

## STATE BOARD TO REVIEW CLAIMS

MEETING OF DECEMBER 6, 2018

Video conferenced from Carson City and Las Vegas, Nevada

**SUBJECT:** Resolution to Amend The State of Nevada Petroleum Fund CEM Cost Guidelines

**DISCUSSION:** The State of Nevada Petroleum Fund Cost Guidelines (Guidelines) provide a basis for the preparation and review of Not-to-Exceed Cost Proposals (NTEPs), claims for reimbursement, and proof of payment documentation. The Guidelines were initially adopted by the Board to Review Claims (Board) on August 16, 1996 pursuant to Board Resolution number 96-016 (Attachment A). Since then, the Guidelines have been updated on December 13, 2001, September 13, 2012, September 10, 2015, March 10, 2016, and September 14, 2017.

Note: Resolution number 96-004, which provided information regarding corrective action activities that are eligible and ineligible for reimbursement, was consolidated into the amended Guidelines as Appendix E in the September 13, 2012 amendment. Resolution number 96-004 is therefore obsolete (Attachment B).

The Nevada Division of Environmental Protection (NDEP) Petroleum Fund staff has drafted additional proposed amendments to the Guidelines to incorporate revised practices for NTEP, claim, and proof of payment submittals and review. The Guidelines currently describe the use of paper submittals and manual review by Fund staff, which have been replaced by an interactive online database system allowing both submittal and review of these documents through the system. Secondly, the State Petroleum Fund statutes and regulations adopted in recent years were codified in a new chapter in October 2018 (NRS/NAC, Chapter 445C). The proposed Guidelines amendments include updates for the incorrect regulatory citations (NRS/NAC Chapter 590). Thirdly, many task hours have been revised to reflect the level of effort requested by NDEP case officers to carry out corrective action activities at cleanup projects. Lastly, a new task was added to outline expectations during initial abatement activities at regulated underground storage tank facilities.

NDEP solicited input from the regulated community via workshops on two separate occasions regarding proposed amendments to the Guidelines during October 2018. In response to received comments, the draft Guidelines were further amended. A markup version of the final draft of the amended Guidelines is included in this Resolution as Attachment C. The format shown allows amendments made to be clearly identified; red-lined

items have been removed and bold blue text are additions. Should the Board adopt this Resolution as proposed, Fund staff will post a clean final version of this document to our website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund>

These revised Guidelines become effective on the date of adoption and will be applied to all NTEP/claim submittals received after the December 6, 2018 Board meeting.

Any future amendments to the Guidelines will be completed by providing proposed changes to the regulated community for review and comment. If no comments are received which oppose the proposed change(s), NDEP will proceed to update the Guidelines and inform the Board of the change(s) at the next quarterly Board meeting. If comments are received which dispute the proposed change(s), NDEP will either resolve the conflict or present the issue to the Board for its consideration, based upon the facts.

RECOMMENDATION: **Adoption** of Amended Policy Resolution No. 2001-05 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 2001-05, AMENDED

Resolution to Amend  
The State of Nevada Petroleum Fund CEM Cost Guidelines

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Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. On August 16, 1996, the Board first adopted the State of Nevada Petroleum Fund CEM Cost Guidelines (Guidelines) pursuant to Resolution number 96-016 (Attachment A).
2. In September 2001 and following the preparation of draft Guidelines amendments, the NDEP solicited input from the regulated public and presented the proposed changes during workshops in Carson City and Las Vegas. The first revised Guidelines document was implemented in December 2001 under Board Resolution number 2001-05.
3. NDEP has made multiple updates to the Guidelines to better reflect currently utilized and acceptable corrective action practices. Modifications include, but are not limited to, the addition of new tasks, expanding and clarifying language regarding requirements that are commonly questioned, and the addition of several new appendices which discuss important issues such as the three bid requirement and the differences between renting and purchasing major remediation equipment.
4. Resolution number 96-004, which provided information regarding corrective action activities that are eligible and ineligible for reimbursement, was consolidated into the amended Guidelines as Appendix E on September 13, 2012. Resolution number 96-004 therefore remains obsolete (Attachment B).
5. Comments and suggestions from the regulated community regarding today's proposed Guidelines amendments were solicited in September 2018 via email and during two separate workshops in October 2018. One workshop was held in Las Vegas and the other in Carson City.
6. A final markup version of the amended Guidelines are made a part of this resolution as attachment C to easily identify amendments to the previous Guidelines revision. Fund staff will post a clean final version of this document to the Nevada Petroleum Fund website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> upon adoption by the Board.
7. Any future amendments to the Guidelines will be completed by providing proposed changes to the regulated community for review and comment. If no comments are received which oppose the proposed change(s), NDEP will proceed to update the Guidelines and inform the Board of the change(s) at the next quarterly Board meeting. If comments are

received which dispute the proposed change(s), NDEP will either resolve the conflict or present the issue to the Board for its consideration, based upon the facts.

THEREFORE BE IT RESOLVED THAT:

1. The CEM Cost Guidelines shall be amended as summarized in Attachment C and a final version without markup shall be posted to the Nevada Petroleum Fund website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> for public review.
2. The amended Guidelines will become effective today, following adoption by the Board. NDEP staff will apply the amended CEM Cost Guidelines to all Not To Exceed Proposals and claims received after the December 6, 2018 Board meeting.
3. Future amendments to the Guidelines will be completed by providing proposed changes to the regulated community for review and comment. If no comments are received which oppose the proposed change(s), NDEP will proceed to update the Guidelines and inform the Board of the change(s) at the next quarterly Board meeting. If comments are received which dispute the proposed change(s), NDEP will either resolve the conflict or present the issue to the Board for its consideration, based upon the facts.

I, Maureen Tappan, Chair, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on December 6, 2018.

  
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Maureen Tappan, Chair  
State Board to Review Claims

# ATTACHMENT A

STATE BOARD TO REVIEW CLAIMS

MEETING OF AUGUST 16, 1996  
Reno, Nevada

ITEM: V.C.

SUBJECT: Resolution to adopt State of Nevada Petroleum Fund  
CEM Cost Guidelines

DISCUSSION: The Nevada Division of Environmental Protection (NDEP) evaluates the cost effectiveness of proposed Certified Environmental Manager (CEM) costs for projects receiving reimbursement from the State of Nevada Petroleum Reimbursement Fund. Proposed costs are summarized by CEMs in Not-to-Exceed Cost Proposals (NTEPs).

The NDEP has formulated State of Nevada Petroleum Fund CEM Cost Guidelines. The guidelines are designed to facilitate cost effectiveness, streamline NTEP preparation and evaluation, and form a basis for NTEP review consistency. The recommendations made in the document may be adjusted by the Board at its discretion based upon the facts of each case, pursuant to NRS 590.830.

Comments from the consulting and regulated communities were solicited throughout the latter stages of document preparation, beginning in April, 1996. Comments were received from telephone conferences and scheduled meetings. Several comments received from the consulting and regulated community were integrated into the document.

During the May 23, 1996 Board meeting in Las Vegas, Nevada, the NDEP presented the Board with an update regarding the Cost Guidelines. It was proposed at that time to table a request for its adoption pending additional review and comments. Additional comments were received from the consulting and regulated communities. Additionally, the NDEP requested review from the Nevada State Board of Professional Engineers regarding the Cost Guideline's impact on the professional engineering arena. Comments have been responded to in the attached report.

RECOMMENDATION: Adoption of Resolution No. 96-016 as proposed.

ATTACHMENT: Response to Comments

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 96-016

Resolution to Adopt State of Nevada  
Petroleum Fund CEM Cost Guidelines

Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. Proposed reimbursable Certified Environmental Manager (CEM) costs are submitted to the Nevada Division of Environmental Protection (NDEP) prior to claim submittal in the form of Not-to-Exceed Cost Proposals (NTEPs) for evaluation of project cost effectiveness.
2. NDEP staff has, in the past, evaluated NTEPs on a case-by-case basis without utilizing an established written policy. NTEP review, therefore, was inconsistent.
3. The NDEP has prepared a guideline document to be utilized during NTEP preparation and review. This document will be utilized to standardize CEM expenditures for many phases of typical assessment/remediation projects, facilitating cost effectiveness. The document will also streamline NTEP preparation and evaluation, and form a basis for NTEP review consistency.
4. Attachment "A", which is made a part of this resolution, contains a State of Nevada Petroleum Fund CEM Cost Guidelines document.
5. NRS 590.830(1) requires the Board to "...review each claim presented and authorize payment to the extent warranted by the facts of the case." Adoption of the CEM Cost Guidelines contained in Attachment "A" will allow NDEP staff to perform consistent review of NTEPs for cost effectiveness, and provide the Board with appropriate reimbursement recommendations. The Board will retain the latitude to individually consider each reimbursement request.

THEREFORE BE IT RESOLVED

That the State Board to Review Claims directs the NDEP to administer reimbursement requests in the following manner:

1. That the NDEP makes the CEM Cost Guidelines contained in Attachment "A" accessible to the public to facilitate consistent NTEP preparation by CEMs.

2. That the NDEP staff apply the CEM Cost Guidelines contained in Attachment "A" when evaluating all outstanding unreviewed NTEPs received on or after October 1, 1996.
3. That the Board reserves the right to adjust each NDEP staff reimbursement recommendation based upon the facts of each case, pursuant to NRS 590.830(1).

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on August 16, 1996.

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John Haycock, Chairman  
State Board to Review Claims



# ATTACHMENT B

STATE BOARD TO REVIEW CLAIMS

MEETING OF FEBRUARY 29, 1996  
Reno, Nevada

ITEM: IV.D.

SUBJECT: Resolution to adopt guidelines regarding the eligibility for Petroleum Fund reimbursement for certain items

DISCUSSION: The Nevada Division of Environmental Protection (NDEP) has formulated guidelines designed to facilitate consistency in the claim review process.

To extend Petroleum Fund benefits in an equitable and fair manner, determinations are made as to what costs submitted for reimbursement, if any, are eligible for reimbursement. The proposed list of reimbursable and non-reimbursable items will assist NDEP to make consistent and unbiased recommendations to the Board. Such a guideline may be adjusted by the Board at its discretion based upon the facts of each case, pursuant to NRS 590.830.

Comments from the consulting community were solicited on November 6, 1995. No comments have been received.

RECOMMENDATION: Adoption of Resolution No. 96-004 as proposed.

STATE BOARD TO REVIEW CLAIMS

RESOLUTION NO. 96-004

Resolution to Adopt Guidelines Regarding  
the Eligibility for Petroleum Fund  
Reimbursement for Certain Items

Whereas, the State Board to Review Claims (hereinafter referred to as the Board) Finds:

1. Claims submitted to the Nevada Division of Environmental Protection (NDEP) contain requests for reimbursement for costs which may not be directly attributable to the cleanup of groundwater or soil, or are otherwise extraneous costs.
2. NDEP has, in the past, made recommendations to the Board as to which costs are and are not directly attributable to the remediation (or are extraneous) and therefore are or are not reimbursable. Such recommendations have been made on a case-by-case basis without using an established policy. NDEP has never formally presented guidelines of eligible and ineligible costs to the Board that can be used by the NDEP to formulate its recommendations.
3. NDEP has formalized the interpretation of various corrective action costs in the form of a Reimbursement Recommendation Guideline.
4. Attachment "A", which is made a part of this Resolution, contains a Reimbursement Recommendation Guideline for the Nevada State Petroleum Fund.
5. NRS 590.830(1) requires the Board to, "...review each claim presented and authorize payment to the extent warranted by the facts of the case." Adoption of the guidelines contained in Attachment "A" would allow for a consistent approach by NDEP in its recommendations to the Board, and would still allow the Board to individually consider each reimbursement request.

THEREFORE BE IT RESOLVED:

That the State Board to Review Claims directs the NDEP to administer reimbursement requests in the following manner:

1. That a determination be made of claimants applying for reimbursement from the State of Nevada Petroleum Fund as to the eligibility of the costs claimed.

2. That the staff of the NDEP apply the guidelines contained in attachment "A" on all outstanding unreviewed reimbursement requests.
3. That the Board reserves the right to adjust each staff recommendation based upon the facts of each case, pursuant to NRS 590.830(1).

I, John Haycock, Chairman, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Nevada State Board to Review Claims on February 29, 1996.

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John Haycock, Chairman  
State Board to Review Claims

# ATTACHMENT C



**STATE OF NEVADA PETROLEUM FUND  
CEM COST GUIDELINES**

**SEPTEMBER 2017**

**DECEMBER 2018**

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## SECTION 1

### 1.1 Introduction

The Nevada Petroleum Fund (Fund) is administered by the Nevada Division of Environmental Protection (NDEP). This document has been prepared to facilitate the preparation and review of Not-to-Exceed Cost Proposals (NTEPs), **claims for reimbursement, and proof of payment documentation** submitted by petroleum storage tank operators and/or Nevada Certified Environmental Managers (CEMs). This document and the forms contained herein may be requested from NDEP by calling (775) 687-9368, or downloaded from our website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund>.

