

MEMORANDUM

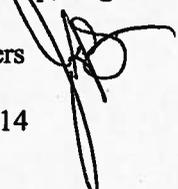
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF LAND PROTECTION AND REVITALIZATION
OFFICE OF SPILL RESPONSE AND REMEDIATION

Mail Address:
P.O. Box 1105
Richmond, VA 23218

Location:
629 East Main Street
Richmond, VA 23219

SUBJECT: State Lead Procedures Manual, First Edition
Guidance Document # LPR-SRR-2014-01

TO: Elizabeth Lamp, Regional Directors

FROM: Jeffery Steers 

DATE: May 14, 2014

Summary:

The Department of Environmental Quality (DEQ) Storage Tank Program investigates reports of petroleum releases and ensures they are characterized and cleaned up to prevent risk to human health and the environment. When a tank owner or operator is unknown, unable, or unwilling to investigate and clean up a petroleum release, the DEQ, through its State Lead Contractors conducts work related to characterizing and cleaning up the release. The purpose of the State Lead Procedures Manual is to provide staff with standard operating procedures for managing sites within the State Lead Program.

Electronic Copy:

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET, and for the public on DEQ's website at: <http://www.deq.virginia.gov>.

Contact information:

For additional information about this document, please contact:

James Barnett
804-698-4289
james.barnett@deq.virginia.gov

Disclaimer:

Guidance documents do not establish or affect legal rights or obligations, do not establish a binding norm, and are not determinative of the issues addressed. Decisions in individual cases will be made by applying the laws, regulations, and policies of the Commonwealth to case-specific facts.

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL
QUALITY
STORAGE TANK PROGRAM**

State Lead Procedures Manual

First Edition, May 14, 2014

DEQ Guidance Document #LPR-SRR-2014-01

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List of Acronyms

AAF – Activity Authorization Form

AST – above ground storage tank

AWS – alternate water supply

CAP – corrective action plan

CEDS – Comprehensive Environmental Data System

CFU – carbon filtration unit

CM – case manager

DEM – Department of Emergency Management

DEQ – Department of Environmental Quality

ECM – Enterprise Content Management

NRC – National Response Center

OSRR – Office of Spill Response and Remediation

OFA – Office of Financial Assurance

OFM – Office of Financial Management

POTW – publicly owned treatment works

PREP – pollution response program

RO – Regional Office

RP – responsible person

S.L. – state lead

STORMS – the Storage Tank Module within the CEDS database

UCR – usual and customary rate

UST – underground storage tank

VAAF – Verified AAF

VDOT – Virginia Department of Transportation

VPSTF – Virginia Petroleum Storage Tank Fund

1.0 Introduction

The Virginia Department of Environmental Quality (DEQ) Storage Tank Program is responsible for overseeing the requirements for petroleum storage tank clean ups required under Articles 9 and 11 of Virginia Water Control Law. The State Lead Program was established by the DEQ Storage Tank Program to ensure that the actions necessary to protect human health and the environment are taken at those sites where the petroleum storage tank owner/operator or person causing a discharge of oil is/are unknown, unable, or unwilling to perform the work required under Articles 9 and/or 11. Under the State Lead Program, the DEQ retains one or more contractors to perform emergency response activities as well as release investigation and corrective action at petroleum release sites. DEQ staff oversee work performed by State Lead contractors. The purpose of this document is to provide guidance to staff for implementation of the State Lead Program.

2.0 Eligibility for the State Lead Program

The DEQ is responsible for overseeing the investigation and clean up of petroleum releases subject to Articles 9 and 11 of State Water Control Law. The necessary investigation and clean up following most petroleum releases is undertaken by the responsible person; usually the tank owner or operator. The DEQ may, in certain instances, manage work required for meeting the requirements of Articles 9 or 11 through the State Lead Program. The State Lead Program is limited to the clean up of petroleum releases and contamination. Petroleum releases eligible for the State Lead Program include cases where:

1. the owner/operator is unknown;
2. the owner/operator is financially incapable of funding the investigative and clean up activities; or
3. the owner/operator is unwilling to take appropriate actions and immediate investigation and/or corrective action is warranted.

Staff may, in those situations where the RP is unknown, unwilling, or unable, utilize State Lead to prevent an oil discharge where there is an imminent threat of a discharge. A flowchart showing site eligibility for inclusion in the State Lead Program is shown as Figure 2-1.

2.1 Unknown Owner/Operator

Petroleum release sites or sites having petroleum contamination where a responsible person cannot be identified may be included in the State Lead Program. The Case Manager must document within the regional case file that the Regional Office investigated the release and that no responsible persons were identified or located. If a responsible person is not identified, the case is eligible for the State Lead program and a State Lead contractor may be utilized to investigate and clean up the petroleum release. If a responsible person is subsequently identified, state lead work at the site should cease unless the responsible person is found to be unable to pay or is unwilling to take appropriate actions.

 If information about the owner/operator is available, staff should enter that data into CEDS. See Appendix A for CEDS data entry requirements.

2.2 Financially Incapable Owner/Operator

Petroleum release sites where the responsible person is unable to pay may be referred to State Lead. If the responsible person claims they are financially incapable of proceeding with the corrective action required by DEQ, regional staff should inform that person that the Virginia Petroleum Storage Tank Fund is available to reimburse them for reasonable and necessary costs of cleanup. The responsible person should be cautioned not to expect full reimbursement because the amount reimbursed is subject to certain eligibility requirements, a deduction of a financial responsibility requirement, and the application of the Usual and Customary Rate (UCR) schedule for corrective action costs.

If a responsible person claims to be financially incapable of proceeding with corrective action, even after considering reimbursement from the Fund, the Case Manager should inform the staff in the Office of

Financial Assurance (OFA) so that an inability-to-pay application and additional guidance may be provided to the responsible person. Information that regional staff must provide to the OFA includes:

1. responsible person name;
2. responsible person address;
3. responsible person telephone number(s);
4. pollution complaint number;
5. site name;
6. number and type of occurrences;
7. release report date;
8. identification of RP's type of business entity:
 - A. individual/sole proprietorship;
 - B. bankrupt;
 - C. corporation;
 - D. partnership;
 - E. estate;
 - F. non profit organization; or
 - G. other (limited liability company, government entity, etc.).
9. filing deadline for the next report required for the case; and
10. whether a responsible person filed a tax return the previous year (this only applies to individuals).

Upon receiving this information, the OFA staff will contact the responsible person and send the necessary forms and instructions to that person. OFA staff also will copy the Case Manager on correspondence with the responsible person.

The letter accompanying the inability-to-pay package typically gives the responsible person 30 days to provide the inability-to-pay information. If the Case Manager believes that a shorter time period is more appropriate for the individual case, the Case Manager should suggest this alternative deadline when providing information about the responsible person to OFA staff. Responsible persons should, in all cases, be allowed at least 10 days to file an inability-to-pay claim.

After receipt of the completed claim form and other financial information, OFA staff will perform the Ability to Pay analysis and update the Ability to Pay section of STORMS to reflect the results of the analysis. If the analysis indicates the RP is unable to pay for the cleanup, OFA staff will copy the Case Manager on the ability to pay letter sent to the responsible person and send a memorandum to the regional Petroleum Program Manager requesting that the site be referred to state lead. If the analysis indicates the responsible person is able to pay for the cleanup, the OFA staff will copy the Case Manager on the ability to pay letter sent to the responsible person. The Case Manager should then require the responsible person to perform the corrective action and/or refer the site to enforcement against the responsible person for failure to meet corrective action deadlines.

Figure 2-1.
Eligibility for the State Lead Program

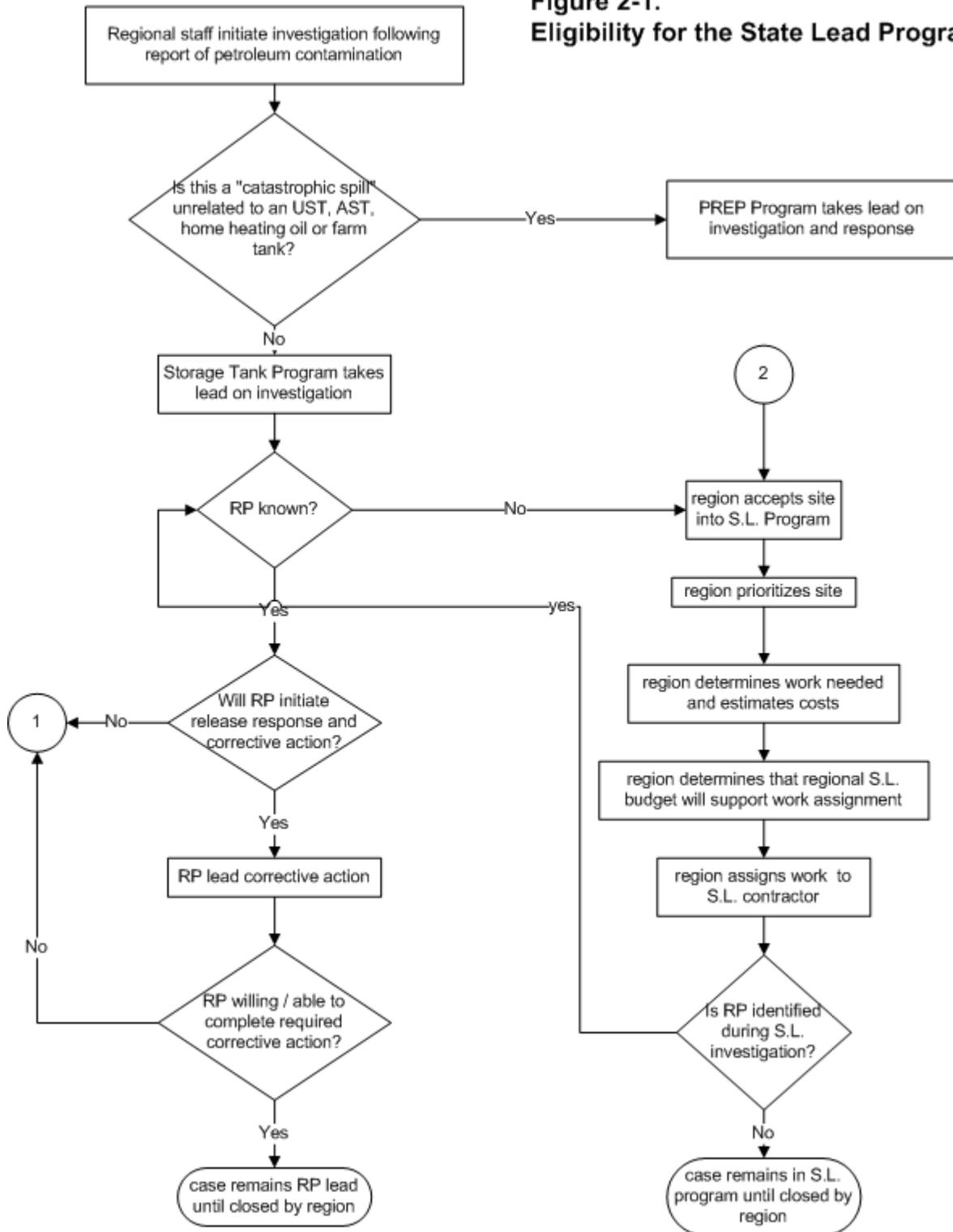
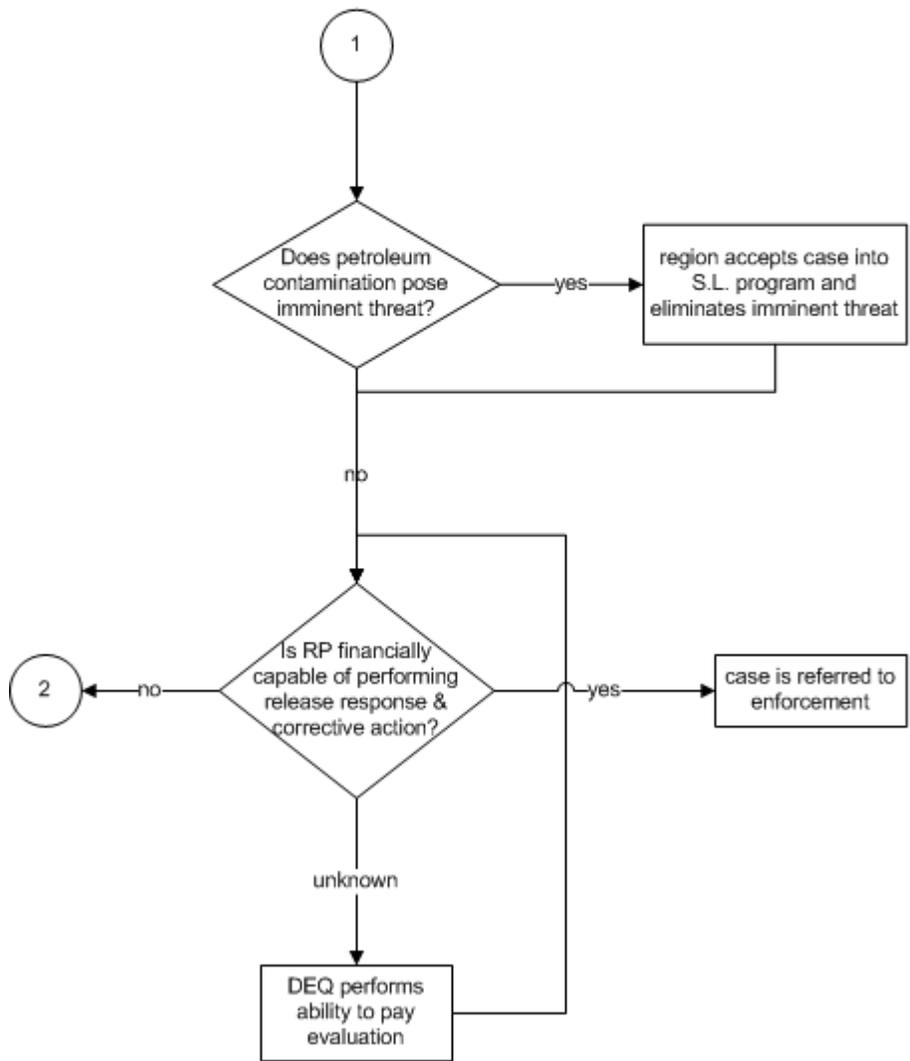


Figure 2.1
Eligibility for the State Lead Program, continued



2.3 Recalcitrant Owner/Operator

The third type of case that can be managed under State Lead is one where the responsible person is unwilling to undertake the required release response and corrective action activities. In order for a case involving an unwilling responsible person to be taken into the State Lead Program, regional staff must document:

1. the responsible person has refused to take any corrective action and failure to take corrective action constitutes an unacceptable risk to human health or the environment;²⁻¹
or
2. DEQ enforcement staff have advised the Storage Tank Program that the responsible person has refused to take corrective action and the responsible person has been informed that DEQ will take corrective action and recover the applicable costs from the responsible person.

2.4 Acceptance of a Case into the State Lead Program

Once the DEQ has evaluated a case and decided that it is eligible for inclusion in the State Lead Program, the Case Manager must:

1.  Make sure that a pollution complaint number has been assigned for the case and the pertinent case information has been entered into CEDS;
2. Fill out a State Lead Acceptance Form (Appendix B) providing information about the case. Staff may download an electronic copy of this form from the DEQ Intranet. The electronic copy of the form is located on DEQnet at:

Documents → waste → OSRR → State Lead_State LeadAWS → Forms → State_lead-acceptance_form.

- a. Select the Project and Fund codes listed on the Acceptance Form that correspond with the type of tank or release source and the funding source for the work to be performed.

Project 63717 Petroleum releases from regulated USTs. The last 2 digits correspond with the Federal Leaking UST Grant cycle and will change when DEQ enters a new grant period.
83702 Work related to any other type of petroleum release/discharge (including unknown source(s)). This project number does not change.

Fund 0748 VPSTF code. Almost all cases will be assigned to VPSTF.
 1000 Federal Leaking UST grant.

²⁻¹ To determine if cost recovery is required, see the VPSTF Cost Recovery Policy in the Office of Financial Assurance Procedures Manual.

http://deqnet/docs/waste/Financial_Assurance/OFA_Manual/Chapter_9_CostRecovery.doc

Use of the Federal Leaking UST grant for state lead cases will be authorized on a case-specific basis by the OSRR Remediation Programs Manager. Generally, the only cases assigned to the Federal Leaking UST grant are regulated UST cases where the responsible person is unknown or financially incapable and the case has reached its maximum financial assistance from VPSTF.

- b. The Case Manager needs to fill in the appropriate box indicating why the case needs to be accepted into the State Lead Program (RP unknown, RP financially incapable, etc.). Except in the case of an unknown responsible person, the Case Manager also must attach documentation to the acceptance form explaining why the case needs to be taken into the State Lead Program. If the case is being taken into the State Lead Program due to financial incapability or enforcement-related directives, the Case Manager needs to include a memo from the Financial Responsibility Manager or staff from the Office of Enforcement with the Acceptance Form. If work will be done under the State Lead Program because of unacceptable risks or for other reasons, the Case Manager must provide a memo describing why State Lead work needs to be performed at the site.
- c. After completing the State Lead Acceptance Form, the Case Manager must forward the form and any accompanying memos to the State Lead Program Manager in the Office of Spill Response and Remediation (OSRR). The State Lead Acceptance Form and any accompanying documents may be emailed to the State Lead Program Manager.

Upon receipt of the Acceptance Form, the State Lead Program Manager will:

- 1 Review the information on the form to ensure that the case may be accepted into the State Lead Program. If additional information is needed, the State Lead Program Manager will contact the Case Manager.
- 2  Once the case is approved for inclusion into the State Lead Program, the State Lead Program Manager will sign the Acceptance Form and enter the program and cost codes into CEDS.
- 3 The State Lead Program Manager will notify the Case Manager via email that the case has been accepted into the State Lead Program.
- 4  The State Lead Acceptance Form, signed by the State Lead Program Manager, then will be scanned into ECM by OSRR staff and a copy of the form will be given to the DEQ grants manager so that OTL time codes may be set up for this State Lead case.

