abandonment, Task 3.399, if the driller is not using a drill rig or the well was installed by hand, can the driller charge for mileage?
A. Yes, under Task 12.010 and up to a maximum of 250 miles.
18. Q. What is the cost for operation and maintenance during an MMPE event?
A. The consultant may charge for 4 hours of supervision of their subcontractor for the first and last day of the MMPE event at the scheduled maintenance rate. The actual O&M for the MMPE is reimbursed at \$2200. If the main consultant conducts the work themselves, then they can not charge for supervision of the event and the O&M of the MMPE is still \$2200. **(Effective February 1, 2004).**
19. Q. Can deed recordation for the purposes of selling the property be reimbursed?
A. No. Deed recordation is reimbursed from the Trust Fund for the purposes of closing out the site and removing it from the Fund.
20. Q. If onsite equipment (wells, remedial systems, etc.) are damaged in the course of conducting additional work or are damaged due to vandalism or acts of nature, are these costs reimbursable?
A. No.
21. Q. What does Task 3.350 cover?
A. The cost to survey the first five wells at a site, not each well up to five. For example, you survey 7 wells at a site, you would claim \$248 for the first five and then \$81 each for any above five. In this case the total reimbursed would be $\$248 + \$82 * 2 = \$410$.
22. Q. Dose direct push soil sampling go under Task 3.111?
A. Yes.
23. Q. What task do I use for bidding when it is required?
A. Bidding, unless otherwise specifically stated, is to use Task 1.060. This is per task requiring bidding and not per bid. If you need to bid a single task, then you are reimbursed \$400 for the bidding, not $\$400 * 3$ (number of required bids).
24. Q. Are any markups allowed?
A. No. No markups are to be applied to any tasks, bids or invoices. If indicated, this constitutes fraud.

25. Q. How will corrections to the RRD be made?
A. If corrections or clarifications need to be made they will be posted on the Frequently Asked Questions Section of the webpage and a revised RRD page will be posted under the "What's New Section" of the webpage for downloading. The page will have a version date and version number noted on it.
26. Q. What do I do if I intersect the water table during tank removal of non-regulated tanks?
A. Task 2.500 calls for the removal of a minimum of 6.8 tons of soil at the time of tank removal. If the water table is intersected at the base of the excavation, remove any contaminated soil evident along the sides in accordance with the SOW. Take the samples in the side walls of the tank excavation. No sample will be taken from the tank bed. Since the water table was intersected and contamination was apparent, it will be necessary to conduct an LSA Phase I at the site.
27. Q. What is the frequency of claim submittals?
A. Claims may only be submitted once per quarter per site. Only if a claim exceeds \$20,000 may it be submitted at any time. Multiple pre-approvals may be submitted within any claim, but the pre-approval is closed in the claim for which it is submitted. If a claim comes in with a pre-approved task that is uncompleted, thorough justification must be provided in the Project Summary or the claim will be returned. The UST Section reserves the right to return any uncompleted pre-approved claim. In order to accommodate the 1998/2003 RRD crossover, the UST Section will allow the submittal of one 1998 and one 2003 claim per site for the second quarter only (March 1 - June 30, 2003). **(This has been repealed by an August 11, 2003 memo.)**
28. Q. What information is to be included in the Project Summary in the claim package?
A. The information that is listed at the top of the Project Summary Page as well as a thorough breakdown of costs if the claim package contains non pre-approved and pre-approved work. Any discrepancies found within the claim that can not be answered by the Project Summary will result in the non-reimbursement of that task or return of the claim for correction. If "non-traditional" work has been conducted, include all correspondence from the regional office and/or central office authorizing or describing the work to be conducted.
29. Q. Can the consultant requesting bids do the work for the lowest bid amount?
A. Only if that consultant was the winning bidder. If the lowest bidder retracts their bid, a letter of explanation for the retraction must be sent to the Trust Fund prior to pre-approval of the requested bid item for a determination of the reimbursable cost.
30. Q. Is the price for a well permit in Task 3.080 per well or per permit for all the wells at a site?
A. Task 3.080 Procure Well Permits - The price is per site up to a maximum of \$251.00 regardless of the number of wells. Please make this correction to your Price List,

Primary Form and Page 17 of your RRD.