### 1.2 Objectives

The objectives of this document are:

- Provide mechanisms whereby the NTEP preparation and review process is uniform, sufficiently flexible to account for differing site/contaminant conditions, and does not restrict competition among CEMs.
- Develop guidelines that do not discourage consideration and implementation of innovative assessment or remediation technologies.
- Provide descriptions of common NTEP tasks.
- Provide acceptable CEM levels of effort for commonly performed assessment and remediation tasks.
- Emphasize the importance of CEM coordination with regulatory case officers.
- Provide expectations for reimbursement **amounts claim submittal and associated proof of payment documentation**.

### 1.3 Background

The Fund was initially implemented in 1989 by state legislation to assist operators of regulated petroleum underground storage tank (UST) systems to meet federal requirements for financial responsibility pursuant to 40 Code of Federal Regulations (CFR) Part 280, Subpart H. The Fund provides reimbursement to qualified storage tank operators for regulatory-required assessment and remediation costs (exceeding set deductible and co-payment amounts) associated with accidental petroleum releases. The Fund also allows voluntary enrollment of non-regulated petroleum tanks (e.g. aboveground storage tanks less than 30,000 gallons and farm/residential storage tanks), and automatically covers accidental releases from heating oil storage tanks used for onsite space heating. All reimbursements from the Fund must be reviewed/authorized by the State Board to Review Claims (Board). The Fund is supported by a \$0.0075 fee per gallon on petroleum products imported into the State, and an annual \$100/tank enrollment fee.

Subsequent to implementation of the Fund, NDEP established a mechanism to better manage the assessment and remediation costs associated with leaking petroleum storage tank sites. This mechanism included the required submittal of NTEPs by petroleum storage tank operators or their agents prior to the commencement of assessment and remediation activities. The NTEP system, implemented in June 1994, was designed to evaluate proposed CEM levels of effort as opposed to establishing specific costs or restricting professional fees.

This document has been produced to facilitate efficient and consistent preparation of NTEPs (performed by the claimant's CEM), review of the NTEPs (by NDEP), and the processing of claims following NTEP submittal. The guidelines provided are based upon data associated with previously approved NTEPs, published cost guideline documents utilized in several other states, and comments received from CEMs and NDEP staff.

**All proposed NTEP tasks must be requested/authorized by the regulatory case officer.**

## 1.4 Data Assimilation

In preparation of this document, NTEPs reviewed and approved by NDEP prior to this publication were evaluated and compiled into spreadsheets. Information evaluated from approved NTEPs included the following:

- Tasks necessary to perform assessment and remediation activities
- Professional time to perform proposed tasks
- Types of investigative tools utilized
- Distance of sites from CEM's office location
- Geologic/hydrogeologic conditions
- Types of contaminants
- Regulatory agency requirements

## 1.5 Data Evaluation/Presentation

Following data tabulation and evaluation as described in the previous section, professional hours typically accrued for each task were calculated. Tables summarizing individual tasks are presented in Section 4, as "examples" of typical CEM levels of effort.

In general, "typical" professional hours were determined by eliminating the highest and lowest hourly values recorded in previously processed NTEPs and averaging the remaining data. Guidelines utilized in several other states and comments from CEMs and NDEP staff were also referenced to evaluate and support data obtained from previous Nevada NTEPs.

Because only "typical" professional hours were evaluated, CEM reimbursable in-house expenses such as field and health & safety equipment, per-diem, etc., were not included in the review process. **CEM in-house equipment costs, vehicle mileage charges, CEM markup on outside vendor and contractor costs and per-diem fees are not included in the Cost Guideline Tables provided in Section 4, Tasks A.1 through J.12. Proposed costs for CEM equipment, vehicle mileage, per diem and markup should be requested in each NTEP, above and beyond CEM labor fees.** CEMs may request up to 15% markup of subcontracted costs if those costs total less than \$3,000. **CEM markup cannot be claimed for subcontracted invoices that total \$3,000 or more.** Refer to Appendix H for a discussion regarding eligible reimbursable markup. Refer to Appendices A and B for allowable CEM equipment and travel costs.

Due to site specific conditions, Guideline Task Tables summarizing the typical number of CEM hours for every individual task is not appropriate. Unit costs and justified time and materials charges have been utilized for some tasks that are associated with site specific field conditions (subsurface exploration, injection of in-situ chemical oxidation solutions, etc.).

## 1.6 Reimbursable Versus Non-Reimbursable Costs

Fund reimbursement is contingent upon the discovery of an accidental release from a Fund-enrolled UST system. Please see Section 2.1 of this document for a discussion regarding the necessary criteria for a release to receive Fund coverage.

Costs that are eligible for reimbursement are referred to as "eligible costs," which are costs that are directly associated with assessment and remediation activities that are authorized by or concurred with by the regulatory case officer. With the exception of initial abatement or emergency abatement, activities directly associated with regulatory agency required work will be proposed in Work Plans and/or NTEPs, and concurred with by the regulatory case officer. This document provides examples of many common tasks

directly associated with assessment and remediation. Reimbursable CEM equipment (meters, pumps, etc.) and materials (disposable bailers, 55-gallon drums, etc.) costs are listed in Appendix A. Reimbursable travel costs (vehicle mileage, meal and lodging per diem) are listed ~~in Appendix B.~~ **on the Fund webpage at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates>.**

Costs that are not reimbursable are referred to as “ineligible costs” and are associated with activities not specifically required by the regulatory case officer. Examples include, but are not limited to: costs associated with additional activities required by the claimant and conducted for their convenience but not directly associated with assessment or remediation; rush turn-around fees on laboratory analyses if not requested/approved by the regulatory case officer; additional costs associated with utilizing an out-of-state consultant (non-reimbursable travel and per-diem); using a non-local “preferred contractor” for waste disposal which charges more than known local vendors; intangible costs associated with financial risks such as a high risk operators, etc. For a detailed discussion regarding reimbursable versus non-reimbursable costs, please see Appendix E.

## 1.7 Use of Guideline Task Tables

### 1.7.1 CEM Levels of Effort

It is important to note that this is not a document which provides direction on how to conduct assessment and remediation activities. Appropriate assessment and remediation activities must be conducted at sites pursuant to the request/authorization of the regulatory agency case officer. This document does not limit the activities a CEM may perform. Additionally, a CEM is not automatically “entitled” to proposed levels of effort and associated costs presented in the following Guideline Task Tables in Section 4. The Guideline Task Tables present “typical” levels of effort as guidance for preparing NTEPs **and claims**. If a CEM can perform a task in less time than summarized in the appropriate table, **the reduced level of effort must be proposed**. If a CEM finds it necessary to propose additional time than that listed in a Cost Guideline Table, **complete justification for the extra effort(s) must be provided**. Regulatory case officers reserve the right to modify proposed levels of effort based on his/her knowledge of site cleanup activities. If a CEM is proposing levels of effort for a task that are not tabulated in this document, it should be proposed as a “Misc.” task, named appropriately, and provide complete details of the activity and justification for the proposed efforts.

### 1.7.2 NTEP Processing Personnel

NDEP regulatory case officers process NTEPs for remediation sites that they manage. ~~If a case is receiving oversight from NDEP, NTEPs should be forwarded to the appropriate case officer. Washoe County Health District (WCHD) regulatory personnel do not process NTEPs. If a case is receiving oversight from WCHD, NTEPs must be forwarded to NDEP’s Petroleum Claims Program, Carson City, Nevada, for processing, and must be accompanied with written correspondence from the WCHD regulatory case officer authorizing the work summarized in the NTEP.~~ **NTEPs are submitted and managed through NDEP’s Nevada Environmental Activities online database system (<https://nevadaenvironmentalactivities.ndep.nv.gov>).**

### 1.7.3 Assessment and Remediation Tasks

This document was intended to be as complete as possible in terms of services performed by CEMs to date at Fund eligible sites. Correspondingly, multiple assessment and remediation tasks are presented to assist in NTEP preparation and review. Most of the tasks are presented in guideline tables.

Guideline tables provide examples of assessment and remediation tasks categorized under the following headings:

- Site Characterization
  - Includes **Soil Borings and** Well Installations
- Aquifer & Pilot Testing
- Corrective Action Plan Preparation
- Corrective Action Plan Implementation
  - Includes **Soil Excavation and** Remediation System Design, Installation & Startup
- Permit Applications
- Corrective Actions Operations, Monitoring & Maintenance
  - Includes Remediation System Operations, Monitoring and Maintenance, Quarterly Sampling, Monitoring & Status Reporting
- Site Closure Activities
  - **Including Closure Presentation to NDEP and Well Abandonment**
- Not-To-Exceed Proposal Or Change Order Preparation
- Preparation of an Application for Petroleum Fund Coverage and State Petroleum Fund Reimbursement Claims
- **Initial Abatement for Underground Storage Tanks**

Tasks must be performed pursuant to the requirements and standards stated in 40 CFR Part 280, Nevada **Revised Statutes (NRS) 445C.150 through 445C.410**, Nevada Administrative Code (NAC) 459.9921 through 459.999, NAC 445A.226 through 445A.22755, and NAC ~~590.700~~**445C.200** through ~~590.810~~**445C.390**.

For each task presented in an NTEP, NDEP will compare the proposed CEM levels of effort with guideline hours and associated costs presented in this document. NDEP understands that in some circumstances, a task may not be completed in the typical number of hours indicated in guideline tables. If a CEM anticipates additional hours will be required to complete a particular task, **complete justification for the increased level(s) of effort must be provided in the NTEP.**

Below each Guideline Task Table, information regarding the following may be included:

**Activities included in total hours for above task:**

The levels of effort for the activities listed under this heading are included in the corresponding Guideline Task Table.

**Potential activities or items that should be added to above table, as necessary:**

The levels of effort or individual items for the activities listed under this heading are not included in the corresponding Guideline Task Table. An activity or item identified under this header does not mean that the work cannot be proposed and conducted. It means that the activity or item(s) must be entered into the corresponding Guideline Task Table as necessary (travel time, vehicle mileage, CEM in-house equipment usage, per diem, equipment usage, CEM markup, etc.).

**Assumes:**

The information provided in this section further refines the specified activity in the corresponding Task Table.

#### 1.7.4 Specialized Tasks

Some projects may require specialized tasks that are not presented in this document. In this case, the CEM should not present the specialized task as an existing Guideline Task that appears similar. The proposed activities must be presented ~~on an NTEP Task Submittal Form (see Appendix D), identifying it~~ as task



“Misc.” and given an appropriate name. The proposed hours, skill levels, in-house equipment, mileage, etc. must be presented as the CEM deems necessary. The CEM must provide a discussion of the task and his reasoning regarding the proposed hours/costs.

### 1.7.5 Time-Specific Tasks

If an NTEP task proposes activities that will occur during a specific time interval, the beginning and ending dates must be specified. For example: *One year of remediation system operations & monitoring (January 1, 2019 through December 31, 2019)*, or *two quarters of quarterly groundwater sampling and status reporting (3rd and 4th quarters of 2019)*, etc.

### 1.7.6 Emergency/Initial Abatement Activities

**Heating Oil USTs: Initial abatement activities associated with heating oil tanks must be authorized by the regulatory case officer and do not require a NTEP or bids.** Task Table J.1 provides allowable CEM levels of effort as well as a formula for allowable contractor costs. With the exception of tank removal costs and laboratory analyses costs, **all contractor costs are included in the formula.** This includes but is not limited to, excavating/loading/transporting/disposing contaminated soils, importing aggregate and backfilling, demolition/restoration costs, markup, fuel and insurance. The regulatory case officer may approve limited excavation of additional soils; however, any additional excavation approved by the regulatory case officer, as part of initial abatement, must be invoiced using the same formula for Maximum Allowable Non-CEM Cost identified in Task Table J.1.

**Commercial USTs:** These activities may occur prior to regulatory agency direction and prior to a Fund coverage determination. Emergency/initial abatement includes activities designed to alleviate situations that are imminently dangerous to life, health or the environment. **When possible, these activities should be** concurred with by a regulatory case officer **or supervisor prior to work being performed (refer to Task Table J.2).** A common example of such a task is excavation of contaminated soils immediately following UST system removal. Tasks approved as emergency/initial abatement by the regulatory case officer **or supervisor** do not need to be proposed in NTEPs and do not require three bids. Written correspondence from the regulatory case officer authorizing such activities as emergency/initial abatement must be included with reimbursement claims. Please refer to Appendix F for a discussion regarding emergency/initial abatement activities.

