

MA UST PROGRAM
INTERNAL CONTROL
MANUAL

Last Updated February 26, 2004

This manual is intended to provide general guidance to claims processors to help promote consistent claims processing. The information contained in this manual should help users make processing decisions for the most commonly encountered claim situations. Its primary use will be as a reference for claims processors and a learning tool for new processors. The following apply:

1. The intent of the manual is to serve as general guidance for processing the common claim.
2. Abnormal situations or claim specific conditions that do not fit the common mold should be referred to 21J for guidance.
3. The manual is intended to be a training tool for new colleagues and a reference for others.
4. Directives from 21J will always take precedence over any general guidance provided in this manual.

TASK CODES

1.0 LABOR (Codes 1.1 through 1.14)

Labor rates only apply to tasks that are not described in the fee schedule and serve as guidelines for determining reasonable and cost effectiveness of rates being charged. For example, task 1.0 codes might be used for Emergency Response activities that are deemed necessary by the 21J for the immediate response actions taken at the initial release/spill of eligible petroleum product. The Claimant must provide documentation for all activities (e.g. time sheets, time and materials sheets, site plan, and proof of payment, i.e. copy of canceled check (front and back), Contractor/Payee Certification on contractor/payee letterhead or other documentation acceptable to the Board) with each Request for Reimbursement.

Costs directly related to the Response Actions incurred by an employee of the Owner or Operator will be reimbursed at not more than the hourly rates listed under Task 1.0 for the Labor category applicable to the level of effort provided by the employee for Tasks 2-28. The hourly rate to be reimbursed for the employee of the Owner or Operator providing services directly related to the Response Actions shall be calculated as the product of 1.33 times the employee hourly salary. A copy of the employee pay stub must accompany all time sheets submitted for reimbursement consideration by the Board.

On the fee schedule effective 09/01/2001, The \$125/hour 1.2 Task Code may be used (as the note on XVI states) for LSP's, PE's CPG's and CIH's who have more than 8 years experience. Anyone not possessing the respective certifications cannot claim beyond \$90/hour. If you are not sure whether a person possesses a particular license or certification, and 8 years experience, you should request specific verification during RFI stage. Moreover, review of the claims should also encompass whether the work being claimed is rationally related to the professional doing said work. In other words, we should not be paying \$125/hour for a PE to perform sampling when that is generally performed by a technician or scientist.

Additionally, you should not be reimbursing a Principal where that Principal possesses none of the above referenced licenses or certificates.

If a Claim contains charges for a Phase Report where it appears that there are two separate and distinct entities charging for Labor Codes such as an LSP, Sedgwick review should focus on whether there is a duplication of effort. If efforts appear to be duplicated, charges should be denied accordingly.

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Reimbursement Fee Schedule Claim Submission Guidance Document Task Codes 1.1 through 1.14 Labor Categories

The labor rates presented in Task Codes 1.1 through 1.14 apply to tasks that are not specifically defined in the Fee Schedule. An example of such tasks would be those associated with Emergency Response Actions.

The labor rates also serve as guidelines for determining reasonableness and cost-effectiveness of labor rates being charged as part of Task Codes 2 through 29 of the Fee Schedule, as well as labor rates charged by subcontractors under the Bid Task Code.

The Claimant must provide adequate documentation to support reimbursable charges, including time sheets, field records, etc. for all activities, in addition to the normal reimbursement claim documentation (proof of payment, Notice of Responsibility, etc.).

Costs directly related to the response action(s) incurred by a qualified employee of the Owner or Operator will be reimbursed at not more than the hourly rates listed in Task 1 for the labor category applicable to the level of effort provided by the employee. However, the hourly rate to be reimbursed for the employee of the Owner or Operator shall be calculated as the product of 1.33 times the employee's hourly rate. Detailed time sheets verifying the work completed and employee pay records must accompany all claims for reimbursement for an employee of the Owner or Operator.

Labor categories claimed for specific tasks in the Fee Schedule should reasonably reflect the technical and experiential requirements for the task at hand. For example, the majority of field tasks such as groundwater sampling are typically conducted by technicians and scientists. The more senior task codes are typically involved with coordination, data review and reporting of such field work. Work performed by an LSP or PE involved with conducting a field activity, may be reimbursed within the Task maximum applicable to Task codes 2 through 29 of the Fee Schedule, provided there is no duplication of services provided.

2.0 REPORTS **(Codes 2.1 through 2.29)**

This subheading includes task codes for report writing, file review fees associated with report writing, and public involvement. Reports contained under this heading include MCP required reports such as the Phase Reports (one through five and their associated status and completion reports), IRA and RAM Reports (and their associated status and completion reports), Class A through Class C RAO Reports, Numerical Ranking Scoresheets (initial and rescoring), permit modifications and additional Interim Measure, Short Term Measure and Waiver Status Reports. Charges that should be associated with these reports include data evaluation, research and preparation of the actual report. Charges do not include time and materials for field work (drilling, sampling, etc.) or lab analysis which will be discussed in the reports. Combined IRA or RAM Plans and Completion Reports task codes can also be utilized based on the reports provided as backup. All public involvement charges can also be claimed under this heading. This section also notes in the fee schedule that client/consultant review and police detail are not reimbursable in this program. Sites are required to perform a risk assessment as part of a Phase II and as part of an RAO. Reimbursement of second assessment is based on differing Methods used. The Substantial Hazard determination required as part of a Class C RAO should not be recoded to 2.23, the Immediate Hazard evaluation. The IHE can only be claimed in conjunction with an IRA.

Reports should include the following:

- Text, tables, graphs, lab analysis and any additional attachments to the report
- DEP transmittal forms and/or certified mail receipt indicating the report was sent to the DEP
- Status reports submitted more frequently should be accompanied by a DEP letter requiring the more frequent status reports
- If reports are not completed at the time of request, consultant should indicate (and Sedgwick CMS should ask) the expected completion date
- Backup for public involvement charges should also be provided in the form of letters or draft for public comment report.

Please note that Addendums are subject to review by the 21J Staff engineer and may be deemed ineligible. *Costs for these addendums may be deemed ineligible if they are 1) deemed not cost effective by the 21J engineer, 2) not a requirement of the DEP and/or 3) not demonstrative of new information (e.g. new release or information that could have and/or should have been included within the original report).* Phase II Addendums C2.4.1 are to be reviewed by the 21J staff engineer and, as a guide, are to only be allowed if there is a new reporting/release at the site.

2.0 REPORTS (Continued)

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Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 2.1 through 2.29 Proof of Report Submissions

When seeking reimbursement for reports under Task Codes 2.1 through 2.29, proof of delivery to the Department of Environmental Protection (DEP) shall be demonstrated utilizing any of the following:

A copy of the DEP Transmittal Document and proof of delivery utilizing one of the following items:

1. A copy of the transmittal document bearing a DEP “received” date stamp
2. Return Receipt from US Mail or proof of delivery from other type of courier service
3. Electronic receipt verification from the DEP
4. Screen print of report status utilizing the DEP database
5. Documentation must reflect the DEP Release Tracking Number
6. If reports are not completed at the time of request, claimant shall indicate the expected completion date

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Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 2.1.2 File Review Fees

Claimants seeking reimbursement for copying fees pursuant to Task Code 2.1.2 shall provide a receipt from the State Agency or Local Municipality that said copying expenses were incurred by the Claimant and paid to the State Agency or Local Municipality.

Labor to perform the file review shall be Claimed under the applicable report Task Code.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.4
Phase II Per 310 CMR 40.0830**

Risk Characterizations pursuant to Task Code 2.12, which are performed in conjunction with performing a Phase II pursuant to Task Code 2.4, shall not be considered part of the Task Code 2.4 maximum.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.12.4
Feasibility of Permanent Solutions; Feasibility of Restoration to Background
Pursuant to 310 CMR 40.0860 and 40.1020**

Costs incurred with respect to performing Feasibility of Permanent Solutions; Feasibility of Restoration to Background pursuant to 310 CMR 40.0860 and 40.1020 utilizing Task Code 2.12.4 may be claimed in addition to Task Code 2.6 or in addition to Task Codes 2.13.2 and 2.13.3.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.16
Minor Permit Modification Pursuant to 310 CMR 40.0725**

This Task Code shall be utilized solely for Sites characterized as Tier I under the Massachusetts Contingency Plan (MCP) and not where there have been changes to Tier II Permits under the MCP.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 2.25, 9.7 and 9.8
Surveying with respect to Activity and Use Limitations**

When seeking reimbursement for an Activity and Use Limitation pursuant to 310 CMR 40.1000, surveying may be claimed under Task Codes 9.7 and 9.8 in addition to those charges reimbursed under Task Code 2.25.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.28
Public Involvement**

When seeking reimbursement for Public Involvement pursuant to Task Code 2.28, one of the following shall be provided with respect to costs incurred associated with the Public Notice:

A copy of the document(s) (e.g. letters) used to provide notification or information
A copy of the legal notice(s) with receipt(s) (Including Release Tracking Number, Job # etc.,)

If the copy of the legal notice and receipt is included in a report, then the Claimant shall, specify separately as part of the Appendix 4 which report and page number the information will be found.

When claiming personnel costs¹ related to public involvement whereby the personnel is not performing duties associated with a written document, employee timesheets² describing work performed shall be provided with the Reimbursement Application.

¹Employee office time shall be submitted with phone logs or other supporting documentation which delineates/explains the duties performed.

²Phone logs, office notes or other supporting documentation may be supplied in lieu of timesheets.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.12
Risk Characterization Per 310 CMR 40.0900**

The MGL c21J Program will reimburse for Risk Characterizations submitted solely in connection with a Phase II (310 CMR 40.0835) and a Response Action Outcome Statement (310 CMR 40.1056).

Method 3 Risk Characterizations performed in response to indoor air sampling in accordance with the Massachusetts Department of Environmental Protection's EPH/VPH Guidance Document¹ will be reimbursed as Imminent Hazard Evaluations, task code 2.23, per sampling event.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.13
Response Action Outcomes Pursuant to 310 CMR 40.100**

The MGL c21J Program may reimburse up to two permanent solution Response Action Outcomes (RAOs) provided, that the second RAO is an upgrade in RAO Classification,, e.g. from a Class A-3 RAO to a Class A-2 RAO.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 2.4.1
Phase II Addendum**

Task Code 2.4.1 may be used where there has been a second Release at a Site and where a Phase II report has been submitted for the eligible release for that site, but a Permanent RAO has not yet been submitted for the eligible release.

¹ Characterizing Risks Posed by Petroleum Contaminated Sites: Implementation of the MADEP VPH/EPH Approach, October 31, 2002, Policy #WSC-02-411

3.0 HEALTH AND SAFETY PLAN **(Codes 3.1 through 3.7.2)**

Task code 3.1 is reserved for the preparation of a Health & Safety Plan (H&S Plan). As outlined in the 09/01/01 fee schedule, the Health & Safety Plan is to be site specific, “shall cover all activities serviced and or/performed at a petroleum contaminated site,” and “be developed from a general health and safety plan modified for the specifics of the site and each task to be performed.” Charges for the Health & Safety Plan are most often seen in the early stages of a claim’s submission. Although the Health & Safety Plan may be included within the Phase II or Phase III Reports, it is usually generated as its own document. The standard backup that the Sedgwick adjuster expects when 3.1 charges are claimed is the H&S Plan document which includes the following (as described in the 09/01 fee schedule): organizational structure for site activities, brief site history, hazard analysis for each task to be performed, employee assignments, description of site control methods, decontamination methods, emergency response plan and emergency phone numbers, site plan and hospital route. Be advised that the site is limited to only 1 initial Health & Safety Plan for Fund reimbursement. Thus, for those sites that undergo a change in consultant and subsequent new H&S Plan, the 21J will not provide additional reimbursement of an initial H&S Plan, rather this is considered an update (refer to task 3.2). Once the H&S Plan has been submitted, it is the responsibility of the Sedgwick CMS adjuster to monitor the dates of service of future 3.1 charges.

Task code 3.2 is reserved for the update of the Health & Safety Plan. The update must bear a different date than that found on the original H&S Plan, hence, “update.” The H&S Plan update must follow the same guidelines as issued for the H&S Plan, and be site specific, “shall cover all activities serviced and or/performed at a petroleum contaminated site,” and “be developed from a general health and safety plan modified for the specifics of the site and each task to be performed”. The standard backup that the Sedgwick adjuster expects when 3.2 charges are claimed is the H&S Plan Update document. The update usually bears similar information as found in the original H&S Plan. An update is warranted when new remedial activities occur at the site. For example, if drilling is introduced at the site for the first time, a H&S Plan Update describing safety parameters for the drilling activities would be allowed. *According to the 09/01/01 fee schedule, only 1 update is eligible for reimbursement.* Once the H&S Plan update has been submitted, it is the responsibility of the Sedgwick adjuster to monitor the dates of service of future 3.2 charges.

Task Codes 3.3, 3.3.1, 3.4, 3.5 are reserved for the Level A, B and C Personal Protective Equipment that is used in emergency response situations. Equipment includes protective suits, breathing apparatus and other protective gear. Note that this task code is used infrequently.

Task Code 3.6 is reserved for confined space entry equipment. As described in the 09/01/01 fee schedule, “all work is to be performed in accordance with 310 CMR 40.0000 and OSHA regulations. The applicant must provide the Board a copy of all completed confined space entry permits.” Note that this task code is used infrequently.

Task Code 3.7 (3.7.1, 3.7.2) is reserved for air monitoring of petroleum product-derived air contaminants. Eligible activity under this task code is the labor to conduct air monitoring, field screening and supervision. Per the 09/01/01 fee schedule, this is to include: PID,

oxygen/explosion meter, toxic gas monitoring and/or sampling equipment (air pump and calibrator), sample jars or bags, sampling incidentals, color metric sampling equipment, sample collection, sample preparation, sample logging, sample storage, transportation of samples to laboratory, subcontractor coordination, field preparation, travel time and vehicle expense. Note that the chief consultant for the site performs most air monitoring. Air monitoring may be conducted on site at any time. Areas on site that are often screened are man-way/manhole drains, utility trenches, station buildings, UST island piping and or kiosk. The standard backup that the Sedgwick adjuster expects when 3.7.1 or 3.7.2 charges are claimed is time sheets indicating that air monitoring occurred and or dated field notes that specify the areas screened and the results of screening. It is also recommended that the claimant/consultant supply a time and materials summary sheet indicating the materials (i.e. truck, PID, sample jars) used during screening. The claimant/consultant is allowed the full day task maximum if more than 5 hours of screening occurred on 1 day (task 3.7.1). The claimant/consultant is allowed the half day task maximum if less than 5 hours of screening occurred on 1 day (task 3.7.2).