 Please see Appendix A for CEDS data entry requirements following the acceptance of a site into the State Lead Program.

3.0 State Lead Program Funding and Budget

Funding for work performed under State Lead Program comes primarily from the Virginia Petroleum Storage Tank Fund (VPSTF). The DEQ also receives funding from the Federal Leaking UST Trust Fund for dealing with leaking, regulated USTs.

The money allocated to the State Lead program is intended to cover State Lead clean up activities and emergency contract clean up activities directed/issued by the Pollution Response Program (PREP). Each region is allocated a portion of the total State Lead budget for State Lead activities in that region. The State Lead fiscal year budget will cover only those phases/sub-phases of work completed, invoiced, and paid during the fiscal year that starts July 1 and ends June 30. Generally, funding for the regional State Lead budget comes from VPSTF.

Federal Leaking UST Trust Fund monies also are used by DEQ for State Lead work. Use of Federal Leaking UST Trust Fund monies for a State Lead case must be authorized by the OSRR Remediation Programs Manager.

3.1 Virginia Petroleum Storage Tank Fund

The VPSTF is a non-lapsing, revolving fund that is administered by DEQ. One of the stated purposes of VPSTF is to provide funding to the DEQ for administering state regulatory programs authorized by Articles 9, 10, and 11 of Virginia Water Control Law (Sections 62.1-44.34:8 through 23 of the Code of Virginia).

The primary revenue source for VPSTF is a state fee on petroleum products including gasoline, aviation gasoline, diesel fuel, dyed diesel fuel, kerosene, and heating oil sold in Virginia. Depending upon the balance in VPSTF, the fee on these fuels fluctuates between 2/10 and 6/10 of a cent per gallon. The fee is collected by the Department of Motor Vehicles.

Under Article 10 of Virginia Water Control Law, the DEQ may use VPSTF monies to pay for:

1. the costs incurred by DEQ when taking corrective action to contain or mitigate the effects of any release of petroleum into the environment from an UST and/or USTs exempted in subdivisions 1 and 2 of the definition of UST (farm/residential USTs, heating oil tanks);
2. the costs incurred by DEQ when taking corrective action following the release of petroleum from any UST listed in the exemptions 1 through 9 of the definition of UST;
3. administrative costs incurred by DEQ for overseeing regulatory programs authorized by Articles 9, 10, and 11 of Virginia Water Control Law; and
4. costs incurred by DEQ or other state agencies acting at the direction of DEQ to abate, contain, or clean up oil discharges subject to Article 11.

These provisions of the VPSTF provide DEQ with the ability to mitigate the effects of, contain, and clean up petroleum released onto or into the lands or waters of the Commonwealth. Unlike the requirements for tank owners and operators, the VPSTF law does not require DEQ to tie the petroleum back to a release from a certain type of tank in order to gain access to VPSTF.

3.2 Federal Leaking UST Trust Fund

Federal Leaking UST Trust Fund money may be available for certain State Lead projects. Leaking UST grant funds are managed by OSRR and typically reserved for major federally eligible projects. These monies most often are used at major AWS sites involving water line extensions and at State Lead sites involving a leaking UST where the cleanup costs have exceeded the VPSTF per occurrence limit. Federal funds will be allocated to the Regional Offices on a per project basis. Except in rare circumstances, federal funds will be used only when the responsible person for a release from a regulated UST is unknown or unable to pay for release response and corrective action. Use of Federal Leaking UST Grant funding for a State Lead case must be authorized by the OSRR Remediation Programs Manager.

REMINDER: Leaking UST Trust Fund monies can be used only for cleanups at regulated UST sites.

3.3 State Lead Program Budget

Virginia's fiscal year runs from July 1 through June 30. During the spring, OSRR management will determine the next fiscal year's State Lead budgets for each region, OSRR, major AWS projects, and the CFU program. The regional state lead budgets are intended to cover expenses for release response and corrective action following petroleum releases. The OSRR State Lead budget is used to pay for emergency response, replacement wells, and service connections where a public water supply is readily available to the impacted party. The State Lead fiscal year budget will cover only the phases/sub-phases of work completed, invoiced, and paid during the fiscal year.

OSRR staff including the OSRR Director, the Remediation Programs Manager, the State Lead Program Manager, the Reimbursement and Appeals Programs Manager, and the VPSTF Budget Analyst review state lead expenses at the end of the second quarter of the fiscal year and compare expenditures incurred by each region and by OSRR against each unit's state lead budget. OSRR staff also consider work authorized but not yet paid. At this time, OSRR staff may recommend budget changes be made to more effectively allocate funds where they are needed.

3.3.1 State Lead Budget Tracking and Reconciliation

The State Lead Program Manager in OSRR will track State Lead expenses on a monthly basis and reconcile the expenses listed in CEDs with the expenses listed in the Oracle Financials database. At the end of each quarter, the State Lead Program Manager and the Regional Office will reconcile the State Lead expenses for that region and make sure that Regional and Central Office financial data match. Budget tracking is highly dependent upon the regional Case Managers, the OSRR Fund Analyst, and the OSRR State Lead Program Manager entering pertinent and accurate information into CEDs. Data entry requirements and responsibilities are outlined in Appendix A.

3.3.2 State Lead Budget Expense Projection Procedures

The Prompt Payment Act and the State Lead contract require DEQ to pay contractors within 30 days after invoice receipt provided all goods and services have been received and approved (i.e. verified). To ensure adequate cash flow, the OSRR State Lead Program Manager will provide State Lead monthly expense projections to the Reimbursement and Appeals Programs Manager. These expense projections will be provided at the start of the month.

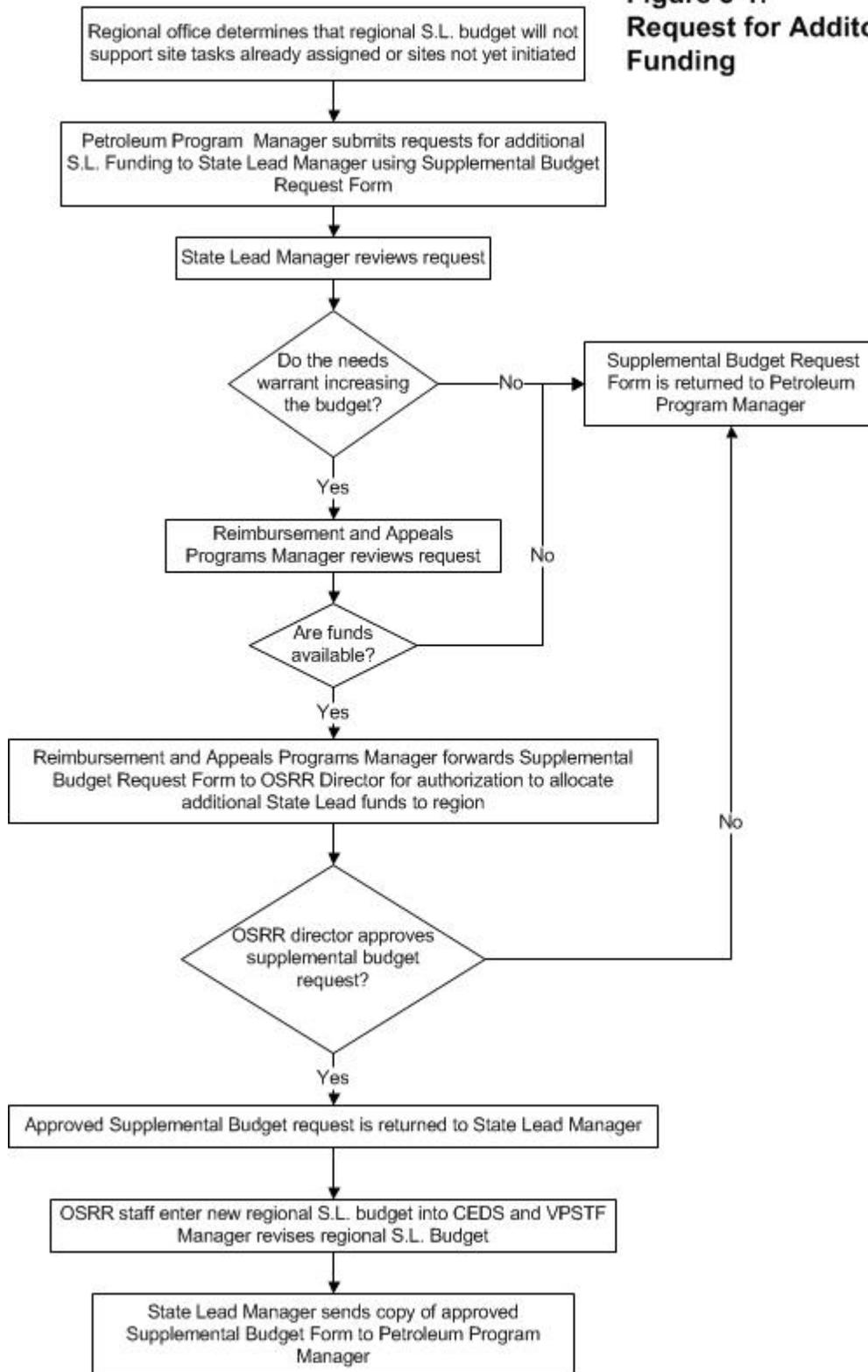
☞ The accuracy of expense projections is highly dependent upon the data entered into CEDS by State Lead Case Managers. Case Managers need to remember to enter the dollar figures for work authorized and enter report due dates into CEDs. If extensions are granted, the Case Manager needs to update the report due date in CEDS. The time from work verification by the State Lead Case Manager to payment made to the contractor averages 15 to 20 days.

3.4 Requests for Additional Funding

Regional State Lead budgets are established for a July 1 through June 30 fiscal year. Depending upon the events that occur within a region during the fiscal year, a region may have to request additional State Lead monies to deal with work at an unanticipated number of high priority State Lead sites. When the Petroleum Program Manager believes that State Lead work will exceed the region's State Lead budget, the Petroleum Program Manager must request additional funding. Steps for requesting and obtaining additional funding are:

1. The Petroleum Program Manager will:
 - a. Fill out a State Lead Program Supplemental Budget Request Form (Appendix C). The Supplemental Budget Request Form must specify the additional funds requested and reason(s) for the request. Also, the form must list the sites on which work will be performed, the tasks to be completed, and projected costs for these tasks.
 - b. Send the completed, Supplemental Budget Request Form to the State Lead Program Manager in OSRR.
2. The State Lead Program Manager will review the request for additional state lead monies, make a recommendation, and forward the request and recommendation to the OSRR Reimbursement and Appeals Programs Manager.
3. The Reimbursement and Appeals Programs Manager will review the request for additional state lead monies and make a recommendation. The request along with the recommendations from the State Lead and Reimbursement and Appeals Programs Managers then will be sent to the OSRR Director.
4. The OSRR Director will approve or disapprove the request for additional funding and return the decision to the State Lead Manager.
5. The State Lead Manager will retain the original copy of the Supplemental Budget Request Form and send a copy of this form with the OSRR Director's decision to the Petroleum Program Manager.

**Figure 3-1.
Request for Additional
Funding**



4.0 State Lead Case Management

Regional staff are responsible for managing all technical aspects of release response and corrective action activities taken at State Lead sites. Each Regional Office will receive a fiscal year, State Lead budget from OSRR. This budget is intended to cover all State Lead and Emergency Contract clean up activities performed in the region during the fiscal year. Each Regional Office is responsible for prioritizing work at State Lead sites in that region to most efficiently utilize their allocated State Lead budget. The goal is to eliminate the most risk at the least cost.

Regional staff members initiate cleanup activities for a site by contacting one of the state lead contractors and requesting the preparation of an Activity Authorization Package. Refer to the current State Lead contract for specific requirements.

Prior to conducting work at a State Lead site, the Regional Case Manager must notify (or direct the contractor to notify) the property owner(s) and obtain site access. Once site access and a DEQ pre-approved AAF have been obtained, the contractor may begin clean up activities. The contractor and the Case Manager may modify the approved AAF to accommodate unforeseen circumstances in the process of characterizing and cleaning up a site. Throughout the duration of the clean up, the Case Manager will communicate with and monitor the progress of the contractor.

The Case Manager periodically will evaluate whether the site goals have been met in order to determine whether clean up activities should be continued. If site goals have been met, the site should be closed. If the site goals have not been met, the Case Manager must prioritize and rank the site against the other State lead sites in the region in an effort to determine whether additional funds should be allocated to the site.

The Case Manager also is responsible for managing the technical information disseminated to the public regarding clean up at the site. The contractor should direct media inquires about the site to the DEQ Regional Office.

Upon phase completion, the contractor must submit a phase report and a Work Performed AAF to the Case Manager for verification.

4.1 Initiating Release Response and Corrective Action at State Lead Sites

The Case Manager initiates cleanup activities for a site by contacting one of the state lead contractors and requesting the preparation of an Activity Authorization Package. The Case Manager and the contractor will work together to derive an Activity Authorization Form (AAF) that meets the remediation goals established by the Regional Office.

4.2 Site Access

The State Lead contractor is performing work directly for the Commonwealth and not the responsible person. Access to the site where the release occurred as well as other impacted sites **must** be obtained in writing before any State Lead activities can be performed on that property. Prior to conducting work, the

Case Manager will need to ensure that site access has been obtained for the properties on which work will be performed. A Site Access Agreement form that staff or the contractor may use is included in Appendix D.

4.3 Source Identification

Following the discovery of a petroleum release, DEQ staff must, if possible, determine the source of the release and ensure that the release has been stopped. The release source also determines the regulatory framework under which the release must be managed and, within the State Lead Program, the funding source for the release response and corrective action activities. One of the primary issues that affects funding sources for the clean up is whether the release came from a “federally eligible” (i.e. regulated) UST.

NOTE: Virginia’s UST Regulation and the Federal UST Regulation are the same in terms of the tanks that are subject to the requirements of the regulation.

DEQ staff members periodically deal with State Lead sites where the source of petroleum contamination is unknown. Since a funding source needs to be specified before State Lead work can proceed, the DEQ takes the approach that petroleum constituents in the environment from an unknown or undetermined source are not from a federally regulated UST. If the investigation performed at the site indicates that the source of the petroleum contamination is a federally regulated UST, the regional Case Manager must contact the State Lead Program Manager before the DEQ pays for that phase of work so that the appropriate funding source may be used. The Case Manager also should revise the tank type section of the General screen in CEDS from “unknown source” to “regulated petroleum UST.”

4.4 Fugitive Tanks

Flooding is one of the more common types of natural disasters in Virginia. During or immediately after floods, DEQ staff often must deal with fugitive oil tanks or oil drums (i.e. those tanks and drums that have been moved from their original location as a result of the storm). Incidents involving fugitive oil tanks and oil drums may be dealt with either by PREP staff or Storage Tank Program staff.

4.4.1 Fugitive Petroleum Tanks

4.4.1.1 Petroleum Tanks - Leaking and Impacting or Threatening to Impact Surface Waters

Staff may receive calls about oil tanks that are leaking and discharging oil into surface waters or tanks that pose an imminent threat to discharge oil into surface waters. Staff responding to a fugitive oil tank that is leaking should:

1. Determine the location and status of the tank;

- a. Find out if petroleum has reached surface water or is reasonably expected to enter surface water; and
 - b. Obtain contact information from the person who reported the fugitive tank/oil discharge/threat of discharge.
2. Respond to the discharge/threat of discharge as appropriate;
- a. If a RP can be found inform the RP of their responsibility to abate and remediate the contamination; or
 - b. If a RP cannot be found:
 - i. Contact the National Response Center (NRC) at 800-424-8802 and provide the following:
 - ◆ PC# or IR#,
 - ◆ Location of the tank,
 - ◆ Name of surface water body that is threatened or impacted,
 - ◆ Description of any action that has been taken thus far.

Contacting the NRC is a critical step in any potential cost recovery process!

 - ii. Respond to the discharge or threat of a discharge as necessary using a State Lead contractor or emergency contract.
3. Oversee cleanup performed by either the RP or state-hired contractor.

DEQ will try to recover costs incurred from dealing with fugitive tanks that have impacted or pose an imminent threat to surface water. A key component of cost recovery is record keeping related to expenditures and time spent on the project. DEQ staff and the contractor responding to the incident must keep daily notes on time and materials spent on the response.

4.4.1.2 Petroleum Tanks - Leaking with no Impact or Threat to Surface Waters

Staff may respond to reports of tanks that are leaking, but petroleum is neither entering nor posing a threat to enter surface water. In this type of case, staff need to:

1. Determine the location and status of the tank and obtain contact information from the person who reported the fugitive tank and oil discharge;
2. Respond to the release as appropriate;
 - a. If a RP can be found inform the RP of their responsibility to abate and remediate the contamination; or
 - b. If a RP cannot be found, respond to the release as necessary using a State Lead contractor or emergency contract.
3. Oversee cleanup performed by either the RP or state-hired contractor.

4.4.1.3 Petroleum Tanks - Empty or not Leaking

During or following a flood, staff may need to respond to reports of fugitive oil tanks that are empty or that contain fluids, but are not presently leaking. The following procedure should be used for dealing with these tanks:

1. Determine the location and status of the tank. Obtain contact information from the person who reported the tank to the DEQ;
2. If possible, examine and document the tank status and location (as opposed to taking a citizen's description); and
3. Compile a list of tanks for subsequent handling.

Disposition of tanks will be determined after review of total number and distribution of tanks, i.e. ultimate disposal could be through emergency contract, state lead contract, EPA removal action, state contract, or locality.