~~Initial Abatement activities associated with Heating Oil Tanks must also be authorized by the regulatory case officer and do not require a NTEP or bids. Task Table J.1 provides allowable CEM levels of effort as well as a formula for allowable contractor costs. With the exception of tank removal costs and laboratory analyses costs, **All contractor costs are included in the formula.** This includes but is not limited to, excavating/loading/transporting/disposing contaminated soils, importing aggregate and backfilling, demolition/restoration costs, markup, fuel and insurance. The regulatory case officer may approve limited excavation of additional soils; however, any additional excavation approved by the regulatory case officer, as part of initial abatement, must be invoiced using the same formula for Maximum Allowable Non-CEM Cost identified in Task Table J.1.~~

### 1.7.7 NTEP Formatting and Backup

Guideline Task Tables have been formatted into assessment and remediation tasks that may not coincide with some CEM work plans or billing invoice formats. Tasks included in NTEPs must be formatted pursuant to Guideline Task Tables presented herein to facilitate review by **case officers and** Fund staff. NTEPs must be submitted through the ~~forms (or representative reproductions) provided in Appendix D.~~ **Nevada Environmental Activities system.** Please note that for reimbursement claim submittal, each ~~Invoice Itemization sheet~~ **CEM invoice** must reference an approved NTEP, ~~not specific tasks in this document.~~

~~Rev.: September 2017 modification of Task J.1 and FFY18 travel and per diem rates~~ **Rev.: December 2018**

NDEP staff must ensure that costs claimed for reimbursement are associated with work scopes that have been authorized by the ~~respective regulating agency. If the site is being managed by NDEP personnel, copies of NTEP concurrence letters must be submitted with each reimbursement claim. If the site is being managed by WCHD personnel, copies of letters providing regulatory authorization for the activities requested for reimbursement in the claim must be provided.~~regulatory agency.

~~NDEP encourages the electronic submittal of NTEPs (e.g., scanned documents submitted as an e-mail attachment). Please note, however, that NTEPs must include reproductions of original hand-written signatures.~~

### 1.7.8 Modified NTEPs and Change Orders

**If the work scope changes during the performance of activities associated with an approved NTEP, the CEM must notify NDEP and a Change Order.** For example: The number of wells which are to be sampled during a time period changes; the operations and monitoring schedule of a remediation system is modified because the system is taken off line or does not operate for an extended time period; etc.

If it is discovered during the course of a project that additional time will be required to complete a task **that has already been approved**, the CEM should submit a Change Order to the associated NTEP. **Change Orders will be concurred with only if complete justification for the additional work is provided.** If additional time is necessary to complete field activities, the CEM must use his/her judgment to complete the task as expeditiously and cost effectively as possible. The CEM should be in close communication with the regulatory case officer, and contact the case officer directly from the site during field activities, if applicable, to discuss additional work scope. A verbal request must be followed with a written **confirmation from the regulatory case officer and a** Change Order summarizing the additional work scope and costs. ~~The Change Order must clearly identify the NTEP it is associated with.~~ Change Orders should be submitted to the ~~case officer (or Fund staff for WCHD cases)~~regulatory agency 30 days prior to claim submittal. ~~A copy of the Change Order and Change Order concurrence letter should be submitted with the associated claim.~~

**Additional field activities must not be delayed by a CEM waiting for work scope or Change Order concurrence. Additional project costs associated with unnecessary personnel and equipment demobilization and re-mobilization activities may not be recommended for reimbursement.**

Circumstances that justify a Fund Change Order include, but are not limited to, unanticipated:

- Drilling conditions of extreme difficulty.
- Developing or purging wells with extremely slow recharge rates.
- Additional field exploration activities to characterize a site.
- Additional pilot testing time.
- Implementation of innovative assessment and remediation technologies.
- Design, installation and/or maintenance of a complex remediation system.

**Prior to preparing and submitting a Change Order, NDEP urges the CEM to contact the regulatory case officer to discuss whether costs for such additional activities should be submitted in a Change Order or a stand-alone NTEP.**

~~NDEP encourages the electronic submittal of Change Orders and NTEPs (e.g., scanned documents submitted as an e-mail attachment). Please note, however, that these submittals must include reproductions of original hand-written signatures.~~



### 1.7.9 New Technologies

The CEM Cost Guidelines is an evolving document. NDEP will periodically revise this document in an effort to keep the content up-to-date. Comments, questions and suggestions from CEMs and members of the regulated community regarding the guidelines are encouraged and welcomed. Additionally, comments regarding this document may be presented during the public forum portion of Board meetings. Any comments must first be summarized in writing and submitted to Fund staff. Fund staff will modify this document as appropriate upon obtaining agreement from the CEM consulting community and industry. Fund staff will notify the Board of all substantive modifications.

New site assessment and remediation technologies are continually emerging. As new technologies and practices are accepted by CEMs and NDEP they will be evaluated and added into this document, as applicable.

### 1.7.10 Non-Limiting Guidelines

As mentioned previously, the Guideline Task Tables in this document were developed utilizing data evaluation of "typical" levels of effort proposed in previously approved NTEPs, review of other states' guideline documents, and input from the environmental consulting and regulatory communities. It is important to keep in mind that the Guideline Task Tables represent a general guideline for completion of tasks within typical parameters. It is not the intention of NDEP to dictate exactly which skill levels and associated hours will be allowed on each task. CEMs are urged to convert hourly tables to costs by applying their own skill level rates to tabulated hours. The resultant potentially reimbursable costs can be invoiced by using any type of skill level deemed appropriate by the CEM. The CEM must keep in mind, however, that using higher-level staff for tasks that were proposed using lower-level personnel can result in cost overruns and reimbursement denials.

## 1.8 ~~Proof of Payment~~

~~Pursuant to NAC 590.780, all Fund money shall be paid by the owner/operator to the necessary parties within 30 days of receiving Fund payment or shall be refunded to the Fund. Failure to pay required parties within 30 days will render subsequent claims ineligible for payment approval by the Board until the money is refunded. Documentation confirming proof of payment within 30 days shall be submitted to NDEP no later than 60 days after the owner/operator receives the Fund money. Failure to provide proof of payment documentation within 60 days will render subsequent claims ineligible for payment approval by the Board until the second Board meeting following receipt of documentation. Payment from the Fund to the owner/operator typically occurs within one week after the Board meeting. With owner/operator approval, the consultant/contractor/vendor may receive payment(s) directly from the Fund. NDEP is not responsible for contractual arrangements between the Owner/Operators and his/her consultants/contractors/vendors.~~

## SECTION 2

### 2.1 Fund Coverage Application Filing Procedures

The leaking petroleum storage tank system operator (claimant) or their agent must report the petroleum discharge (release) to the NDEP Spill Line at **1-888-331-NDEP (6337)** or **775-687-9485**.

The claimant must provide NDEP with a completed Petroleum Fund Coverage Application (Application). ~~Applications must be forwarded to Petroleum Claims staff in NDEP's Carson City, Nevada office.~~ **Applications with the Fund must be filed online using the Nevada Environmental Activities system at <https://nevadaenvironmentalactivities.ndep.nv.gov>.** Applications must be completed entirely to provide all the information requested. Attachments to Applications (figures, photos, written reports or summaries, etc.) must be ~~required.~~ **uploaded during the submittal process.** Incomplete Applications will result in NDEP **returning the application and** requesting additional information, which may cause processing delays. Criteria used by NDEP when considering eligibility for Fund reimbursement include:

- The leaking tank system must have been enrolled in the Fund at the time of discovery of an accidental **discharge. The discharge discovery date is the date the operator knew or should have known that a release from his/her storage tank system, to the environment, occurred.** Please note that pursuant to ~~NAC 590.850~~ **NRS 445C.340.2**, heating oil tank systems for consumptive use on the premises (space heating) are automatically enrolled.
- ~~Evidence~~ **must be verified that the provided showing an enrolled tank system was the source of the discovered accidental release was the enrolled tank system discharge.**
- ~~The applicant must be verified~~ **identify exactly what component of the enrolled tank system leaked (product piping failure, faulty dispenser shear valve, hole in tank, etc.), and that the release has been eliminated. If the tank system is still in operation, it must be verified that the source of the release has been repaired or eliminated and that the leaking component was repaired, replaced, or removed to prevent further discharge to the environment. Refer to Board Policy Resolution #2008-04 for additional information.**
- The regulatory case officer must stipulate in writing that assessment and/or remediation of soil and/or groundwater contaminated by the subject release is required.
- Costs for regulatory-required assessment and cleanup activities must total at least \$5,000 for each facility with the exception of leaking heating oil storage tanks less than 1,100 gallons. The cumulative assessment and cleanup costs must be greater than \$250.
- If the claimant chooses to hire an agent to provide oversight of assessment and remediation activities, which is strongly recommended by NDEP, the agent must have a Nevada CEM certification. **Costs associated with change of CEMs during the course of the project will not be recommended for reimbursement.**

~~NDEP encourages the electronic submittal of Fund Coverage Applications (e.g., scanned documents submitted as an e-mail attachment). Please note, however, that applications must include reproductions of original hand-written signatures.~~

### 2.2 NTEP & Change Order Filing Procedures

Once Fund coverage has been granted, the claimant, with the assistance of his/her CEM, must submit a NTEP to NDEP for review by the regulatory case officer and/or Fund staff. The NTEP must list the tasks required by the regulatory agency and include the level of effort deemed necessary by the CEM.

NTEPs should be submitted to NDEP and receive NDEP concurrence before the associated regulatory case officer approved work has begun. However, the claimant should not delay implementation of work required by the regulatory agency. Therefore, timely development and submittal of NTEPs is the responsibility of the claimant/CEM. NDEP has 30 days to review and concur with a NTEP; however, if a CEM requires an expedited review, he/she must be in close communication with the regulatory case officer to facilitate a quicker review.

~~Corrective actions often times are initiated prior to a facility receiving Fund Coverage. In these cases, an NTEP that captures costs incurred prior to Fund Coverage will be accepted by NDEP for review.~~

~~For facilities with Fund Coverage established, NTEPs must be submitted and receive NDEP concurrence prior to implementing the associated activities. There are instances when corrective action is initiated prior to a facility receiving Fund coverage. Typically, these tasks are associated with emergency/initial abatement activities and do not require NTEPs. In the event an NTEP is submitted after the tasks outlined within have been performed, the regulatory case officer has discretion to accept the NTEP, deny the NTEP, or modify the NTEP to align with the level of effort for services actually provided. If an operator intends to seek Fund coverage for a release (i.e. submits an application for Fund coverage), the CEM and operator are encouraged to submit NTEPs prior to a determination in coverage being made to document case officer pre-work concurrence. If the regulatory case officer does not approve the CEM's justification for submitting a late NTEP, NDEP will **not** recommend reimbursement for the invoiced costs associated with those activities. This recommendation may be appealed to the Board.~~

Each NTEP is assigned a tracking number in the **online database system**. The CEM ~~which also has the~~ **ability to create a custom number. In either case, the tracking number** will be referenced on associated reimbursement claims. The tracking "number" can be a name, internal project tracking code, the date which the NTEP was prepared or anything that is easy and convenient for the CEM to track. Each NTEP shall also include all proposed CEM costs necessary to complete each proposed task. This includes all professional staff time, support staff time, management of outside contractors, overhead for all applicable outside services (contractors, laboratory analyses, purchased materials and equipment, etc.), in-house equipment and materials usage (field instruments, bailers, etc.), staff travel expenses, and any other expenses to be incurred by the CEM. Each NTEP must be itemized to clearly identify individual CEM staff hours, total project hours, and provide justification for the total NTEP cost.

~~NTEPs must be submitted on the forms (or appropriate reproductions) supplied in Appendix D. NTEPs not prepared on the forms (or appropriately formatted pursuant to the forms) will be returned to the claimant prior to review.~~ **NTEPs and Change Orders must be submitted to the regulatory case officer online, using the Nevada Environmental Activities system at <https://nevadaenvironmentalactivities.ndep.nv.gov>.** If an NTEP task does not fit within a Cost Guideline Task, complete, written justification for proposed costs must be provided. Please refer to Section 1.7, Use of Cost Guideline Task Tables.