4.0 PRE-FIELD AND PROJECT IMPLEMENTATION ACTIVITIES (Codes 4.1 through 4.3)

Pre-field drilling activities are important prior to on/off-site drilling of wells for the proper development of a sustainable field investigation program. These activities consist of supervision and coordination of field activities, site visit and dig safe. Supervision and coordination of field activities include the scheduling with personnel conducting field activities including the subcontractor. A site visit prior to the drilling event may be necessary to design a site-specific well network. Also, prior to drilling a dig safe event may be needed to mark all utilities. One occurrence of each pre-field and a project implementation activity is allowed per drilling event.

4.1 and 4.2 are for DRILLING events only, whereas a 4.3 digsafe may be required for trenching activities as well.

Field Coordination Policy September 10, 2002

MGL c21J Policy for Drilling and Oversight And Coordination Time Related to a Field Event Task 4.1 Pre-Drilling Activities

All services claimed must have a Date of Service prior to the event. Can include administrative time if required to generate work orders, etc.

Task 4.2

Site Visit

Site visit must be the day of or after the event.

Task 4.3

Dig safe

Services generally before the event. Site visit associated with markings must be prior to event. Dig safe charges may include pre-marking activity. Occasionally, charges may occur on the day of the event.

Task 8.2.1, 9.2.1, 19.2.1.

Drilling oversight

Includes the person doing the oversight charges on the day of the event, prep time before the event, breakdown time after the event. It may also include time allocated to employees performing duties in the office which are related to the event on the day(s) of the event.*

**Employee office time shall be submitted with phone logs or other supporting documentation which delineates the duties performed.*

When Claiming personnel costs related to a field activity whereby the personnel is not performing duties in the field, employee timesheets describing work performed shall be provided with the Reimbursement Application.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document**

Task Code 4.1 Pre-drilling Activities

Task 4.1 is to be allowed for scheduling of field activities for drilling with personnel conducting field work and any other support, operations, (e.g. driller, and site owner/operator). This will include phone calls and can include administrative time if required to generate work orders, etc. All services claimed must have a date of service prior to the event.

Preparation time for the actual oversight event (e.g. ordering of sampling bottles, gathering up supplies, loading the trucks, etc.,) should be claimed under the 9.2, 8.2, and/or 19.2 task codes.

When claiming personnel costs related to a field activity whereby the personnel is not performing duties in the field, employee timesheets describing work performed shall be provided with the Reimbursement Application.

5.0 OFF-SITE ACCESS (Code 5.1)

Off site access is required when it is necessary to conduct activities on property other than the actual site to aid in determining extent of contamination. This task code includes costs for labor, material and documentation required to obtain access to off-site properties. There is only one task code listed under this subheading, 5.1 for the off-site access letter.

When determining eligibility of charges, we require a standard one-page access agreement letter that is sent out to the property owner. If verbal only permission is granted for access to the off-site property, we require phone logs to verify calls made to the property owner. The agreement letter must be provided for reimbursement purposes. Even if access to this off site property has been denied, charges are still eligible as long as an attempt was made to gain access. The maximum amount allowed is based on a per property basis. Only one task max is allowed per property, no matter how many access agreements were sent to the same property owner or how many times access is needed for the property.

**6.0 EXCAVATED SOILS MANAGEMENT/HANDLING/REPORTING/SHORING
LABOR & BIOREMEDIATION
(Codes 6.1.1 through 6.10)**

All excavated soils must be managed in accordance to 310 CMR 40.0000. Includes all fieldwork, equipment, and labor. The maximum volume of soil eligible for reimbursement per site has been 2,500 tons under the fee schedule from 05/12/94 to 06/30/00, 5,000 tons under the fee schedule effective from 07/01/00 to 08/30/01, and 8,000 tons under the fee schedule effective 09/01/01 on, regardless of disposal/recycling method selected. Evidence of samples taken must be provided to document the occurrence of excavated soil field monitoring. A full day is reimbursed if more than 5 hours of excavated soil field monitoring occurred on 1 day (6.1.1). A half day is reimbursed if less than 5 hours of monitoring occurred on 1 day (task 6.1.2). Copies of Bills of Lading or Hazardous Waste Manifests and weight slips are to be attached to all invoices submitted for soil disposal/hot recycling, cold recycling, or lined landfill. Prep. Time for these documents, review of lab results for waste characterization, or contractor/client coordination is eligible under 6.2.

Shoring labor is found under 6.1.3 and 6.1.4 in relation to soils excavation.

Bioremediation under 6.7 must include a site plan attached to each application for Reimbursement Form when submitting expenses for bioremediation response activities. The site plan shall be delineated to show the horizontal area of soil and/or groundwater to be bioremediated. The depth of soil and/or groundwater to be bioremediated shall be indicated on the site plan. Then, the calculations shall be provided for the volume, in cubic yards, of soil or groundwater to be bioremediated. If a Bioremediation Feasibility Bench Scale Evaluation and Report for either groundwater or groundwater and soil are prepared, they are to be claimed under 6.7.1 and 6.7.2, respectively. Oxygen filter socks on a per foot basis and ORC Oxygen Release Powder/Compound on a per pound basis can be purchased separately from the bioremediation task code under 6.85 and 6.9 codes in relation to 6.7 bioremediation. Bioremediation Ex or In-Situ treatment includes all labor, material, equipment, bacteria, nutrients, water, and other ingredients necessary for the bioremediation application. Charges may include labor for the application event, site supervision, subcontractor coordination, purchase of application materials, prep. time, and travel time. Note that surfactant agents that are applied and extracted via vacuum, are not to be considered bioremediation under the task (ex. Biosolve). They are best coded to the monthly EFR, task 28.18.4.3. Chem-Ox usually related to Hydrogen Peroxide injections is to be allowed under MISC and excessive costs are to be referred to the 21J Staff engineer for audit.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 6.1
Excavated Soils Monitoring**

Task Code 6.1 may be utilized for charges associated with the person doing the oversight on the day(s) of soil excavation, as well as day(s) related to oversight of contaminated soil load out. The Task Code may include prep time before the event, breakdown time after the event. It may also include time allocated to employees performing duties in the office which are related to the event.¹

When claiming personnel costs related to a field activity whereby the personnel is not performing duties in the field, employee timesheets² describing work performed shall be provided with the Reimbursement Application.

¹Employee office time shall be submitted with phone logs or other supporting documentation which delineates/explains the duties performed.

²Phone logs, office notes or other supporting documentation may be supplied in lieu of timesheets.

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Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 6.2 Excavated Soils Management

This Task Code may be used for work associated with any media disposed of requiring a Bill of Lading (BOL)², waste manifest or material shipping record, provided that the material is contaminated with a Petroleum Product as defined by 503 CMR 2.00.

Task Code 6.2 shall be utilized when seeking Reimbursement for Excavated Soils Management. Reimbursement shall be allowed for work prior to the date of the latest Bill of Lading. Work performed after the date of the latest Bill of Lading will be allowed provided, the Claimant sufficiently demonstrates that the work performed was directly related to management of the Bill of Lading pursuant to the Massachusetts Contingency Plan.

² Where the media has been transported via straight Bill of Lading, analytical results shall be provided.

7.0 PORTABLE G.C.
(Codes 7.1 through 7.2)

This task code includes the use of portable gas chromatography for on-site chemical analysis and includes the following: operator, equipment, travel time and vehicle expense within a 50-mile radius. Examples of equipment included under this task code include syringes, sample jars, regulator, and carrier gas. The analyses are limited to total volatile hydrocarbons or aromatics in air.

For reimbursement purposes, we require a copy of the report, which contains all the printed data and QA/QC procedure. There is a ½ day rate for 4 hours or less on site, a day rate for 8 hours on site, and a weekly rate for five (5) or more 8-hour days on site. Tedlar bags are listed as a separate task code (7.1.5) with the unit of measurement as “each.” There are three (3) different prices for each, depending on the size of the tedlar bag. Passive soil gas sensors are listed as task code 7.2 with an “at cost” price.

8.0 DRILLING, SAMPLING AND GROUTING OF SOIL BORINGS (Codes 8.1.1 through 8.6.3)

This task heading is used for the advancement of soil borings only. If a soil boring is advanced and subsequently turned into a well, the above task codes cannot be used. A mobilization/demobilization cost includes portal to portal travel for all drilling methods (exception 28.18.4, see task code) and includes a steam cleaner. These charges can be reimbursed as a lump sum and do not require further breakdown. The quantity of mob/demob is per event, therefore, if there was drilling by the same company on 2 or more consecutive days, only 1 mob/demob event will be allowed because this is considered 1 event by the 21J. Half-day drilling contingencies can include, but are not limited to, unanticipated soil conditions, inclement weather conditions, drilling mechanical difficulties, and injury and safety requiring upgrades on a per event basis. Drilling contingencies require a detailed explanation and backup supporting inability to complete borings. The quantity of oversight is determined by how many days or half days of drilling took place. All charges for sampling equipment, labor to conduct borehole logging, sampling incidentals and travel expenses should be coded to the oversight task codes. Drilling shall be completed by means and methods described in DEP WSC 310-91. The different drilling technologies include hollow stem auger, air rotary, rock coring and cone penetrometer. These technologies generally include drill rig, materials, labor, grouting, drums, drumming labor, general restoration of work area to original site conditions and decontamination procedures. In addition, sawcutting is included on a per foot cost and units are per boring which include steam cleaner. Within these methods of drilling, there are also different task codes that should be used if sampling was continuous or performed every five feet while the boring was advanced. Task codes should not be used cumulatively, but rather on a per foot per well basis and should be based on the correct inside diameter of the boring. Backup is necessary to support all drilling events. Outside purchases require subcontractor invoice support. Field notes, timesheets and expense reports can support soil boring oversight. For every drilling task code claimed (i.e. the task codes that define the methods used and type of sampling conducted), the proper footage of the boring(s) should be claimed as the quantity(s) and boring logs generated after the boring event must support all footage claimed.

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**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 8.2, 9.2, 9.2.1, 9.2.2, and 19.2
Oversight with Respect to Drilling Activities**

Project Oversight includes the person doing the oversight charges on the day of the event, prep time before the event, breakdown time after the event. It may also include time allocated to employees performing duties in the office which are related to the event on the day(s) of the event.¹

When Claiming personnel costs related to a field activity whereby the personnel is not performing duties in the field, employee timesheets² describing work performed shall be provided with the Reimbursement Application.

¹Employee office time shall be submitted with phone logs or other supporting documentation which delineates/explains the duties performed.

²Phone logs, office notes or other supporting documentation may be supplied in lieu of timesheets.

9.0 GROUNDWATER MONITORING WELL INSTALLATION AND SOIL SAMPLING
(Codes 9.1.1 through 9.7.2.2.4)

This task heading is used for the installation of groundwater monitoring wells with related soil sampling, surveying (unlicensed, professional and utility) and drafting. A mobilization/demobilization cost includes portal to portal travel for all drilling methods (exception 28.18.4, see task code) and includes a steam cleaner. These charges can be reimbursed as a lump sum and do not require further breakdown. The quantity of mob/demob is per event, therefore, if there was drilling by the same company on 2 or more consecutive days, only 1 mob/demob event will be allowed because this is considered 1 event by the 21J. Half-day drilling contingencies can include, but are not limited to, unanticipated soil conditions, inclement weather conditions, drilling mechanical difficulties, and injury and safety requiring upgrades on a per event basis. Drilling contingencies require a detailed explanation and backup supporting inability to complete wells. The quantity of oversight is determined by how many days or half days of drilling took place. All charges for sampling equipment, labor to conduct borehole logging, sampling incidentals and travel expenses should be coded to the oversight task codes. Drilling shall be completed by means and methods described in DEP WSC 310-91. The different drilling technologies include hollow stem auger, air rotary, mud rotary, drive and wash, hydropunch (or equivalent device), geoprobe, and vibratory hand held hammer (includes task for hand auger equipment). The hollow stem auger, air rotary, mud rotary and drive and wash task codes typically include drill rig, materials, labor, grouting, drums, drumming labor, general restoration of work area to original site conditions and decontamination procedures. Within these methods of drilling, there are also different task codes that should be used if sampling was continuous or performed every five feet during well installation. Task codes should not be used cumulatively, but rather on a per foot per well basis and should be based on the correct inside diameter of the well. In addition to drilling, the geoprobe can also be used for bioremediation injection pumping and its task maximum also includes the injection equipment. However, labor to oversee this event should be claimed under the bioremediation task code. Use of the hydropunch, geoprobe and vibratory hand-held hammer for soil gas surveys includes the cost for all labor and equipment to perform soil, soil gas and groundwater sample collection. Backup is necessary to support all drilling events. Field notes, timesheets and expense reports can support well installation oversight. Outside purchases require subcontractor invoice support. For every drilling task code claimed (i.e. the task codes that define the methods used and type of sampling conducted), the proper footage of the well(s) should be claimed as the quantity(s) and well logs generated after the event must support all footage claimed.

There are three types of well surveys described under this task heading (unlicensed, professional and professional utility survey). Unlicensed and professional surveys can be claimed as either a half-day (up to and including 5 hours) or full day (up to and including 10 hours) event. Charges for unlicensed and professional surveys include mob/demob, labor and survey equipment. Both half day and full day well surveys have a corresponding drafting task code. Coordination for a surveying event should be included in the survey event task maximum and not counted as a separate event. All drafting must correspond to a surveying event. A document (usually a figure or a drawing) stamped by a Professional Land Surveyor and/or license of the PLS is required to

be eligible for reimbursement under the professional survey/drafting task codes. The drafting task maximum is a lump sum, however, all labor and incidentals must be supported by sufficient backup. Professional utility surveys include above and underground utilities, inverts, reference to NGVD (National Geodetic Vertical Datum) and drafting. A Professional Land Surveyor stamped drawing is required as supporting documentation for this task code.

UST Board Approval Date – 12/18/03

Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 9.7, 9.7.2.1.4 and 9.7.2.2.4 Survey Calculations and Drafting

The 9.7 Task Codes can be utilized for drafting associated with any surveying event. This drafting is generally associated with site feature base maps (property lines, buildings, monitoring wells, borings, etc.). Drafting associated with specific report requirements (water table maps, plume maps, etc.) shall be coded to the specific report in section 2 of the Reimbursement Fee Schedule.

Task Codes 9.7.1.1.3, 9.7.1.2.3, 9.7.1.2.4 and 9.7.2.2.4 must be associated with a specific surveying event.