4.4.2 Fugitive Non-Petroleum Tanks or Tanks with Unknown Contents

The DEQ State Lead Program does not deal with tanks or drums containing something other than oil. Also, the State Lead Program is not to be used for responding to tanks or drums having unknown contents. Staff responding to a fugitive tank or container where the content is unknown or clearly not oil, should:

1. Determine the location and status of the tank and obtain contact information from the person who reported the tank to the DEQ; and
2. Contact the Department of Emergency Management at 800-468-8892 and provide tank location and information. DEM hazardous materials personnel will respond to unknowns and handle accordingly.

NOTE: DEQ personnel are NOT first responders. DEQ personnel should verify the location of non-petroleum tanks or containers and report their observations, but they are not to assess the contents of the tank or the integrity of the tank.

4.5 Procedures to Obtain Tax Exempt Status for State Lead Projects

Both the Federal and State UST regulations require that corrective action provide for the adequate protection of human health, safety, and the environment from contaminants in the ground water and soil. Remediation equipment used to clean up petroleum release sites is eligible for tax exempt status. The tax exempt status for major equipment purchases should be obtained when the scope of a State Lead project includes significant purchases of items not included in the State Lead unit price schedule. It is anticipated that tax exempt status will be obtained for remediation and initial abatement equipment purchases.

To obtain tax exempt status, the Case Manager must:

1. draft a memo to be signed by the OSRR Director (see Appendix E) requesting that the Deputy Director for Operations send a letter to the Department of Taxation requesting tax exempt status for a particular state lead project. The memo should list:
 - a. the major items to be purchased by the State Lead contractor that are not included in the contract price schedule;
 - b. a schematic diagram of the remediation system (if applicable);
 - c. the county where the site is located;

- d. the State Lead Contract Number;
 - e. the Pollution Complaint Number; and
 - f. the Site Name;
2. Draft a letter to the Department of Taxation from the Deputy Director for Operations (see Appendix E). This letter to the Department of Taxation should contain the following:
 - a. Site Name;
 - b. Pollution Complaint Number;
 - c. State Lead Contract Number; and
 - d. Contractor name and mailing address.
 3. Send the draft memo and letter to the OSRR Director.

The OSRR Director will review the memo and letter, sign the memo, and forward the memo and letter to the Deputy Director for Operations. The Deputy Director for Operations will sign the tax exempt request letter and send it to the Department of Taxation.

The tax exempt letter from the Department of Taxation will be sent directly to the State Lead contractor. The State Lead contractor will send a copy of this tax exempt letter to the Case Manager and this copy should be placed in the case file.

4.6 Permitting

During the release response and corrective action process various permits may be needed to complete clean up at a site including, but not limited to building permits, well construction and/or abandonment permits, air discharge permits, and water discharge permits. In the cases where DEQ is the permitting agency, the State Lead contractor must meet the requirements such as effluent limits for the permit, however, the DEQ will not issue a permit to the State Lead contractor performing work under a DEQ contract.

If the corrective actions at the site require a permit issued by an entity other than DEQ, the State Lead contractor will need to apply for the permit with DEQ as the permittee (e.g. land use permit (VDOT), permit to discharge to a POTW, building permit, etc.). The exception to this is where VDOT land use permit is required for a private waterline installed under a road. In this situation, the well owner (i.e. the person being served by that private waterline is the permittee.

4.7 Alternate Water Supplies

Impacted or potentially impacted drinking water supply situations in the State Lead Program will be managed as they are in the RP-lead type cases. When an impacted or potentially impacted drinking water supply is identified, the Case Manager must notify the Carbon Filtration Unit (CFU) Manager in OSRR. The CFU Manager will direct DEQ's CFU contractor to sample the water supply and determine if it is contaminated by petroleum. If petroleum constituents are present in the water supply and they are the primary constituents of concern, the DEQ usually will direct the CFU contractor to install a filtration system on the water supply (see the DEQ Storage Tank Program Technical Manual for more information).

When a water supply is contaminated by petroleum, the Case Manager and State Lead contractor must, as part of the corrective action process, try to find a viable, long-term alternate water supply for the impacted party. Long-term alternate water supply options generally include:

1. developing a new water supply well that is not likely to be impacted by petroleum from the release;
2. connecting the affected parties to an existing public water supply system that is directly accessible to the affected parties; or
3. extending a public water supply line to the impacted area and connecting the impacted and at-risk parties to that public water supply.

Usually, the DEQ prefers to develop a new water supply well or connect the affected party/parties to existing public water supplies. The use of water treatment systems generally is not the preferred long-term AWS option due to the continued capital costs associated with the operation and maintenance of the system.

Costs for maintaining CFU systems vary depending upon site conditions and the severity of contamination. Staff performing cost-benefit analyses may use a cost of \$5,000 per year to operate and maintain a CFU system as a figure in cost-benefit analyses. Persons performing cost-benefit analyses for AWS projects should keep in mind that connection to a public water supply, unlike the continued operation and maintenance of a carbon filtration system, generally is a known and finite cost. Once the impacted party is connected to the public water supply, the exposure pathway of ingestion of petroleum contaminated water is eliminated. If a cost-benefit analysis indicates that operation and maintenance of a CFU may be less expensive than connection to a public water supply, the DEQ still may opt for the public water line hookup because this is a known solution to the corrective action goal of providing a petroleum-free drinking water supply to the impacted party.

4.7.1 Installation of a Replacement Well for a Private Water Supply

Installing a new water supply well to replace an impacted private water supply is one of the methods often chosen to provide an impacted party with a petroleum-free drinking water supply. The replacement of a private water supply at a State Lead site is managed by the Case Manager, but the costs for this work and closure of the impacted supply well should be charged to the OSRR cost code. When a well will be replaced, the Case Manager must contact and provide the State Lead Program Manager an estimate of costs for installing a new well and closing the contaminated well.

4.7.2 Connection to an Existing Public Water Supply

If connection to a public water supply (PWS) is the long-term AWS option chosen, the scope of work and estimated cost for that work must be determined. Connections to public water supplies not involving the extension of a waterline generally should be managed by regional staff. Connections to an already existing public water supply line typically involve setting a meter box, paying a connection fee, and extending a service connection from the meter box to the residence or business.

Connections to existing, readily available public water supplies at State Lead cases are paid out of the OSRR State Lead budget. When a connection to a PWS will be made at a State Lead case, the Case Manager should contact the State Lead Program Manager and provide a cost estimate for the connection.

4.7.3 Major AWS Projects

Major AWS projects involving the extension of a waterline or the development of a community water supply usually will be managed by the State Lead Program Manager. When the long-term corrective action recommended for the site involves the extension of a waterline or the development of a community water supply:

1. the Case Manager should contact the State Lead Program Manager;
2. The Case Manager and the State Lead Program Manager will develop a scope of work for the project including all residences/businesses to be offered connections to the public water supply;
3. The State Lead Program Manager will contact the locality to determine if the locality is willing to participate in the project;
4. Provided that the locality is willing to participate in the project, the State Lead Program Manager and Remediation Programs Manager will add this project to the list of major AWS projects that need to be undertaken by the department. The State Lead Program Manager will derive a very rough estimate for the project based upon costs incurred by DEQ for similar projects. Project timing will be based upon a combination of need/priority and the budget available for major AWS projects;
5. When DEQ is ready to fund a particular project, the State Lead Program Manager will provide a scope of work and request a cost estimate from the locality; and
6. Once a cost estimate is provided, the State Lead Program Manager will initiate the process of entering an Interagency Agreement with the locality for completing the project.

The permanent provision of an alternate water supply is a type of corrective action. It is critical that major AWS cases go through the corrective action and public notice processes. The CAP and public notice must identify all parties and addresses that will be offered service connections.

Major AWS projects generally will be managed by the State Lead Program Manager regardless of whether the case is RP lead or State Lead. Many RPs and consultants do not have the cash flow to pay, and then wait for, reimbursement of large sums of money often required to complete major AWS projects. Also, DEQ is able to directly pay localities for the work performed and eliminate markup. If the major AWS project will occur at an RP lead case, the costs for the project will be subtracted from the RPs remaining fund access.

4.8 Closure

Sites within the State Lead Program may be closed when remedial endpoints for the site are reached. Work at State Lead sites also may have to be temporarily suspended by the DEQ due to State Lead budget

constraints and greater needs with regards to protecting human health and the environment on other State Lead sites.

4.8.1 Case Closure

Cases may be permanently closed when remedial endpoints for the site are reached. During the case closure process, the Case Manager should direct the State Lead contractor to abandon the wells and initiate site restoration. The Case Manager also should place a memorandum in the file documenting case closure and enter closure information into CEDS. If there is an identified RP, a case closure letter should be sent to this person.

4.8.1.1 Equipment Movement and Salvage

The State Lead contract generally is interpreted as a “service” contract as opposed to a “goods” contract. The DEQ usually purchases the service, not the equipment to perform the service. If the purchase of a piece of equipment results in a cost savings to the Commonwealth, the DEQ may purchase the equipment. At the end of projects for which DEQ purchased equipment, the contractor should:

1. credit DEQ with the equipment salvage value; or
2. move the equipment to another State Lead site.

In general, the DEQ will not take ownership of any equipment purchased under the State Lead contract until the work at the particular site is complete or the existing contract is ending and a new contractor will be taking over the operation of the activities at the site. When a project is complete, the DEQ requires the State Lead contractor to either surplus the equipment with the dollar value of the sale credited to DEQ or move the equipment to another State Lead site. If the project is not complete but the State Lead contract is ending, the outgoing contractor will turn over the equipment, in place, to DEQ. DEQ will assign the equipment to the incoming contractor for continued operation until remedial endpoints are reached.

Moving State Lead purchased equipment from one State Lead site to another is an option that regional staff should consider at the time a case is closed. Criteria to consider when deciding to move equipment from one site to another include:

1. the compatibility of the equipment with conditions at another site; and
2. the condition of the equipment.

Types of remediation equipment that may be useful on other State Lead sites include but are not limited to:

1. pumps;
2. air compressors;
3. air strippers;
4. carbon filtration units;
5. oil/water separators;
6. holding tanks.

When equipment will be transferred from one State Lead site to another, the site from which the equipment is removed should be credited with the salvage value of the equipment and the site receiving the equipment should be charged that amount.

4.8.1.2 Site Restoration

When remedial endpoints have been met and a site will be closed, site restoration activities should be initiated. Site restoration may include the removal of remediation equipment, abandonment of all monitoring and recovery wells, removal of piping associated with the remediation system, and re-seeding as needed. The Case Manager must notify property owners when restoration activities will be initiated.

4.8.2 Temporary Suspension of Work

Work at State Lead sites may have to be temporarily suspended by the DEQ due to State Lead budget constraints and greater needs with regards to protecting human health and the environment at other State Lead sites. State Lead work will resume when funding is available to deal with the site. When State Lead activities must be temporarily suspended at a site, the following activities may need to be performed:

1. weatherproofing equipment;
2. temporarily terminating power to the system;
3. removing pumps from recovery wells;
4. notifying land owners; and
5. securing equipment that will remain on site.

The Case Manager also should place a memo in the file documenting the temporary suspension of work at the site.

At the beginning of the next fiscal year, the Regional Office staff should determine if work at the site should be re-started. Staff should consider the site priority and if the budget for the new fiscal year will support the resumption of activities at the site.

5.0 Contract Management

Regional State Lead Case Managers are responsible for ensuring that the State Lead contractor(s) comply with all elements of the State Lead contract. The Regional Petroleum Program Manager should ensure that all staff involved with State Lead projects have access to and are familiar with the contract document.

The State Lead contract requires the State Lead contractor(s) to provide all labor, equipment, materials, supplies, and resources necessary to perform the services listed below following the release/discharge of petroleum and oil under Articles 9 and 11 of Virginia Water Control Law:

1. release investigation;
2. alternate water supply provision;
3. initial response/initial abatement;
4. site characterization;
5. post site characterization monitoring;
6. corrective action plan development;
7. corrective action plan implementation; and
8. tank closure

The State Lead contract requires all work to be pre-approved by the DEQ and documented in an AAF. All change orders must be pre-approved and a revised AAF that includes the other pre-approved items and the change order items must be submitted by the State Lead contractor. The rates charged by the contractor will **never** exceed the contract unit rates and any item for which there is no contract rate must be billed at the contractor's cost. After a phase of work is completed, the DEQ Case Manager will verify the work performed and submit the appropriate documentation to the State Lead contractor and to the DEQ Finance Office.

5.1 Assignment of State Lead Work



There are multiple State Lead Contractors in each DEQ region. After selecting a contractor to work at a particular State Lead site, staff must enter the contractor chosen for the site or for the next phase of work at that site into the State Lead section of CEDS. The State Lead Contract does not guarantee any set amount of work to any contractor nevertheless it is recommended that staff distribute the State Lead workload amongst all of the contractors available to that region. Staff may base contractor selection upon which contractor is best suited for the phase/type of work at a particular State Lead site. Regional staff need to be able to explain the objective basis for State Lead Contractor assignments (e.g. expertise with a particular scope of work, office proximity, past performance – good or bad, etc.) should that need arise.

5.1.1 Activity Authorization

The activity authorization process used in the State Lead Program is very similar to the activity authorization process used on RP lead sites except that the State Lead Program has developed and utilizes electronic AAFs that are in MS Excel format for each contractor. Each of these “auto AAFs” contains the contract unit prices for the particular contractor. When the contractor enters the appropriate M or T codes

for an item into the spreadsheet and the number of units, the sheet automatically populates fields showing the cost for the particular scope of work.

The State Lead contractor must receive written authorization from the Case Manager prior to conducting the work except for certain types of initial response/abatement activities. The Case Manager may verbally authorize the State Lead contractor to initiate tasks T001 through T014 when one or more of these activities are needed as part of initial response/abatement. In the cases where the contractor is verbally authorized to begin one or more of these initial response/abatement activities, the contractor must follow up the verbal approval with an AAF to obtain DEQ written approval.

The contractor cannot begin any billable work until approval of the AAF has been received except:

1. for task T014 as part of site assignment for the development of the Activity Authorization Package; and
2. when the DEQ gives verbal authorization to the State Lead contractor to proceed with tasks T001 through T014 for initial response/initial abatement actions.

- NOTES:**
1. **State Lead contractors performing initial abatement work under verbal authorization from DEQ still must submit an Activity Authorization Package to DEQ.**
 2. **For AWS projects that will be charged to the OSRR State Lead budget, the Case Manager should obtain verbal approval from and provide a cost estimate for the project to the OSRR State Lead Program Manager.**

Figure 5-1 contains a flow chart illustrating the activity authorization process. The Activity Authorization Process for the State Lead Program generally involves the following steps:

1.  The Case Manager discusses the phase/subphase assignment with the State Lead contractor and directs the state lead contractor to prepare an AAF by a specified date for that phase/subphase of work. Typical lengths of time to prepare certain types of AAF packages are listed in Table 5.1. After assigning the work, the Case Manager should enter the event string in CEDS for the particular phase/subphase of work (e.g. state lead AAF requested through state lead invoice paid). See Section 3 of Appendix A for additional information about entering the CEDS data string. The Case Manager also should enter the due date for the AAF in CEDS.
2. The State Lead contractor prepares an AAF for the scope of work. This AAF must list the tasks, materials, personnel, utility costs, and applicable permits as well as the units needed to complete the scope of work. When the contractor enters T and M coded items into the electronic AAF, the Excel spreadsheet automatically populates fields with the task and material descriptions, contract unit rates, and total costs. The contractor cannot re-define work plan T-codes (tasks) or M-codes (materials). When an M-code for a material is not available, the contractor may create an X-code for the material. If the cost of an X-coded item exceeds \$1000, staff may require the contractor to obtain three bids or cost estimates for that item. Unlike RP-lead reimbursements, however, contractors and staff are not required to use Bid Comparison, Bid Summary, Bid Work Progress, and Bid Cost Worksheets. When staff require contractors to obtain estimates or bids for one or more X-coded items, staff should make sure that copies of the bids obtained by the contractor are placed in the case file.

NOTE: If a contract unit price exists for an item, the contract does not allow the contractor to obtain bids to support a different price for that item nor does it allow DEQ to require a contractor to obtain bids for that item. This is different from the reimbursement program.

3. The State Lead contractor completes an AAF and submits this form electronically (MS Excel format) to the Case Manager.
4. The Case Manager reviews the AAF and determines if the scope of work (activities, materials, number of proposed and contingent units, etc.) is appropriate. Items must be either at the State Lead contract rate or at the contractor's cost. Revisions to the scope of an AAF may be made as deemed necessary by the Case Manager. If the number of proposed units, number of contingent units, and/or scope of work on an AAF is inappropriate, the Case Manager must issue a written directive to the State Lead contractor to modify the AAF. When the DEQ Case Manager determines that a revision to the AAF is necessary, the contractor is required to submit a revised AAF/Activity Authorization Package. Costs incurred by the State Lead contractor in the development of AAF revisions are not billable except for Task T014 and where the Case Manager determines circumstances beyond the control of the State Lead contractor caused the need for the revision. If there are problems with the AAF, the Case Manager sends the AAF back to the contractor and directs the contractor to fix the problem(s) and re-submit. If the scope of work is appropriate, the Case Manager electronically signs the AAF, forwards it to the contractor, and specifies a due date for the work to be completed.
 - ☞ Typical due dates for reports are discussed in Section 5.1.2. The Case Manager or other regional staff should enter the work authorized AAF into ECM. The Case Manager
 - ☞ also should update the events data in CEDS:
 - a. AAF received date and amount;
 - b. AAF authorized date and amount;
 - c. Phase report due date; and
 - d. Work completed AAF due date;
5. The State Lead contractor completes the agreed upon scope of work and the phase report for that scope of work.
6. The State Lead contractor electronically submits the phase report and the work performed AAF (the AAF still must be in MS Excel format) to the Case Manager.