~~NTEPs and Change Orders are submitted to appropriate NDEP regulatory case officers. If the project is being managed by WCHD personnel, NTEPs and Change Orders are submitted to Fund staff in the NDEP Carson City office. All WCHD NTEPs and Change Orders must be accompanied with written correspondence that provides regulatory authorization to perform the activities summarized on the NTEP.~~

Each NTEP must be signed by the claimant **electronically or** on the **downloadable NTEP Cover Sheets signature page**. The following jurat must appear above the claimant's signature:

- "I have reviewed and understand the proposed costs summarized in this proposal. I understand that I am responsible for any proposed costs not recommended for reimbursement by the State of Nevada Petroleum Fund staff, and which I have agreed with the CEM are appropriate to incur, and/or have directed to incur such costs on the subject project."

NTEPs submitted without the claimant's signature and the above jurat will not be processed.

NDEP will notify the claimant and CEM of its concurrence to the NTEP in writing.

Change Orders to an NTEP will be reviewed on a case-by-case basis. A Change Order must be prepared on ~~an NTEP form~~ **the online system** and clearly identify which NTEP is being modified. Change Orders must include descriptions of and justification for the additional activities. If concurred with by NDEP, the ~~Change Order amount~~ **original NTEP** will be amended to include the ~~applicable NTEP~~ **task information from the Change Order**.

NDEP concurrence to an NTEP prepared pursuant to the guidelines does not guarantee reimbursement in full. Pursuant to NRS ~~590.830~~ **(445C.310.1(a))**, all final reimbursement decisions are pending subsequent authorization from the Board.

**NDEP requires the electronic submittal of Change Orders and NTEPs (e.g., scanned documents submitted as an e-mail attachment) through the online database. Please note these submittals must be signed electronically or include reproductions of original hand-written signatures.**

## 2.3 Reimbursement Claim Filing Procedures

### 2.3.1 Reimbursement Claim Formatting

The CEM commonly prepares reimbursement claims for the claimant. Claim submittal forms are ~~available on~~ **generated through** the ~~NDEP website~~ **online database** at ~~<https://ndep.nv.gov/environmental-cleanup/petroleum-fund>~~ **<https://nevadaenvironmentalactivities.ndep.nv.gov>**.

~~Each~~ **In order to prepare to submit a claim** ~~submittal must include~~, the following:

- ~~— Reimbursement Request Submittal Checklist.~~
- ~~— Invoice Itemization sheets.~~

~~Equipment Status Form (if is required):~~

- ~~Price Quote List (utilized~~ **Each invoice or receipt for bid submittal) if necessary, including copies which reimbursement will be requested (PDF format)**
- **Previously approved NTEP(s) (available in the online system)**
- **Bid packages for contractor services/equipment over \$6,000**
- **A list/description of associated written and remediation equipment used onsite**

**Each invoice should be accompanied with the following:**

- **Appropriate Bid documentation:**
  - **The individual bids, each paired with a signed bids Contractor Certification Form and/or Vendor Certification Form, and packaged with the CEM Bid Summary and Certification Forms (for purchases greater than \$25,000, the bids must be approved by the regulatory case officer), in accordance with Policy Resolution 2015-01. Ensure submitted bids are uniform.**
  - **CEM, contractor, and owner certification Forms.**
- **Invoice Breakdown sheet(s) if a single non-CEM invoice is to be appropriated to multiple projects.**

- ~~—Copies of applicable NTEP and Change Order concurrence letters.~~
- ~~—Copies of all original invoices or receipts requested for reimbursement.~~

- CEM in-house equipment and material usage logs.
- CEM vehicle mileage logs.

Additionally:

- Non-CEM invoices and/or receipts must state the date the work was performed.
- All invoices and/or receipts must verify that the claimant was billed. For vendor invoices that are billed to the claimant through a CEM invoice, the vendor invoices must be clearly identified on the CEM invoice and billed to the CEM.
- Soil and groundwater analyses must be performed by a laboratory certified by NDEP for each specific analysis requested for reimbursement. NDEP's Laboratory Certification program may be contacted at (775) 687-~~95079521~~ or <http://ndep.nv.gov/bsdwlabservice.htm> <https://ndep.nv.gov/water/lab-certification>.

### 2.3.2 Invoice Itemization Sheets

There are two types of Invoice Itemization ~~sheetstables~~: one to detail CEM costs, and one for non-CEM costs. CEM and non-CEM costs will be listed in appropriate Invoice Itemization ~~sheetstables~~, even if these costs are combined on the actual billing invoice. CEM Cost Invoice Itemization ~~sheetsmusttables~~ reference the respective NTEP using the CEM-assigned tracking number detailed in Section 2.2. ~~AnA~~ **CEM Invoice Itemization sheet packet musttable will** refer to one NTEP only. ~~Invoice Itemization sheets should be provided using a font of at least "11", and not smaller.~~ Claimant ~~and CEM~~ signatures ~~should be on~~ **may be applied electronically through the same database or a wet signature may be applied to the downloadable signature page in which the total amount requested is identified and uploaded in lieu of an electronic signature.**

### 2.3.3 Bids

Laboratory analytical costs are exempt from the bid requirement.

A minimum of three valid, written, signed bids must be evaluated by the CEM for any non-CEM services or equipment purchases that exceed \$6,000 (NAC ~~590.760~~ **445C.270.4(e)**). Bids should be **site specific and include the address of the facility where the work will be conducted. Bids must be** attached to the associated **claim** invoice **and structured as outlined in Board Policy Resolution #2015-01**.

Bids that will equal or exceed \$25,000 will be reviewed by NDEP prior to work being conducted. To ensure no unreasonable delays in corrective action activities, NDEP will review the bid package within 10 business days of receipt. If NDEP does not make an objection to the bid packet by the 10<sup>th</sup> business day, work may proceed. When possible, NDEP will notify the submitter of the bid packet earlier than the 10 business day review period. Bids below \$25,000 will not be reviewed by NDEP prior to work being conducted unless requested by the CEM or claimant.

Each bid (regardless of monetary value) must be submitted with a "Contractor Certification Form" and/or "Vendor Certification Form" as appropriate. For all bids, the CEM submitting a bid package to NDEP will provide a separate "CEM Bid Summary & Certification Form". This form includes a table that summarizes bid tasks and must mirror the "Request for Bid Form" to ensure all bids can be evaluated and compared using the same criteria. This form also has certification statements that both the CEM and operator must sign.

A valid bid is one in which the contractor/vendor provides a price quote for the services solicited and/or

~~Rev.: September 2017—modification of Task J.1 and FFY18 travel and per diem rates~~ **Rev.: December 2018**

equipment to be purchased. Contractors must acknowledge that they are appropriately licensed and can perform the task and/or supply the materials in the time frame requested. All bid forms referenced above can be found on the Petroleum Fund website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/forms>.

Copies of bids must be submitted with associated reimbursement claims and summarized on the CEM Bid Summary and Certification Form. **In many cases, it may be necessary to request bids from more than three vendors in order to receive three valid bids. Notification from a vendor that they cannot or do not wish to provide a bid does not constitute receipt of a valid bid.**

For the above described bid packets that have less than three bids or where the lowest bid is not selected, a written bid waiver from the regulatory case officer must be included in the bid packet for NDEP to recommend reimbursement from the Fund. Valid reasons not to obtain three bids include, but are not limited to:

- Not able to obtain three bids prior to regulatory case officer deadline to perform the work.
- There are less than three vendors who can provide the service or product due to the specialized nature of the deliverable.
- At the time of this revision, only two facilities certified and licensed to receive and remediate petroleum hydrocarbon contaminated soil are located in northern Nevada, and only two are located in southern Nevada.
- If a vendor is providing a service or product that is proprietary to its company, bids are not necessary.

In all cases, justification for obtaining less than three bids or acceptance of any bid other than the lowest bid, must be concurred with by the regulatory case officer. A copy of the written justification must be provided with each applicable reimbursement claim.

For all cases in which the associated invoice is greater than the accepted bid, justification will need to be provided. For significant changes in the scope of work (e.g., additional monitoring wells), written approval from the case officer will be required.

Justifiable reasons for bid exceedance include, but are not limited to:

- Additional boring footage advanced during well installation.
- Additional 55-gallon drums necessary for drilling activities.
- Freight costs for remediation equipment not provided with bid.

Please note, a single invoice of greater than \$6,000 should not be split into multiple invoices totaling less than \$6,000 each to avoid the bidding process requirements. Further, the requirements of the bidding process cannot be circumvented by requesting an amount of \$6,000 or less, when the invoice is greater than \$6,000.

For activities in which the same service is provided or item is purchased multiple times throughout the year (e.g., carbon change-out), bids should be obtained at a minimum on an annual basis and be site specific, with the jobsite address specified on the bids.

**NDEP understands that bids may be obtained by the CEM electronically. All bids must be signed by the individual who prepared it and must be a reproduction of an original hand-written signature.**

### **2.3.4 Reimbursement Claim Submittal Deadlines and Processing**



The claimant, **or CEM on the claimant's behalf**, submits a reimbursement claim through the ~~Carson City NDEP office, Petroleum Fund Program Fund's~~ **online database at <https://nevadaenvironmentalactivities.ndep.nv.gov>**. Incomplete or inappropriately prepared claim packages cannot be processed.

An **initial** claim for a non-regulated heating oil storage tank less than 1,100-gallons may be submitted if reimbursable costs exceed \$250 per leaking storage tank system. An **initial** claim for all other types of petroleum storage tank systems may be submitted if reimbursable costs exceed \$5,000 per facility. The initial claim for the project must be submitted to NDEP no later than 12 months following release discovery date, and the final claim must be received no later than 12 months following the issuance date of a "No Further Action" letter from the regulatory case officer (NAC ~~590.780(445C.310.1)~~). NDEP may be able to waive these deadlines if good cause for late submittals is provided.

Following reimbursement claim review, NDEP will recommend reimbursement for all CEM invoices that are directly associated with an approved NTEP and do not exceed more than five percent or \$3,000 (whichever is less) of the total case officer concurred amount. NDEP may, however, deny requested CEM costs of a reimbursement claim if discrepancies between the NTEP and the claim arise (e.g. NTEP approved for remediation system operations and monitoring that was not performed because the system was inoperable). Any discrepancy between the case officer's concurred amount and the amount requested on the claim may be justified in writing. An appeal to the Board can be made should resolution not be achieved with Fund staff.

Once a claim has been accepted and approved by Fund staff, NDEP will notify the claimant and CEM in writing of the proposed reimbursement recommendation. NDEP's reimbursement recommendations are presented to the Board at quarterly meetings. NDEP establishes reimbursement claim submittal deadlines for each scheduled Board meeting. Please refer to the Fund website at ~~<https://ndep.nv.gov/environmental-cleanup/petroleum-fund>~~ <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> for the claim submittal deadlines for the next scheduled Board meeting.

NDEP concurrence for an NTEP prepared pursuant to the guidelines does not guarantee reimbursement in full. Pursuant to NRS ~~590.830(445C.310.1(a))~~, all final reimbursement decisions are pending subsequent authorization from the Board.

The claimant or CEM may contact NDEP Fund staff with any questions or concerns regarding a proposed claim reimbursement recommendation. If discrepancies cannot be remedied with NDEP, the claimant may appeal NDEP's decision at any scheduled Board meeting.

### **2.3.5 Payments by the Fund**

**Authorization to issue standard payments from the Fund to an operator typically occurs within one week after a quarterly Board meeting (approved as a consent item list during the meeting). Following authorization of payment, the operator can expect a reimbursement payment within 3 to 6 weeks. The receipt of payment starts a time period during which a vendor/contractor that performed project cleanup work must be paid (refer to proof of payment section below). An operator can provide NDEP approval to pay a CEM, vendor, or contractor directly; however, the NDEP is not responsible for contractual arrangements between the operator and his/her CEM, vendors, and contractors.**

**An alternative to a standard payment as outlined above is to request a direct payment. This payment process can expedite a Fund reimbursement payment at any time throughout the year in as little as 3 weeks. Once Fund staff have approved a claim, the operator can submit a declaration to Fund staff indicating he/she does not contest the approved value of the claim. Upon receipt of this declaration,**

**Fund staff may authorize a reimbursement payment of behalf of the Board. Please refer to Board Policy Resolution #2017-02 for additional information.**

### **2.3.6 Proof of Payment to Contractor/Vendors**

**Pursuant to NAC 445C.310, all reimbursement money received from the Fund shall be paid by the operator to the vendor/contractor that provided cleanup services within 30 days of receiving the Fund payment. If an operator fails to pay a vendor/contractor within 30 days of receiving Fund money, the money paid by the Fund shall be refunded back to the Fund and any subsequent claims will be held for future payment until the money is refunded.**

**Documentation confirming proof of payment to a vendor/contractor shall be submitted to NDEP no later than 60 days after the operator receives reimbursement money from the Fund. Failure to provide proof of payment documentation will also render subsequent claims ineligible for approval until the second Board meeting following receipt of documentation. An exception to the above is with regard to direct payment. If an operator submits a declaration for direct payment, the proof of payment documentation must be submitted to NDEP within 30 days.**

**Examples of acceptable proof of payment documentation include vendor/contractor receipts, affidavits signed by the vendor/contractor indicating that payment for work has been received, or credit card statements. This documentation must be uploaded through the Fund's online database system within the deadlines specified above.**

### **2.3.5.7 Appeals**

Denied coverage applications, claims, and individual invoices may be appealed to NDEP and to the Board if necessary. If monies requested in a claim are not recommended for payment, and the CEM or claimant believes they are reimbursable costs, the denied amount should first be appealed to NDEP Fund staff. Appeals should be provided in a written format (email or letter). ~~Denied invoices should not be included on subsequent invoice itemization sheets.~~ The following information should be included:

- Copies of all denied invoices.
- The total amount being appealed.
- The amount of each invoice being appealed.
- Justification why the denied reimbursement should be recommended for payment.
- Supporting documentation as needed (e.g., bid waiver, mileage sheets, etc.).

