

# Alabama Drycleaning Environmental Trust Fund Policies and Procedures related to Cost Proposals and Payment Requests

## February 2013

### General Information

- Cost Proposals are only valid for one year. Payment Requests must be submitted on or before the quarterly Board deadline for the quarter in which the Cost Proposal will be one year old. (For example, if a Cost Proposal is approved in February 2013, the Payment Request must be received by the Board Deadline in January 2014 for consideration at the February 2014 Board meeting). If the Payment Request cannot be submitted, the owner or the retained Alabama Drycleaning Environmental Consultant (ADEC) must submit a written request for extension to the Board Engineer. An extension will be granted until the following quarter (approximately 3 months). No more than two extensions will be granted, at which point the work covered under the approved Cost Proposal will not be eligible for reimbursement. All requests for extension must be in writing to the Board Engineer with rationale for the extension. Failure to obtain an extension will result in denial of Payment Requests that are greater than one year old.
- Only one Payment Request can be submitted for each approved Cost Proposal. If reimbursement for only part of the scope of work for a Cost Proposal is submitted, the costs should be reduced to reflect the actual scope of work performed. A separate Cost Proposal with a revised scope of work must be approved by ADEM and the Board before work can be reimbursed under a separate Cost Proposal to cover tasks that were not completed under the original Cost Proposal.
- Authorization of costs under a Cost Proposal is not a project budget. Each section of approved cost is approved based on unit rates, time and materials to complete the Scope of Work required by ADEM. If the entire Scope of Work is not performed or if out-of-scope activities (not required by ADEM) are performed, the Board expects that the final costs submitted for payment represent the actual required work performed, which is less than authorized.
- The Board needs an updated Form W-9 each year before the Responsible party can receive a payment from the fund. A copy of the form is available on the Board website.

### Reasonable Rates and Reimbursement

- The Board has adopted the Reasonable Rate schedule for maximum allowable labor rates approved by the Alabama Department of Environmental Management (Alabama Tank Trust Fund Rates), effective January 1, 2013. Those rates are posted on the Board website at [www.drycleaningtrustfund.alabama.gov](http://www.drycleaningtrustfund.alabama.gov)
- Any work performed after January 1, 2013 can be reimbursed at the new rates. Work performed prior to January 1, 2013 is still subject to the old rates. Labor time charged on Payment Requests and invoices must clearly designate the

number of hours for each labor category with the appropriate rate based on the dates work performed.

- Reasonable rates for other items (i.e. field equipment, drilling, analytical, etc.) will be updated after ADEM (Trust Fund) finalizes the new rates. The rates will be published on the Board website at [www.drycleaningtrustfund.alabama.gov](http://www.drycleaningtrustfund.alabama.gov) when they are effective.
- Consistent with the ADEM Underground Storage Tank Trust Fund, the Alabama Drycleaner Board will reimburse a maximum 10% on pass through items, with the exception of corrective action system purchase and installation, and construction associated with remediation (i.e. excavation and soil disposal).
- Often, Cost Proposals are approved with a budget for items that do not have published reasonable rates (for example, office supplies, shipping, well sampling materials, etc.). In order to be reimbursed for any item that does not have a Board approved Reasonable Rate, the Payment Request must include a copy of the actual invoices or receipts for the items. If an invoice or receipt is not included, the item cannot be reimbursed, even though a budget was authorized for the items.

### **Cost Proposal and Payment Requests Forms**

- The Board plans to update the forms for submittal of Cost Proposals and Payment Requests over the next few months. The Board forms will be different than the forms that ADEM will be using in the Alabama Tank Trust Fund program. Additional information about the new forms will be provided to the ADECs.

### **Eligible Personnel**

- Only personnel that have a resume on file with the Board are eligible to work on Alabama Drycleaner sites. Please provide resumes for any personnel who were not included in the ADEC renewal application when the Payment Request is submitted.

### **Investigation Derived Waste**

- Proposed cost for management of Investigation Derived Waste (IDW) varies greatly depending on the vendor chosen and the disposal facility. ADEM has provided the guidance below for management of IDW from drycleaner sites. Because the Hazardous Waste Regulations (Division 14) apply, all drycleaners sites are subject to the storage and proper disposal requirements. Because the Board only meets quarterly and IDW storage requirements are generally either 90 or 180 days (depending on the generator classification), all ADECs shall include costs for IDW management for every activity where IDW is generated. The Board requires that you obtain three prices for management of the IDW, which shall be included with the Cost Proposal submittal information.
- If the IDW will be disposed at a solid waste disposal facility in Alabama, you must provide a copy of the ADEM pre-approval letter with the Payment Request. Cost for ADEM pre-approval will only be reimbursed if a copy of the letter is attached.

## **ADEM Guidance Regarding Management of Investigation Derived Waste**

“Investigative derived waste (IDW) generated at drycleaner sites is subject to a hazardous waste determination pursuant to ADEM Administrative Code rule 335-14-3-.01(2). Generators/consultants must determine if the waste is a listed waste found in 335-14-2-.04 of the Code. It is the Department’s interpretation that any detectable concentration of PCE renders the waste “listed” unless a contained-in/contained-out determination is made. Work plans should reflect the proper management of IDW based on as generated concentrations of PCE.

Please contact Ms. Heather M. Jones at 334-271-7756 or Ms. Lynn T. Roper at 334-271-7728 to obtain additional information regarding contained-in/contacted out determinations.”