UST Board Approval Date - 12/18/03

Reimbursement Fee Schedule Claim Submission Guidance Document Task Codes 8.2, 9.2, 9.2.1, 9.2.2, and 19.2 Oversight with Respect to Drilling Activities

Project Oversight includes the person doing the oversight charges on the day of the event, prep time before the event, breakdown time after the event. It may also include time allocated to employees performing duties in the office which are related to the event on the day(s) of the event.¹

When Claiming personnel costs related to a field activity whereby the personnel is not performing duties in the field, employee timesheets² describing work performed shall be provided with the Reimbursement Application.

¹Employee office time shall be submitted with phone logs or other supporting documentation which delineates/explains the duties performed.

²Phone logs, office notes or other supporting documentation may be supplied in lieu of timesheets.

UST Board Approval Date – 2/26/04

Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 9.5 Geoprobe or Equivalent Device

When utilizing this code for direct-push drilling services (i.e. monitoring well, soil, groundwater, soil gas, sampling air sparge points), all drilling labor and equipment for the installation is included in this task code. All materials associated with the utilization of a Geoprobe should be coded under Task Code 9.5.4.

Geoprobe oversight charges should be coded to the applicable daily oversight charge (Task Codes 8.2.1, 9.2.1 or 19.2.1).

When the consulting firm utilizes their own geoprobe drilling equipment, personnel labor time must be distinguished as either geoprobe operator or oversight time.

Field notes/sample logs/well logs must be provided to support all geoprobe charges.

Mobilization/Demobilization for this Task Code may be claimed under Task Code 8.1 or 9.1.

10.0 MONITORING/RECOVERY WELL DEVELOPMENT (Tasks 10.1 through 10.6)-

The initial development of a well and/or clearing of an obstructed well. The claimant/consultant can claim charges for initial well development (i.e. determining well functionality) under task 10.0 so long as it occurs independent of well installation, i.e. drilling. Well development activity that occurs on the same day as a drilling event is to be task coded under the respective drilling code, for example 9.3.1.1. Most well development occurs soon after a drilling event has been conducted. Per DEP WSC 310-91 (as referenced in the 09/01/01 Appendix 3), “Well development is a necessary step in the completion of most groundwater monitoring well installations. Development of a monitoring well helps to remove sediment and enhance the hydraulic connection between the well and the aquifer.” The DEP document further states that, “The objective of well development is to enhance the hydraulic connection between the well screen and the natural formation or fill by removing fine soil materials or drill cuttings and subsequently rearranging the natural and or artificial sand filter pack around the well.” Clearing of an obstructed well may be considered well development, however, the activities related to the clearing are usually performed on a much smaller scale. For instance, eliminating the obstruction may entail nothing more than hand-digging sediment from a well that has gone unsampled for 6 months. Costs related to well development activity that are eligible for reimbursement include oversight, drill rig, labor, materials, travel and steam cleaner task codes; and all development tools and labor/equipment necessary to develop a 2” to >26” well. The vacuum truck helps to suction out debris from the undeveloped and or blocked well. For disposal of this debris/liquid, the Appendix 3 references task codes **C28.18.4** and **28.18.5**. Please note that it is the responsibility of the Sedgwick CMS adjuster to receive backup (i.e. field notes) that clearly supports the initial well development and or clearing of the obstructed well(s).

UST Board Approval Date – 2/26/04 Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 10.1.1 through 10.6 Monitoring/Recovery Well Development

This Task Code may be used for well development activities of newly installed wells or for the redevelopment of existing wells, regardless of the date the development occurred. This Task Code should not be used on a regular basis to remove water containing sediment prior to a sampling event.

Documentation must be provided that distinguishes between well installation time (drilling contractor), oversight time (consultant) and development time (either by drilling contractor or consultant). Field notes and invoices must document labor hours worked to develop wells and must identify which wells were developed. Reimbursement will be based on the actual number of hours spent/documented for developing wells. Hourly rate also includes all materials and equipment.

Field notes must be provided to support this activity.

11.0 GROUNDWATER GAUGING/BAILING AND SAMPLING (Codes 11.1.1.1 – 11.7)

The gauging/bailing and sampling of groundwater monitoring wells. Gauging/bailing and sampling of wells is performed to monitor both on and off-site conditions (i.e. spills, releases, plumes) as related to gasoline and diesel UST's. Gauging/bailing and sampling activities are often conducted throughout a site's remediation history (i.e. from Phase II Comprehensive Site Actions to Phase V Inspection and Monitoring Report activity). As documented in the Appendix 3, reimbursable expenses under task codes 11.1.1.1-11.7 include, "labor and equipment to perform inspection, gauging, sampling of wells and product bailing (if required), all sampling equipment, all gauging equipment, sample jars, sampling incidentals, sample preparation, sample logging, sample storage, transportation of sample to laboratory, travel time and vehicle expenses, instruments, and decontamination materials." Standard backup for groundwater gauging/bailing and sampling includes field notes and or equipment sheets. The field notes usually include the identity of the sampled wells in addition to all data gathered from the sampling event. Equipment sheets will document items used during the sampling event, i.e. a truck and pair of gloves.

All charges associated with travel for the gauging/bailing and sampling (i.e. vehicle rental, mileage) are to be coded to task 11.1.1.1. Please note that coordination and preparation charges for related gauging/bailing and sampling events are not to be coded under task 11.1.1.1. Rather, tasks 11.1.2.1-11.1.2.4 (1 - >40 wells) or 11.1.3.1-11.1.4.4 (1 - >40 wells <35 ft. deep, and 1 - >40 wells > 35 ft. deep) are to be used. For example, preparation of a work order for a sampling event involving 2 wells is to be coded under task 11.1.3.1. Equipment/material and labor charges incurred as a result of gauging are to be coded to tasks 11.1.2.1-11.1.2.4, and from sampling, tasks 11.1.3.1-11.1.4.4. Hand-bailing of wells is reserved under task 11.1.5. Field filtration of wells is to be coded to task 11.1.6. Field measurements (including DO, pH, turbidity, conductivity, temperature) are to be coded to task 11.1.7. Micropurging and sampling of wells (includes "low-flow sampling") is reserved under tasks 11.1.8.1-11.1.9.4 (1 - >40 wells <35 ft. deep, and 1 - >40 wells >35 ft. deep). **Note that for tasks 11.1.2.1 - 11.1.9.4, only GW gauging/bailing and sampling events of the same task code (bracket for # of wells) may be combined.** For instance, if 10 wells are sampled on 03/01/02 and 11 wells are sampled on 04/01/02, the 10 wells would be task coded to 11.1.3.1, and the 11 wells would be coded to task 11.1.3.2. If instead 10 wells were sampled on 03/01/02 and 10 wells were sampled on 04/01/02, then the events would be combined for a quantity of 20 wells under task 11.1.3.1. The claiming of lone equipment charges under tasks 11.2.1-11.1.9.4 is discouraged. All equipment charges should be accompanied by an associated field event. Only in cases where the claimant/consultant provides sufficient explanation as to why labor charges are not being claimed, and only when the adjuster can verify corresponding field time, is equipment alone, allowed.

Be advised that tasks 11.2 and 11.3, groundwater monitoring reports, were effective within the Appendix 3 only until 07/01/97. Task code 11.4 is for an additional person to sample monitoring wells in road due to safety considerations, and task 11.5 is for disposable bailers. Task code 11.6 is for surface water and/or sediment sampling; 11.6.1 is for labor and 11.6.2 is for equipment.

Task 11.6.3 is reserved for catch basin sampling. Task code 11.7 is for a ground penetrating radar survey. Although 11.7 charges are rarely claimed, note that an outside contractor will usually perform the radar survey.

12.0 AQUIFER PUMP TEST **(Codes 12.1.1.1 through 12.1.1.4)**

An aquifer pump test is a controlled procedure in which water is withdrawn from a well at a constant rate for a specified period of time. The water level in the well is measured at certain intervals before, during and after pumping. The proper task code to use is determined by the length of time the test takes place. There are 8, 12, 24 and 48-hour pump discharge tests. Charges are to be reimbursed on a lump sum/per event basis. The subtasks listed above include labor, travel, mob/demob of equipment, all coordination and preparation of the event, coordination of storage of extracted groundwater if necessary, and all data analysis, documentation and reporting. A maximum of 10 data points can be evaluated during any of the discharge tests. Other appropriate task codes in the fee schedule should be used for fluid disposal costs, laboratory analysis, carbon replacement, frac tank use, permitting or use of a portable gas chromatograph. A pump discharge test is performed for a specific reason; therefore, the test is typically referenced in other reports (e.g. Phase Reports or Status Reports). Additional backup that can be obtained to support an aquifer pump test include field notes to support the type of discharge pump test conducted and the report and associated documentation written after the discharge tests are complete.

13.0 RISING OR FALLING HEAD (SLUG) TEST
(Codes 13.1.1, 13.1.2)

This task code heading is used for the rising or falling head (slug) test. The slug test can be claimed as either a half-day (4 hours on site) or a full day (8 hours on site). Charges under this task code include mob/demob and decontamination, equipment setup & breakdown, travel, field prep (all labor and materials), and cleanup. In addition, charges associated with data evaluation, documentation, and reporting are also included under this task code. The task maximum is a lump sum claimed as a per day basis, however, all labor, materials/equipment need to be supported by appropriate backup. The slug test results are required to support this task code and can either be included as part of a report or contained in a separate slug test report. Field notes and timesheets can also be included as additional backup.

UST Board Approval Date - 12/18/03

Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 13.1
Performing Rising or Falling Head (Slug) Test

The effort, equipment and materials to conduct a product bail-down test is similar in scope to a slug test and, therefore, it is also permissible to use this Task Code when performing a slug test or a product bail down/recovery test. This Task Code includes costs associated with data analysis and report preparation.

The test results are required to support this task code and can either be included as part of a report or contained in a separate test report. Field notes and timesheets can also be included as additional backup.

14.0 SOIL VAPOR EXTRACTION (SVE)/AIR SPARGE (AS) TESTING
(Codes 14.1.1 through 14.1.3.2)

Soil vapor extraction (SVE) and Air sparging (AS) are *in situ* remedial technologies that reduce concentrations of volatile constituents in petroleum products adsorbed to soils in the unsaturated (vadose) zone. Pilot tests are operation tests of a small-scale version of a larger system to gain information relating to the anticipated performance of the larger system. Pilot test results are typically used to design and optimize the larger system. Pilot studies also provide information on the concentration of volatile organic compounds (VOCs) that are likely to be extracted during the early stages of operation of the SVE system. The subtasks listed are determined by the technology and presence of air emissions treatment activity.

Charges are to be reimbursed on a lump sum/per event basis. Charges include the labor and equipment to perform vapor extraction and/or air sparge testing. Related charges include coordination, labor, equipment mob/demob, field preparation, data evaluation, documentation & reporting, permitting, project disciplines cost, travel time, and vehicle expense. Equipment rental and fluids disposal, if applicable, should be task coded to the appropriate 28.0 task code series. Lab analysis, if applicable, should be task coded to the 27.0 appropriate task code series. Backup to support a pilot test include field notes to support the type of pilot testing and associated documentation completed after the pilot test (i.e. Pilot test Report). Results are usually documented in report(s) submitted to the DEP. (Note: for Enhanced Fluid Recovery (EFR) see 28.18.4.3).

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Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 14
Soil Vapor Extraction/Air Sparging Testing

When seeking reimbursement for permitting and coordination costs related to the testing event, if delays occur between coordination efforts and the actual event execution, the claimant shall specify the reasons for the delays and shall provide the revised schedule for performance of the event.

Tasks in Section 14 of the Fee Schedule are for completion of pilot tests to determine the feasibility of these technologies for full-scale implementation at a disposal site. All labor to plan, coordinate and conduct the test, including travel time, data reduction and report preparation is included in the individual task maximums. The task maximum is to complete up to 12 hours of on-site testing. All equipment and miscellaneous materials involved in completing the pilot testing (trucks, blowers, pumps, treatment devices, carbon, etc.) should be claimed in accordance

with Task Codes in Section 28 of the Fee Schedule. Monitoring devices such as PID's, LEL meters, multi-meters, etc. are to be included in the task maximum under Section 14.

Claimants must submit appropriate back-up documentation to support the type of test claimed under task code 14, including field notes and a copy of the pilot test report.

15.0 REMEDIATION FEASIBILITY STUDIES (NET PRESENT VALUE)
(Codes 15.1.1 and 15.1.2)

Reimbursement shall be made for the preparation of studies including calculation of equipment cost, installation cost, operating and maintenance expenses, utility expenses, salvage value, and determination of the net present values of alternative remediation strategies/equipment investments. The net present value (NPV) method is the a method of ranking investment alternatives. The NPV is equal to present value of future returns, discounted at the cost of capital, plus the present value of the cost of the investment, minus the salvage value of the equipment at the end of the project.

The remediation strategy/equipment investment with the lowest NPV should be selected if this alternative is expected to achieve DEP required cleanup standards. (See App. 3 page XII for example) Backup provided to support the NPV usually consists of a table listing the NVP analysis on 2 or more options. This task code is reimbursed on a lump sum per NPV analysis (up to 2 options). Additional reimbursement is granted for each additional option.

16.0 REMEDIAL ACTION PLANS (Codes 16.1.1 through 16.6)

This task heading includes the preparation of Remedial Action Plans (RAP's), implementation of a reduction factor for multiple RAP's, preparation of Bid Specifications, and completion of a Remedy Implementation Plan, As-built Construction Report and Final Inspection Report. RAP's can be completed for soil vapor extraction, bioremediation, free product recovery, groundwater pump and treat and groundwater air sparging. A RAP may only be claimed if the Phase III Report is completed. It cannot be written before or in conjunction with the Phase III Report. If charges appear simultaneously, then all charges should be coded to the Phase III Report. The reduction factors included under this task heading are also related to the Remedial Action Plans. If two technologies are included in the RAP, the task max is established by taking a reduction of 35% of the task max for the each RAP (or allowing 65% of their separate task max's). The same theory applies for the reduction factor for a combination of three technologies. A Lease vs. Purchase Analysis should be used to demonstrate the benefit of leasing any equipment or system component rather than purchasing it. Complete reports should be provided as backup to support the Remedial Action Plans.

Task 16.3 is for bid specifications. Costs reimbursable under this task code include preparations of the specifications and request for a bid sent to three prospective bidders. Backup provided to support charges claimed should include the actual specifications sent to the bidders and verification that they were sent to at least three bidders. If the actual work described in these specifications is not claimed as a bid, the claimant is not eligible for preparations of the specifications.