Phase	Activity Authorization Package due
Release Investigation	10 days after assignment by DEQ
Alternate Water Supply	5 days after assignment by DEQ
Initial Abatement	5 days after assignment by DEQ
Site Characterization Report	14 days after assignment by DEQ
CAP Development	30 days after assignment by DEQ
CAP Implementation	25 days after assignment by DEQ
Tank Closure	10 days after assignment by DEQ

5.1.2 Phase Reports

Following the completion of a particular phase of work, the State Lead contractor usually will submit a report to the Regional Office. Due dates for most of these reports are specified in writing by the regional Case Manager at the time that the AAF is approved. Due dates for AWS and Initial Abatement reports usually are 14 days after the Case Manager approves the AAF unless the Case Manager and State Lead contractor agree to a different due date. If the State Lead contractor believes that a due date cannot be met, the State Lead contractor and Case Manager need to reach a decision on an appropriate due date for the particular report. Due dates for reports need to be entered into CEDS. If the Case Manager grants an extension, the Case Manager should make a corresponding change to the due date listed in CEDS.

<u>Phase</u>	<u>Final Report Due</u>
Release Investigation	as determined by region
Alternate Water Supply	14 days after AAF approval
Initial Abatement	14 days after AAF approval
Site Characterization Report	as determined by region
CAP Development	as determined by region
CAP Implementation	as determined by region
Tank Closure	as determined by region

After assigning work to a State Lead contractor, the Case Manager must enter the report due date in CEDS. If an extension to the report due date is granted, the Case Manager must update the report due date in CEDS.

5.2 Contractor Refusal of Assignment

A State Lead contractor may refuse a work assignment for valid reasons including conflict of interest, high number of State Lead sites already assigned to the contractor, or other reasons as deemed appropriate by the DEQ. State Lead contractors refusing a work assignment must submit the refusal to the Regional Office in writing along with the reason(s) for refusing the work assignment. The State Lead Manager and DEQ Procurement staff will assist regional staff as needed to determine if refusal of an assignment by a State Lead contractor is appropriate.

5.3 Verification of Work Performed and Contract Invoice Approval

After a phase or sub-phase of work is completed, the State Lead contractor will fill in the work performed column for T and M coded items. The auto AAF spreadsheet should calculate the actual cost for the work performed units entered on the spreadsheet by the contractor. Actual costs for X, C, and A coded items should be entered directly into the actual cost column by the contractor. The State Lead contractor then should submit this completed AAF in Excel format to the region for verification. The State Lead contractor also must submit copies of all subcontractor invoices that are \$100 or greater along with the work performed AAF; subcontractor invoices must have proper site references. These invoices should be sent to the Case Manager as PDF files.

Figure 5-1.
Activity Authorization Process

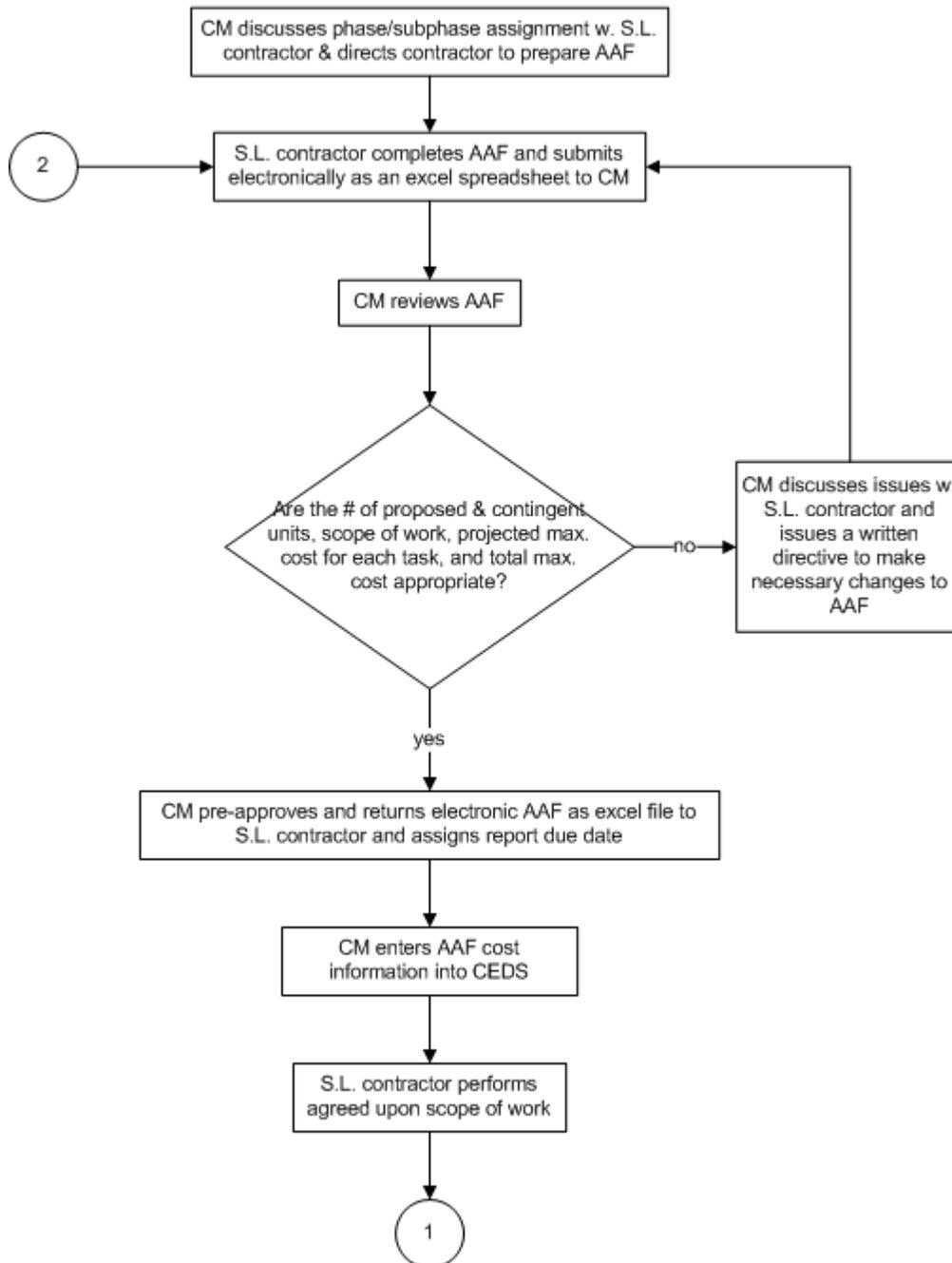
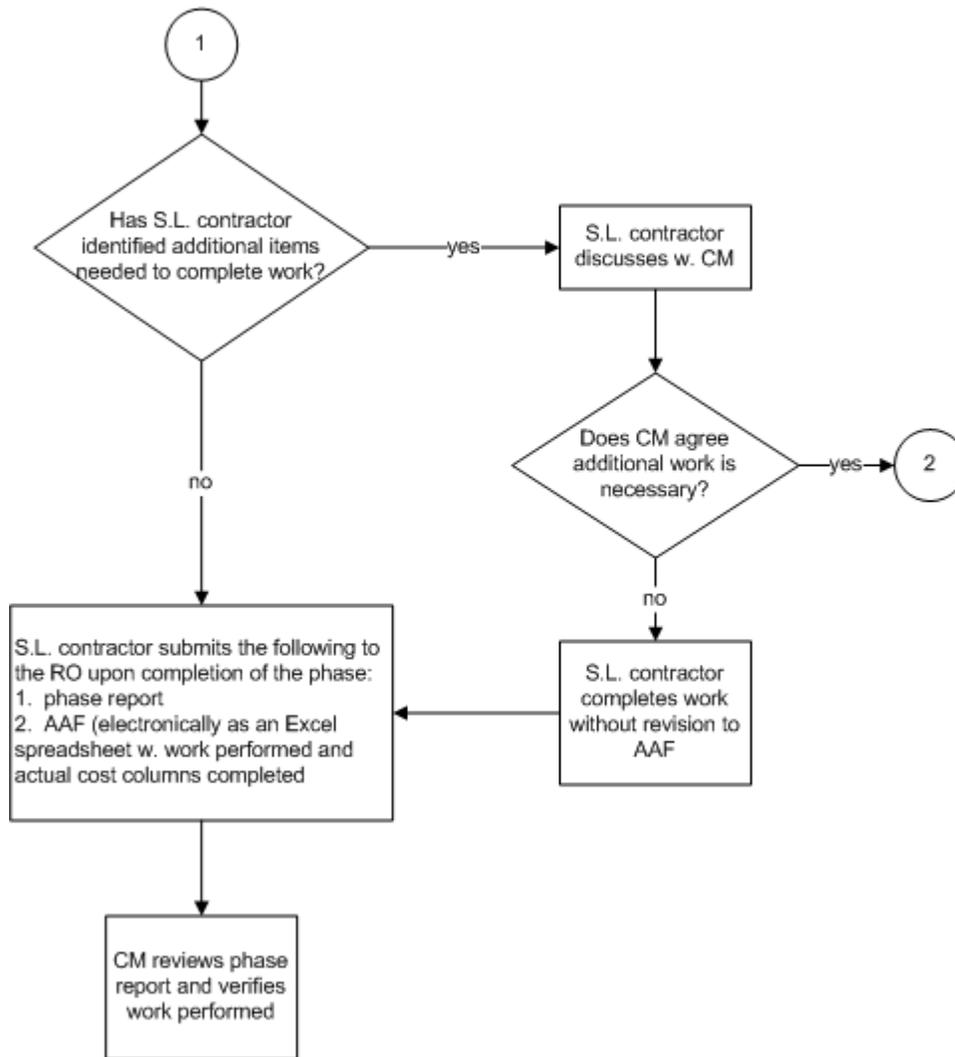


Figure 5-1.
Activity Authorization Process, Continued



Note: please go to Figure 5-2 for the work verification and invoice payment process

When the report for a phase or sub-phase of work is submitted to DEQ, the Case Manager should review that report and Work Performed AAF within 14 days of receipt. If the report and Work Performed AAF review exceeds 14 days, the State Lead contractor may submit a request to the State Lead Program Manager for payment or partial payment for the work performed. The State Lead Program Manager then will notify the region of this request and ask the region if some or all of the payment should be made. The Case Manager must respond to the State Lead Program Manager's request within seven (7) working days and responses to the request may include:

1. the reasons review and/or approval are delayed and why payment is not appropriate at this time; or
2. a directive to the State Lead contractor to separate the work performed into separate sub-phases that can be reviewed individually and approved separately.

The State Lead contractor, upon receiving the signed AAF Verification Form (included as a tab within the State Lead auto AAF spreadsheet), must develop an invoice for the work performed and send the invoice to the DEQ Office of Financial Management (OFM). When OFM staff receives the invoice from the State Lead contractor, staff will match the approved amount on the AAF Verification Form with the invoiced amount and if they match, process the invoice for payment. If the amount on the AAF Verification Form and the invoice do not match, OFM staff usually will pay the lesser of the invoiced amount or the work verified amount. If there is a large difference between the amount invoiced and the amount verified, OFM staff may contact the State Lead Program Manager for clarification and instruction with regards to payment of the invoice. If the issue cannot be resolved quickly, OFM staff will note that the invoiced amount is in dispute and will work with the State Lead Program Manager and the contractor to resolve the problem.

5.3.1 State Lead Work Performed AAF Verification Procedures

See Figure 5-2 for a flowchart that shows work performed AAF verification and invoice approval procedures.

Regional Procedures

1. The State Lead Contractor submits a phase report to the Case Manager along with a work performed AAF. The contractor should submit the work performed AAF electronically as an Excel spreadsheet. The State Lead contractor also must include copies of all subcontractor invoices that are \$100 or greater along with the work performed AAF. These invoices and other supporting documents should be submitted in PDF format and should contain proper site references.
2. The Case Manager reviews the report and the work performed AAF and approves/disapproves items and units on the AAF and enters the number of approved units into the verified unit column. Staff also need to make sure that the DEQ verified total field is filled in for each approved line item. If supporting invoices for X-, C-, or A-coded items are missing, the Case Manager will contact the State Lead Contractor and request the backup invoices. If invoices need to be marked up by the Case Manager, the Case Manager can print a hard copy of the invoices, mark them, and then re-scan them or can mark them up directly using Nuance pdf. converter.

3. Once the Case Manager has reviewed the work performed AAF and verified the work performed, the Case Manager signs and dates the work performed AAF (typing an electronic signature onto the form is satisfactory).
4.  The Case Manager fills out a State Lead AAF Verification Form that is included as a worksheet within the State Lead auto AAF. AWS projects and emergency responses are charged to the OSRR State Lead cost code (611). All other State Lead work is charged to the individual region's cost code (Table 5-2). The project number may be found on the Site Fund Codes screen in CEDS. Site fund codes are set up by the State Lead Program Manager when the case is accepted into the State Lead Program. The Case Manager e-initials the verification form and e-signs the form if regional procedures do not require the Petroleum Program Manager to sign the Verification Form (typing an electronic signature and/or initials onto the form is satisfactory). Proceed to step 7 if the Petroleum Program Manager does not need to sign the Verification form.
5. If regional procedures require the Petroleum Program Manager to sign the Verification Form, the Case Manager will forward the VAAF (excel format) and any supporting documents (invoices) in PDF format to the Ground Water Manager for signature (typing an electronic signature onto the form is satisfactory).
6. The Petroleum Program Manager e-signs the Verification form and then sends that form back to the Case Manager.
7.  Regional staff enters the report received/approved and AAF received/approved dates and dollar amounts into CEDS.
8. Regional staff converts the VAAF from Excel to a PDF using Nuance. Any supporting documents (should already be in PDF format) are added by inserting the PDF as an object in a new tab.
9. Regional staff attaches the PDF version of the VAAF to an email and sends this to the consultant and directs the consultant to send an invoice to DEQ Accounts Payable in Central Office.
10.  Regional staff upload the email with the VAAF into ECM.
11. Regional staff notify the OSRR Fund Analyst via email and copy the State Lead Program Manager that the State Lead VAAF has been entered into ECM.

Region	SWRO	BRRO Roanoke	BRRO Lynchburg	VRO	NRO	PRO	TRO
Cost Code	701	704 (CEDS) 706 (finance)	707 (CEDS) 706 (finance)	719	716	713	710

Note: When the Lynchburg and Roanoke offices were combined into BRRO, they were given the same finance code of 706. This 706 code is the regional cost code that should be placed on the State Lead Verification Form for work performed in BRRO. CEDS has not been updated to reflect this change and these offices are still listed in CEDS as WCRO and SCRO and each has its own cost code. When Central Office staff enter invoice paid data into CEDS, CO staff will continue to use the 704 cost code for Roanoke and 707 cost code for Lynchburg.

OSRR Verified AAF Review Procedures

1. The Fund Analyst Opens the VAAF in ECM and reviews the package for completeness. The AAF Work Performed Package should contain the following elements, each of which will have its own tab):
 - a. Signed State Lead Petroleum Cleanup Activity Verification Form;
 - b. State Lead work performed AAF approved by the Case Manager; and
 - c. Copies of invoices for all X-, C-, and A-coded items.NOTE: If the Fund Analyst is absent, the VAAF package will be reviewed by the State Lead Program Manager or the Remediation Programs Manager
2. The Remediation Programs Manager provides the Fund Analyst with a list of state lead sites that are being funded by the Leaking UST grant.
3. The Fund Analyst checks the cost and fund codes near the top of the verification form and makes sure that they are correct. The Fund Analyst also checks the site against the list provided by the Remediation Programs Manager (step 2 above) to see if this is a Leaking UST grant funded case. If the OSRR cost code 611 is on the verification form and/or the fund code is or should be 1000 (Leaking UST grant), the VAAF is forwarded to the State Lead Program Manager for review. If costs will be charged to cost code 611 and/or fund code 1000, go to step 10.
4. The Fund Analyst reviews the VAAF to make sure the Case Manager or Petroleum Program Manager has signed these forms. The Fund Analyst also reviews the VAAF package to make sure that the consultant provided backup invoices for all X-, C-, and A-coded items that are greater than \$100. If everything is complete, go to step 8.
5. If a backup invoice or other information is missing, the Fund Analyst contacts the Case Manager and asks them to provide the missing information.
6. Immediately after requesting that the Case Manager contact the State Lead Contractor to obtain a missing invoice or other supporting information, the Fund Analyst sends an email to OFM staff informing them that we are awaiting additional documentation and the invoice presently is in “dispute.”
7.  Once regional staff obtain the additional information requested by the Fund Analyst, regional staff attach these PDF files to the VAAF in ECM.
8. Regional staff notify the Fund Analyst that an updated VAAF has been placed in ECM.
9. If the VAAF package is complete and all codes have been checked and are correct, the Fund Analyst prints a hard copy of the VAAF and initials the verification form as having been reviewed by OSRR staff.
10. The Fund Analyst forwards the hard copy VAAF to OFM.

Expenses charged to cost code 611 and/or fund 1000

11. The State Lead Program Manager reviews the VAAF. If the VAAF is complete, go to step 15.
12. If a backup invoice or other information is missing, the State Lead Program Manager contacts the Case Manager and asks them to provide the missing information.
13. Immediately after requesting that the Case Manager contact the State Lead Contractor to obtain a missing invoice or other supporting information, the State Lead Program Manager sends an email to OFM staff informing them that we are awaiting additional documentation and the invoice presently is in “dispute.”