The appeal will be reviewed by Fund staff. **If approved, the CEM will resubmit the invoices on a separate claim with the concurrence document attached.** If the amount appealed remains denied, the denied amount may be appealed to the Board.

## **2.4 Maintaining Records**

Pursuant to NAC 459.9729.1(i), a CEM shall maintain a written record of each project requiring certification for 3 years after the project is completed. The Division may inspect those records during normal business hours.

Types of records that shall be maintained include but are not limited to:

- Field notes, both written and electronic
- UST compliance documentation
- LUST compliance documentation



- Invoices
- Claims
- NTEPs
- Bids packages
- Timesheets
- Bank statements
- All records associated with Fund reimbursement/payment

### SECTION 3

#### Typical Position Descriptions/Responsibilities

The following CEM personnel staff titles and responsibilities are presented as general guidelines. NDEP does not dictate how a CEM utilizes staff or what scholastic backgrounds are necessary. Please note, however, that appropriate staff levels and corresponding hourly rates should be utilized for corresponding tasks. For example, using Principal or Project Manager level personnel for activities that can be performed by Technician or Staff level personnel may quickly result in cost overruns and reimbursement denials. NDEP encourages CEMs to charge out personnel at appropriate hourly rates based on activities performed, regardless of staff title.

Title	General Responsibilities	Suggested General Qualifications
Administrative Assistant or Secretary	Assists in report formatting, invoicing, Fund submittals and project related office services.	N/A
Drafter	Prepares project graphics with or without computer-aided graphic packages including: site plans, cross sections, contour maps, and engineering design drawings.	<ul style="list-style-type: none"> <li>• Relevant experience in CADD or technical drawing</li> </ul>
Technician	Assists with well installation, performs sampling of monitoring wells, collects samples as stipulated by remedial permits, remediation system installation, operates and maintains remedial equipment in accordance with O&M manual.	<ul style="list-style-type: none"> <li>• High School Diploma</li> <li>• Minimum of one year relevant training</li> <li>• Health &amp; safety training such as 40 Hour OSHA, 29 CFR Part 1910.120</li> </ul>
Staff Geologist or Staff Engineer	Collects and compiles field data. Logs soil borings and/or excavation activities. Summarizes findings in reports and/or on maps. May prepare preliminary data analyses and proposed course of action. Coordinates routine project tasks and supervises subcontractor activities. May also prepare Fund submittal packages. May prepare preliminary construction drawings and specifications for remediation systems.	<ul style="list-style-type: none"> <li>• BS in Engineering or Geoscience discipline with a minimum of two years of applicable experience, or MS in Engineering or Geoscience discipline with a minimum of one year of applicable experience.</li> <li>• Health &amp; safety training such as 40 Hour OSHA 1910</li> </ul>
Senior Geologist or Senior Engineer	Directs or conducts collection and analyses of data. Responsible for selected subcontractor's performance. Coordinates completion of individual field or office tasks within a project. Prepares remedial option analyses and preliminary selection and design. Coordinates and/or prepares project reports. Provides recommendations for remediation system design & enhancement based on data analyses.	<ul style="list-style-type: none"> <li>• BS in Engineering or Geoscience discipline with a minimum of three years of applicable experience, or MS in Engineering or Geoscience with a minimum of two years of applicable experience.</li> <li>• Health &amp; safety training (i.e. 40 Hour OSHA 1910)</li> </ul>

Title	General Responsibilities	Suggested General Qualifications
Project Manager	Manages assessment/remediation projects involving data collection, and analyses, and the formulation of conclusions and recommendations. Directly responsible for client relations, project budget and schedule and subcontractors on individual projects. Ensures project/client goals are met. Independently evaluates data and selects course of action. May communicate with regulatory agencies on client's behalf.	<ul style="list-style-type: none"> <li>• Professional registration (e.g. CEM, PE)</li> <li>• BS in Engineering or Geoscience discipline with a minimum of five years of applicable experience, or MS in Engineering or Geoscience discipline with a minimum of three years of experience.</li> </ul>
Senior Manager or Principal	Overall responsibility for all technical, regulatory and budgetary aspects of projects. Assigns project managers to individual projects. May directly manage special projects of major scope. On individual routine project basis oversees that appropriate technical and regulatory approaches are being followed by staff and client/project goals are met.	<ul style="list-style-type: none"> <li>• Professional registration (e.g. CEM, PE)</li> <li>• BS in Engineering or Geoscience discipline with a minimum of ten years of applicable experience, or MS in Engineering or Geoscience discipline with a minimum of six years of applicable experience.</li> </ul>

**SECTION 4: CEM COST GUIDELINE TASK TABLES**  
**A. SITE CHARACTERIZATION**

**TASK A.1: ASSESSMENT OF SITE CONDITIONS  
PURSUANT TO RELEASE DISCOVERY**

**Scope of Work:** This task consists of all personnel time to assess initial site conditions at the release site and to respond to the regulatory agency’s request for information pursuant to applicable regulations. Information unknown at the time of the release (volume of contaminated soil, subsurface lithology, etc.) will be submitted in a subsequent Site Characterization Report.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Regulatory liaison, information compilation & submittal	10
Staff Engineer/Staff Geologist	Information compilation & submittal	10
Administration/Clerical	Administrative support	2
<b>TOTAL HOURS FOR TASK</b>		<b>23</b>

Activities included in total hours for above task:

- Administrative support
- Regulatory agency liaison
- Travel time to agency office(s) for document review, if located within metropolitan area of consultant
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Travel time if appropriate agency office is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.2: WORK PLAN PREPARATION  
SITE CHARACTERIZATION (SMALL)**

**Scope of Work:** This task consists of all personnel time to produce a Work Plan to perform a small-scale site characterization. Proposed activities may include installation of one groundwater monitoring well to evaluate whether groundwater has been impacted, soil and groundwater assessment associated with a release from a single heating oil or waste oil storage tank system, etc.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Regulatory liaison, project management, Work Plan preparation	6
Staff Engineer/Staff Geologist	Work Plan preparation	4
Drafter	Drafting	2
Administration/Clerical	Administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>14</b>

Activities included in total hours for above task:

- Site reconnaissance visit
- Work Plan preparation/senior review
- Drafting
- Administrative support
- Regulatory agency liaison
- Travel time if site is located within metropolitan area of consultant
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK A.3: WORK PLAN PREPARATION SITE CHARACTERIZATION (LARGE)

**Scope of Work:** This task consists of all personnel time to produce a Work Plan to perform a site characterization to delineate the extent of petroleum contamination at a site where both soil and groundwater contaminant levels exceed regulatory action levels. This type of site characterization consists of soil assessment (soil boring advancement, push-drive technology, etc.) and groundwater assessment (installation of groundwater monitoring wells, etc.).

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Project management, regulatory liaison, Work Plan preparation	16
Staff Engineer/Staff Geologist	Prepare Work Plan	5
Administration/Clerical	Word processing/administrative support	2
Drafter	Drafting support	4
<b>TOTAL HOURS FOR TASK</b>		<b>28</b>

Activities included in total hours for above task:

- Review of previous environmental work performed
- Performing site reconnaissance visit(s) if necessary
- Work Plan preparation/senior review
- Drafting
- Administrative support
- Regulatory liaison
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.4: WORK PLAN PREPARATION  
LIMITED CORRECTIVE ACTION ACTIVITIES**

**Scope of Work:** This task consists of all personnel time to produce a Work Plan to perform limited corrective action activities such as extended pilot testing or excavation and disposal of contaminated soils.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Regulatory liaison, project management, Work Plan preparation	6
Staff Engineer/Staff Geologist	Work Plan preparation	4
Drafter	Drafting	2
Administration/Clerical	Administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>14</b>

Activities included in total hours for above task:

- Site reconnaissance visit
- Work Plan preparation/senior review
- Drafting
- Administrative support
- Regulatory agency liaison
- Travel time if site is located within metropolitan area of consultant
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup (must be proposed in the NTEP)

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**



### TASK A.5: HEALTH AND SAFETY PLAN PREPARATION

**Scope of Work:** This task consists of all personnel time necessary to produce the initial site-specific Health and Safety Plan for a site.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Project management, senior review	1
Staff Engineer/Staff Geologist	Prepare Health and Safety Plan	5
Administration/Clerical	Word processing, administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>7</b>

Activities included in total hours for above task:

- Preparation and review of a site-specific Health and Safety Plan

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK A.6: HEALTH AND SAFETY PLAN UPDATE

**Scope of Work:** This task consists of all personnel time necessary to update a site-specific Health and Safety Plan. Updating may be necessary on an annual basis or when site activities are modified.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Project management, senior review	0.5
Staff Engineer/Staff Geologist	Update Health and Safety Plan	2
Administration/Clerical	Word processing, administrative support	0.5
<b>TOTAL HOURS FOR TASK</b>		<b>3</b>

Activities included in total hours for above task:

- Update site-specific Health and Safety Plan

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK A.7: UTILITY CLEARANCE COORDINATION

**Scope of Work:** This task consists of all personnel time necessary to coordinate the clearance of public and/or private utilities prior to soil boring advancement, well installation, trenching activities, etc.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Project management	1
Staff Engineer/Staff Geologist	Demarcate areas for clearance, coordinate utility clearances	4
<b>TOTAL HOURS FOR TASK</b>		<b>5</b>

Activities included in total hours for above task:

- Site reconnaissance visit to demarcate area for public and/or private utility clearances
- Travel time if site located within metropolitan area of consultant

Potential activities or items that should be added to above table, as necessary:

- Additional site visits if required by utility company
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.8: SUBSURFACE SOIL INVESTIGATION  
SOIL BORING ADVANCEMENT**

**Scope of Work:** This task consists of all personnel time and costs to perform a subsurface investigation to determine the extent of soil contamination utilizing soil boring advancement and sampling. **This task assumes that the soil borings will not be converted to groundwater monitoring or remediation wells. Please refer to task A.9 for well construction activities.** This task is arranged into two sub-tasks. Project management/set-up activities are tabulated and summarized on an hourly basis. Field activities are summarized on a unit cost basis dependent upon type of drilling technology utilized, drilling conditions, and total feet of boring advanced. It is assumed that field activities will be performed by one CEM staff person. Reimbursement for utilization of more than one CEM staff person during field activities will be dependent upon request/authorization from the regulatory case officer.

<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS: FIRST OR ONLY DAY OF FIELD ACTIVITIES</b>	<b>TOTAL HRS: SUBSEQUENT DAYS(S) OF FIELD ACTIVITIES</b>
Project Manager/ Senior Engineer/ Senior Geologist	Project management	2	0.5
Staff Engineer/ Staff Geologist	Solicit bids (if necessary), coordinate & prepare for field activities, coordinate waste disposal	8	2
<b>TOTAL HOURS</b>		<b>10</b>	<b>2.5</b>

**Costs for CEM drilling oversight and sampling activities will be based on a unit cost dependent upon drilling technique utilized, drilling conditions and total feet drilled, as follows:**

Hollow Stem Auger Techniques:

- Easy drilling conditions (minimal amount of cobbles, no caliche, etc.) = \$6/foot
- Typical drilling conditions (pebbles, cobbles, some caliche, etc.) = \$8/foot
- Difficult drilling conditions (considerable amount of cobbles, thick caliche layers, etc.) = \$10/foot

Rotary Techniques:

- Drilling conditions not conducive to hollow stem auger techniques = \$8/foot.