A Remedy Implementation Plan can only be written after the Phase IV Remedy Implementation Plan has been completed. Charges should not be allowed before or in conjunction with a Phase IV Remedy Implementation Plan. This report is allowed on a case-by-case basis. The As-built Construction Report and Final Inspection Report are completed after the Phase IV Remedy Implementation Plan. The As-built Construction Report is completed when the remedial alternative has changed since its selection in the Phase III Remedial Action Plan. The Final Inspection Report is completed after the remedial alternative has been installed or implemented on-site and the LSP has conducted a site inspection of the remediation equipment. Complete reports with DEP transmittal forms should be provided as backup for these three reports.

17.0 REMEDIATION PERMITTING **(Codes 17.1.1.1 through 17.1.12)**

Before conducting some remediation activities, the filing of proper permitting documents is required with the appropriate local, state, and federal authorities. The reimbursable activities include preparation labor and acquisition labor. Permit and bond fees are not eligible for reimbursement.

The process of dewatering is sometimes necessary during remediation activities and is regulated by state and federal authorities. It is the discharge from a point source into the waters of the United States. Dewatering offers the following advantages:

- Reduces volume, saving money on storage and transportation.
- Eliminates free liquids before landfill disposal.
- Reduces fuel requirements if the residuals are to be incinerated or heat dried.
- Produces a material, which, when blended with a bulking agent, will have sufficient void space and volatile solids for composting.
- Eliminates ponding and runoff.

If you discharge from a point source into the waters of the United States, you need an NPDES (National Pollutant Discharge Elimination System) permit. The Clean Water Act prohibits anybody from discharging "pollutants" through a "point source" into a "water of the United States" unless they have an NPDES permit. The permit will contain limits on what you can discharge, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or people's health. The reporting form used is a Discharge Monitoring Report (DMR) and is used to report self-monitoring results by NPDES permittees. The DMRs include the Initial Discharge Monitoring Report and, depending on the reporting requirements, either a Monthly Discharge Monitoring Report or Quarterly Discharge Monitoring Report. The NPDES Formal Application is a document that must be prepared for all draft individual permits for NPDES major dischargers, NPDES general permits, NPDES permits that contain variances, NPDES permits that contain sewage sludge land application plans and several other classes of permittees. The document summarizes the principal facts and the significant factual, legal, methodological and policy questions considered in preparing the draft permit and tells how the public may comment (40 CFR 124.8 and 124.56). Where a fact sheet is not required, a statement of basis must be prepared (40 CFR 124.7). NPDES permitting authorities have the option of providing an NPDES Permit Exclusion (waiver) from the requirements to operators of "small" construction activity.

The MA DEP requires permits for remediation activities that include the discharge of wastewater, air emissions, and construction activities. Person discharging pollutants to surface waters of the Commonwealth are subject to approval by the MADEP that include the Surface Water Discharge, Ground Water Discharge, and Industrial Discharge permits. These permits contain limits on what you can discharge, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or people's health. It may be necessary to obtain a, Industrial Discharge permit/POTW (publicly owned treatment works)/MWRA permit if discharge is directly to the sewer. Discharges into the MWRA system

for groundwater remediation activities are currently prohibited. The reporting requirements may include a Monthly Discharge Monitoring Report. The Wetlands Protection Act and/or Rivers Protection Act ensure the protection of Massachusetts' inland and coastal wetlands, tidelands, great ponds, rivers and floodplains. The applicant needs to show, by a preponderance of the evidence, that the proposed activities will not have significant adverse impacts to the Wetlands/Riverfront Area.

The local authorities in the Commonwealth may require a variety of permits for specific activities on the site. A building permit may be necessary for the remediation shed that houses the remediation system components. They may also require an electrical permit for the service to the remediation system components. A natural gas utility connection permit may be necessary for remediation systems serviced by natural gas. A road opening permit may be required to access the public way. A traffic plan may be submitted if the public way is a road managed by the State Department of Public Works.

The Remedial Monitoring Transmittal Form (RMTF) must be used to document to the MADEP the operation and monitoring of active remedial systems that are intermittently or continuously operated over a time period greater than 30 calendar days. It addresses all components and discharges associated with a multi-media remedial system (e.g., dual-phase extraction). It is submitted to the appropriate DEP Regional Office (a) on a monthly basis for systems that are addressing an Imminent Hazard or Condition of Substantial Release Migration, or (b) on a quarterly basis for all other systems.

A method for detecting improper connections to the storm water collection system is dye testing. A dye test can be performed by simply releasing a dye (either pellet or powder) into either the sanitary or process wastewater system. Discharge points from the storm water collection system are then examined for color change.

The Remedial Action Design Document details the size, scope and character of a site's remediation. It is the planned action design detailing public health and the environment. It is subject to public comment. A planned system of activities provides assurance to the owner and the permitting agency that all aspects of remedial construction meet design requirements.

UST Board Approval Date - 12/18/03

Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 17.1.1.1.4 NPDES Permit Exclusion Remediation Dewatering

This Task Code shall be utilized when the water table is lowered to allow excavation of soil "in the dry". The daily task is for labor to operate and monitor a dewatering system in accordance with USEPA NPDES requirements. The systems may consist of various equipment, including pumping wells, pumps, generators, storage tanks, carbon filters, air strippers, etc. The vehicles and equipment shall be task Coded under Section 28 of the Reimbursement Fee Schedule.

18.0 TRENCHING AND INSTALLATION OF UNDERGROUND PIPING AND EQUIPMENT AREA/ENCLOSURE FOR VES, AIR SPARGING AND/OR GROUNDWATER EXTRACTION SYSTEM

(Codes 18.1 through 18.8.6)

This task heading includes costs related to trenching and associated piping (including purchase and installation). If more cost effective, three competitive bids may be obtained for work and materials covered by these tasks in place of the unit prices described in the fee schedule or a bid may be used in conjunction with the unit prices. This, however, does not apply to trenching oversight. Trenching oversight (full and half day) includes labor and materials to conduct field screening, site supervision, sample collection and associated incidentals, transportation of samples to the lab, subcontractor coordination, field preparation, travel time and vehicle expense. A full day of trenching oversight is defined as up to and including 10 hours of supervision and a half day is up to and including 5 hours. There are three types of trenches covered by the fee schedule, interceptor trench, utility trench and an infiltration gallery. The fee schedule dictates that the infiltration gallery should be coded to the interceptor trench when claiming costs for reimbursement. The utility trench task code includes all sawcutting, trenching, inspection, backfill and compaction. Backup to support these tasks include field notes and site maps indicating the location of the trench (maps should include length of trenches and all piping to verify the total footage claimed). In addition, all materials and equipment should be supported by rate sheets or subcontractor invoices. If piping was purchased, subcontractor invoice needs to support footage claimed and needs to be task coded accordingly.

Costs under this task heading also include asphalt, stone and fill as well as equipment enclosures and concrete slabs. Initial purchase and installation of manholes for recovery and monitoring wells can also be found under this heading. Ordinary fill should be friable soil containing no stone greater than 2/3 the loose lift thickness. The material shall be essentially free of trash, ice, snow, tree stumps, roots and organic material. Granular fill, sand and gravel should be free of ice and snow, roots, sod, rubbish and other deleterious or organic matter. The granular fill is usually used for structural fill below buildings. Sand and gravel should consist of hard, durable sand. Crushed stone should be made up of durable crushed rock or durable crushed gravel stone, also free from ice and snow, sand, clay, loam or other deleterious material. Lastly, blast filled rock should be well-graded rock with minimum size. Costs for this materials are reimbursed on a per ton or square or linear foot basis and backup from subcontractors should reflect the total quantity purchased. Site maps can also be requested to support total use of the fill or asphalt on a specific site.

Costs claimed under the remediation shed and equipment compound task codes can include either the purchase of a pre-constructed shed and labor and equipment to install the shed on-site or the purchase of the materials to construct the shed and labor and equipment to install the shed on-site. Tasks associated with the equipment sheds include the concrete slabs and fencing (chain link or stockade). Backup to support all of the above should include all subcontractor invoices and in-house rate sheets to support the materials and equipment used. Also backup to support the size of the shed, concrete slab or fence should also be provided to ensure the proper task code is used.

Any costs for the initial purchase and installation of the recovery well manways and monitoring well manholes (and well head makeup) have their own task codes in this category. The task max for each includes both the supply and installation of the manholes. Note that if these charges are associated with a well installation event, these charges should be recoded to the appropriate drilling task code for the installation of the well as these are included under the install codes. Field notes for the labor and subcontractor invoices and in-house rate sheets for the purchase of materials and equipment should support charges. These task codes should not be used when replacing or repairing manways and manholes.

Trenching

As of September 23, 2002

The trenching Task Codes under 18.3.1 through 18.3.3 and 18.4.1 through 18.4.2 include the equipment used to dig the trench. [\[1\]](#) Claimants cannot claim the rental charges under Task Code 28 in addition to the footage rate for trenching. If trenching was performed, a Claimant must use the trenching Task Code rates not the rental rates. Additionally, the 18.3 Task Codes are for an interceptor trench. [\[2\]](#) This is not to be confused with the utility trench [\[3\]](#) under Task Code 18.4.

[\[1\]](#) Piping and backfill placed into the interceptor trench are charged to other Task Codes under the Appendix 3 Reimbursement Fee Schedule.

[\[2\]](#) A trench that allows contamination to be collected or directed is an interceptor trench. An interceptor trench may contain drain piping at the bottom of the trench, but will not contain utility piping.

[\[3\]](#) A trench containing piping running from individual extraction points to an extraction or treatment system, or a trench containing underground utilities is a utility trench

UST Board Approval Date - 12/18/03

**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 18.3.4.1, 18.3.4.2, 18.3.4.3
Concrete and Asphalt Patch**

These Task Codes shall be used to cover costs, including labor, associated with actual square footage of the patch or pad installed as a result of the need to excavate or trench an area directly affected by performing a Response Action. These Task Codes shall not be utilized to cover patching which is beyond the area associated with the Response Action.

Backup to support these tasks includes field notes and site maps indicating the location of the patched area. In addition, all materials and equipment shall be supported by rate sheets or subcontractor invoices.

UST Board Approval Date - Date 12/18/03

Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 18.7.12 Remediation Equipment Compound Fencing

This Task Code is to be utilized for fencing that is installed around the immediate remediation equipment area. The linear footage unit of measure is inclusive of all labor, labor involved with subcontractor coordination, equipment and materials needed to install the fencing.

This Task Code does not apply to temporary security fencing or jersey barriers as these items would be required to be bid.

UST Board Approval Date – 12/18/03

Reimbursement Fee Schedule Claim Submission Guidance Document Task Codes 18.5.1.1 – 18.5.1.3 Piping and Conduits – Electrical

When seeking reimbursement under these Task Codes, all costs components including conduit, fittings, glue, primer, sealants shall be allowed under the per foot unit of measure. Footage shall be calculated based on the actual number of feet of each individual piping and /or conduit run. Wire may be claimed under Task Codes 18.5.1.4 and 18.5.1.5.

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Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 18.3.1, 18.3.2, 18.3.3, 18.4.1, 18.4.2, 18.4.3 Interceptor Trench and Utility Trench

This task code includes all labor and equipment costs directly related to trenching excavation activities (primarily performed by a general contractor). The per foot price includes all equipment (backhoe, bobcat, trailer, etc.), labor (equipment operator, foreman, helper, etc.) and miscellaneous materials used to excavate the trench. Actual piping/conduit purchase and installation costs shall be coded to the 18.5 codes. Oversight and supervision of the trenching (consultant) shall be coded to 18.1 or 18.2.

Field notes/daily work tickets must be provided by the consultant and contractor. A scaled map must be provided to support the dimensions of the trench.

**19.0 INSTALLATION OF SOIL SAMPLING OF VAPOR EXTRACTION,
GROUNDWATER EXTRACTION OR AIR SPARGING WELLS
(Codes 19.1.1 through 19.8.1)**

This task heading is used for the installation of installation and soil sampling of vapor extraction, groundwater extraction or air sparging wells. A mobilization/demobilization cost includes portal to portal travel for all drilling methods and includes a steam cleaner. The quantity of mob/demob is per event, therefore, if there was drilling by the same company on 2 or more consecutive days, only 1 mob/demob event will be allowed because this is considered 1 event by the 21J. The quantity of oversight is determined by how many days or half days of drilling took place. All charges for sampling equipment, labor to conduct borehole logging, sampling incidentals and travel expenses should be coded to the oversight task codes. Drilling shall be completed by means and methods described in DEP WSC 310-91. The different drilling technologies include hollow stem auger, air rotary, mud rotary, drive and wash, and cable tool rig. The hollow stem auger, air rotary, mud rotary and drive and wash task codes typically include drill rig, materials, labor, grouting, drums, drumming labor, general restoration of work area to original site conditions and decontamination procedures. Within these methods of drilling, there are also different task codes that should be used if sampling was continuous or every five feet during well installation. Task codes should not be used cumulatively, but rather on a per foot per well basis and should be based on the correct inside diameter of the well. Backup is necessary to support all drilling events. Field notes, timesheets and expense reports can support well installation oversight. Outside purchases require subcontractor invoice support. For every drilling task code claimed (i.e. the task codes that define the methods used and type of sampling conducted), the proper footage of the well(s) should be claimed as the quantity(s) and well logs generated after the event must support all footage claimed and reimbursement for these logs must be coded to the appropriate report code that they correspond to. Log prep is not reimbursable under these codes. Well head makeup is the process of constructing a surface seal and installing a protective surface casing to complete the well. To minimize damage caused by frost heaving the remaining annular space is sealed with an expanding cement (grout) cap or surface seal. Frost heaving can be a major problem for wells installed in cold climates (particularly for plastic wells). Before the surface seal has set, a protective metal surface casing should be placed in the surface seal around the monitoring well. A concrete well apron should then be poured around the surface casing. The apron should be inclined away from the well and surface casing to divert rainwater. All labor and material is included in this task code series.

UST Board Approval Date - 12/18/03

**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 8.2, 9.2, 9.2.1, 9.2.2, and 19.2**

Oversight with Respect to Drilling Activities

Project Oversight includes the person doing the oversight charges on the day of the event, prep time before the event, breakdown time after the event. It may also include time allocated to employees performing duties in the office which are related to the event on the day(s) of the event.¹

When Claiming personnel costs related to a field activity whereby the personnel is not performing duties in the field, employee timesheets² describing work performed shall be provided with the Reimbursement Application.

¹Employee office time shall be submitted with phone logs or other supporting documentation which delineates/explains the duties performed.

²Phone logs, office notes or other supporting documentation may be supplied in lieu of timesheets.

