

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



August 11, 2003

TO: All Environmental Service Providers and Companies

FROM: George Matthis, Head, Trust Fund Branch 

RE: Trust Fund Policy Updates and Clarifications - Effective Immediately Unless Otherwise Stated

Reimbursement Claims

1. As stated in the June 4, 2003 Q&A for the 2003 RRD memo, submittals of one 1998 RRD claim and one 2003 RRD claim in the same quarter ended on June 30, 2003. All work conducted after 3/1/03 must now be placed on the latest 2003 RRD claim forms (Version 1.1).
2. **Effective November 1, 2003**, only one claim per quarter (every 90 days) per site may be requested for reimbursement, regardless of the claim amount. The policy of allowing multiple pre-approvals in that claim still remains, as established by memo dated April 15, 2002, but remember that the pre-approval is closed in the claim in which it is submitted.
3. **Effective January 1, 2004**, Time and Materials claim formats will no longer be accepted. Claims for work conducted prior to the institution of the Reimbursement by Task format, before September 1, 1995, are to be placed on the 1995 RRD forms and are to follow the requirements set forth in the 1995 RRD for invoices and supporting documentation.
4. Claims are to be submitted in chronological order of the date that work was done. If you are submitting a claim that covers multiple years and multiple rate document forms, then you must fill out each rate form appropriately and submit the claims in accordance with the one claim per quarter policy. For example, if your original claim covers from January 1, 1991 through January 1, 2003, you would have four (4) different claim formats (conforming with number 2 and 3 above) to complete and submit over a five quarter period.
5. As stated in the 2003 RRD and as policy for all other claim formats, if a claim is submitted that is incomplete, it will be returned to you for completion. Upon resubmittal to the State Trust Fund, it will be placed in line for processing based on the date it was received by the State Trust Fund as complete.
6. When determining if overnight lodging is appropriate, if the roundtrip mileage expense exceeds the posted overnight lodging, then multiple consecutive trips will not be reimbursed. For example, when using the 2003 RRD, mileage to the site is 190 miles and you are supervising drilling one day and sampling the next. Roundtrip mileage twice is $380 * \$1.30 = \494 . Roundtrip with overnight stay $190 * \$1.30 + \$85 = \$332$. It is your responsibility to plan your site work accordingly.

Division of Waste Management/UST Section
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1. When submitting the 2003 RRD Claim Forms please be sure to have the claim arranged in the following order:
 - All six pages of the Primary Forms in order
 - Project Summary
 - Certification of Costs
 - All pertinent secondary forms/invoices/receipts in numerical sequence by Task Code Number
 - Pre-approval / Claim Authorization Form
 - Main Consultant/Contractor Invoices and Proof of Payment
 - Any additional information necessary to support the claim.

Appeals

1. The appeal process is designed to allow additional explanation of reimbursement reductions and/or to bring accounting errors made by the State Trust Fund to our attention. If the appeal is for an accounting error, it will be handled by Trust Fund Branch accounting staff. If the appeal is for a technical reduction made by regional office staff, then a detailed explanation will need to be provided and the appeal will be reviewed by technical staff in the Trust Fund Branch in concurrence with the regional office incident manager, as specifics dictate.
2. Only one appeal request may be submitted per claim. It must include the claim number, the task codes for **all** items that are being contested, the total dollar amount of the appeal request and a valid explanation to refute the reduction along with any required documentation to support the appeal. If the appeal is for a reduction related to a report not received by a regional office, the report should be submitted to the regional office prior to filing the appeal. Both the responsible party and the consultant must sign the request for appeal. Any further requests for reconsideration of reductions must be in the form of a request for final agency decision. A request for final agency decision may only be submitted by the tank owner, operator or landowner.
3. An appeal to an existing claim cannot be used to insert items left out of the claim. If you discover that items were left out of the claim and review of the claim has not been initiated by Trust Fund Branch staff, you may request that it be returned for correction. Upon resubmittal to the State Trust Fund, it will be placed in line for processing based on the date it was received by the State Trust Fund as corrected.
4. An appeal for costs that were not included in a **closed** claim (a claim for which an audit letter has already been sent to the claimant) will not be processed and will be returned.
5. An appeal may not be submitted prior to the issuance of an audit letter for the claim in question.
6. An appeal for task reductions that exceed the posted maximum rate will not be allowed unless the reduction is an accounting error by the State Trust Fund.

Thank you for your cooperation. If there are any questions, please do not hesitate to contact me at (919) 733-1332.

Cc: Grover Nicholson
Rob Krebs
Ruth Strauss
CO STF Staff