31. Q. What is the total well footage included in the LSA Phase II, Task 2.610?
A. Task 2.610 includes the installation of four additional wells. As it is worded now it implies five. One Type III and three Type II wells are to be installed since one well from the Phase I is already installed. Each of these wells to 25 feet for a total footage of 100 feet. If the total well footage for any one well exceeds 25 feet, then that footage in excess of 25 feet may be claimed under the appropriate task code for the size of the well installed as long as the total footage for all the wells is in excess of 125 feet.
32. Q. Does the installation of a remedial system require certification?
A. Yes. Please modify the following task codes or download the updated SOW for the 2003 RRD with the following:

7.015

Design/Specify Remediation System(s): SOW includes data evaluation of site parameters and information obtained from pilot tests. This SOW requires the consultant to prepare design drawings and equipment specifications for a turnkey remediation system or systems. This includes certification that the system that is approved is installed as designed. When requesting reimbursement for the approved remedial system, the completed certification form must be included with the reimbursement claim. The maximum rate for one technology is \$3,000; each required additional technology has a maximum rate of \$2,000.

7.081

Field Supervision of Remedial System Installation and Startup: SOW includes project management and field coordination. SOW also includes one person, with mileage to oversee the installation performed by a subcontractor not to exceed 8-hours of field time and/or 5-hours of travel per week with the exception of the initial start date of the installation and the completion date of the installation. Time starts from departure from the office and must be included on the secondary form and travel time will only be reimbursed up to a five- (5) hour roundtrip. Please complete and attach Secondary Form 2D. Price is per hour.

The certification form has been included with this document and can be located on the UST Section website under 2003 Reasonable Rate Document Forms and is included with the RRD secondary forms. Please make sure to complete the bottom of the form that asks for the regional office name, location, and telephone and facsimile numbers.

North Carolina
Department of Environment and Natural Resources
UST Section's
Remediation System Construction and Installation Certification

Name and Complete Address of Engineering Firm: _____

City: _____ State: _____ Zip: _____

Telephone Number: _(_____)_____

PROFESSIONAL ENGINEERS CERTIFICATION:

I, _____, attest that this design and installation for _____

has been reviewed by me and is accurate and complete to the best of my knowledge. I further attest through direct observation and review to the best of my knowledge that construction and installation has been conducted in accordance with the approved design, applicable regulations and accepted engineering practice. Although other professionals may have developed certain portions of this submittal package, inclusion of these materials under my signature and seal signifies that I have reviewed this material and have judged it to be consistent with the proposed design.

North Carolina Professional Engineer's Seal, Signature, and Date:

APPLICANT'S CERTIFICATION:

I, _____, attest that this certification for _____

has been reviewed by me and is accurate and complete to the best of my knowledge. I understand that if all required parts of this certification are not completed and that if all supporting information and attachments are not included, this certification package will be returned to me as incomplete.

Signature: _____ Date: _____

This completed certification, including all supporting information and materials should be submitted to the following address:

NORTH CAROLINA DIVISION OF WASTE MANAGEMENT - UNDERGROUND STORAGE TANK SECTION
REGIONAL OFFICE: _____
ADDRESS: _____
CITY, STATE, ZIP: _____
PHONE: _____
FAX: _____

33. Q. What is a good method of estimating soil removal tonnage?
- A. Determine the size of the excavation and then convert that into cubic meters. Take the volume that you have determined and use the average density of soil rather than the 1.5 multiplier to estimate the tonnage. The average density of a clayey-sandy soil is 2,000kg/cubic meter. In example, a 10' long, 10' wide, and 10' deep excavation is 1,000 cubic feet or 28.31685 cubic meters. Volume times density gives weight, $(2,000 * 28.31685 = 56,633.7 \text{ kg})$. Convert kg to tons, 62.42797 tons. Using the 1.5 multiplier times the volume in cubic yards would yield, 1,000 cubic feet = 37.037 cubic yards, $37.037 * 1.5 = 55.56 \text{ tons}$.