**20.0 INSTALLATION OF UTILITIES (REMEDIATION SYSTEMS ONLY)
(Codes 20.1 and 20.2)**

Task code 20.1 is related to the installation of temporary utilities at the site for remediation systems only. Utilities installed on-site include electricity, gas, & telephone service. Work performed needs to be site specific. In addition, the utilities are to be metered separately from all other uses. Related charges include subcontractor coordination and any additional materials necessary for the install. Backup to support the charges includes a subcontractor invoice/bill from the outside vendor (i.e. electrician), who performs the actual install. Field notes are sometimes required to support consultant's time on-site for coordination and/or oversite purposes. (Note: For wiring of system components, see Purchase and Installation task codes, or 22.1.9 if Bid).

Task code 20.2 is effective as of 9/01/01 for the purchase and installation of electrical circuit and control panel for the remediation system. Related charges include coordination, labor, and additional materials necessary for installation. Charges for both task codes are reimbursed on a lump sum/per utility basis.

UST Board Approval Date - 12/18/03

**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 20.1
Installation of Utilities for Remediation Systems Only**

Only the installation of utilities associated with the actual operation of a Remediation System shall be reimbursed utilizing this Task Code. All costs associated with installing the utility are included in this Task Code including utility company costs and licensed trades.

21.0 PURCHASE AND INSTALLATION OF GROUNDWATER AND NAPL PUMPING SYSTEMS
(Codes 21.0 through 21.14)

The purchase and installation of groundwater and NAPL pumping systems are included under the 21 task codes. Task code includes all time (labor) and materials associated with the purchase and installation of groundwater remedial system components, i.e. groundwater pumping equipment, NAPL pump equipment, oil water separator, turbine meters and passive recovery canisters. Equipment charges may be claimed under task at a unit cost price of subcontractor (within established task maximum) or submitted under the BID task code following the 21J competitive bidding policy. Multiple charges incurred for each groundwater remedial system component (i.e. across several submittals) are to be tracked against the lone task maximum. The 21.1 and 21.2 subheadings include submersible groundwater pumping equipment that is controlled electrically or pneumatically. Subtasks 21.1.1-21.2.8 are distinguishable by the nominal flow rates of the pumping equipment (from 5gpm-75gpm). The 21.3 and 21.4 subheadings include surface mounted (above-ground) groundwater pumping equipment that is controlled electrically or pneumatically. As with subtasks 21.1.1-21.2.8, 21.3.1-21.4.8 are, too, distinguishable among nominal flow rates (from 5gpm-75gpm). Subheadings 21.5 and 21.6 are reserved for submersible NAPL pump equipment that is controlled electrically or pneumatically. Subtasks 21.5.1-21.5.2 and 21.6.1-21.6.2 are distinguishable by the nominal flow rates of the pumping equipment (from 5gpm-10gpm).

Subheading 21.7, oil/water separator with electric discharge pump and controls, is for an oil water separator as related to the remedial system, only. Oil water separators related to station traps for bay/floor drains are not eligible for reimbursement. Subtasks 21.7.1-21.7.8 are included under subheading 21.7, and are separated out by nominal flow rate (from 5gpm-75gpm). Subheader 21.8 is reserved for turbine meters (combined totalizer and flow rate) and 21.9 is for passive recovery canisters. Subtasks under each are separated out among diameter.

The removal and reinstallation of groundwater and NAPL pumping system from site of original installation to another site (including transportation) is included under task 21.10. Charges include time (labor) and materials to transfer groundwater remedial system component(s) (i.e. NAPL pumps, oil water separator, turbine meters, passive recover canisters, etc.) from one site to another. Vehicle and mileage expenses, and labor to physically disconnect and reinstall the system components are most commonly seen under task. Removal and reinstallation occurs for a number of different reasons. The transferring of equipment between sites is usually a means of cost effectiveness to the consultant. Technological upgrades and remedial system enhancements may also be the source of such component sharing. The removal and storage of equipment (including transportation) is included in the Appendix 3 as task code 21.11. Charges under task might include time (labor) and materials to remove groundwater remedial system component(s) from one site, and store them at a different location. The components that are removed are usually stored off site, and are sometimes housed at the consultant's headquarters. Stored components are often incorporated into the consultant's in-house stock. The removal and storage of equipment usually becomes necessary when the system is no longer needed for the site and or the site is cleaned up to the capacity that this technology allows. Utilization of an installation

crew (including travel time and vehicle expense) during component removal, reinstallation and or storage is oftentimes necessary. Task code 21.12 allows for travel of such a crew, and is reimbursable up to a daily maximum of \$250.00.

Task 21.13 is for a remote telemetry system with software. Charges are to include all time (labor) and material charges associated with the purchase and installation of a telemetry system. The telemetry system must be used in conjunction with the remediation system via telephone connection. Subtask 21.13.4 effective 9/01/01 is for the mechanical installation of equipment purchased by competitive bid. This task code is to include all time (labor) and material charges associated with the physical installation of groundwater remedial system components that have been solicited through the aforementioned bidding process.

Task 21.14 effective 9/01/01 is for replacement components per manufacturers recommendation. This task is to be used when the manufacturer deems replacement of groundwater remedial system component(s) necessary. Charges must be supported with the associated manufacturer's invoice. This task code should be used for the cost of the component(s) only. The labor associated to install the component(s) should be coded to the system repair task code (23.3).

UST Board Approval Date – 2/26/04

Reimbursement Fee Schedule Claim Submission Guidance Document Task Codes 21.11 and 22.1.6.1 Removal and Storage of Equipment

These Task Codes shall be utilized whenever a remediation system and components are removed from a Site and stored for later use. To seek reimbursement for these Task Codes, a Claimant must provide a list of the system and components, the reason for removal and the location where it was transported for storage. These Task Codes may be also be utilized where the systems are removed and disposed.

UST Board Approval Date – 2/26/04

Reimbursement Fee Schedule Claim Submission Guidance Document Task Code 21.13 Remote Telemetry System with Software

This Task Code is to be used for the purchase and installation of a remote telemetry system, including all software. Installation charges by either a subcontractor and/or the consulting firm is included in this Task Code.

Equipment specifications must be provided to support the purchase of this equipment. Field notes and/or invoice must be provided to support the installation of the system.

This Task Code may be 3 bid. Note: Task code 21.13.4 is to be used for any equipment listed under the 21 Task Codes that were 3 bid not just 21.13.

**22.0 PURCHASE AND INSTALLATION OF SURFACE COMPONENTS OF
REMEDICATION SYSTEMS (INCLUDING PORTABLE, SKID-MOUNTED, AND
STAND-ALONE SYSTEM COMPONENTS)
(Codes 22.0 through 22.1.10)**

The purchase and installation of surface components for the remediation system are included under the 22 task codes. The 22.1 subheading includes the stand alone (i.e. non portable) components of the system. Subtasks 22.1.1-22.1.8 can be found under the stand alone heading, which includes each of the separate components. Subtask 22.1.1 is related to the groundwater remediation system surface components and includes mob/demob, a two-person crew, including their vehicle expense and tools. Various sizes of pressure vessels, the air stripper with controls, and the air stripper tower only are found under 22.1.1 subtasks. Subtask 22.1.2 is associated with the soil vapor extraction system surface components, which include the extraction blower with moisture knock-out tank/drum, and particulate filter. Subtask 22.1.3 is related to the vapor-phase carbon canisters off-gas treatment system, excluding granular activated carbon, unless otherwise noted. (Note: See task codes 23.5.1.1.2-23.5.1.1.4 for vapor-phase carbon.). Subtask 22.1.4 includes the catox or thermox off gas treatment units. Subtask 22.1.5 includes the free product recovery/separation system surface mounted components. Subtask 22.1.6 is related to the removal/reinstallation of surface components, i.e. moving an SVE trailer from one site to install at another site. Subtask 22.1.7 includes travel time and vehicle expense for subtask 22.1.6. Subtask 22.1.8 includes the air compressor for the air sparging system. Subtask 22.1.9 (effective 9/01/01) is for the mechanical installation of equipment purchased by Bid. Subtask 22.1.10 (effective 9/01/01) is related to the replacement of components per manufacturer's recommendation. Subtasks 22.1.1-22.1.5, and 22.1.9 are reimbursed on a lump sum/per event basis. Subtask 22.1.6, 22.1.6.1 are reimbursed on a time & materials basis, not to exceed a set amount. Subtask 22.1.7 is reimbursed on a per day basis. Subtask 22.1.8 is reimbursed for each compressor. Subtask 22.1.10 is an at cost task code, with no set task maximum.

Related charges include coordination for both purchase of equipment and installation, any additional materials necessary for installation, and labor. Backup to support the purchase and installation of surface mounted system components includes the subcontractor invoice/receipt to verify purchase of component and all related materials, and field notes to support installation of components. Equipment specifications are sometimes necessary to verify proper task coding. After 7/1/97, three (3) competitive bids may be obtained for the work and/or materials covered by these tasks in place of the unit price(s), or in conjunction with the unit price(s).

UST Board Approval Date – 2/26/04

**Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Codes 21.11 and 22.1.6.1
Removal and Storage of Equipment**

These Task Codes shall be utilized whenever a remediation system and components are removed from a Site and stored for later use. To seek reimbursement for these Task Codes, a Claimant

must provide a list of the system and components, the reason for removal and the location where it was transported for storage. These Task Codes may be also be utilized where the systems are removed and disposed.

23.0 SVE AND GROUNDWATER REMEDIATION SYSTEMS OPERATION AND MAINTENANCE
(Codes 23.1 through 23.10.6)

Costs included under this task heading include operation and maintenance (O&M) of both SVE and Groundwater Treatment system, reimbursement for utilities, system repair, carbon purchase, regeneration and disposal, and liquid, solid and mixed media disposal. Travel for O&M has a separate task code and should only include charges for labor for travel and any vehicle expense (including mileage). O&M task codes are broken down into the following categories: compliance sampling of groundwater remediation system, air stripper (low profile system), air stripper (packed tower system), carbon treatment system, submersible groundwater pumps, surface mounted pumps, submersible NAPL pumping equipment, general O&M of SVES, compliance sampling of vapor extraction system, general O&M of air sparge system, general O&M of automatic free product recovery system, off-gas treatment and iron treatment. Three competitive bids may be obtained for equipment covered by the iron treatment task codes if the value of the equipment exceeds \$5,000.00. Repair and/or replacement of a pump or pumping system shall be included in the 23.4 task provided the equipment has been installed in accordance with manufacturer's specifications. Field notes, rate sheets and any subcontractor invoices for equipment used, should support O&M. The system repair task code included in this heading is for out of scope repairs not included under general operation and maintenance of a remedial system. Reimbursement is made on a time and materials per calendar year basis. Backup to support system repair should include a detailed description explaining the repairs and why they were necessary, field notes and any subcontractor invoices and in-house rate sheets to support the equipment and materials used.

Actual, discrete, separately metered utility costs associated with the operation of remedial technologies are eligible for reimbursement. Utilities could include electric, gas or phone service. The actual utility bills must support all charges. Markup on utility costs and interest on late payments are not eligible.

Both liquid and vapor phase carbon are included under this task heading. Task codes 23.4 and 23.5 apply to liquid phase carbon and vapor phase carbon, respectively. Costs include transportation, disposal or re-activation, and labor and equipment to re-bed the carbon vessel. Charges should be task coded according to the amount of carbon used and whether it is virgin or re-activated carbon. If two sets of carbon are purchased and each is 500 pounds, the task code used should be for the total 1,000 pounds. Backup necessary to allow these charges includes subcontractor invoices for the purchase, disposal and/or reactivation of the carbon or verification of how much carbon was taken from consultant's stock. The claimant must also provide verification that all carbon purchased was used on the site in question.

The disposal costs included under this task heading are for liquid, NAPL, sludge, contaminated water (in drums), mixed media (in drums) and virgin petroleum contaminated soil (in drums). Liquid, NAPL and sludge disposal should be disposed of by liquid vacuum truck (also with its own task code that include the operator). Water disposal has a 6-drum maximum per load, mixed media has a 10-drum maximum per load and soil has a 30-drum maximum per load.

Water, mixed media and soil also have their own transportation task codes that correspond to the disposal codes (see 23.10.5.4 and 23.10.5.5 for an example). DEP Manifests or Bills of Lading should be provided for all disposals. Straight BOL's are also allowed if they are sufficient to provide all of the same documentation as the DEP BOL and manifests. Backup to support disposal via the liquid vacuum truck should include field notes or work order indicating how long the truck was on-site.

On-Site Regeneration of Carbon Vessels
Task Codes 23.5.1.3.4.1 through 23.5.1.3.4.4
September 27, 2002

The per event maximum allowances under Task Codes 23.5.1.3.4.1 through 23.5.1.3.4.4 include all costs incurred by the Claimant while performing the regeneration. Rental and/or purchase charges associated with regeneration equipment that exceeds the Task Code 23.5.1.3.4.1 through 23.1.3.4.4 per event maximum allowances will not be reimbursed.

UST Board Approval Date - 12/18/03

Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 23.3

Repair of System

This Task Code shall be utilized whenever a remediation system and components are repaired which is necessitated by normal wear and tear. A maximum of \$3,000 may be reimbursed per site per calendar year, inclusive of labor, equipment and material costs. Appropriate field documentation and parts receipts should substantiate repair events.

When claiming personnel costs³ related to repair of the system whereby the personnel are not performing duties in the field, employee timesheets⁴ describing work performed shall be provided with the Reimbursement Application.

Normal operation and maintenance is reimbursable under the relevant equipment subsections of Task Code 23.

³ **Employee office time shall be submitted with phone logs or other supporting documentation which delineates/explains the duties performed.**

⁴ **Phone logs, office notes or other supporting documentation may be supplied in lieu of timesheets**

24.0 CONCRETE MONITORING WELL PAD REMOVAL AND REPLACEMENT (Codes 24.0 through 24.1.4.4)

Charges incurred as result of concrete pad removal/replacement of *existing* monitoring wells on site. Purchase of pads and or manholes must be supported by actual field events in which they were utilized. For example, if 3 pads were purchased and or taken from an in house supply, all 3 pads must have been replaced. If replacement charges do not accompany the pad and or manhole purchase, adjuster will seek backup illustrative of the future replacement activity. An explanation as to why the pads are being replaced as well as backup illustrative of the specific wells that were related to the replacement event should be provided. Task header 24.1.1 is specifically for replacement of the monitoring well concrete pad. Commonly seen charges under this task include the materials purchase of bags of concrete and or cement. Task header 24.1.2 includes labor and materials associated with the replacement of the monitoring well manhole with pad. Note that if both pad replacement and manhole replacement activities occur on the same day, charges are to be combined under the appropriate 24.1.2 task code. Task header 24.1.3 is reserved for locking monitoring well plugs used as replacements and task header 24.1.4 is for replacement monitoring well covers with O-rings.