Odex (driven casing) or Sonic techniques:

- Extremely difficult drilling conditions such as inordinate amounts of cobbles, boulders, etc. = \$10/foot

A CEM labor charge of up to one-half hour for drill rig set-up time between borings, and up to one-half hour for every soil sample recovered from each borehole will be recommended for reimbursement (at the appropriate skill level rate). **Please note that costs associated with drill rig repairs and/or weather delays are not reimbursable.**

Activities included in total hours for above task:

- Solicit bids for contractor services if costs will meet or exceed \$6,000
- Coordinate and oversee advancement of soil borings
- Collection of soil samples for analyses
- Borehole logging
- Borehole abandonment
- Time to deliver samples to laboratory or prepare shipping package
- Project management
- Regulatory liaison
- Travel time if site is located within metropolitan area of consultant
- Coordinate disposal of soil cuttings
- CEM coordination of traffic control vendor, if necessary (traffic plans, barricade placement and rental, etc.)

Potential activities or items that should be added to above table, as necessary:

- CEM in-house field equipment fees
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Assumes:

- One CEM staff person on site during field activities
- Borings will not be converted to groundwater monitoring or remediation wells. Refer to Task A.9 for well construction activities.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.9: GROUNDWATER MONITORING OR REMEDIATION WELL CONSTRUCTION**

**Scope of Work:** This task consists of all personnel time to coordinate and supervise the construction of groundwater monitoring or remediation wells, including the recovery of soil samples from the boreholes, logging of the boreholes and coordinating waste disposal. This task is arranged into two sub-tasks. Project management/set-up activities are tabulated and summarized on an hourly basis. Field activities are summarized on a unit cost basis dependent upon type of drilling technology utilized, drilling conditions, and total feet of boring advanced to facilitate well construction/installation. It is assumed that field activities will be performed by one CEM staff person. Reimbursement for utilization of more than one CEM staff person during field activities will be dependent upon request/authorization from the regulatory case officer.

SKILL LEVEL	ACTIVITIES	TOTAL HRS: FIRST OR ONLY DAY OF FIELD ACTIVITIES	TOTAL HRS: SUBSEQUENT DAY(S) OF FIELD ACTIVITIES
Project Manager/ Senior Engineer/ Senior Geologist	Project management	2	0.5
Staff Engineer/ Staff Geologist	Solicit bids (if necessary), coordinate completion and submittal of Notice of Intent Card(s) and Affidavit of Intent to Abandon form(s), coordinate and prepare for field activities, coordinate waste disposal	9	2
<b>TOTAL HOURS</b>		<b>11</b>	<b>2.5</b>

**Costs for CEM drilling/well installation oversight and borehole sampling activities will be based on a unit cost dependent upon drilling technique utilized and total feet drilled, as follows:**

Hollow Stem Auger Techniques:

- Easy drilling conditions (minimal amount of cobbles, no caliche, etc.) = \$10/foot
- Typical drilling conditions (pebbles, cobbles, some caliche, etc.) = \$14/foot
- Difficult drilling conditions (considerable amount of cobbles, thick caliche layers, etc.) = \$18/foot

Rotary Techniques:

- Drilling conditions not conducive to hollow stem auger techniques = \$14/foot.

Odex (driven casing) or Sonic techniques:

- Used for extremely difficult drilling conditions such as inordinate amounts of cobbles, boulders, etc., or pursuant to the request/authorization of the case officer = \$18/foot.

Additionally, a CEM labor charge of up to one-half hour for drill rig set-up time between borings, and up to one-half hour for every soil sample recovered from each borehole will be recommended for reimbursement (at the appropriate skill level rate). **Please note that costs associated with drill rig repairs and/or weather delays are not reimbursable.**

Activities included in total hours for above task:

- Solicit and evaluate bids if costs will meet or exceed \$6,000
- Coordinate the preparation and submittal of Notice of Intent card(s) to the Division of Water Resources.
- Coordinate the preparation and submittal of Affidavit of Intent to Abandon Monitoring Well form(s) to the Division of Water Resources.
- Oversee advancement of soil boring(s) to be converted to well(s)
- Collect soil samples from borehole(s)
- Borehole logging
- Coordinate/oversee construction of well(s) - including wellheads
- CEM equipment calibration and decontamination
- Time to deliver samples to laboratory or prepare for shipping
- Project management
- Regulatory liaison
- Travel time if site is located within metropolitan area of consultant
- Coordinate disposal of soil cuttings
- Coordination of well survey(s)
- CEM coordination of traffic control vendor, if necessary (traffic plans, barricade placement and rental, etc.)

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Assumes:

- One CEM staff person on site during field activities

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.10: GROUNDWATER MONITORING OR REMEDIATION WELL DEVELOPMENT**

**Scope of Work:** This task consists of all personnel time to develop groundwater monitoring or remediation wells. This assumes that well development will be performed by the CEM as opposed to the driller or other non-CEM contractors.

SKILL LEVEL	ACTIVITIES	TOTAL HRS: FIRST OR ONLY WELL	TOTAL HRS: EACH SUBSEQUENT WELL
Technician/ Staff Engineer/ Staff Geologist	Prepare equipment, develop well(s), coordinate waste disposal	3	2

Activities included in total hours for above task:

- Develop well(s)
- Coordinate disposal of development water
- Consultant coordination of traffic control plan and placement of traffic barriers (if necessary)
- Travel time if site is located within metropolitan area of consultant

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**



### TASK A.11: SUBSURFACE INVESTIGATION PUSH-DRIVE TECHNOLOGY

**Scope of Work:** This task consists of all personnel time and costs to perform a subsurface investigation to determine the extent of soil and/or groundwater contamination, utilizing push-drive (Geoprobe™, HydroPunch™, etc.) technology. This task is arranged into two sub-tasks. Project management/set-up activities are tabulated and summarized on an hourly basis. Field activities are summarized on a unit cost basis dependent upon total feet of push-boring advancement. Costs for unsuccessful boring advancement due to probe refusal may be claimed if the investigation is successful. A successful investigation is one that results in meeting all the goals required by the regulatory case officer for this activity. It is assumed that field activities will be performed by one CEM staff person. Reimbursement for utilization of more than one CEM staff person during field activities will be dependent upon request/authorization from the regulatory case officer. The Fund recognizes that push/drive technology may not be appropriate for certain subsurface conditions. The CEM must make recommendations of appropriate technologies based upon known site conditions. **Costs associated with an unsuccessful push/drive investigation will not be recommended for reimbursement.**

SKILL LEVEL	ACTIVITIES	TOTAL HRS: FIRST OR ONLY DAY OF FIELD ACTIVITIES	TOTAL HRS: SUBSEQUENT DAYS(S) OF FIELD ACTIVITIES
Project Manager/ Senior Engineer/ Senior Geologist	Project management	2	0.5
Staff Engineer/ Staff Geologist	Solicit bids (if necessary), coordinate & prepare for field activities, coordinate waste disposal	6	2
<b>TOTAL HOURS</b>		<b>8</b>	<b>2.5</b>

**Costs for CEM push-drive-boring advancement oversight and sampling activities will be based on a unit cost of \$6/foot.** Additionally, a CEM labor charge of up to one-half hour for each soil or groundwater sample recovered, and for each set-up between push-drive location may be proposed (at the appropriate skill level rate).

Activities included in total hours for above task:

- Solicit bids for contractor services if costs will meet or exceed \$6,000
- Coordinate/oversee push-boring advancement
- Time to deliver samples to laboratory or prepare shipping package
- Project management
- Regulatory liaison
- Travel time if site is located within metropolitan area of consultant
- Consultant coordination of traffic control plan and placement of traffic barriers (if

necessary)

Potential activities or items that should be added to above table, as necessary:

- CEM field time including collection of soil and/or and groundwater samples for analyses and push-drive rig set-up time between probes
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Coordinate disposal of soil cuttings and groundwater

Assumes:

- One CEM staff person on site during field activities

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.12: SUBSURFACE INVESTIGATION  
TEST PITS**

**Scope of Work:** This task consists of all personnel time and costs to perform a subsurface investigation to determine the extent of soil contamination utilizing test pit advancement. It is assumed that field activities will be performed by one CEM staff person. Reimbursement for utilization of more than one CEM staff person during field activities will be dependent upon request/authorization from the regulatory case officer.

SKILL LEVEL	ACTIVITIES	TOTAL HRS: FIRST OR ONLY DAY OF FIELD ACTIVITIES	TOTAL HRS: SUBSEQUENT DAY(S) OF FIELD ACTIVITIES
Project Manager/ Senior Engineer/ Senior Geologist	Project management	1	0.5
Staff Engineer/ Staff Geologist	Solicit bids (if necessary), coordinate and prepare for field activities, coordinate waste disposal	6	--
<b>TOTAL HOURS</b>		<b>7</b>	<b>0.5</b>
Technician or Staff Geologist	Prepare field equipment, recover samples from pit(s), decontaminate equipment, deliver/ship samples for analyses	2 hours for each test pit	

Activities included in total hours for above task:

- Solicit bids for contractor services if costs will meet or exceed \$6,000
- Coordinate/oversee advancement and backfilling of test pits
- Collection of soil samples for analyses
- Time to deliver samples to laboratory or prepare shipping package
- Project management
- Travel time if site is located within metropolitan area of consultant
- Coordinate disposal of contaminated soils
- Consultant coordination of traffic control plan and placement of traffic barriers (if necessary)

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Investigation/delineation of contamination in groundwater
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Assumes:

- One CEM staff person on site during field activities

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.13: SITE CHARACTERIZATION REPORT PREPARATION  
SMALL-SCALE INVESTIGATION**

**Scope of Work:** This task consists of all personnel time to produce a site characterization report for a **soil-only site investigation or where less than five groundwater monitoring wells** were installed.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Final review	1
Senior Engineer/ Senior Geologist/ Project Manager	Data evaluation, report preparation, senior review, regulatory liaison	6
Staff Engineer/Staff Geologist	Data evaluation, report preparation	12
Administration/Clerical	Word processing, administrative support	2
Drafter	Drafting	6
<b>TOTAL HOURS FOR TASK</b>		<b>27</b>

Activities included in total hours for above task:

- Data evaluation
- Recommendations for additional site characterization activities
- Preliminary recommendations for remediation of soil
- Drafting (site plan, soil boring logs, contaminant plume maps, etc.)
- Administrative support
- Coordination/liaison with regulatory agencies
- Senior review
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.14: SITE CHARACTERIZATION REPORT PREPARATION  
LARGE-SCALE INVESTIGATION**

**Scope of Work:** This task consists of all personnel time to produce a site characterization report for a site where five or more groundwater monitoring wells were installed.

<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Principal	Final review	2
Project Manager/ Senior Engineer/ Senior Geologist	Report preparation, senior review, regulatory liaison	10
Staff Engineer/Staff Geologist	Data evaluation, report preparation	16
Administration/Clerical	Word processing, administrative support	3
Drafter	Drafting	8
<b>TOTAL HOURS FOR TASK</b>		<b>39</b>

Activities included in total hours for above task:

- Data evaluation
- Recommendations for additional site characterization activities
- Preliminary recommendations for remediation of soil and groundwater
- Drafting of all necessary figures
- Administrative support
- Coordination/liaison with regulatory agencies
- Senior review
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Preparation of additional figures such as detailed cross sections if requested by regulatory case officer
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.15: FATE AND TRANSPORT MODELING\*  
TYPICAL SITE**

**Scope of Work:** This task consists of all personnel time to produce a Fate and Transport Model (BioScreen, **Mann-Kendall**, or similar) or calculation that can be used by risk assessors and others to estimate the movement and chemical alteration of contaminants as they move through environmental media (e.g., vadose zone soils, aquifer/aquitard materials, and groundwater). The submittal will include a summary and interpretation of all data and visual outputs. The submittal is to include a description of where the contaminants of potential concern (COPCs) attenuate to action levels or remediation standards relative to identified receptors or other points of demonstration. Also included is a description of the selection and source of input values (e.g. site specific or default values), how developed, and cite literature sources. Publicly available models or calculations are to be used and referenced (or the model/calculation used provided to the NDEP) to allow reproducibility of results by NDEP Staff. **This task may be used to make updates to the preexisting model, generally at reduced hours.**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Final review	1
Project Manager/ Senior Engineer/ Senior Geologist	Model development, data evaluation, report preparation, senior review**	<del>58</del>
Staff Engineer/Staff Geologist	Data evaluation, model and report preparation**	<del>1525</del>
Administration/Clerical	Word processing, administrative support	2
Drafting	Drafting	2
<b>TOTAL HOURS FOR TASK</b>		<b><del>2538</del></b>

\* Close communication with the regulatory case officer is necessary to ensure this deliverable accurately meets project needs

\*\* **Maximum hours for these activities assumes more than one model/calculation will be provided**

Activities included in total hours for above task:

- Database research
- Review of historic, site-specific data to be used in the model/calculations
- Regulatory agency liaison
- Calibration of model with acceptable methods and practices
- Evaluation of model using model predicted values versus field data (e.g. modeled concentrations vs. field measurements, modeled plume size vs. discovered extents)
- Discussion of discrepancies and outliers when model is compared to field conditions
- Identification of direct exposure scenarios
- Senior review
- Report production with all model/calculation inputs, outputs, assumptions, visual interpretations, and references. Adequate citation is necessary to allow reproducibility of the results by NDEP Staff.

- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**



### TASK A.16: SENSITIVE RECEPTOR SURVEY

**Scope of Work:** This task consists of all personnel time to conduct a survey to determine the existence of sensitive receptors within a given radius from a site with groundwater contamination. Sensitive Receptor Surveys are required to establish a groundwater action level for MTBE remediation, and may also be requested by the regulatory case officer for a variety of other reasons including establishment of the receptor location and distance from the edge of the contaminant plume. Levels of effort for performing database searches, doing research at the office of the Nevada Division of Water Resources and producing a Sensitive Receptor Survey Report are summarized in the below table. **This task may be used to make updates to the preexisting survey, generally at reduced hours.**

Expected CEM hours for actual field identification of sensitive receptors (if necessary) should also be proposed. **An explanation regarding the proposed level of effort for field identification must be provided.**

SKILL LEVEL	ACTIVITIES	TOTAL HOURS
Project Manager	Project Management, Senior Review	2
Staff Engineer/ Staff Geologist	Conduct database searches, perform research at State Division of Water Resources Office, prepare Sensitive Receptor Report	8
Drafter	Prepare scaled map providing location of site and sensitive receptors	2
Clerical	Report preparation support	1
<b>TOTAL HOURS FOR RESEARCH AND REPORT PREPARATION</b>		<b>13</b>
Technician/ Staff Engineer/ Staff Geologist	Field identification of sensitive receptors	Proposed Anticipated Hours
<b>TOTAL HOURS FOR TASK</b>		<b>Total Proposed Hours</b>

Activities included in total hours for above task:

- Database research
- Records review with State Division of Water Resources in context with outer boundary of groundwater contaminant plume
- Report production with scaled map depicting each sensitive receptor
- Field identification of sensitive receptors (if necessary)

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

~~Rev.: September 2017 — modification of Task J.1 and FFY18 travel and per diem rates~~ Rev.: December 2018

**TASK A.17: HUMAN HEALTH RISK ASSESSMENT\***  
**(SUBCONTRACTED ONLY)**  
**Typical Site**

**Scope of Work:** This task consists of all personnel time to prepare the data needed for a Risk Assessment and to subsequently review the work of a sub-contracted production of a Human Health Risk Assessment (HHRA)\*\* that can be used to characterize the nature and magnitude of potential health risks to humans (e.g., residents, commercial workers, utility workers) from chemical contaminants, that may be present in the environment. The HHRA is to include all contaminants of potential concern (COPCs), potential receptors, and all possible pathways. The HHRA can be developed to quantify the potential risk COPCs pose to receptors through completed pathways (USEPA 1989 - 2009), or they can be developed to determine threshold values (site specific target levels) (ASTM 1995), below which an acceptable level of risk may be present. Guidance from the regulatory Case Officer should be sought and a determination should be made prior to initiating the HHRA regarding the type of deliverable needed

<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Principal	Senior review	2
Project Manager/ Senior Engineer/ Senior Geologist	Project management, regulatory liaison	15
Staff Engineer/Staff Geologist	Solicit bids, coordination with risk assessor and review the prepared Risk Assessment, prepare agency submittal	5
Administration/Clerical	Administrative support	2
<b>TOTAL HOURS FOR TASK</b>		<b>24</b>

Activities included in total hours for above task:

- Data preparation and evaluation
- Coordination with subcontracted firm developing the Risk Assessment
- Human Health Risk Assessment review and revision
- Administrative support
- Senior review
- Coordination/liaison with regulatory agencies
- Revision to submittal if determined to be deficient by case regulatory officer
- CEM ensures that:
  - All references, equations and assumptions are provided
  - All COPCs, receptors, and pathways are included
  - All input values are clearly tabulated and referenced (site-specific or default, cite references)

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Assumes:

- HHRA is prepared by a sub-contracted professional with risk assessment experience and qualifications.

Notes:

- \* If CEM prepares HHRA in-house, without the use of a subcontractor, the task shall be itemized separately on a NTEP Task Submittal Form which is identified as “Miscellaneous” and then titled “CEM-Prepared HHRA.”
- \*\* Human Health Risk Assessment guidance is available from several sources including:  
*ASTM E 1739-95 Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites*  
*USEPA, Risk Assessment Guidance for Superfund, multiple publications, 1989-2009*

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK A.18: PREPARATION OF 2-DIMENSIONAL GEOLOGIC CROSS-SECTION(S) Typical Site

**Scope of Work:** This task consists of all personnel time to use site specific data to produce a 2-dimensional geologic cross-section(s) at a facility. Typically, a minimum of two cross-sections are prepared; one longitudinal along the contaminant axis and a second one approximately perpendicular to the contaminant axis. The cross-sections are to be drawn to scale and use conventional methods to reflect site-specific lithology and the position of encountered groundwater. The location of screened intervals in monitoring wells, discrete soil samples, residual contaminants, and range of water levels are to be shown to facilitate understanding of site conditions. Represented features are to be tied to land surveys which are tied to mean sea level.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Final review	1
Project Manager/ Senior Engineer/ Senior Geologist	Data evaluation, cross-section development, regulatory liaison, senior review	2
Staff Engineer/Staff Geologist	Data evaluation, cross-section preparation	<del>8</del> 12
Administration/Clerical	Administrative support	2
Drafting	Drafting	<del>8</del> 16
<b>TOTAL HOURS FOR TASK</b>		<del>21</del> 33

\* If less than two cross sections are required, fewer hours should be requested.

Activities included in total hours for above task:

- Review of historic through current site-specific data, soil boring logs, and monitoring well construction logs to be used in the production of geologic cross-sections. The reviewed data include:
  - Soil type;
  - Depth-to-water;
  - Water level range over time;
  - Contaminant concentrations and distribution
- Cross-section development
- Regulatory liaison
- Drafting
- Administrative support
- Senior review
- Corresponding report production including all outputs and visual interpretations
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

~~\*Notes:~~

~~If less than two cross sections are required, fewer hours should be requested~~

~~Hours for this task cannot be requested concurrently with hours requested for the Task “Conceptual Site Model (CSM)”~~

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK A.19: CONCEPTUAL SITE MODEL (CSM)\*  
Typical Site**

**Scope of Work:** This task consists of all personnel time to produce a Conceptual Site Model (CSM)\*\*. A conceptual site model is a three-dimensional understanding of site conditions that conveys what is known or suspected about the release source(s), release mechanisms, contaminant fate and transport, exposure pathways, potential receptors, and possible risks to humans and ecological receptors (e.g., birds, fish, and wildlife). ~~The CSM should be a summary of data already compiled under previous tasks such as Fate and Transport Modeling (A.15), Sensitive Receptor Survey (A.16), 2-D Geological Cross Sections (A.18), etc. Close communication with the regulatory case officer is necessary to ensure this deliverable accurately meets project needs. A minimum of three illustrations are to be included along with adequate text to summarize site conditions and help convey a three-dimensional picture to the reader (e.g., cross-sections, block diagrams, fence diagrams, and plume maps).~~ **The CSM is a dynamic model that should be updated periodically as more data becomes available. As such, this task may also be used to make updates to the preexisting model, generally at reduced hours.**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Final review	2
Project Manager/ Senior Engineer/ Senior Geologist	Data evaluation, report preparation, regulatory liaison, senior review	10
Staff Engineer/Staff Geologist	Data evaluation, report Preparation	16
Administration/Clerical	Word processing, administrative support	3
Drafting	Drafting	12
<b>TOTAL HOURS FOR TASK</b>		<b>43</b>

~~\* Close communication with the regulatory case officer is necessary to ensure this deliverable accurately meets project needs~~

Activities included in total hours for above task:

- Database research
- Review and evaluate historic, site-specific data to be used in the CSM
- **Discussion of data compiled to date, potential data gaps, evaluation of risks due to contamination present, and recommendations for additional characterization, remediation, or closure**
- Drafting (e.g., site plan, potentiometric map(s), isocontour map(s), soil boring logs, contaminant plume maps, cross-sections, fence diagrams)
- Regulatory agency liaison
- Administrative support
- Report production with all model outputs and visual interpretations

- Senior review
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

~~Vehicle mileage, CEM in-house supplies, per diem & vendor markup~~

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

Additional hours may be requested in the event of complicated site conditions **following discussion with the regulatory case officer.**~~such as sites where:~~

~~Groundwater contaminant plumes that extend significantly off-site (plume length greater than 500 feet from source area)~~

- ~~• A large number of soil borings and/or monitoring wells (greater than 30) are used to construct the CSM~~
- ~~• Depth to groundwater significantly exceeds 50 feet below land surface and a large number of soil sample analytical results (greater than 50) are used to develop the CSM~~

Note:

- ~~\*\*~~ Reader is guided to ASTM E 1689 *Standard Guide for Developing Conceptual Site Models for Contaminated sites*, or an equivalent method.  
Also consider: ASTM E 2531-06 *Development of CSM for LNAPL Sites*.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. If it is necessary to propose additional time to perform this Task, justification must be provided.

## **B. AQUIFER & PILOT TESTING**



### TASK B.1: WORK PLAN PREPARATION AQUIFER OR PILOT TESTING

**Scope of Work:** This task consists of all personnel time to produce a Work Plan to perform aquifer testing to determine aquifer hydrogeologic characteristics, or pilot testing to evaluate the effectiveness of a remediation technology (soil vapor extraction, dual-phase extraction, etc.).

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Regulatory liaison, project management, Work Plan preparation	67
Staff Engineer/Staff Geologist	Work Plan preparation	68
Drafter	Prepare figures	23
Administration/Clerical	Administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>1620</b>

Activities included in total hours for above task:

- Aquifer test or pilot test system design including calculations
- Work Plan preparation
- Preparation of figures including proposed aquifer/pilot testing equipment schematics
- Administrative support
- Regulatory agency liaison
- Revision to submittal if determined to be deficient by case regulatory officer
- Travel time if site is located within metropolitan area of consultant

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK B.2: AQUIFER SLUG TEST

**Scope of Work:** This task consists of all personnel time to perform a 6-hour aquifer slug test to determine hydraulic characteristics. Proposed staff-level time should be adjusted (if necessary) to reflect a slug test with a duration other than 6 hours.

SKILL LEVEL	ACTIVITIES	TOTAL HRS FOR ONE WELL	TOTAL HRS FOR EACH ADDITIONAL WELL
Principal	Data review	1	-
Project Manager/ Senior Engineer/ Senior Geologist	Project management, data analyses	4	-
Staff Engineer/ Staff Geologist	Perform test, data analyses, coordinate waste disposal	16	6
<b>TOTAL HOURS</b>		<b>21 for one well</b>	<b>6 for each additional well</b>

Activities included in total hours for above task:

- Project set-up
- Perform slug test
- Record/plot data for inclusion in CAP, RAS, and/or other documents
- Data evaluation (hydraulic conductivity, seepage velocity, radius of influence [ROI], etc.)
- Travel time if site is located within metropolitan area of consultant
- Coordination/liaison with regulatory agencies

Potential activities or items that should be added to above table, as necessary:

- Computer modeling (if required)
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & markup
- Additional time if duration of test is longer than 6 hours

Assumes:

- Test well is already constructed
- 6-hour slug test
- Single aquifer system

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK B.3: AQUIFER PUMPING TEST

**Scope of Work:** This task consists of all personnel time to perform a 12-hour continuous aquifer pumping test. Proposed technician and/or staff-level time should be adjusted (if necessary) to reflect a pumping test with a duration other than 12 hours.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Data review	1
Project Manager/ Senior Engineer/ Senior Geologist	Project management, data analysis	8
Technician/ Staff Engineer/ Staff Geologist	Project set-up, perform pumping test & data analysis, coordinate waste disposal	30
<b>TOTAL HOURS FOR TASK</b>		<b>39</b>

Activities included in total hours for above task:

- Project set-up
- Perform aquifer test
- Plot/evaluate data for inclusion in CAP, RAS, and/or other documents
- Data evaluation (hydraulic conductivity, seepage velocity, ROI, etc.)
- Travel time if site is located within metropolitan area of consultant
- Coordination/liaison with regulatory agencies

Potential activities or items that should be added to above table, as necessary:

- Computer modeling, if required (e.g. contaminant transport)
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time if duration of test is longer than 12 hours
- Additional time for step testing, if necessary.