14.  Once regional staff obtain the additional information requested by the State Lead Program Manager, regional staff attach these PDF files to the VAAF in ECM.
15. Regional staff notify the State Lead Program Manager that an updated VAAF has been placed in ECM.
16. The State Lead Program Manager prints a hard copy of the VAAF.
17. The State Lead Program Manager gives the hard copy VAAF to the Remediation Program Manager for signature.
18. The Remediation Program Manager signs the verification form and returns the hard copy VAAF to the State Lead Program Manager.
19.  If the VAAF has significant changes from what the Case Manager originally verified, the State Lead Program Manager will email a scanned, PDF copy of updated VAAF to the consultant and the Case Manager. Note: The Case Manager will not enter the updated VAAF into ECM.
20. The State Lead Program Manager forwards the VAAF to the Fund Analyst.
21. The Fund Analyst forwards the VAAF to OFM staff for payment.

State Lead AAF and Invoice Paid Package Returned from OFM

After a state lead invoice is paid, staff from OFM will return the Invoice Paid package to the Fund Analyst in OSRR. The State Lead Invoice Paid Package returned from OFM should include:

- Accounts payable sheet showing the voucher number, invoice date, and invoice paid date
- State Lead AAF and verification form
- Invoices supporting the X, C, and A-coded items
- Invoice from state lead contractor

Upon receiving the Invoice Package from OFM, the Fund Analyst will:

1.  The Fund Analyst enters the fiscal payment information into CEDS.
2. The Fund Analyst notifies the RO that the invoice has been paid and the information has been entered into CEDS.
3. The Fund Analyst preps the VAAF and Invoice Paid Package for scanning.
4.  The Fund Analyst provides the VAAF and invoice paid package to OSRR staff for scanning into ECM.

If the Fund Analyst is absent for an extended period of time, the State Lead Program Manager or the Remediation Programs Manager will perform the above tasks.

Figure 5-2. State Lead Work Performed AAF
 Verification and Invoice Approval Process

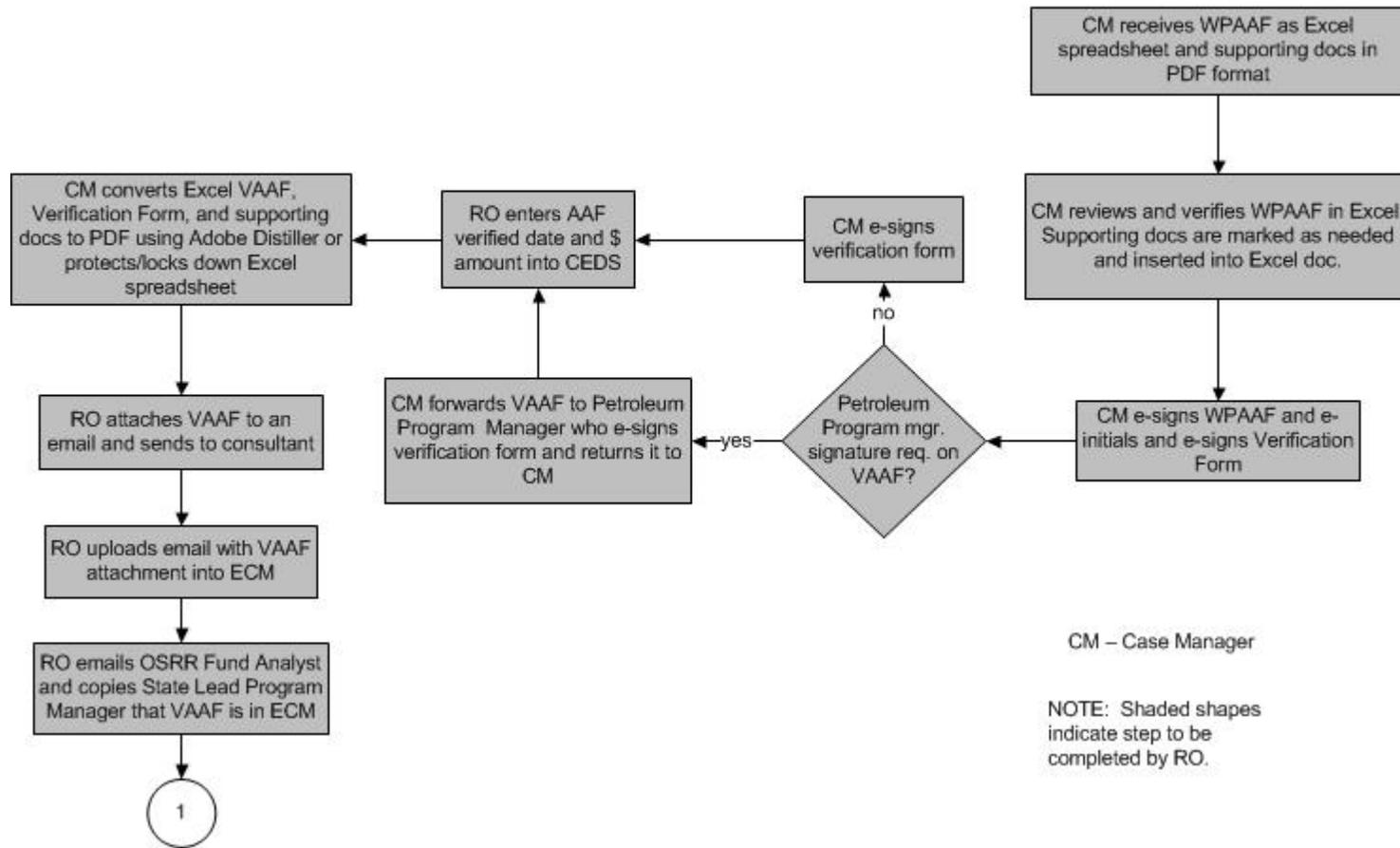


Figure 5-2. State Lead Work Performed AAF
 Verification and Invoice Approval Process, continued

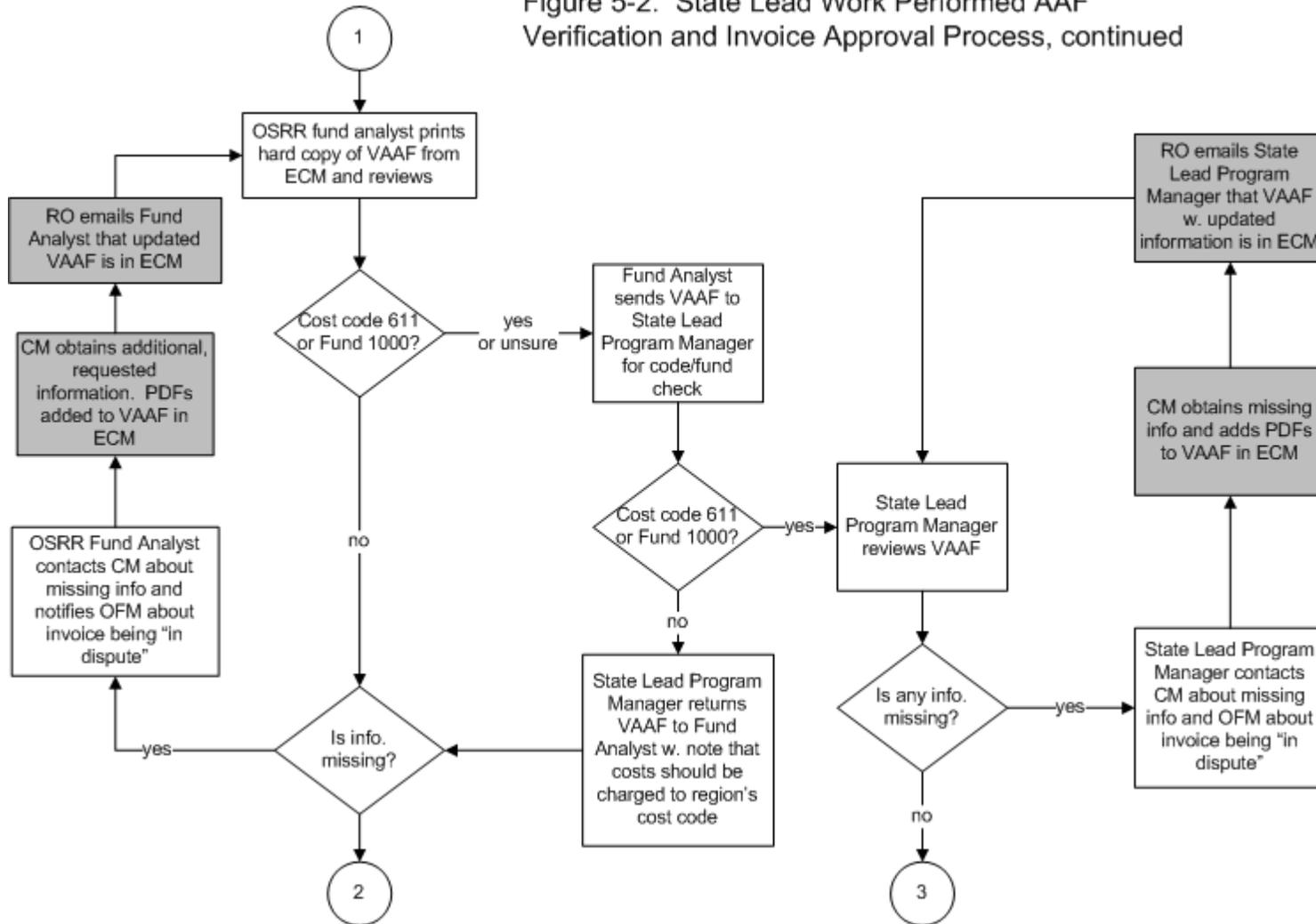
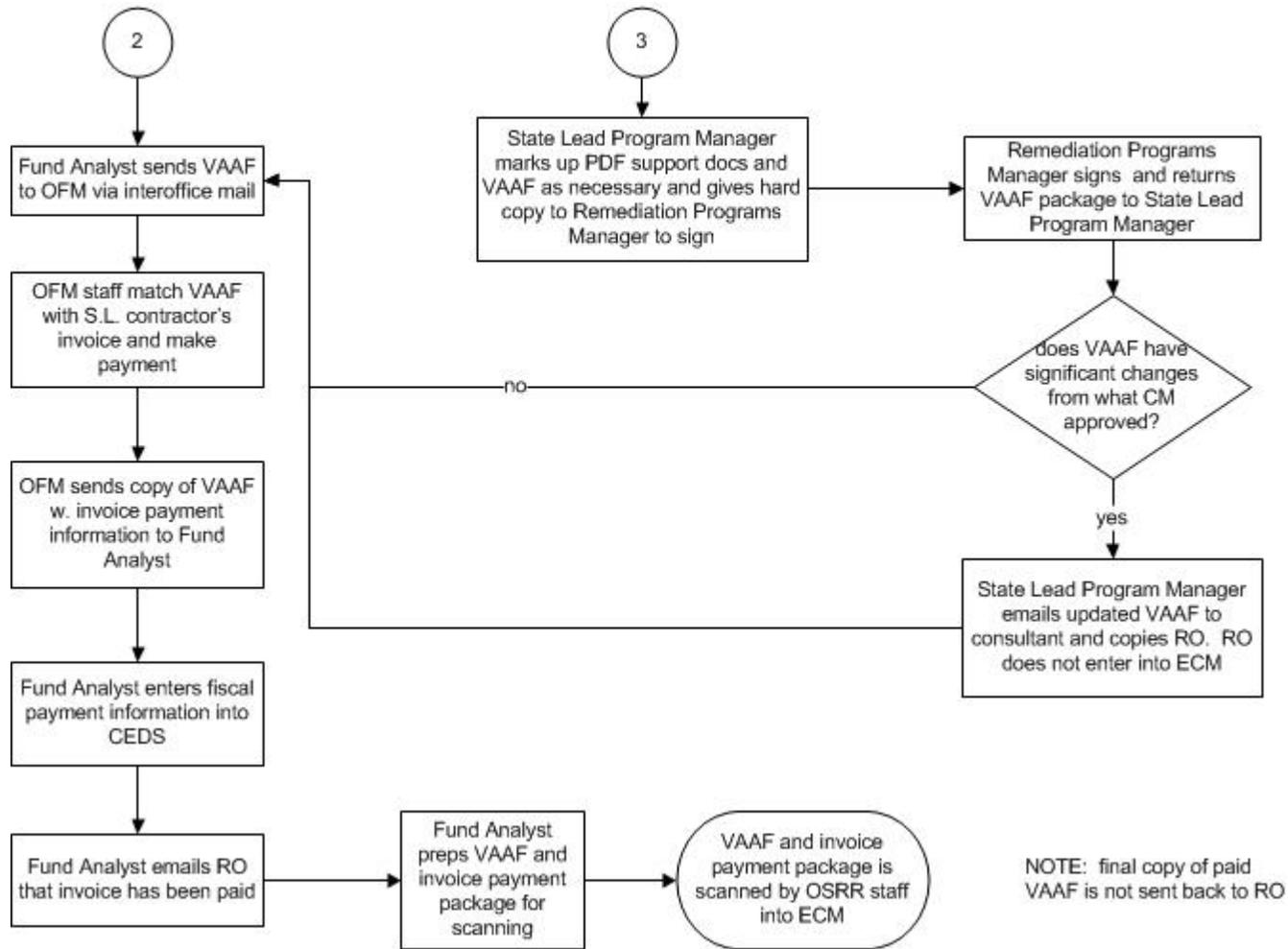


Figure 5-2. State Lead Work Performed AAF
 Verification and Invoice Approval Process, continued



5.3.2 Procedures for Electronically Processing State Lead AAFs

5.3.2.1 Maintain the VAAF in Excel Format

The State Lead auto AAFs are in Excel format and the Case Manager can process the form as an Excel file.

1. The consultant e-mails the Work Performed AAF spreadsheet in Excel to the Case Manager. If there is supporting documentation for X-, C-, or A-coded items, the consultant should create a new sheet within the Work Performed AAF spreadsheet and add the supporting documentation (in PDF format) as an Object within the new sheet. The new sheet should be labeled "Supporting documentation." If the Case Manager does not concur with all the supporting documentation, the Case Manager should print out the PDF, mark it up, re-scan and replace the tab with the new PDF information.
2. The Case Manager verifies work performed items and quantities on the Excel spreadsheet. Comments can be placed on the Verification Form (one of the tabs in the spreadsheet) about denials.
3. The Case Manager completes the Verification Form within the Excel spreadsheet. If the Verification Form tab is missing from the spreadsheet, the Verification Form can be inserted by the Case Manager as a new Excel sheet then completed.

The Case Manager can lock cells and protect the sheet before sending it back to the consultant, but this is not required. The Case Manager will then:

1. Email the Verified AAF to the consultant;
2.  Upload the e-mail with the verified AAF into ECM as a ".msg" file; and
3. Email the Fund Analyst in OSRR and copy the State Lead Program Manager that the verified AAF has been uploaded into ECM.

NOTE: A second option that regional staff may use is for the Case Manager to print out the verified AAF and give the verified AAF to another regional staff member to be scanned into ECM. If the verified AAF is scanned, the Case Manager or other regional staff should not notify the Fund Analyst and the State Lead Program Manager until after the file has been scanned.

5.3.2.2 Convert the Excel Format VAAF to a PDF

A second option that regional staff have with regards to saving a verified AAF is to convert the Excel Spreadsheet into a PDF. If there is supporting documentation for X-, C-, or A-coded items, the consultant should create a new sheet within the Work Performed AAF spreadsheet and add the supporting documentation (in PDF format) as an Object within the new sheet. The unit verifications and completion of the Verification Form would be completed by the Case Manager as described in the previous section.

In order to save sheets within the Excel file (AAF, Verification Form, supporting documentation) as a PDF:

1. Click on the tab for the first sheet. Hold down the CTRL key and simultaneously click the second sheet (and third sheet if applicable). The word [Group] should appear in the title bar of the sheet;
NOTE: If you save a workbook that contains grouped sheets and then close the workbook, the sheets that you selected remain grouped when you reopen that workbook.
2. Select "Print;"
3. Instead of the default printer, select "ScanSoft PDF Create!". **Make sure that the "Active sheet(s)" button is highlighted;**
4. Click "Okay;"
5. A "save as" icon will appear at the bottom of the screen. Click this icon;
6. Select the folder where the document will be saved;
7. Click Okay and the document will be saved as a pdf.

The Case Manager will then:

1. E-mail the Adobe file back to the consultant;
2.  Upload the e-mail with the verified AAF into ECM as a ".msg" file; and
3. Notify the fund analyst in OSRR and copy the State Lead Program Manager that the VAAF has been uploaded into ECM.
NOTE: Another option to get the file into ECM is for the RO to print out the VAAF and rely on staff to scan the form into ECM. OSRR would be notified when the form is in ECM.

5.3.2.3 Inserting a PDF into an Excel File

If the consultant sent a separate PDF containing supporting documentation along with the Excel file, the Case Manager can insert a new sheet into the Excel file and insert the PDF sent by the consultant into the new sheet.

Instructions for inserting the PDF into Excel and re-saving the entire file as a PDF:

1. Save the PDF on your computer;
2. Open the Excel file;
3. Insert a new sheet;
4. Click on the Insert tab on the menu;
5. Click on the icon labeled Object (on the far right);
6. Click on the tab "Create from File;"
7. Click on Browse and locate the PDF;
8. Click Okay;
9. Save the document in its Excel format; and
10. Convert entire document to a PDF using the steps above.

 Follow procedure to send the VAAF to the consultant, upload the VAAF to ECM, and notify OSRR as described in sections 5.3.2.1 or 5.3.2.2.

5.4 Contractor Invoicing

The State Lead contractor may submit an invoice for a phase/sub-phase of work to the DEQ Finance Office after the DEQ Case Manager has verified the work performed AAF and provided the contractor with a copy of the AAF Verification Form. The invoice submitted to the Finance Office must include the following:

- Site name
- PC Number
- Phase/sub-phase
- Contractor invoice number

The invoice must be a single sum invoice and the Work Performed AAF must be attached along with any invoices for at-cost items over \$100. Work for a particular phase or sub-phase can only be invoiced one time, as approved in the Activity Authorization Package.