25.0 Well Abandonment **(Codes 25.1 through 25.5)**

Well abandonment is the filling in/decommissioning of wells that are no longer necessary to monitor conditions on site. This task heading includes equipment mob/demob, labor to conduct the well abandonment and a related Well Abandonment Report. The mob/demob charge includes equipment travel, except for 25.4 (see task code 9.1.1). The mob/demob charges are reimbursed on a lump sum basis. The oversight task code includes disciplines travel, equipment, project management and site supervision. There are two different well abandonment methods: pressure grouting and drill out & grout method. The drill & grout method includes costs to restore area and clean up. Within these methods of drilling, different task codes are used depending upon the diameter of the wells. Task codes are reimbursed on a per foot per well basis. The Well Abandonment Report typically includes the specific wells that were abandoned and when, pictures of the wells and reason(s) for the abandonment. For reimbursement purposes, backup necessary to support well abandonment includes subcontractor invoice (for any outside work), field notes and well logs to support footage.

26.0 DEP AND MCP REQUIRED MEETINGS (OUT OF SCOPE TRAVEL)
(Codes 26.0 through 26.1.5)

Charges incurred as a result of meetings and or audit follow-ups with the DEP/MCP, as required by the DEP/MCP, are to be coded to this series of tasks. Charges typically seen under tasks include: vehicle and mileage expenses for travel to site and or DEP office, time associated with required field and or office meetings, and labor to gather and prepare information as specified by the DEP (i.e. audit). Charges under tasks are reimbursable on a per meeting/audit follow-up basis. All related travel time is to be coded to tasks 26.1.1 or 26.1.2 (0-100 miles radius). Time to attend DEP-requested meetings, gather information (i.e. files, lab data) and or prepare necessary reports as related to DEP audits (i.e. Audit Follow-up Plan and Completion Statement) is to be coded under tasks 26.1.3-26.1.3.3. Consultant must submit information generated by DEP meeting/audit, therefore warranting use of the 26 tasks. Time to attend MCP-required meetings is to be coded to task 26.1.4. Note that time to respond to and prepare the Post RAO DEP Audit shall be coded to task 26.1.5. If audit results in Notice of Non-Compliance, this Notice is to be requested and denials will result on a case by case basis. If additional work was required above and beyond the normal MCP/DEP scope as a result of this non-compliance, then these charges are not eligible for reimbursement.

UST Board Approval Date - 12/18/03

Reimbursement Fee Schedule
Claim Submission Guidance Document
Task Code 26.1.3
DEP Requested Meetings

This Task Code shall be utilized when there is a meeting at the direction and request of the Department of Environmental Protection (DEP), which takes place at a Site, the DEP offices or other location.

Charges associated with this Task Code shall be accompanied by a DEP sign-in sheet or other memorandum (such as a Notice of Audit Findings) or correspondence, by DEP or consultant, indicating the date and time the meeting took place and the content of the meeting.

If audit results in Notice of Non-Compliance, the Notice shall be provided at the time of Claim submission and approvals will be granted on a case by case basis. If additional work was required above and beyond the normal MCP/DEP scope as a result of the non-compliance, then these charges are not eligible for reimbursement.

27.0 Laboratory Analyses
(Codes 27.1 through 27.9.2)

This task heading includes lab analyses performed. For each task code listed, the media and method are also included under separate columns. The different media include water, soil and air samples. Some lab analyses can be performed on both water and soil samples. Lab analyses covered in the fee schedule include general chemistries, microbiology (i.e. bioremediation parameters), metals & minerals, gas chromatography, RCRA waste characterization, drinking water organics, definitive assays, Enzyme Immune Assay (EIA) screening analysis, and lab additions, which include groundwater sample filtration and sample compositing. For all lab analyses claimed, the number of samples tested should be claimed as the quantity(s). Each task code has its own task maximum, depending upon the lab analysis performed. For reimbursement purposes, the subcontractor invoice(s) from the laboratories are required to support charges claimed. In addition, the chain of custody(s) is also required to support the number of samples. If the task code is not found in the fee schedule, competitive rate sheets from three (3) laboratories are required, thereby establishing the task maximums.

UST Board Approval Date – 2/26/04

Reimbursement Fee Schedule
Claim Submission Guidance Document

Task Codes 27

Laboratory Analysis

When claiming a laboratory analysis charge and there is no applicable task code for the test method being performed, laboratory rate sheets may be provided from three laboratories in lieu of specific bid documents. It is necessary for the claimant to submit the rate sheets with each subsequent submittal.

When claiming laboratory costs, the lab invoice, chain of custody and analytical data must be provided to support the costs.

28.0 EQUIPMENT RENTAL

(Codes 28.1 through 28.27)

It may be necessary during remediation activities to rent equipment and components. The Fee Schedule sets rental rate limits for daily, weekly, and monthly time periods. Thus, the type of component/equipment and duration of the rental period determine the proper task code. System components may be rented. The accumulated cost for rented remediation system components must not exceed the corresponding purchase and install cost established by the Fee Schedule. Other rented items related to remediation activities include construction vehicles and equipment. Some construction vehicle task codes include a provision of 'with operator.' Thus, certain equipment rental task codes include the field personnel operating such equipment. Monthly Enhanced Fluid Recovery (EFR) events are an all-encompassing task code. Only two separate events are allowed for the life of the Site. It includes the coordination, contractor oversight and vacuum truck. A separate task code should be utilized for the liquid disposal. A bill of lading (BOL) is necessary for liquid disposal.

There are two different types of Mobile Groundwater Treatment Trailers found under either 28.18.6 or 28.18.7. They both consist of an oil/water separator, liquid phase granular activated carbon vessels (up to 50 gallons per minute), transfer pump, heater and electrical controls. The second Mobile Groundwater Treatment Trailer has an extraction module for 100cfm flow rate (with liquid phase granular activated carbon vessels). Need to determine the specifications of the system components, if the Mobile Groundwater Treatment Trailer is used on site for long-term remediation. A calculation must be determined of the allowable purchase and installation cost of all the system components and the rental costs must not exceed this calculated sum.

For the 28.18.4 codes, the Vactor Solids Excavator with Operator and Trail Mounted Air Excavator may be used to install wells. This technology can be used exclusively or in conjunction with other technologies. A determination of time on site must be made. If the Vactor Solids Excavator and Trail Mounted Air Excavator are used exclusively, all materials should be included under this task code. If Vactor Solids Excavator is used in conjunction with other technologies, materials may be included under the proper well install task code. In other words, if only borings are performed and not further installed into wells, then they do not get 8.3's on top of 28.18.4, just the air vac under 28.18.4. Oversight is allowed for air knifing if field notes/drill logs support logged soil types or collected samples. Actual Vac Truck time (hours) must be documented/supported. Footage cleared via vac truck, filled in, and later re-drilled for well install can be claimed as well as the initial verified time of the vac truck for the pre-clear. Overall, 9.2.1 or 8.2.1 oversight can be claimed for air vac based on above circumstances. All documented footage for install can be claimed on top of the air vac time that is documented.

Liquid disposal related to an EFR event over the 2 event per site max is only eligible if the DEP Manifest provided does not indicate that any water was disposed of.

Mob/demob of this equipment is included and is only reimbursable under the mob/demob hourly rate on the drilling invoice (claimed as 8.1, 9.1, or 19.1). If mob/demob charges appear separate, cost (hours) should be divided equally between the air vac and the other drilling technology(s).

UST Board Approval Date – 2/26/04

Reimbursement Fee Schedule Claim Submission Guidance Document Air Knifing Task Code 28.18.4.1 & 28.18.4.2

When performing air-knifing activities for pre-clearing soil boring or well locations, the air knife should be used to open a borehole equal in diameter to the drilled borehole. Task Code 28.18.4.1 or 28.18.4.2 shall be utilized. Claimants seeking Reimbursement for air-knifing performed at a Site other than on the property of the Dispensing Facility or Former Dispensing Facility after the effective date of this policy, shall be required to submit the additional documentation supporting the need for air knifing:

Site Plan of the property or properties showing known or suspected building structures, underground storage tanks, piping, utility lines, etc.

Site Plan of the property or properties showing the direction of utilities from the street to the point of connection at the building.

Site Plan of all soil borings, well or injection points to be cleared by air-knife. The Site Plan shall also show known or suspected building structures, underground storage tanks, piping, utility lines, etc.

29.0 MISCELLANEOUS MATERIALS
(Codes 29.0 through 29.5)

This task code is for items approved by the 21J that are considered miscellaneous expenditures. Items claimed under these tasks include adsorbent booms and pads, drums and drum liners. The booms/pads, drums and drum liners may not be claimed under these tasks if they have been used simultaneously during an event (whose task is) described in the Appendix 3. For example, if drum purchase accompanies other drilling related charges on a subcontractor drilling invoice, the drums may not be claimed separately under task code 29.3. Rather, as the monitoring well installation task code includes drum purchase, they must be recoded from the 29.3 code to their corresponding drilling event related drilling code.

30.1 State Sales Tax

This task heading is for the state sales tax, which is 5% in MA. The sales tax found on any subcontractor invoice, receipt or utility bill can be claimed separately under this task code. In addition, sales tax on equipment purchased outside of the state can be claimed under this task code up the 5% MA state maximum. Any sales tax in excess of the 5% max is ineligible.

*Note: if equipment and materials charges are deemed ineligible (other than exceeding the max), then corresponding sales tax should also be denied.

31.0 FREIGHT

Charges related to the shipping of equipment/components of the system that are purchased for the site are to be coded to 31.0. The subcontractor invoice bearing the charge(s) for freight must be provided to verify costs claimed. Freight charges may only be claimed if the associated equipment/ components of the system are also claimed. Freight is not for mailing of reports, etc.

32.0 FIRMS AND EQUIPMENT NOT APPROVED

Task 32.0 is reserved for those tasks not listed in the Appendix 3. Charges incurred for tasks not listed in the Appendix 3 may be approved by the 21J on a case-by-case basis based on eligibility within the 21J Program. For those items not aptly described in the fee schedule, the claimant/consultant is permitted to submit charges under the “MISC” task code so long as the following are included with the reimbursement package: consultant time and expense sheets, material vendor invoices, subcontractor invoices and all proper forms of proof of payment. The 21J expressly states “Eligible costs on subcontractor, vendor or laboratory invoices submitted to the Board for reimbursement will be reimbursed at the face cost shown on the invoices. Markups of subcontractor, vendor or laboratory invoices are not reimbursable by the Board.” Any item under this code that has a task code in the fee schedule will be recoded and will adhere to that corresponding code task maximum. Please note that many items claimed under MISC might need to have been BID. Please verify this when this task code is presented.

DEFINITIONS

6000 Claims

Applicants assigned a 6000 series claim number have previously been denied eligibility for failure to file an Application for Eligibility by the July 1, 1995 deadline. As a result, Applications for Eligibility were to be submitted between February 1, 1998, and June 1, 1998. Claims filed in the 6000 series are subject to a 5% reduction from the allowable costs, obligations and expenses for that occurrence. The claims are eligible for costs, expenses and obligations paid after April 1, 1995 and for work performed after April 1, 1995. When seeking reimbursement for costs, obligations and expenses incurred prior to receiving an eligibility determination, costs, expenses and obligations must be submitted within 90 days of receiving the eligibility determination. If costs, obligations and expenses are submitted after said 90 days, all claims must be submitted no later than 180 days from the date of payment.

7000 Claims

If a Certificate of Compliance was issued before February 1, 1998 but a claimant missed the six-month or within one year of Closure Application for Eligibility deadlines between July 2, 1995, and February 1, 1998, then an Application for Eligibility should have been submitted between February 1, 1998, and June 1, 1998. These claims encompass the 7000 series and are subject to a 10% reduction from the allowable costs, obligations and expenses for that occurrence. The claims are eligible for costs, expenses and obligations paid after April 1, 1995 and for work performed after April 1, 1995. When seeking reimbursement for costs, obligations and expenses incurred prior to receiving an eligibility determination, costs, expenses and obligations must be submitted within 90 days of receiving the eligibility determination. If costs, obligations and expenses are submitted after said 90 days, all claims must be submitted no later than 180 days from the date of payment.

8000 Claims

Applicants with an 8000 series claim have reported an occurrence to the DEP after July 1, 1994 but prior to receiving a Certificate of Compliance. The Application for Eligibility should be filed in conjunction with the Application for Certificate of Compliance between February 1, 1998 and June 1, 1998. This series of claims is subject to a twenty percent reduction from the allowable costs obligations and expenses for that occurrence. These claims are eligible for costs, expenses and obligations paid within 180 days of the receipt of the Application for Eligibility by the Board. When seeking reimbursement for costs, obligations and expenses incurred prior to receiving an eligibility determination, costs, expenses and obligations must be submitted within 90 days of receiving the eligibility determination. If costs, obligations and expenses are submitted after said 90 days, all claims must be submitted no later than 180 days from the date of payment.

For those who received a Certificate of Compliance pursuant to 503 CMR 2.07(2)(f), an Application for Eligibility should be filed pursuant to 503 CMR 2.09(1)(a), or (c). These claims for reimbursement are also subject to a 20% reduction from the allowable costs, obligations and

expenses for that occurrence. These claims are for eligible costs, expenses and obligations paid within 180 days of the receipt of the Application for Eligibility by the Board. When seeking reimbursement for costs, obligations and expenses incurred prior to receiving an eligibility determination, costs, expenses and obligations must be submitted within 90 days of receiving the eligibility determination. If costs, obligations and expenses are submitted after said 90 days, all claims must be submitted no later than 180 days from the date of payment.

9000 Claims

Individuals assigned a 9000 series claim have missed the eligibility filing deadlines and were denied eligibility after February 1, 1998, but have received a Certificate of Compliance. A Request for Reconsideration should be filed within 30 days of the denial of the Application for eligibility. If the eligibility is approved, after reconsideration, these claims are subject to a 20% reduction from the allowable amounts for that occurrence. For the initial submittal, eligible costs, expenses and obligations must be paid within 180 days of the receipt of the Application for Eligibility by the Board. Eligible costs, expenses and obligations claimed in the second submittal or higher must be paid within 180 days of receipt of the Reimbursement Application by the Board.

