

Michael F. Easley, Governor
William G. Ross Jr., Secretary



April 5, 2001

To: Environmental Service Companies and Consultants
Subject: Policies for State Trust Fund Activities

This letter has been prepared to re-emphasize or clarify existing State Trust Fund policies in order to minimize unnecessary delays in the processing of Trust Fund reimbursement claims. Unless otherwise indicated, these policies have already been in effect.

GENERAL

1. Reimbursement is not allowed for costs to prepare appeals for claim reductions.
2. As a reminder, in accordance with N.C.G.S. 143-215.94E(e2) and 15A NCAC 2P .0402(b)(9), Trust Fund reimbursement **will be denied** if formal, written pre-approval or a written change order is required for a task but is not received from the Regional Office. Verbal preapprovals or verbal change orders are not sufficient for meeting this requirement.
3. Please remember that all submitted bids must be notarized by the vendor and not the main consultant. The vendor must indicate on his bid the date he received the request-for-bid package from the main consultant. Bids will not be accepted if obtained after the actual task was performed. If the main consultant wishes to perform a task that requires competitive bids, they must first prepare a complete and comprehensive set of bid specifications and plans. The main consultant must then provide their own quote for the entire work before sending it out to bid to other potential subcontractors. The date and notarization on the main consultant bid must pre-date all other subcontracted bids.
4. For tasks requiring bids where valid bids were not obtained, the Trust Fund will reimburse for the maximum amount allowed without bids if the work was performed correctly. For example, reimbursement of \$2,500 is requested for a task that required bids if the cost exceeded \$2,000. If no bids (or invalid or not enough bids) were obtained, then the Trust Fund would reimburse \$2,000.
5. With regards to the one claim per quarter policy, please be aware that the quarter or 3-month period for a site begins with the date that the last claim was received by the UST Section Central Office.
6. Please ensure that all technical documentation and reports relating to a claim has been submitted to the appropriate Regional Office at the time of claim submittal.
7. Please ensure that copies of signed pre-approval and change order forms are attached to the corresponding claim.

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SECTION 1

Task 1.010: Effective April 13, 2001, reimbursement of initial project review and setup is only allowed for a consultant who has taken over work at a site where activities have been performed by a previous consultant.

Task 1.030: This task is intended for the purchase of full-size tax maps or original maps. Effective April 13, 2001, page-size photocopies of maps are not reimbursable.

Tasks 1.050 & 1.060: Reimbursement for access agreements are limited to one agreement per one property owner for the duration of the incident.

SECTION 2

Tasks 2.081- 2.086: Written preapproval **must** be obtained from the appropriate regional office for aggressive fluid-vapor recovery (AFVR) after four AFVR events have been performed. The Division recognizes that the first four events constitute initial abatement measures while subsequent events represent cleanup or corrective action and therefore require preapproval in accordance with 15A NCAC 2P .0402(b)(9). Please be aware that reimbursement of the first four events will only be allowed if it is shown that the AFVR was reasonable and necessary.

SECTION 3

1. Tasks 3.050 & 3.060: Reimbursement of utility clearance costs is restricted to public service utilities such as natural gas, electricity, water, sewer, and telephone.
2. Task 3.090: Preparation of a drilling work plan is not allowed where either a hand auger or hand-held power auger is used.
3. Task 3.101: Supervision of drilling is not allowed where either a hand auger or hand-held power auger is used.
4. The mobilization charge for drilling applies to drill rigs, and is not allowed if only a hand auger or hand-held power auger is used.
5. Task 3.340: The maximum rate for a well abandonment report is \$110.00 and is inclusive of all wells abandoned during a given event. This rate is not multiplied by the number of wells abandoned.
6. Reimbursement is not allowed for the replacement of assessment and remediation wells that have been destroyed, unless the destruction was necessary due to the excavation of soil performed under an approved soil cleanup or corrective action plan.

SECTION 6

1. Task 6.030: A UST closure report is not required and will not be reimbursed for non-regulated USTs.
2. If multiple reports are combined into one report (e.g., a UST closure report and a 20-day report), reimbursement will only be made for the report with the higher maximum rate.

SECTION 7

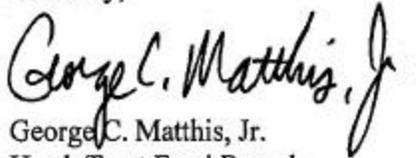
1. Tasks 7.201 & 7.221: Effective April 13, 2001, each visit to a site to perform scheduled or unscheduled maintenance must be documented on the attached "Scheduled/Non-Scheduled System Maintenance Checklist" (each site visit requires a separate checklist). The information required in this form represents the minimum amount of information necessary to justify maintenance activities conducted. If the required information is not included on the form or in another document, the state trust fund will not be able to reimburse system maintenance activities. Please refer to the scope of work for guidance on which activities are considered scheduled/non-scheduled maintenance. As a reminder, please ensure that written pre-approval is received from the appropriate Regional Office prior to performing scheduled and unscheduled maintenance.
2. Task 7.260: Please remember that electricity and telemetry (telephone line) costs associated with remediation systems must be preapproved in writing prior to the month or time period of service.

SECTION 12

Tasks 12.010 and 12.020: Please remember that travel time is included in the per mile rate. The secondary forms must include the associated task for the corresponding travel date.

Should you have any questions concerning this letter, please contact John Powers at (919) 715-4200 or Leann Ishak at (919) 715-6176.

Sincerely,



George C. Matthis, Jr.
Head, Trust Fund Branch
UST Section

Attachment

cc: Burrie Boshoff
Rob Krebs
Ruth Strauss
Trust Fund Branch
Regional Office Supervisors