5.5 Use of Subcontractors

The DEQ recognizes that the actions needed at particular sites may require the use of subcontractors by the State Lead contractor. When the State Lead contractor proposes the use of subcontractors for a particular project, the State Lead contractor must provide the DEQ Case Manager with the names, qualifications, and experience of the subcontractors. Subcontractors cannot be used on State Lead sites unless they have been approved for use on a particular site by the DEQ Case Manager.

5.6 Evaluating State Lead Contractor Performance

The DEQ will evaluate State Lead contractor performance semi-annually as a means of addressing contract issues before they become significant problems and providing the State Lead contractors feedback from our staff regarding their performance.

All DEQ staff who manage State Lead sites are expected to participate in the evaluation process. State lead contractors will be evaluated on their on-site work quality, report quality, management of projects, and timeliness of providing deliverables. Staff also can make comments or suggestions about other areas where the contractor can make improvements and also can describe instances of exceptional performance by the contractor. Staff from each region are expected to work together to evaluate the performance of each of their State Lead contractors during the previous six-month period and complete a State Lead Contractor Performance Report (Appendix H) for each contractor.

Once the State Lead Contractor Performance Reports are completed, they should be sent to the OSRR State Lead Program Manager who also will add comments and suggestions. The State Lead Program Manager will send each contractor an evaluation summarizing, in aggregate, staff comments and

suggestions regarding the contractor's performance during the previous six month period. The State Lead Program Manager also will send copies of the Performance Reports to the DEQ Contract Officer.

6.0 State Lead Emergency Response and Emergency Contracts

DEQ has certain statutory responsibilities to respond appropriately to actual or imminent threats to human health and the environment. During an incident, DEQ staff can provide technical expertise and resources (e.g. contractors) as needed by an Incident Commander to mitigate, contain, or clean up a release.

NOTE: Staff members need to remember that DEQ employees are not to act as first responders, but rather as resource coordinators. First responders generally are local fire and rescue personnel and these persons are the ones responsible for managing incidents involving immediate threats to human health and safety.

6.1 Petroleum State Lead Contract

The set of State Lead Contractors for the Petroleum Program is an in-place resource that can be utilized in emergency situations to mitigate, contain, and clean up oil discharges. The Petroleum Program State Lead contractors are required by the contract to be able to mobilize an emergency response crew and all necessary equipment and materials within 2-3 hours to respond to oil discharges. DEQ management does not need to declare an environmental emergency for staff to direct a State Lead contractor to mobilize to a site to deal with an oil discharge.

In all cases, scopes of work and billing for emergency responses performed under the State Lead contract are established by using the State Lead Activity Authorization form. The State Lead contractor must submit an Activity Authorization Form (AAF) prior to, during, or within 24 hours of the initiation of site work. The State Lead contractor must obtain verbal approval for any emergency work prior to initiation. The contract requires that a report or letter documenting the emergency actions taken be submitted to the DEQ within 14 days of AAF approval or as specified by the DEQ staff. Depending on the extent of emergency action, varying levels of documentation are required. Staff should go to Appendix D of the PREP Manual to see guidelines for contractor reports detailing actions taken during an emergency response.

After the emergency action is completed, the State Lead contractor will fill in the work performed column for T and M coded items. The auto AAF spreadsheet should calculate the actual cost for the work performed units entered on the spreadsheet by the contractor. Actual costs for X, C, and A coded items should be entered directly into the actual cost column by the contractor. The State Lead contractor then should submit this completed AAF in Excel format to the region for verification. The State Lead contractor also must submit copies of all subcontractor invoices that are \$100 or greater along with the AAF. DEQ staff will review and verify the work performed. When signing the work performed AAF and Verification Form, staff are verifying that:

1. The report/letter describing actions taken for emergency corrective action meets the requirements of the State Lead Contract;
2. Work performed does not exceed the pre-authorized units except as noted;
3. The unit rates listed on the AAF do not exceed the State Lead Contract rates for this contractor;
4. The contract cost for each Task and Time and Materials code and the actual cost was calculated correctly (*i.e.* work performed units X Contract Unit Price) for each Task and Time and Materials Code; and
5. Each “at cost” item and the units are appropriate and subcontractor invoices adequately support the costs incurred for all “at cost” items greater than \$100.

Emergency responses performed by State Lead contractors are charged to the OSRR unit budget. If there are no deficiencies with the deliverable or the Work Performed AAF, staff will verify the work performed using the procedures described in Section 5.3.1.

Emergency Response Example. State Lead Contractor Abating the Discharge of Diesel Fuel into a Ditch

An abandoned drum is left in on the side of a road and diesel fuel from that drum leaks into and pools in the drainage ditch adjacent to the road. The local emergency coordinator determines that this product in the ditch is not an immediate threat to human health and safety. The drainage ditch, however, empties into a stream and a rainfall event is forecast for the following day.

Since this is diesel fuel, staff should direct one of the State Lead contractors for that region to mobilize to the site and contain and clean up the oil. The State Lead contractor that was called by staff states that the company can mobilize to the site later that day and recover the diesel fuel. Since this contractor is already under contract and the State Lead contract covers this type of situation, DEQ management does not need to declare an environmental emergency to before staff can direct an existing State Lead contractor to deal with an oil discharge.

6.2 Environmental and Fire/Safety Emergencies

The State Lead contractors are expected to be able to respond to most emergency situations involving oil discharges. There may be instances, however, when the State Lead contractors for a particular region are not able to respond to an oil-related emergency. In these situations, the DEQ may need to execute an emergency contract to contain, recover, and dispose of oil creating an imminent threat to human health and/or the environment. An emergency must be declared by the DEQ Director, Regional Director, or Regional Deputy Director before DEQ can execute emergency contracts or approve emergency work performed by a contractor hired under an emergency contract.

Emergency Response Example. Emergency Contractor (not a Current State Lead Contractor) Abating a Discharge of Diesel Fuel into a Ditch

A tanker truck is involved in an accident. The tank ruptured during the accident and #2 heating oil was discharged into and pooled in a ditch. The owner of the truck refuses to take responsibility for the incident and clean up the oil. The local emergency coordinator determines that this product in the ditch is not an immediate threat to human health and safety. The drainage ditch is in close proximity to a stream and a rainfall event is forecast for the following day.

Staff call all of the State Lead contractors in the region and none are able to mobilize to the site before the predicted rainfall event. DEQ regional management consider and declare this an environmental emergency. Since none of the State Lead contractors for that region is able to respond to the incident in a timely manner and an environmental emergency has been declared by management, staff may execute an emergency contract with a non-State Lead Contractor to contain and recover the oil in order to prevent it from reaching the stream.

The State Lead Contract does not cover environmental and fire/safety emergencies caused by materials other than oil. Staff having to deal with emergencies caused by materials other than oil should follow the procedures outlined in the PReP Manual.

http://deqnet/docs/water/Guidance_Memoranda/2005_Guidance_Memos/GM05-2007.PREP_Manual.pdf

6.3 Emergency Contracts

The DEQ Director has delegated authority to the Regional Directors, Regional Deputy Directors, and in their absence the Regional Director's designee to:

1. declare an environmental emergency and utilize emergency procurement procedures to address the emergency,
2. approve the use of up to \$50,000 from the Virginia Environmental Emergency Response Fund (VEERF) to address an environmental emergency situation, and
3. approve the use of up to \$50,000 from the Virginia Petroleum Storage Tank Fund (VPSTF) to address an environmental emergency situation.

The link to document which outlines these authorities, Delegation of Authority - Policy Statement No. 3-2033 is:

http://deqnet/docs/admin/admin_policy/Executive_Mgmt/delegation_of_authority_11_14_2013.pdf

The guidelines for use of the VEERF for emergency response to an environmental pollution incident require that the incident:

1. poses a substantial threat to human health and safety or the environment; or
2. failure to undertake corrective action poses a significant increased threat to human health or the environment.

For additional information, please see the PREP Manual:

http://deqnet/docs/water/Guidance_Memoranda/2005_Guidance_Memos/GM05-2007.PREP_Manual.pdf

An emergency is defined in the Agency Procurement and Surplus Manual as "an occurrence of a serious and urgent nature that demands immediate action." This definition includes both fire/safety emergencies declared by local officials and other environmental emergencies declared by the Regional Director. Approval to expend funds for this emergency action includes a requirement to comply with all applicable state statutes, regulations, and policies including those pertaining to emergency procurement, issuance of an emergency contract, and prompt payment. Efforts required to abate the emergency situation may include containment, cleanup and disposal. Additional or subsequent work to be performed at the site shall be obtained using normal purchasing procedures.

Emergency Contracting Procurement Procedures

Listed below is a summary of key items that must be completed by the Regional Office to issue an emergency contract.

1. Define the work requirements – develop scope of work.
2. Select a contractor.
3. Agree upon a price - There are no specific requirements for determining a fair and reasonable cost. The determination may be based on prices previously paid for similar work or published price lists, such as the VPSTF Reimbursement Manual UCR Schedule. However, it should be expected that emergency contract work costs will exceed normal

- rates.
4. Complete a Declaration of Environmental Emergency and obtain the Regional Director's signature. A link to this form and other Environmental Emergency and Contracting documents is provided below.
 5. Complete the Commonwealth of Virginia Emergency Contract and attach the General Terms and Conditions and Special Terms and Conditions for Emergency Contracts. Obtain signatures of the contractor and Regional Director. The Special Terms and Conditions recognizes that under RCRA regulations both DEQ and the contractor may be considered co-generators of any hazardous wastes managed under the contract and the contractor is fully responsible for proper management of the hazardous or non-hazardous wastes.
 6. If the contract is >\$30,000, post a Notice of Emergency Award on the eVA web site for at least ten days. To post a notice on the eVA web site, complete the "Posting a Notice of Emergency Award" form or send an e-mail to Office of Financial Management (OFM) and attach the Declaration of an Environmental Emergency form.
 7. Once the work is completed, instruct the contractor to send the report documenting cleanup and a copy of the invoice to the Regional Office.
 8. The contractor must send the original invoice to Accounts Payable in Richmond at the following address:

Department of Environmental Quality
Office of Financial Management
Accounts Payable Section
P.O. Box 10009
Richmond, VA 23240-0009
 9. Within 10 business days after contract execution, DEQ staff need to file the contract and environmental emergency documents.
 - a. Place the original copy of the Declaration of Environmental Emergency in the Regional Office PREP file and send copies to OFM and Enforcement.
 - b. Place the original copy of the emergency contract in the Regional Office PREP file and send copies of this contract to contractor, OFM, and Regional State Lead Coordinator or Regional Storage Tank Program Manager.
 - c. The contractor must be directed to send the original invoice to OFM and a copy to the Regional Office. If the contractor mistakenly sends the original invoice to the Regional Office, forward it to OFM immediately.
 10. Upon receipt of the report and invoice copy, regional staff will determine if the work performed by the contractor meets the scope of work of the contract and if there are discrepancies in the invoice. The Case Manager will prepare and forward a memorandum to OFM within 10 working days of receiving the report and invoice verifying that the work was completed satisfactorily or documenting scope of work/invoice discrepancies. If there are deficiencies with the work performed, staff will direct the contractor to correct those deficiencies. Within 5 working days after the contractor submits a report describing correction of the deficiencies, the Case Manager must forward a memorandum to OFM verifying that the work was completed satisfactorily.
 11. OFM staff will e-mail a notice of payment to the PREP Coordinator and copy the Regional State Lead coordinator.

Listed below is the link to the Environmental Emergency Procurement Procedures and forms.

<http://deqnet/documents/index.asp?path=%2Fdocs%2Fadmin%2Fadmin%5Fpolicy%2FProcurement/Environmental%5FEmergency>

6.4 Tracking Financial Information for Emergency Responses in CEDS

Emergency contracts and State Lead work are presently tracked in the STORMS Remediation module of CEDS. PREP staff will provide Regional Remediation staff timely tracking and financial information for entering this data into CEDS. It is envisioned that future enhancements to the PREP database will allow PREP staff to directly track financial information in CEDS.

Appendix A

CEDS Data Entry Requirements for State Lead

1. Setting Up the Site in CEDS

CEDS STORMS REMEDIATION –General Screen

The screenshot shows the i-CEDS software interface. At the top, the window title is "Virginia Department of Environmental Quality - Current Screen : Remediation Site, Database: CEDSPROD Release:10.06.26 Date:08/14/2006 09...". Below the title bar is a menu bar with "Action", "Edit", "Query", "Block", "Record", "Field", "Help", and "Window". A toolbar with various icons is located below the menu bar. The main form area is divided into two main sections: "Sites" and "General".

The "Sites" section contains the following fields and controls:

- CEMS Facility ID: [Text Field]
- Registration Facility ID: [Text Field]
- Name: [Text Field]
- CEMS Location: [Text Field]
- Physical Address: [Text Field]
- City: [Text Field] State: [Text Field] Zip: [Text Field] - [Text Field] County: [Text Field]
- PC Number: [Text Field]
- Site Name: [Text Field]
- Region Code: [Text Field] Priority: [Text Field]
- Case Manager: [Text Field]
- Info For: Receptor Source
- Federally Regulated UST
- Buttons: "Copy Site"

The "General" section includes a tabbed interface with "General" selected. Below the tabs is a table for "Tank Types" with columns for "Group", "Tank Types", "Occurrences", "Capacity", and "Net Profit".

Group	Tank Types	Occurrences	Capacity	Net Profit
1	<input type="checkbox"/> Regulated Petroleum UST <input type="checkbox"/> Excluded UST <input type="checkbox"/> Deferred UST <input type="checkbox"/> Partially Deferred UST	[Text Field]	[Text Field]	[Text Field]
2	<input type="checkbox"/> Exempt UST 1 <input type="checkbox"/> Exempt UST 2 <input type="checkbox"/> Small Heating Oil AST	[Text Field]	[Text Field]	[Text Field]
3	<input type="checkbox"/> Regulated AST <input type="checkbox"/> Unregulated AST	[Text Field]	[Text Field]	[Text Field]

Additional fields in the "General" section include:

- Release Status: [Text Field]
- Program: [Text Field]
- Case Status: [Text Field]
- Heating Oil Category: [Text Field]
- Release Report Date: [Text Field]
- Case Closed Date: [Text Field]
- Unknown: Other:
- Comments: [Text Area]

At the bottom of the form, there is a status bar with the text "Enter value for CEMS Facility ID - list of values available" and "Record: 1/1".

Regional office staff must enter the PC number, site name, CEDs location, physical address, and all other site information on the top half of this screen. If a federally regulated UST is the source of the release, please make sure that the box for Federally Regulated UST, located on the top right of the screen is checked. On the bottom half of the screen, staff should enter other pertinent site data such as case status, tank type(s) involved in the release, and number of occurrences as known.

1. Setting Up the Site in CEDS, continued

CEDS STORMS REMEDIATION – Responsible Party Screen

Virginia Department of Environmental Quality - Current Screen : Remediation Site, Database: CEDSPROD Release:10.06.26 Date:08/14/2006 09...

Action Edit Query Block Record Field Help Window

Sites Today Is:

CEMS Facility ID: [] Registration Facility ID: []
Name: []
CEMS Location: []
Physical Address: []
City: [] State: [] Zip: [] - [] County: []

PC Number: [] Federally Regulated UST
Site Name: []
Region Code: [] Priority: []
Case Manager: []
Info For: Receptor Source

General Impacts Events **Responsible Party** State Lead State Lead AWS Reimbursements

Responsible Party

Name	Phone No	Fax	Letter	E-Mail
[]	[]	[]	[]	[]

Contacts

Last Name	First Name	M.I.	Organization Name	Title	Letter	Phone
[]	[]	[]	[]	[]	[]	[]

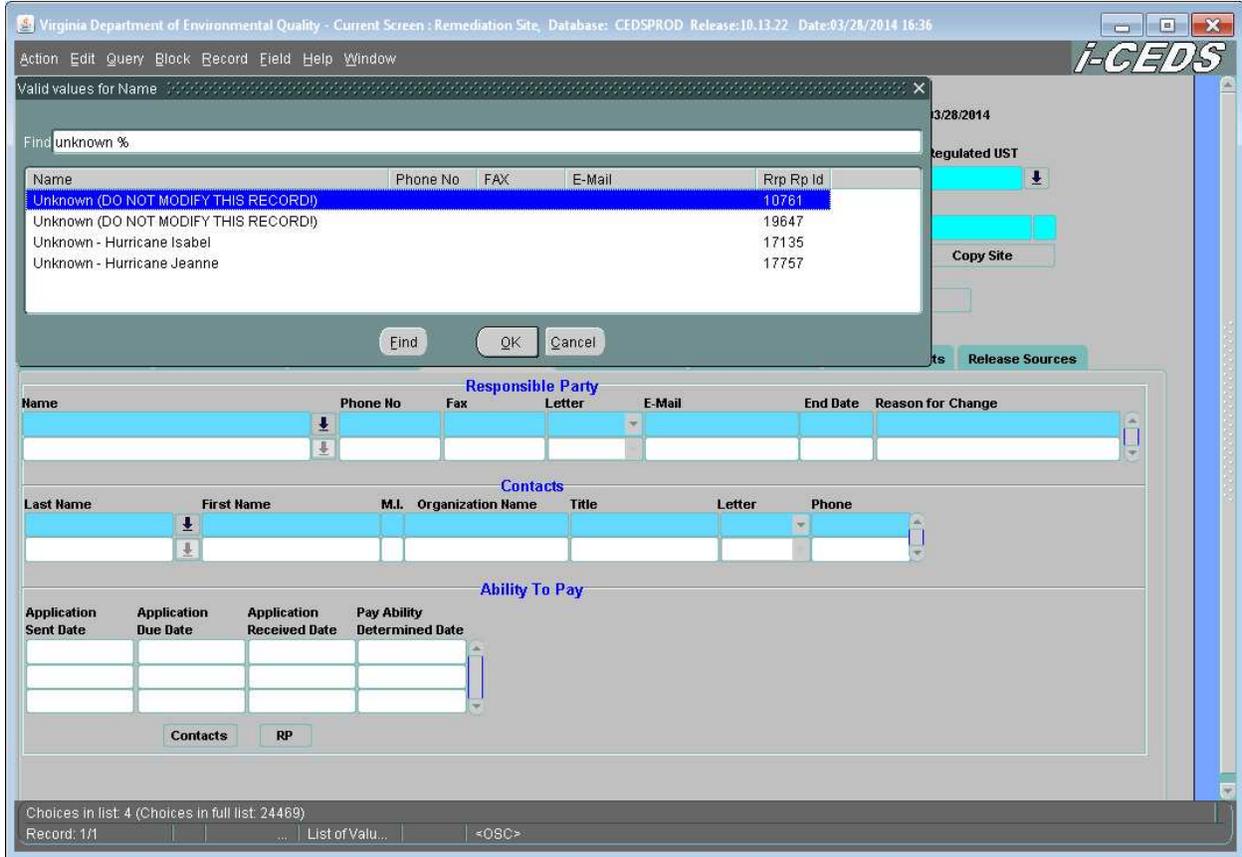
Ability To Pay

Application Sent Date	Application Due Date	Application Received Date	Pay Ability Determined Date	ATP Comments	Costs to be Recovered	Entity Type	Entity
[]	[]	[]	[]	[]	[]	[]	[]

Contractor name - list of values available
Record: 1/1 List of Valu... <OBC>

After the general screen is completed, regional office staff should go to the Responsible Party screen and enter as much information about the potential responsible parties at the site as possible.