APPENDIX 4

The Application for Reimbursement is also known as the Reimbursement Application and is abbreviated RA. This 21J-generated document MUST be supplied by the claimant each time the claimant submits charges for reimbursement to the Program. The Appendix 4 consists of six major sections: I. Claimant Information, II. Facility Information, III. Consultant Information, IV. Claim Summary, V. Grand Total Reimbursement claimed and VI. Certification. Each of the six sections is to be fully completed upon submission of the reimbursement package (including the App. 4) to the 21J. If any portion of the Appendix 4 information is found to be missing, it is the responsibility of the Sedgwick adjuster to request it during the RFI phase of claim adjustment. It is important that the information on the Appendix 4 is accurate. It is especially helpful if the Claimant, Facility and Consultant information are current. The Claim Summary field of the Application requests 6 additional pieces of information from the claimant/consultant. 1.) The Eligible UST Release Number is assigned by the 21J Board upon acceptance into the program and is for tracking purposes. This number consists of the Certificate of Compliance number of the UST's, followed by a letter A (initial release) or B (second occurrence after initial occurrence cleanup was completed to acceptable standards), then a number assigned by the 21J. 2.) The submittal number represents the number of times that the claimant/consultant has filed a submission for reimbursement. Submittal #'s are to start with submittal #1 and continue in ascending numerical order. *If the claimant submits two reimbursement submittals within any 1-month time period, than the submittals must be combined. The combined submittals are to take the higher of the two submittal #'s.* Claimants are discouraged from submitting two submittals within the same month. 3.) The period covered by the submittal represents the dates of service range in time of the charges incurred. 4.) The claimant is to include their status, i.e. owner, owner and operator, operator and other. If the claimant is not the UST system owner, it is

necessary that they supply an owner authorization form from the owner. Note that the signature date found in part VI of the App. 4 should match the date included on the owner authorization (if necessary). 5.) The Federal I.D. Number or Social Security Number of the claimant must be provided. This information should match all 21J and Sedgwick CMS records. *To comply with 21J standards, FEIN's cannot be transmitted via email.* 6) An estimated total cost of the project is oftentimes included; however, in the early stages of claim submission an estimate may not be available. The total reimbursement claimed in section V of the App. 4 should match the total reimbursement claimed on the spreadsheet. For the application to be certified, the claimant's signature and date of signature must appear in section VI. Also required in this section is the claimant's printed name and title (though both often in typeface).

Note that the Appendix 4 should bear a stamp from the UST Program, Dept. of Revenue. This stamp, commonly referred to as the Reimbursement Application Date Stamp, is the date that the submittal was received by the 21J. The stamp is used to figure the timeframe of eligibility for charges submitted for reimbursement. (See 90/180 day rule for specific application guidelines)

BID

A claimant is allowed to bid an activity if there is no task code in the Appendix 3 fee schedule that can be used. Three competitive bids must be obtained and the lowest bid is used to establish the task maximum for the activity. The BID's must be for identical services. Certain activities in the fee schedule can also be bid. To determine if an activity in the fee schedule is eligible to be bid, refer to the task heading and the brief description will indicate if the activity can be bid. The most common bids include the purchase and/or installation of a SVE/AS system or GWPT system, trenching and excavation related to trenching. Proper backup for a bid includes a completed Appendix 5 listing the lowest three bidders and their costs in addition to the actual bid responses (all three responses must be provided). Based on the information that is provided in the bid responses, only activities not described in the fee schedule or activities allowed to be bid can remain under the bid task code. All activities included in the bid that are not allowed to be bid must be coded to their regular task code in the fee schedule. An exception to the competitive bid process is lab analysis not included in the fee schedule. Three cost sheets can be obtained from 3 labs to be submitted for lab analysis that is bid. Again, the lowest charge would establish the task maximum for the lab analysis. If the claimant chooses to do this, they are not eligible for bid specifications preparation time (task code 16.3). However, the claimant can use the competitive bid process if preferred. The claimant does not have to choose the lowest bidder; however, the lowest bid establishes the task max, so that claimant would not be eligible for the amount above the lowest bid. All bids are recommended for audit for review by the 21J.

DATES OF SERVICE (DOS)

The actual days that activity occurred on site. Dates of service should appear on all invoices submitted for reimbursement. Time sheets, field notes, and material/equipment rate sheets supplied as backup should reference and or correspond to the dates of service of all task-coded charges on the invoices that have been claimed for reimbursement. For example, if an 11/02/01 groundwater sampling event involving 3 wells resulted in the same number being claimed to task

11.1.3.1, the adjuster could expect to find the 11/02/01 field notes in the backup that supported the 3 sampled wells (i.e. MW-1, MW-2 and MW-3). Please note that the dates of service of charges (as found on the invoice) are not to be listed in a range format, i.e. 09/24/01-09/30/01, rather, they should be expressed as individual days: 09/24/01, 09/25/01, 09/28/01, etc. Dates of service are typically listed on the invoice in conjunction with the following: a description of the task(s) performed, the name and or title of the individual(s) who performed the respective task(s), the number of hours labored and or devoted to the task(s), the respective individuals' billable hourly rate and the total amount paid for the services as related to the task(s). DOS enable the adjuster to track events on site, to verify that events take place, to verify that events occur in a chronological fashion, to verify activities are related to specific events that are claimed, to ensure proper task coding of related charges, and to ensure that only eligible charges are considered for reimbursement (i.e. if a gasoline UST excavation event occurred on 06/11/01 and a hydraulic lift excavation event occurred on 06/12/01, the related C6.1.1 charges claimed on 06/12/01 should be deemed ineligible).

DIRECT PAY CERTIFICATION FORM

The Direct Pay Certification Form is only needed for those sites that were approved by the 21J to become part of the Direct Pay Pilot Program. The following are a listing of the sites in the Program:

ELIG	#	OWNER	FACILITY NAME	FACILITY TOWN	FACILITY DIRECT PAY CLAIMANT
40283	A 600	DB Marketing	Texaco Station	N. Reading	Lincoln Environmental
7419	A 2028	Public Petroleum	Public Petroleum	Three Rivers	ECS, Inc.
13693	A 2090	Public Petroleum	Petrol Plus	Marshfield	ECS, Inc.
13341	A 2380	DB Marketing	DB #14	Hanover	Lincoln Environmental
372	A 2388	DB Marketing	DB #13	Seekonk	Lincoln Environmental
10591	A 6032	DB Marketing	DB #10591	Natick	Lincoln Environmental
40623	A 337	Mobil	Mobil 01-EL5	Worcester	GES, Inc
30113	A 2174	Mobil	Mobil 01-412	Stoneham	GES, Inc
2495	A 2441	A.R.Sandri	Pete's Sales & Service	Sheffield	ECS, Inc.
1486	A 2393	Richard Aiken	Jack and Jill's	Truro	ENSR, Lightship
40448	A 2430	Richard Boutwell	Boutwell's Garage	Ashburnham	Handex
14487	A 2520	Ed Murray	Murray's Service Station	Dorchester	Resource Controls
874	A 6104	Sunoco	Sunoco #0005-3389	Dorchester	Handex

These sites have costs that are directly submitted to the 21J for payment/reimbursement by the authorized claimant (usually the remediation consultant) and have not been paid by the original claimant. This consultant incurs costs related to site remediation and directly submits these charges to the 21J for payment as opposed to having the original claimant pay the consultant and then provide cancelled checks/payment affidavits that these charges were paid. For Direct Pay claims, they have to provide the Certification that these were real costs incurred by the consultant who is now filing for direct payment for those charges.

The form verifies that the information presented represents actual costs incurred/activities performed as part of the response action at this site and that these charges are not submitted as part of another reimbursement submittal; that a release has occurred from an eligible underground storage tank system at this site; that all charges are directly related to a release of petroleum product at this site; that the costs incurred above the MA UST Fund Program deductible(s) are not eligible to be paid or reimbursed by any other source such as contract of insurance. The form also indicates that those parties signing this form will be held accountable for any false statements under Mass. General Law Chapter 13, including fine, imprisonment, or both and may bar this party from future participation in the program. It also provides consent for audits of all payroll records and site inspections for Fund verification purposes.

The Direct Pay Certification Form consists of 4 sections:

- Section 1 is for general information indicating what site this form is in relation to, eligible UST release number, submittal number, dollar amount claimed as well as the Owner and Authorized Claimant information.
- Section 2 is the Certification of the Owner or Attorney in Fact and must be signed and notarized.
- Section 3 is the Certification of the Lead Consultant/Contractor (Licensed site Professional/Project Manager/Principal) and must be signed and notarized.
- Section 4 is the Certification of the Financial Officer and must be signed and notarized.

FEE SCHEDULE

The fee schedule is Appendix 3 of 503 CMR 2.00. The fee schedule contains a list of task codes that need to be utilized for reimbursement purposes. These task codes must comply with the provisions of the Massachusetts Contingency Plan (MCP) and other applicable DEP, State and Local regulations and statutes. The purpose of the fee schedule is to (1) establish maximums for activities, materials, rental equipment, lab analyses, and other allowable costs incurred as a result of releases of petroleum products from UST systems; (2) define specific response actions that are eligible for reimbursement; and to provide an Application for Reimbursement Form to enable eligible claimants to receive reimbursement for allowable costs, expenses and obligations.

The fee schedule contains 32 subheadings that outline the different categories for MCP related response, assessment, remedial, response action outcome, etc. activities. Each subheading provides a general overview to help clarify tasks included under the subheading. Under each subheading is a list of specific task codes that correspond with specific tasks, along with a brief description (for example: Subheading 2 is related to reports. Under that subheading is task code 2.4, which is the specific task code for the Phase II Report).

For Sedgwick CMS purposes in determining task maximums, each task code is entered into our database with an “A”, “B”, or “C” preceding it. (See Fee Schedule definition) The “A” was used with the original fee schedule (effective 07/01/94 through 6/30/97), the “B” with the first

revision (effective 07/01/97 through 08/31/01) and the “C” with the most current revision (effective 9/01/01 until present).

NOTES

The two different categories of notes per submittal are invoice notes and submittal notes.

Invoice notes disclose both specific information and change(s) made to a task code. The invoice notes are task code specific. They consist of a brief sentence describing the information/change of a task code. Each sentence begins with the specific task code. Information within the invoice notes may include, but are not limited to Bid description. Bid information indicates exactly what was Bid. Change(s) may be needed in both the initial and final adjustment of the submittal per the information provided/not provided by the claimant/consultant. These changes are recorded in the invoice notes. They may include, but are not limited to, recoding, exceeding of task maximums, denial of charges, reduction of charges, and withdrawal of charges. Stated is the specific change and brief description as to why the change was necessary for that task code.

Submittal notes record the history of the submittal and includes specific information pertinent to the claimed costs. Information includes, but is not limited to start & end dates, provided reports, relevant activities information, and any Site-specific details relevant to 21J reimbursement.

NOTICE OF NONCOMPLIANCE

Notice of Noncompliance (NON) is a written notice given to a regulated entity by Massachusetts Department of Environmental Protection (DEP) and which states that the regulated entity has failed to comply with one or more requirements per 310CMR 40.00. The NON may be accompanied by an administrative order, penalty Assessment Notice, administrative Consent Order (with or without penalties), Notice of Response Action, permit and license sanctions, and civil and criminal judicial prosecution. The Board will not reimburse for activities that are above and beyond what would have been required had the NON not been issued. An example would be if a NON is issued because a Phase II and Phase III Report were not completed and submitted to the DEP within the required timelines. The DEP may assign an interim deadline for the completion of the Phase II/Phase III. This does not make the Phase II/Phase III activities non-reimbursable as they would have been required in the normal process. If the claimant submits the Phase II/Phase III per the NON-imposed deadline and then submits an RAO based on the information gathered during the Phase II, then the Phase III would not be reimbursable as it would not have had to have been completed but for the NON-imposed deadline. All submittals having NON-costs claimed for reimbursement are recommended for audit.

OWNER AUTHORIZATION

An Owner Authorization (OA) is a form that grants a party not listed as the eligible claimant permission to claim for reimbursement in this program. The form is used when the claimant does not currently own the UST system on-site. The owner is defined by the regulations as “any

person having legal ownership of the UST system” (503 CMR 2.02 Implementing M.G.L. c. 21J). Included on this form are the facility address and claimant’s name (or company name) and the signature and title of the person (for the company) granting authorization. An OA must be included with every submittal of a claim if the claimant is not the owner or owner/operator of the UST system.

- The date of the authorization on the OA (the section beginning with “I hereby authorize...”) must be dated the same as the date the Appendix 4 Reimbursement Application was signed.
- If the dates of the OA and the Appendix 4 signature do not match, a revised copy should be obtained in the RFI.

If an OA is provided as an RFI response and has incorrect dates, all charges in the current submittal should be considered ineligible.

PROOF OF PAYMENT (POP)

The claimant must provide proof of payment/payment affidavit for all eligible costs incurred. This shall include either canceled checks (copies of both front and back) or a contractor/vendor certification on letterhead certifying that the contractor/vendor has received payment. To verify the POP, the adjuster looks for the following documentation: the date paid, the invoice number(s) and date(s) that are covered, the invoice amount, the total amount paid for that invoice, the phrase “signed under the pains and penalties of perjury” and a signature from the contractor/payee verifying that information provided is accurate and the costs have been paid. The POP must accompany all claims submitted for reimbursement, with the exception of direct pay claims. (See Direct Pay Certification)

REIMBURSEMENT APPLICATION (RA) DATE STAMP

When the Reimbursement Application package (i.e. submittal) is received by the 21J, it receives an RA date stamp. This date stamp is used to record the date of receipt that establishes a “cut-off date” for the application of rules of the 2J Fund regulations (e.g. 90/180 rule for POP’s). RA date stamp consists of 3 lines: (1) received, (2) the date and time of receipt, & (3) UST Program, Dept. of Revenue.

RETAINER CHECK POLICY

A retainer check is a payment made by the claimant prior to any costs being incurred. The claimant may be asked to issue a retainer check before work by the respective consultant/contractor begins. Retainer checks are usually seen in early submissions of a site, i.e. submittals #1 or #2. The retainer, essentially a pre-payment, is oftentimes necessary to finance the initial stages of work (i.e. response actions) on site. For instance, the consultant/contractor may ask for a retainer check of \$1,500.00 to begin work on the Phase I Report that is anticipated to cost a total of \$5,000.00. Note that the charges covered by a retainer are usually listed (on

invoice) no differently than those charges already incurred and paid for. It is often during review of the 90/180-day cutoff policy, that the Sedgwick CMS adjuster discovers that the retainer exists. For example, the adjuster may notice that the check date (for the related retainer charges) falls before the invoice date. This signals the adjuster to utilize the retainer check policy. In agreement with the 21J, the Sedgwick CMS adjuster understands that “costs covered by retainer checks shall be considered timely from the work complete date (DOS), not by the check’s cash date.” As such, the work covered by the retainer is expected to occur after the check’s cash date. The work covered by a retainer check is to be considered eligible so long as the “payment date or incurred costs are within 6 months of the submittal’s filing date (i.e. RA Date Stamp).” The 21J and Sedgwick references the following when explaining the retainer check policy:

“A consultant/contractor requires the claimant to provide a \$1,000.00 check as a retainer for work yet performed. The cash date of the retainer check is December 1, 1999. The work covered by the retainer check was performed on February 1, 2000 (after the cash date). The UST Board receives the submittal on July 1, 2000, which is more than 180 days after the retainer check was cashed, but less than 180 days of when the work was performed. The work covered by the retainer check is eligible.”

REQUEST FOR INFORMATION (RFI)

A Request for Information (RFI) is a document prepared by Sedgwick CMS when additional information is required by the consultant to support, verify and accept charges claimed. If charges are not supported and additional information is necessary to determine the eligibility of charges and/or activities on-site, a RFI is prepared to request such information. If a consultant responds to the RFI (within the specified 21 day deadline), then the new information will be reviewed with the claim. If a consultant does not respond to the RFI (at all or within the specified deadline), new information is not incorporated into the claim and charges will either be allowed or denied based on the original information provided.

Items requested in a RFI include, but not limited to:

- Owner Authorization (or revised copy)
- Proof of Payment (or revised copy)
- Reports
- DEP transmittal forms to correspond to reports already provided
- Subcontractor invoices
- Consultant time and expense sheets
- Chains of custody
- Questions regarding activities conducted during or in relation to an event (i.e. coordination of drilling events)
- Recode charges due to improper task coding (this is only asked when the adjuster cannot determine the correct task code to use because the activity/event is unclear)
- Proper task coding of the invoice to correspond with the charges claimed on the Appendix 4A spreadsheet
- Boring and well installation logs.

- Verification of dates of service of activities
- Site plans

SITE MAXIMUM

The total of all Reimbursements made by the Fund as the result of an Occurrence at a Dispensing Facility shall not exceed the total of:

1. \$1.0 million for the Owner or Operator of a Dispensing Facility from which Petroleum Product is sold or transferred to other Dispensing Facilities or to the public or the Owner or Operator of a Dispensing Facility that handles an average of more than 10,000 gallons of Petroleum Product pre month based on annual throughput for the calendar year previous to the filing an Application for Eligibility; or
2. \$500,000 for an Owner or Operator of a Dispensing Facility who does not qualify under the above

The Sedgwick CMS software tracks this site max according to the throughput entered into our database from the 21J. If the throughput is greater than 10,000 gallons, the site max is capped at \$1 million minus the deductible. If the throughput is less than 10,000 gallons, the site max is capped at \$500,000 minus the deductible. All charges are automatically denied if the invoice total exceeds this site max calculation.

Exceptions: The following are exceptions to the above rule:

6000 series claims have a reduction of 5% automatically deducted by the system off the eligible amount of the submittal and the system restricts the site max to 95% of the site max allowed in 1 or 2 above.

7000 series claims have a reduction of 10% automatically deducted by the system off the eligible amount of the submittal and the system restricts the site max to 90% of the site max allowed in 1 or 2 above.

8000 series claims have a reduction of 20% automatically deducted by the system off the eligible amount of the submittal and the system restricts the site max to 80% of the site max allowed in 1 or 2 above.

9000 series claims have a reduction of 20% automatically deducted by the system off the eligible amount of the submittal and the system restricts the site max to 80% of the site max allowed in 1 or 2 above.

SPREADSHEET

(App. 4a listing of costs, expenses, and obligations form): This form accompanies the submittal package and consists of all task coded eligible charges that are being claimed for

reimbursement. This form should include the site address, eligible UST release number along with submittal number, invoice date, invoice number, contractor of the invoices, task code, task description, unit of measure with quantity that corresponds to that task code in the fee schedule, the total amount paid, invoice date paid, and reimbursement claimed amount. There should be one summarized task code per invoice (e.g. 1 line item of task 2.4 on the spreadsheet that is the summation of all 2.4 charges from 1 individual invoice). There should be invoice total amounts claimed, page total amount claimed, and grand total amounts claimed for the entire spreadsheet (some consisting of multiple pages). Subcontractors do not need to be separated out, just include these under the contractor invoice if this is how they were paid by the claimant. (See App. 3 Fee Schedule for task code guidelines)

SUBMITTAL

A Submittal is referred to as a 'Claim', 'Claim for Reimbursement', and 'Application for Reimbursement.' It is a request for reimbursement for a specific Facility filed pursuant to 503 CMR 2.10. Once eligibility is approved, a claimant may submit costs for reimbursement of response actions after July 1, 1994. The eligible claimant must first conduct a response action at their own expense and then seek reimbursement from the fund. The regulations specify items, which are likely to be covered by the fund and those that are not. The application for reimbursement must be submitted within the required time periods and the owner or operator should maintain proof of filing by sending the application by certified or registered mail and keeping a receipt. Documentation of timely submittals shall include, but not be limited to, time stamp of the UST Board, return receipt of a recognized overnight carrier or postmark.

Claims for Reimbursement are summarized by information provided on the Appendix 4 Form and Appendix 4A-Worksheet. The Appendix 4 Form must be signed and dated by an officer of the corporation. The submittal shall be filed accurately and completely in a manner that will facilitate processing. For example, place the Appendix 4 Form on the top of your package. Follow it by the completed Appendix 4a-Worksheet with the Invoices as they are listed on the Appendix 4A-Worksheet. Behind each invoice place the backup documentation for all costs reported on that invoice. NOTE: See minimum claim filing requirements.

A Submittal is subject to the adjustment process. If a denial or recoding has been performed on a submittal yet the submittal appears to be complete, a worksheet (WKST) is sent out with a 21-Day letter allowing the claimant/consultant to review and possibly respond to the recoding/denial by Sedgwick CMS. Before presenting a Claim to the Board for a vote, if a submittal is incomplete, Sedgwick CMS shall forward to the Claimant a 21-Day letter, WKST, and Request for Information (RFI). The Claimant has twenty-one days in which to respond to the RFI. If Sedgwick CMS receives supplemental information, the recommendation for payment may be adjusted upon receipt of supplemental information or audit. The claim review worksheet generated from the provided information during the adjustment process shall list Sedgwick CMS's recommendation for payment to the Board. A Claim is complete when it has been received and reviewed by Sedgwick CMS, the staff of the Board, and has been presented for vote to the Board.

FINAL WORKSHEET REVIEW

This is a monthly process to verify that claims are done according to required client/regulation standards. All of the claims are closed on a monthly basis and each adjuster is required to submit a submittal worksheet and submittal note page to the supervisor for review.

The reviewer first runs the 90/180-day report for the month in question to verify that all paid dates are filled in and meet the 90/180-day rule cutoff dates for eligibility. The exception will be the Direct Pay Pilot Program sites that do not have a paid date and these will be blank. These will print on the report and the reviewer must verify that these blank fields are attributed to a Direct Pay site or return the submittal to the adjuster to investigate the Proof of Payment (POP) issue. The reviewer verifies that anything that failed the 90/180-day rule cutoff is denied and verifies that those invoice charges that are denied actually fail the rule.

The next step is reviewing the worksheets and submittal notes. The reviewer will verify the DEP release date and make sure that no charges have been allowed for work that occurred before the DEP release date.

Then, the Owner status is verified. If "OTHER" prints out on the worksheet, then the reviewer checks the submittal notes to make sure that the adjuster received an Owner Authorization form. If no note is present, the worksheet/notes will be sent back for verification by the adjuster.

Next, verification of the total on the notes page (that is captured from the database at the point of data entry by the claims assistant) matches the total on the bottom of the worksheet is completed. If no match, then the reviewer will double-check the note for a reason for a change in the total reimbursement (i.e. consultant addition error, withdrawn charges, etc.)

The reviewer then verifies that an end date was entered for the completion of the adjustment by the adjuster. Next, the submittal notes are read to get an idea of what is going on at the site, what DOS of activities took place, what is going on at the site, are there any questionable activities, what back up was provided to support the charges/task codes claimed on the worksheet and decide if any of the claims need a more detailed supervisor review or need to be recommended for 21J audit if not already recommended for audit. The claim is next reviewed to verify Direct Pay status by looking at the worksheet and verifying on the Direct Pay Pilot Program Listing. The reviewer will also verify the grammar of any of the submittal notes and invoice notes, and make sure that charges that have been denied or recoded have a detailed explanation as to the reason for the denial or recoding in the invoice notes. The worksheet is then reviewed for proper task coding of activities, proper Fee schedule to use based on DOS covered by the submittal, and for proper task maximums. The reviewer makes corrections, ask questions, ask for more info, and make changes to the notes and worksheet and send them back to the adjuster for further review if necessary.

Once all of the corrected submittal worksheets and submittal notes are gathered, the reviewer verifies that all 6000 (5%), 7000 (10%), 8000 (20%) and 9000 (20%) claims have their proper percentages taken out of the ELIGIBLE amount on the worksheet. The reviewer next checks all

of the deductibles against the deductibles list printed from the database. If the deductible has not been met for a site, the status of that submittal is changed to PROCESSED and print out a new copy of the worksheet that will take out the deductible and replace this with the original worksheet. Deductibles are not shown until the submittal has been placed in the PROCESSED field and are deducted from the eligible amount on the worksheet (minus the reduction for 6000-9000 series submittals) to come up with the Recommended Payment for that submittal.

Finally, the Audit Letter is printed in order to double check that all of the submittals that have been recommended for audit are sent for review by the 21J. This is tracked in the system. The adjusters indicate with the check box in the claim tab if the claim is recommended for audit. This will print the word "Audit" on the claim notes. The reviewer also reads through the submittal notes where the submittal is recommended for audit and makes sure that all those claims recommended for audit 1) have a check in the system and 2) print out on the Audit Letter Report. Next, the Claims Max report is printed to verify that no submittals from that months claims listing have exceeded their site maximums. The database does track this function at the adjuster level automatically, but this is just to double check. The reviewer uses the Submittal Status Function to change all submittals for that month from PMT status to PROCESSED Status to finalize them and prepare for delivery to the 21J.

TASK MAX

A task maximum is a limit to the amount reimbursable based on the unit of measurement for each task code. For task codes that cross the boundaries of the 3 fee schedules, the unit of measurement does not change; however, charges can continue to be allowed up to their respective fee schedule task maximum. Once the task maximum has been reached for a particular fee schedule, new charges cannot be allowed until dates of service fall within the next revised fee schedule and only if that revised fee schedule indicates an increase in the task maximum allowed and said activity has not been completed yet.

Sedgwick's database tracks these charges based on the 3 differing fee schedule's that have been in effect since the start of the program.

- A Effective 7/1/94 through 6/30/97
- B Effective 7/1/97 through 8/31/01
- C Effective 9/1/01 through present

As the charges are entered into the database, the system tracks the charges according to the DOS of the activity charges. For example, if you enter an "A" fee schedule charge and there is no other fee schedule charges, the system tracks according to this fee schedule. As the next charges might be a combination of two fee schedules, the charges are ultimately tracked toward the most recent charge fee schedule, however the "push pin" shows all fee schedule charges added up separately on the screen. The idea is that the charges are in sequence and ultimately subject to the latest fee schedule. All charges are added up in their separate fee schedule to allow the

adjuster to track the max accordingly. This is all shown simultaneously on the “push pin” box with a summation of all fee schedules and Recon charges. If the charges exceed the max, a warning message prompts the adjuster to deny the task max exceedence.

WORKSHEET

A Sedgwick CMS-generated document that includes the recommended payment information for the respective submittal. The main components of the worksheet include general applicant information (claimant name, federal tax ID #, claimant address, facility name, facility address, UST release #, submittal #, end date, claimant status and release date) and charges submitted for reimbursement (invoice #'s, invoice dates, task coded charges claimed, ineligible or denied task coded amounts, total amounts eligible for reimbursement, reduction and or deductible amounts, total payment amounts and invoice notes).

The claim worksheet is first generated during the submittal’s initial adjustment, at which time the Sedgwick adjuster enters all relevant Appendix 4a (spreadsheet) information into the database. This Appendix 4a or spreadsheet is the listing of all of the charges that are being claimed for reimbursement by the claimant. All general applicant information and related charges, invoices, etc. in Sedgwick’s database should match that found on the Appendix 4 and Appendix 4a.

The key element of the worksheet is the fee schedule-assigned task codes preceded by the letters A, B or C. Task codes that are preceded by letter A represent charges incurred during the affect of the initial fee schedule for actual dates of service between 04/01/95 and 06/30/97. Task codes that are preceded by the letter B are for charges incurred during the affect of the “second” fee schedule (first revision of initial schedule for actual dates of service between 07/01/97 and 09/01/01. Task codes that are preceded by letter C represent charges incurred during the affect of the “third” fee schedule (second revision to the initial schedule) for actual dates of service after 09/01/01. The actual activity date of service is the determining factor of which App. 3 Fee schedule can be utilized for those charges being claimed.

During adjustment, the Sedgwick CMS adjuster compares the information found on the App. 4a (commonly referred to as the “spreadsheet”) with that found in the backup provided. If charges have been task coded correctly and no task maximums are exceeded, than charges will remain coded as is and no amounts will be denied. The “ineligible” column on the worksheet, lists denied amounts. If however, recoding or partial recoding of charges is necessary, task codes will be withdrawn or added to the worksheet accordingly. Additionally, if task maximums are reached, the appropriately denied amounts will appear in the worksheet’s ineligible column. When the adjuster makes any alteration to the spreadsheet information, they document the change in the worksheet’s invoice notes. The invoice notes follow the task code section of the worksheet and are grouped by the invoice # to which their charges relate. The notes are designed to provide the claimant/consultant with a concise explanation as to the respective recoding and or denial of charges. They oftentimes include dates of reports and field events (i.e. B2.3 recoded to 2.4 per 03/19/01 report provided.).

Once the Sedgwick adjuster is finished with his initial adjustment, he sends the claim worksheet to the claimant/consultant in conjunction with the 21-day letter and RFI (if necessary). If a RFI is prepared, the charges in question are denoted on the claim worksheet with an asterisk (*). Every claimant/consultant receives a claim worksheet during this initial phase of adjustment. Once 21 days have elapsed, and the Sedgwick adjuster has received the RFI response, further adjustment to the claim worksheet is often needed. The result of the submittal's final adjustment is summarized by the total payment amount. The total payment calculates the sum of all eligible task-coded charges (less the reduction and or deductible amounts), and is the amount that the claimant/consultant stands to receive from the Board. Reductions are applied to claims with program entry-imposed restrictions and or other stipulations as enforced by the MCP. Claims with reductions are denoted as the 6000, 7000, 8000 and 9000 series. Deductibles are automatically applied.