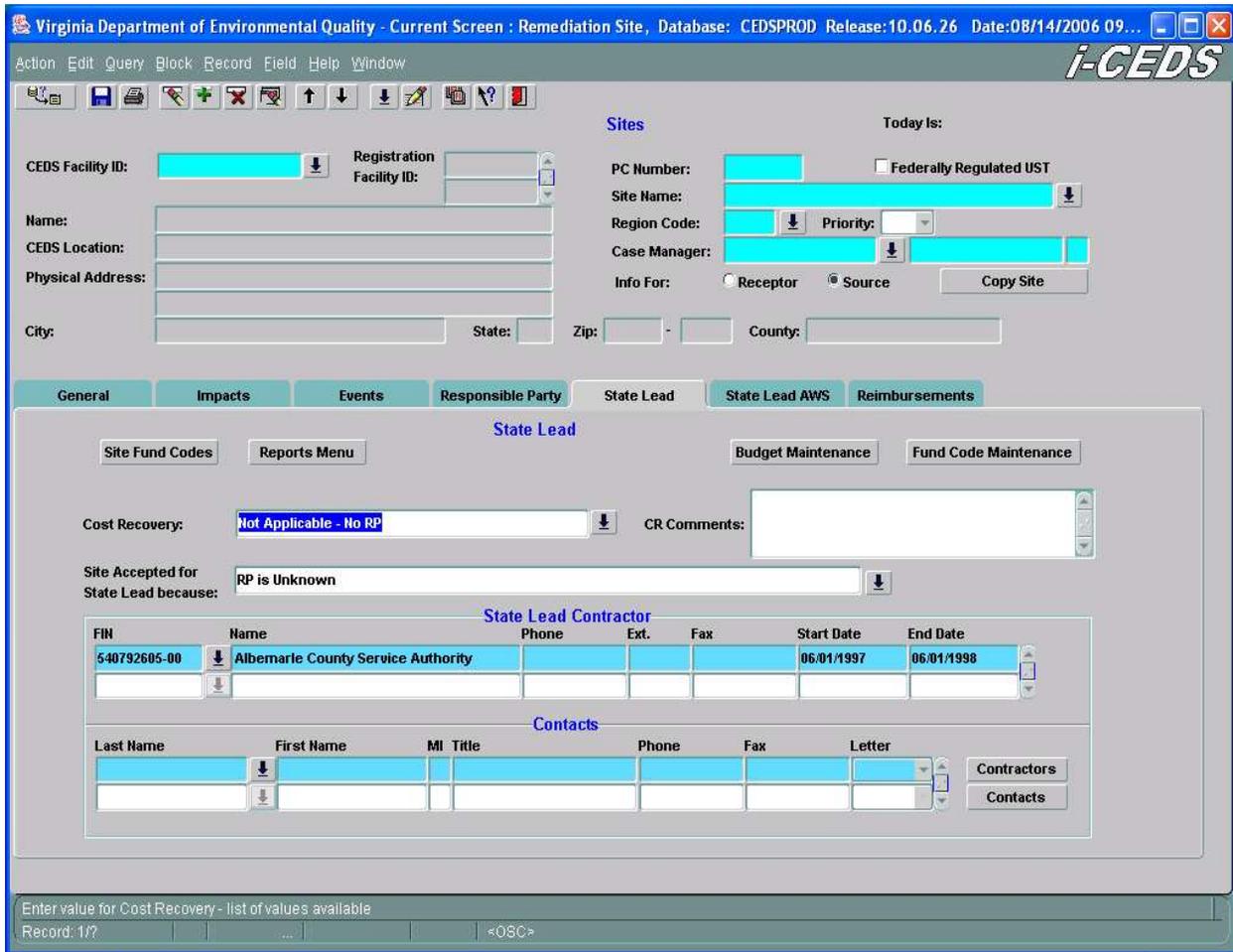
If the RP presently is unknown, staff should select the first “Unknown (DO NOT MODIFY THIS RECORD)” RP record shown below.



Information on this screen should be updated as new information becomes available. Case Managers working on State Lead sites should make sure that the information contained on this screen is current.

1. Setting Up the Site in CEDS, continued

CEDS STORMS REMEDIATION – State Lead Screen



The State Lead screen is completed by the State Lead Program Manager following receipt of the State Lead Acceptance Form from the regional office. On the bottom half of the screen, open the drop down menu for **Cost Recovery** and select the relevant cost recovery code. The choices listed in the drop down menu are:

1. not applicable – no RP
2. not applicable – FR satisfied on Reimbursement
3. not applicable – unable to pay certification
4. currently under consideration for cost recovery
5. cost recovery completed
6. no recovery – Exempt #1 or #2 less than floor costs
7. no recovery – less than floor costs

8. other

The State Lead Program Manager will select the most pertinent choice from the dropdown menu based upon the information provided on and attached to the State Lead Acceptance form.

Go to the **Site Accepted for State Lead because** line and select the appropriate code for the site. Codes are:

1. RP is unknown
2. RP is financially incapable as determined by Financial Responsibility
3. RP is unwilling to take corrective action
4. Office of Enforcement has directed RO to proceed w. State Lead
5. RO had determined that failure to take corrective action represents unacceptable risks
6. site is transitioning from RP lead to state lead (for approved reasons)
7. state lead providing AWS (this is only entered by Central Office staff)

The State Lead Program Manager will select the most pertinent choice from the dropdown menu based upon the information provided on and attached to the State Lead Acceptance form.

Go to the **State Lead Contractor** box and select the state lead contractor to perform the work from the drop down menu. If the state lead work was performed under an emergency or new contract and the contract information is not in CEDS, close the state lead contractor dialog box and then click the **contractors** button in the bottom right corner of the screen. Enter the pertinent information about the contract and contractor into CEDS, save and then exit to the State Lead screen. The contractor along with the appropriate contact will be displayed in the drop down menu.

Contact persons for state lead contractors already should be entered into CEDS and should appear on the screen when the contractor is selected. If work will be performed under a new contract (e.g. emergency contract, local government for waterline extension), click on the **contacts** box and enter the contact person's name, phone number, etc. for that contractor or local government entity.

After a two-year period at the start of a State Lead contract, the contract generally is renewed annually for several additional years as agreed to by the individual State Lead contractors and DEQ staff. The OSRR State Lead Program Manager is responsible for updating State Lead contractor information as contracts are renewed.

Once the cost recovery, state lead acceptance, and contractor information has been entered, click on the **Site Fund Codes** box and go to the site fund codes screen.

The codes most used for State Lead cases are:

509	26	97	63717	0748	Region. # (see Table A-2)	1268	State Lead cleanup, release from federally regulated UST, regional office cost code, VPSTF funded. This is the set of codes most used by Regional Offices for State Lead Cleanups at Regulated UST sites.
-----	----	----	-------	------	------------------------------------	------	--

and

509	26	97	83702	0748	Region. # (see Table A-2)	1268	State Lead cleanup, release not from a federally regulated UST, regional office cost code, VPSTF funded. This is the set of codes used by the Regional Offices for State Lead Cleanups of petroleum from anything other than regulated USTs.
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NOTE: Water supply and emergency response related costs should be charged to OSRR cost code 611. Staff need to keep the OSRR State Lead Program Manager informed of expenses that will be charged to the OSRR cost code.

The code sequence below is for Leaking UST Grant funded cleanups. Staff must receive authorization from the State Lead Program Manager and the OSRR Remediation Programs Manager before work may be charged to the Leaking UST Grant.

509	26	97	63717	1000	611	1268	State Lead cleanup, release from federally regulated UST, central office cost code, Federal Leaking UST grant funded
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NOTE: For each subsequent phase of work to be performed at the site, the State Lead Case Manager needs to check the Site Fund Codes screen to make sure that the appropriate cost codes for the phase of work appear on the screen. If the correct codes are not on the screen, the Case Manager should go to the next blank line, click on the down arrow, and select the appropriate code sequence from the list. The finance project cost code for Federally Eligible sites (i.e. state lead sites with releases from regulated USTs) changes every two years. The OSRR State Lead Program Manager and the Reimbursement and Appeals Programs Manager are responsible for updating the code strings in CEDS.

Table A-1. Site Fund Codes							
Program	SubProgram	Element	Finance Proj. code	Fund	Cost Code	Object Code	Explanation
509	26	97	63717	0748	611	1268	State Lead cleanup, release from federally regulated UST, central office cost code, VPSTF funded
509	26	97	63717	0748	Region. #	1268	State Lead cleanup, release from federally regulated UST, regional office cost code, VPSTF funded. This is the set of codes most used by Regional Offices for State Lead Cleanups at Regulated UST sites.
509	26	97	63717	1000	611	1268	State Lead cleanup, release from federally regulated UST, central office cost code, Federal Leaking UST grant funded
509	26	97	63717	1000	Reg. #	1268	State Lead Cleanup, release from federally regulated UST, regional office cost code, Federal Leaking UST grant funded. Regions not likely to use this. Federally regulated UST cleanups paid for by Leaking UST grant usually will have cost code 611.
509	26	97	83702	0748	611	1268	State Lead cleanup, release not from a federally regulated UST, central office cost code, VPSTF funded. This set of codes also is used for the CFU contract.
509	26	97	83702	0748	Reg. #	1268	State Lead cleanup, release not from a federally regulated UST, regional office cost code, VPSTF funded. This is the set of codes used by the Regional Offices for State Lead Cleanups of petroleum from anything other than regulated USTs.
515	11	97	63717	0748	611	1441	State Lead aid to locality (usually waterline extension), release from a federally regulated UST, VPSTF funded
515	11	97	83702	0748	611	1441	State Lead aid to locality (usually waterline extension), release not from a federally regulated UST, VPSTF funded
515	11	97	83702	0748	611	1411	Reimbursement claims payments
515	02	97	63717	1000	611	1441	Payments to localities (major AWS) paid from Leaking UST grant.
<p>Notes:</p> <p>Cost Codes - The pertinent regional cost code will appear in CEDs based upon the region listed in the STORMS REMEDIATION – General screen. Regional cost codes are listed in Table A-2. Cost code 611 is for OSRR.</p> <p>Fund 0748 – VPSTF, Fund 1000 Federal Leaking UST Grant</p> <p>Finance Project Code: 63717 – Release from a Federally Regulated UST. This number changes with the Federal Grant cycle. The next Federal Grant cycle will begin on October 1, 2016 and a new project code will be given to DEQ at that time. 83702 – Release of petroleum from anything other than a Federally Regulated UST. This number does not change.</p>							

Table A-2. Regional Cost Codes in CEDS							
Region	SWRO	WCRO	SCRO	VRO	NRO	PRO	TRO
Cost Code	701	704	707	719	716	713	710
<p>Note: BRRO Roanoke and BRRO Lynchburg still are listed in CEDS as WCRO and SCRO, respectively. Staff must continue to use these codes until CEDS is updated.</p>							

2. Entering State Lead Contractor Information into CEDS

CEDS STORMS REMEDIATION – State Lead/Emergency Contractor Information Screen

The screenshot shows the 'i-CEDS' application window titled 'State Lead/Emergency Contractors'. The interface includes a menu bar (Action, Edit, Query, Block, Record, Field, Help, Window) and a toolbar with various icons. The main form area is divided into several sections:

- Contractor Information:** Fields for FIN/SSH, Name, Address (multiple lines), City, State (set to VA), Zip Code, Phone 1, Phone 2, FAX, E-Mail, and Ext. fields.
- Metadata:** Fields for 'Changed By' and 'Date', and 'Inserted By' (JSBARNETT) and 'Date' (01/08/2008).
- Contracts Table:** A table with columns: Contract Number, Region Code, Begin Date, and End Date. The table contains several empty rows, each with a small downward arrow icon in the Begin Date column.

The Windows taskbar at the bottom shows the Start button, Internet Explorer, Microsoft Outlook, and a Microsoft Word document. The system tray indicates the time is 4:09 PM.

The State Lead/Emergency Contractor screen is accessed through the **contractors** button on the State Lead screen. The State Lead Program Manager is responsible for entering data for the regular State Lead contractors into the State Lead/Emergency Contractors Screen. Regional staff or persons issuing emergency contracts are responsible for entering contractor data for the emergency contractors they use into CEDS. Likewise, the OSRR State Lead Program Manager must enter data for Water Service Authorities or localities when DEQ enters into a major AWS-related contract with a locality.

When a new or emergency contract has been issued, staff should:

1. go to the State Lead Screen in CEDS;
2. go to the contractor portion of screen;

3. create a new, blank contractor line;
4. click the down arrow; and
5. look at the contractor list to see if the contractor has been previously utilized.

The screenshot shows the 'Sites' application window. The 'State Lead' tab is active. The 'State Lead Contractor' table contains one entry:

FIN	Name	Phone	Ext.	Fax	Start Date	End Date
541861920	Vista Environmental				07/01/2012	06/30/2013

The 'Contacts' table is currently empty:

Last Name	First Name	MI	Title	Phone	Fax	Letter

If the contractor has been used before:

1. Select the contractor from the list;
2. click the “Contractors” button on the State Lead Screen. This will take you to the State Lead/Emergency Contractor Information screen and automatically populate the contractor’s name, address, and federal ID number; and
3. select the first blank line in the contracts field and enter the new contract number, region code, and the contract beginning and end date.

If the contractor has not been used before:

1. Go to the State Lead/Emergency Contractor Information screen and fill in the name, address, FN #, etc. for the contractor; and
2. Go to the first line in the contracts field and enter the contract number, region, and contract beginning and end dates.

3. Entering State Lead Events into CEDS

CEDS STORMS REMEDIATION – Events Screen

When the Case Manager directs the State Lead contractor to prepare an AAF for a particular phase of work, the Case Manager needs to go to the events screen of CEDS and set up the string of CEDS events for that particular phase of work. As AAFs are submitted and approved and work is completed, the Case Manager should go back to the events screen and fill in dates and dollar amounts. It is most important that amounts and dates be entered into CEDS so that upcoming State Lead expenses can be projected.

CEDS is set up so that the database automatically populates this table once the first event within a particular string is selected. In order to set up the string of data from AAF requested to invoice paid, the Case Manager must enter the pertinent phase code into the next blank line in the events table. The drop down menu should be used to choose the appropriate phase code for the work being performed. The initial event for a particular phase typically is ‘SL AAF Requested**’ although, there are a few other initial events as well. In all cases, initial events in the dropdown menu contain ** after the event description. After this event is selected, the user should use the down arrow on their keyboard. This will automatically populate the table with a string of events for that particular phase of work. The string of events typically is:

SL – AAF Requested**
SL - AAF Received
SL – Approve AAF
SL – Report Received
SL – Report Reviewed
SL – Work Performed AAF Due/Received
SL – Work Performed AAF Approved
State Lead Invoice Paid

If the scope of work involves connection to existing public water or installing a replacement water supply well and this will be charged to OSRR's cost code, the following code string should be used:

SL – OSRR AAF Requested**
SL – OSRR AAF Received
SL – OSRR Approve AAF
SL – OSRR Report Received
SL – OSRR Report Reviewed
SL – OSRR Work Performed AAF Due/Received
SL – OSRR Work Performed AAF Approved
State Lead OSRR Invoice Paid

4. Entering Invoice Paid Data into CEDS

CEDS

STORMS REMEDIATION – Events Screen, fiscal payments

The screenshot shows the i-CEDS software interface for a Remediation Site. The title bar indicates the database is CEDSPROD, released on 10.06.26, and the date is 08/14/2006. The interface includes a menu bar (Action, Edit, Query, Block, Record, Field, Help, Window) and a toolbar with various icons. The main content area is divided into several sections:

- Sites:** Contains fields for PC Number (1989-1102), Site Name (Heflins Garage), Region Code (NVRO), Priority (1), Case Manager (Barnett, James), and Info For (Receptor, Source). A "Copy Site" button is also present.
- General Information:** Includes CEMS Facility ID (200000077661), Registration Facility ID (3003988), Name (Heflins Garage), CEMS Location (147 Warrenton Rd), Physical Address (147 Warrenton Rd), City (Falmouth), State (VA), Zip (22405), and County (Stafford County).
- Fiscal Payments:** This section is active and contains a table for "Fund Codes & Invoice".

Program	Sub-program	Element	Proj Code	Fund	Cost Code	Object	Invoice Num	Amount	SUM Total
518	02	97	63711	1000	611	1268	5019780	\$898.96	\$898.96

Below the table, the "Contractor" section shows:

FIN	Name	Phone	FAX
59-3628253	OES Environmental, Inc. (OMEGA)	(863)683-4646	

A "Back To Events" button is located at the bottom of the Fiscal Payments section. The status bar at the bottom of the window shows "Record: 1/1" and "List of Valu...".

State Lead Invoice Paid data is entered into CEDS by the OSRR Fund Analyst or, in that person’s absence, the State Lead Program Manager. When the Fund Analyst receives invoice paid data from Finance Office staff, the Fund Analyst will go to the State Lead Site Fund Codes Screen and make sure that the site fund codes for the work that has just been paid are in the Site Fund Codes table. The Fund Analyst then will go to the events table, scroll down to the appropriate “invoice paid” line, and enter the date the invoice was paid and the amount. The Fund Analyst then will hit the **fiscal events** button and go to the Fiscal Events screen shown above. The Fund Analyst then must choose, from the drop down menu, the appropriate fund codes for the invoice that was just paid. Next, the Fund Analyst will enter the invoice number and the amount paid. Finally, the Fund Analyst will go to the “contractor” line and use the drop down menu to select the contractor who performed and was paid for the work.

5. Entering State Lead Budget Data into CEDS

CEDS

STORMS REMEDIATION – Budget Maintenance Screen



The budget maintenance screen is accessed by clicking on the **budget maintenance** button found on the State Lead screen. Prior to the start of a fiscal year, the OSRR State Lead Program Manager will enter regional state lead budgets for the upcoming fiscal year into this screen. If budgets are adjusted during the fiscal year, the OSRR State Lead Program Manager will make appropriate adjustments to the budget numbers on this screen.

Appendix B

State Lead Acceptance Form

Hyperlink:

<http://deqnet/documents/index.asp?path=%2Fdocs%2Fwaste%2FOSRR%2FStateLead%5FStateLeadAWS/forms>

STATE LEAD ACCEPTANCE FORM

PC# _____

Federally Eligible
 Non-Federally Eligible

REGION _____

SITE NAME: _____

ADDRESS: _____

REGIONAL STATE LEAD CASE MANAGER: _____

COST CODES AS PROVIDED/APPROVED BY OSRR

Project 63717
 83702

Fund 0748
 1000

OSRR Approval of Case into State Lead Program

Signature: _____

Date: _____

Comments: _____

SITE IS BEING ACCEPTED AS STATE LEAD BECAUSE,

- RP IS UNKNOWN
- RP IS FINANCIALLY INCAPABLE (AS DETERMINED BY THE FINANCIAL RESPONSIBILITY MANAGER – DOCUMENTATION ATTACHED)
- OFFICE OF ENFORCEMENT HAS DIRECTED RO TO PROCEED WITH STATE LEAD ACTIVITIES (DOCUMENTATION ATTACHED)
- RO HAS DETERMINED THAT FAILURE TO TAKE CORRECTIVE ACTION REPRESENTS UNACCEPTABLE RISK TO HUMAN HEALTH AND/OR THE ENVIRONMENT (DOCUMENTATION ATTACHED)
- SITE IS TRANSITIONING FROM RP LEAD TO STATE LEAD (FOR APPROVED REASONS (DOCUMENTATION ATTACHED))

ACCEPTED BY REGIONAL OFFICE: _____

DATE: _____

SITE PRIORITY RANKING IS: _____

PRIORITY #1 IS HUMAN AND/OR ENVIRONMENTAL OR OTHER SENSITIVE RECEPTORS BEING DIRECTLY AFFECTED.

PRIORITY #2 IS POTENTIAL IMPACT TO RECEPTORS

PRIORITY #3 IS NO IDENTIFIED THREAT

IF FREE PRODUCT IS PRESENT, ADD AN ASTERISK TO THE PRIORITY NUMBER.

IS AN ALTERNATE WATER SUPPLY ACTIVITY NEEDED?

YES NO UNKNOWN

IF "YES", PLEASE LIST ALL SITES AND ADDRESSES THAT HAVE BEEN OR MAY BE IMPACTED BY THIS RELEASE.

1. _____ PH# _____
2. _____ PH# _____
3. _____ PH# _____

CONTRACTOR ASSIGNED _____

WORK TASKS ASSIGNED _____

DATE: _____

DATE: _____

DATE: _____

VII. REGIONAL CASE MANAGER SENDS COMPLETED ACCEPTANCE FORM TO OSRR (J. Barnett)

OSRR DISTRIBUTES APPROVED COPIES TO:

SST - TIME CODES (Patty Walsh), RO - PC FILE, OSRR - S.L ACCEPTANCE FORM FILE

Appendix C

Supplemental Budget Request Form

State Lead Program
Supplemental Budget Request Form

Region _____ Request Date _____
Regional Contact Person _____

Amount of additional VPSTF money requested and budget period
\$ requested _____ for the period _____ to _____

Reason for supplemental budget request (check one)

- current funds will not cover sites where work has already been initiated
- current funds will not allow initiation of activities at approved state lead sites
- both

List sites (by PC # and site name), site priority, site tasks to be funded with these additional monies, work tasks to be performed, and estimated site budgets. Also, denote if the sites may be federally eligible.

Case Manager or Regional State Lead
coordinator / date

Petroleum Program Manager / date

Date request received by State Lead Program Manager _____

State Lead Program Manager Recommendation approve disapprove

Date request received by the Reimbursement and Appeals Programs Manager _____

Funds are available (check one) yes no

Reimbursement and Appeals Programs Manager Recommendation (check one)
 approve disapprove

Reimbursement and Appeals Programs Manager / date amount approved

Approved / Disapproved (circle one) _____
OSRR Director / date

Original to VPSTF Manager, Copy to the Regional Director

* request must be signed by the Regional Director or it will not be processed.

Appendix D

Site Access Agreement

Site Access Agreement
(should be printed on DEQ Letterhead)

Date

[Site Address]

The Virginia Department of Environmental Quality (DEQ) seeks your cooperation in order to perform the following site and ground water investigation and/or clean up activities on your property:

[State Lead contractor name], under direct supervision of the DEQ, will be the on-site environmental contractor conducting the activities listed above. These activities are to be performed in a timely and professional manner. The DEQ will work with you to establish a convenient time/date for on-site activities. Prior to any and all on-site activity involving your property, the DEQ's contractor will notify you to set up a time for the on-site work.

The DEQ and its contractor will maintain all appropriate on-site safety measures, and will assume full responsibility for the proper disposal of all materials generated during the activity. Site restoration (to your satisfaction) will be conducted upon completion of discrete tasks and re-evaluated at project closure. During DEQ project involvement, you will be periodically informed of the project status and progress toward specified goals. Upon project completion, the DEQ will provide you with a final report summarizing activities and laboratory findings.

Please sign and date the statement below giving the DEQ's contractor permission to access your property for the purposes of performing the services/activities listed above. If you will be returning this access agreement to DEQ via mail, please send to:

[Regional Office Address]

Should you have any questions or require additional information, please contact [DEQ Case Manager] at [phone number]. The DEQ appreciates your cooperation in its efforts to protect human health and the environment.

Very truly yours,

[DEQ Case Manager]

By my signature below, I represent that as an authorized owner of this property, I give the Virginia Department of Environmental Quality's environmental contractor permission to access the property for the purposes of conducting these services.

Property Owner Signature

date

Property Owner – printed name

Appendix E

Tax Exempt Request Letter and Memo

Date

Mr. C. Wayne Crews
Supervisor
Taxpayer's Assistance Section
Virginia Department of Taxation
P.O. Box 1880
Richmond, VA. 23282

RE: Department of Environmental Quality
[Site Name, PC#]

Dear Mr. Crews:

In accordance with Article 5, § 58.1-3660, Code of Virginia, the Department of Environmental Quality (DEQ) certifies to the Department of Taxation that the enclosed memorandum dated [date] describes property under the DEQ State Lead Contract [contract number] as having been constructed, reconstructed, erected, or acquired in conformance with state program requirements for abatement or control of water pollution or contamination. Please send the tax exemption letter to:

[State Lead Contractor]
[address]

If we can be of further assistance, please contact James Barnett at 804-698-4289.

Very truly yours,

James Golden,
Deputy Director for Operations

enclosure

MEMORANDUM

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF LAND PROTECTION AND REVITALIZATION
OFFICE OF SPILL RESPONSE AND REMEDIATION

Mail Address:
P.O. Box 1105
Richmond, VA 23218

Location:
629 East Main Street
Richmond, VA 23219

SUBJECT: Tax Exempt Status for State Lead Contract [contract number]
[site name, PC#]

TO: James Golden

FROM: Elizabeth Lamp

DATE:

COPIES:

The State Lead Program would like certification (Code of Virginia § 58.1-3660) that the equipment purchased by our State Lead contractor for the work conducted under the State Lead contract [contract number] for the subject site located in [county/city, Virginia] be classified as pollution abatement equipment and/or facilities. The remediation system installed as part of corrective action at the subject site includes, but is not limited to:

[list remediation equipment]
e.g. carbon filtration units, air stripper, oil-water separator, storage building

A schematic diagram of the remediation system is attached.

Attached for your review and signature is a letter to the Department of Taxation certifying the equipment at this site should be classified as pollution abatement equipment and/or facilities.

Appendix F

Cleanup Activity Verification Form

The Verification Form should be accessed via a tab within each State Lead auto AAF Excel file.

State Lead Auto AAFs may be found at:

<http://deqnet/documents/index.asp?path=%2Fdocs%2Fwaste%2FOSRR/StateLead%5FStateLeadAWS>

Virginia Department of Environmental Quality – State Lead Program
STATE LEAD PETROLEUM CLEANUP ACTIVITY VERIFICATION FORM

TO BE COMPLETED BY DEQ REGIONAL STAFF

Attached is the Activity Authorization Form for:

Site Name: [Click here to enter site name](#)

Phase: [Click here to select phase](#)

PC#: [Click here to enter PC#](#)

Contractor: [Choose a contractor](#)

Case Manager: [Click here to enter name](#)

Cost Code: [Choose a cost cost](#)

Fund: [Choose a fund.](#)

Project #: [Choose a project #](#)

[Click here to enter initials](#)
(initials)

I have reviewed the Report for this phase of corrective action, and it meets the requirements established by the State Lead contract

[Click here to enter initials](#)
(initials)

I have reviewed the report for this phase of corrective action, and no work performed exceeds the pre-authorized units except as noted below.

[Click here to enter initials](#)
(initials)

I have reviewed the Contract Unit Rate amounts, and no rates exceed the rates established by the Sate Lead contract for this contractor.

[Click here to enter initials](#)
(initials)

I have reviewed the Actual Cost for each Task and Time and Materials Codes, and the Actual Cost was calculated correctly for each Task and Time and Material Code (i.e., Work Performed Units x Contract Unit Price = Actual Cost).

[Click here to enter initials](#)
(initials)

I have reviewed each "at-cost" item, and the items and units are appropriate. The costs are adequately supported by subcontractor invoices for all "at-cost" items greater than \$50.00.

[Click here to enter initials](#)
(initials)

I have reviewed the Total Actual Cost, and it is a correct and accurate summation of Actual Cost for each Task Code, Time and Material Codes, and at-cost item.

[Click here to enter initials](#)
(initials)

Approved and signed AAFs plus supporting contractor invoices are attached

Staff Comments:

Total Actual Cost Approved for Payment \$ [Click here to enter amount](#)

Approved by: [Click here to enter name.](#) (Regional use)

Date: [Click here to enter date](#)

Approved by: [Click here to enter name.](#) (OSRR 611 approval)

Date: [Click here to enter date](#)

Distribution: - DEQ OSRR (Attn: Janie May)
- SL Contractor

Appendix G

Budget Projection Spreadsheet and Example

Example of Spreadsheet provided to region on September 20

Region:

		1			2		3			4				
		SLAAFAPRVD			SL_RPTRCVD		SLWPAAFAPR			SL_INVPaid				
		Anticipated Date	Completed Date	State Lead Amount	Anticipated Date	Completed Date	Anticipated Date	Completed Date	State Lead Amount	Anticipated Date	Completed Date	State Lead Amount	Cost Code	Dollar Amount
PC#	Karen's Garage	NULL	NULL	NULL	04-Apr-2008	23-Jul-2008	19-Aug-2008	19-Aug-2008	3296.99	05-Sep-2008	NULL	NULL	NULL	NULL
PC#	James' Marina	NULL	NULL	NULL	16-Oct-2007	11-Mar-2008	16-Oct-2007	11-Mar-2008	1665.69	NULL	27-Mar-2008	1665.69	716	1665.69
PC#		NULL	11-Mar-2008	5607.76	10-May-2008	04-Jun-2008	07-Jul-2008	06-Jun-2008	3967.62	NULL	17-Jun-2008	3967.63	716	3967.63
PC#		NULL	15-Aug-2008	11274.32	03-Oct-2008	NULL	28-Oct-2008	NULL	NULL	NULL	NULL	NULL	NULL	NULL
PC#	Lamp Residence	NULL	NULL	NULL	30-May-2008	30-May-2008	15-Jun-2008	03-Jun-2008	6467.21	NULL	17-Jun-2008	6467.21	716	6467.21
PC#		NULL	12-Aug-2008	2796.93	15-Oct-2008	NULL	22-Oct-2008	NULL	NULL	NULL	NULL	NULL	NULL	NULL
PC#	Sean's Service Center	27-Mar-2008	12-Mar-2008	2401.12	05-May-2008	02-Jun-2008	28-May-2008	11-Jun-2008	1928.63	NULL	25-Jun-2008	1928.63	716	1928.63
PC#	Williams Country Store	NULL	12-Mar-2008	6517.41	15-May-2008	06-May-2008	NULL	21-May-2008	1296	NULL	17-Jun-2008	1296	716	1296.00
PC#	Polecat Crossroads Market	NULL	NULL	NULL	29-Feb-2008	07-Mar-2008	07-Apr-2008	20-Mar-2008	4470.93	NULL	15-Apr-2008	4470.93	716	4470.93
PC#		NULL	01-Aug-2008	11729.61	20-Sep-2008	19-Sep-2008	19-Oct-2008	NULL	NULL	NULL	NULL	NULL	NULL	NULL
PC#	Howell Residence	27-Mar-2008	12-Mar-2008	2288.4	05-May-2008	02-Jun-2008	NULL	03-Jun-2008	2066.38	NULL	17-Jun-2008	2066.38	716	2066.38
PC#	Ellison Hills Subdivision	NULL	NULL	NULL	05-May-2008	22-May-2008	NULL	23-May-2008	19386.33	NULL	17-Jun-2008	19386.33	716	19386.33
PC#		28-Jul-2008	29-Jul-2008	54476.97	25-Sep-2008	NULL	20-Oct-2008	NULL	NULL	NULL	NULL	NULL	NULL	NULL
PC#	Alfaro's Grocery	NULL	25-Jul-2008	13000	12-Sep-2008	19-Sep-2008	05-Oct-2008	NULL	NULL	NULL	NULL	NULL	NULL	NULL
PC#	Taylor Made Convenience	NULL	01-May-2008	19,500	06-Jul-2008	13-Jul-2008	11-Aug-2008	15-Aug-2008	18,000	10-Sep-2008	NULL	NULL	NULL	NULL
PC#	Giese Residence	NULL	15-Jul-2008	4000	15-Sep-2008	18-Sep-2008	18-Oct-2008	NULL	NULL	NULL	NULL	NULL	NULL	NULL
PC#	Fisher's Gas n Go	31-Mar-2008	10-Mar-2008	12998.67	09-May-2008	23-May-2008	23-Jun-2008	06-Jun-2008	8241.19	NULL	17-Jun-2008	8241.2	716	8241.20
Sum														85771.78

On the first of each month, the State Lead Program Manager will run a query from CEDS indicating the status of state lead work in progress on that date. The State Lead Program Manager will highlight cells showing work that has been verified, but not yet paid as well as work that regional staff list as expected to be approved by the 14th of the month. In this example, verified work for Karen's Garage and Taylor Made Convenience would be identified expected expenses for October since there is no evidence that invoices for this work have been paid. Alfaro's Grocery also may be considered a probable expense for this particular month since the Case Manager expects a report to be received before the 14th of the month.

Appendix H

State Lead Contractor Performance Report

Virginia Department of Environmental Quality State Lead Contractor Performance Report

Contractor:

Date:

Period of Evaluation (dates):

Region:

Name(s) of Case Manager(s) Completing this Performance Report:

Work Quality

Onsite work quality (if known)	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Report Quality:				
Maps (accuracy, content)	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Text: organization	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Text: quality (grammatical)	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Text: technical quality	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Other	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory

If unsatisfactory, provide specific information about work deficiencies and resolution of problem (if it has been resolved).

Other comments (includes positive remarks, areas where the consultant might improve, etc.):

Company Management of Projects

Company cooperation with DEQ	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Company provided adequate resources for completing state lead work:	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Company flexibility in responding to changing or unforeseen conditions:	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Company resolution of any problems:	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory
Company communicated issues or problems promptly with DEQ staff	<input type="checkbox"/> excellent	<input type="checkbox"/> above average	<input type="checkbox"/> satisfactory	<input type="checkbox"/> unsatisfactory

If unsatisfactory, provide specific information about company management-related deficiencies and resolution of problem (if it has been resolved).

Other comments (includes positive remarks, areas where the consultant might improve, etc.):