Assumes:

- Test wells and observation wells have been previously constructed
- 12 hour continuous pump test
- One test per site sufficient to determine hydraulic properties
- Single aquifer system
- Assumes 2-4 hour recovery time. Longer recovery times may be justified using results of step drawdown test.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK B.4: SOIL VAPOR EXTRACTION PILOT TEST

**Scope of Work:** This task consists of all personnel time to perform an 8-hour soil vapor extraction pilot test. Proposed staff and technician-level time should be adjusted (if necessary) to reflect a pilot test duration other than 8 hours.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Data analyses	1
Project Manager/ Senior Engineer/Senior Geologist	Project management, senior review	2
Staff Engineer/Staff Geologist	Perform test, data analyses	12
Technician	Project set-up, assist with pilot test, vapor sample collection, coordinate waste disposal	16
<b>TOTAL HOURS FOR TASK</b>		<b>31</b>

Activities included in total hours for above task:

- Data recovery and evaluation for inclusion in CAP, RAS, and/or other documents
- Travel time if site is located within metropolitan area of consultant
- Coordination/liaison with regulatory agencies

Potential activities or items that should be added to above table, as necessary:

- Computer modeling (if required)
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time if duration of test is longer than 8 hours

Assumes:

- Test wells and observation wells have been previously constructed
- 8-hour test

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK B.5: SOIL VAPOR EXTRACTION AND AIR SPARGE PILOT TEST**

**Scope of Work:** This task consists of all personnel time to perform ~~an 8~~<sup>a</sup> 6-hour soil vapor extraction ~~and~~(SVE) test, a 64-hour air sparge (AS) test, and 8-hour combined SVE/AS pilot test. Proposed staff and technician-level time should be adjusted (if necessary) to reflect a pilot test with duration of other than the referenced combined ~~14~~<sup>18</sup> hours.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Data analyses	1
Project Manager/ Senior Engineer/Senior Geologist	Project management, senior review	2
Staff Engineer/Staff Geologist	Perform test, data analyses	2430
Technician	Assist with pilot test, coordinate waste disposal	2430
<b>TOTAL HOURS FOR TASK</b>		<b>5163</b>

Activities included in total hours for above task:

- Data recovery and evaluation for inclusion in CAP, RAS, and/or other documents or report
- Project management
- Travel time if site is located within metropolitan area of consultant
- Coordination/liaison with regulatory agencies

Potential activities or items that should be added to above table, as necessary:

- Computer modeling (if required)
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time if duration of test is longer than ~~14~~<sup>18</sup> hours

Assumes:

- Test wells and observation wells have been previously constructed
- ~~86~~<sup>6</sup>-hour ~~vacuum~~SVE test; ~~6~~<sup>4</sup>-hour ~~sparge~~AS test; and 8-hour SVE/AS test

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK B.6: INJECTION TEST**

**Scope of Work:** This task consists of all personnel time to perform a 6-hour infiltration test to determine aquifer characteristics for the re-injection of treated groundwater, injection of solutions to enhance in-situ oxidation, etc. Proposed technician and/or staff-level time should be adjusted (if necessary) to reflect a test with a duration other than 6 hours.

SKILL LEVEL	ACTIVITIES	TOTAL HOURS
Principal	Data Review	1
Project Manager/ Senior Engineer/Senior Geologist	Project management, data analyses	4
Staff Engineer/Staff Geologist	Perform test, data analyses, coordinate waste disposal	16
<b>TOTAL HOURS</b>		<b>21</b>

Activities included in total hours for above task:

- Project set-up/perform infiltration test
- Procurement and preparation of solutions to be injected
- Data evaluation for inclusion in CAP, RAS, and/or other documents
- Travel time if site is located within metropolitan area of the consultant
- Coordination/liaison with regulatory agencies
- Coordinate waste disposal

Potential activities or items that should be added to above table, as necessary:

- Computer modeling (if required)
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time if duration of test is longer than 6 hours

Assumes:

- Test well is already constructed
- 6-hour infiltration test

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK B.7: AQUIFER OR PILOT TEST REPORT PREPARATION

**Scope of Work:** This task consists of all personnel time to produce a report summarizing pilot testing results. This task assumes that such results are not presented in a CAP.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Final review	1
Senior Engineer/ Senior Geologist/ Project Manager	Data evaluation, report preparation, senior review, regulatory liaison	<del>8</del> 10
Staff Engineer/Staff Geologist	Data evaluation, report preparation	<del>10</del> 12
Administration/Clerical	Word processing, administrative support	2
Drafter	Drafting support	<del>2</del> 4
<b>TOTAL HOURS FOR TASK</b>		<del>23</del> 29

Activities included in total hours for above task:

- Presentation and evaluation of data obtained from pilot testing, including calculations, radius of influence (ROI), aquifer properties (hydraulic conductivity, seepage velocity, etc.)
- Recommendations for additional assessment, if necessary
- Recommendations for corrective actions based on pilot test results
- Drafting (aquifer/pilot test well soil boring logs, maps, etc.)
- Administrative support
- Coordination/liaison with regulatory agencies
- Senior review
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### **C. CORRECTIVE ACTION PLAN (CAP) PREPARATION**



**TASK C.1: CORRECTIVE ACTION PLAN PREPARATION  
LARGE-SCALE REMEDIATION SITE**

**Scope of Work:** This task consists of all personnel time to produce a comprehensive corrective action plan (CAP) for the remediation of petroleum product contaminated soil and/or groundwater in cases where the installation of an active (e.g. non-passive) remediation system is proposed.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review, regulatory liaison	4
Project Manager/Senior Engineer/ Senior Geologist	Prepare CAP, regulatory liaison, project management	18
Staff Engineer/Staff Geologist	Prepare CAP	20
Administration/Clerical	Word processing, administrative support	4
Drafter	Prepare figures/schematics	6
<b>TOTAL HOURS FOR TASK</b>		<b>52</b>

Activities included in total hours for above task:

- Discussion of pilot test data (if testing performed)
- Develop and list the Remedial Action Objectives (RAOs) that are protective of human health
- Evaluation of at least three remedial alternatives
- Inclusion and discussion of detailed remediation methodology cost comparisons
- Provide rationale for selection of proposed remedial action
- Preliminary (non-engineered) design of remediation system including calculations
- Drafting
- Administrative support
- Coordination with regulatory agencies
- Discussion of required permits for operation of active remediation system
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Preparation of detailed construction drawings and specifications
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK C.2: CORRECTIVE ACTION PLAN PREPARATION SMALL-SCALE REMEDIATION SITE

**Scope of Work:** This task consists of all personnel time to produce a comprehensive corrective action plan (CAP) for the remediation of petroleum product contaminated soil and/or groundwater for sites which do not require the installation of a large, active remediation system. Examples include remediation utilizing injection of in-situ chemical oxidation solutions, passive soil venting, etc.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review, regulatory liaison	2
Project Manager/ Senior Engineer/Senior Geologist	Prepare CAP, project management, regulatory liaison	11
Staff Engineer/Staff Geologist	Prepare CAP	15
Administration/Clerical	Word processing, administrative support	3
Drafter	Prepare figures & schematics	4
<b>TOTAL HOURS FOR TASK</b>		<b>35</b>

Activities included in total hours for above task:

- Discussion of pilot test data (if testing performed)
- Develop and list the RAOs that are protective of human health
- Evaluation of at least three remedial alternatives with detailed cost comparisons
- Provide rationale for selection of proposed remedial action
- Preliminary (non-engineered) design of remediation system including calculations
- Drafting
- Administrative support
- Coordination with regulatory agencies
- Discussion of required permits for operation of remediation system
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK C.3: REMEDIAL ALTERNATIVE STUDY (RAS)\*  
Typical Site**

**Scope of Work:** This task consists of all personnel time to review and evaluate multiple remedial alternatives using site specific data. This task is not a subset of the CAP tasks. This task is to be completed upon the request of the regulatory case officer in the event the CAP-identified and implemented remedial alternative is not effective reducing COPCs to action levels or meeting established RAOs for the site. The remedial feasibility and cost associated with each remedial alternative will be evaluated. A minimum of three remediation methods that are viable for use at the project site are to be reviewed. The RAS should select the remedial option that has the greatest prospect of remediating the subject site in a cost-effective manner and provide an estimate of the schedule for permitting, construction, operation, and monitoring needed to secure site closure\*\*.

<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Regulatory liaison, project management, data evaluation, report preparation	6
Staff Engineer/Staff Geologist	Data evaluation, report preparation	14
Drafting	Drafting	1
Administration/Clerical	Word processing, administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>23</b>

Activities included in total hours for above task:

- Site reconnaissance / Site visit
- Travel time if site is located within metropolitan area of consultant
- RAS preparation to include:
  - Develop and list Remedial Action Objectives (RAOs) that are protective of human health
  - Screen remedial alternatives based on known contaminant(s), site characteristics, and current status of site
  - Evaluate based on consistent criteria to include long-term effectiveness, implement ability, cost, and public acceptance
  - Detailed analysis of the effectiveness and cost of the screened remedial alternatives
  - Proposal of remedial action selected to be implemented with discussion of selection process
- Drafting
- Administrative support
- Regulatory agency liaison
- Senior Review
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup (must be proposed in the NTEP)

Notes:

- \*- Hours for this task cannot be requested concurrently with hours requested for the Task “Corrective Action Plan Preparation Large/Small Scale Remediation Site”
- \*\* - The RAS also may be used, in conjunction with other requested documents, to support a request for No Further Action.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

#### **D. CORRECTIVE ACTION PLAN IMPLEMENTATION**

NDEP understands that no two remediation systems are identical due to site specific conditions. The level of appropriate effort for remediation system design also varies dependent upon the individual CEM. The following Guideline Task Tables associated with remediation system design tasks are presented as general guidelines only. If it is anticipated that the level of remediation system design effort will exceed the hours and costs summarized in the following tables, the higher level of effort should be proposed and accompanied by complete justification.

**TASK D.1: SINGLE-SYSTEM TECHNOLOGY DESIGN**

**Scope of Work:** This task consists of all personnel time to design a remediation system consisting of a single remediation technology (groundwater pump and treat; free product recovery; soil vapor extraction; bioventing; in-situ chemical oxidation delivery systems; etc.) This task does not include design of a passive remediation system.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review, regulatory liaison	4
Project Manager Senior Engineer/ Senior Geologist	Project management, system design, supervise preparation of construction drawings and specifications, regulatory liaison	10
Staff Engineer/Staff Geologist	System design	<del>8</del> 12
Administration/Clerical	Word processing, administrative support	2
Drafter	Drafting	<del>16</del> 24
<b>TOTAL HOURS FOR TASK</b>		<b>40</b> <del>52</del>

Activities included in total hours for above task:

- Final design of system
- Production of “As Planned” construction drawings and specifications. Refer to Task D.5 for “As Built” construction drawings.
- Drafting
- Administrative support
- Soliciting and evaluating bids for equipment/ construction of system
- Coordination/liasion with regulatory agencies
- Senior review

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time to acquire access to offsite properties if necessary

Note:

Please refer to Appendix G for a discussion regarding receiving reimbursement for the purchase or rental of remediation equipment.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK D.2: SYSTEM DESIGN  
REMEDICATION OF SOIL AND GROUNDWATER**

**Scope of Work:** This task consists of all personnel time to design a system for the remediation of both soil and groundwater (soil vapor extraction with air sparge, dual-phase extraction, etc.).

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review, regulatory liaison	4
Project Manager/ Senior Engineer/ Senior Geologist	Project management, system design, supervise preparation of construction drawings and specifications, regulatory liaison	16
Staff Engineer/Staff Geologist	System design	<del>1020</del>
Administration/Clerical	Word processing, administrative support	2
Drafter	Drafting	<del>1632</del>
<b>TOTAL HOURS FOR TASK</b>		<b>4874</b>

Activities included in total hours for above task:

- Final design of system
- Production of “As Planned” construction drawings and specifications. Refer to Task D.5 for “As Built” construction drawings.
- Drafting
- Administrative support
- Soliciting and evaluating bids for equipment purchase and system construction
- Coordination/liaison with regulatory agencies
- Senior review

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time to acquire access to offsite properties if necessary

Note:

Please refer to Appendix G for a discussion regarding receiving reimbursement for the purchase or rental of remediation equipment.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### **TASK D.3: CEM-CONDUCTED REMEDIATION SYSTEM INSTALLATION, START-UP & CALIBRATION**

**Scope of Work:** The scope of work for this task consists of all CEM personnel time to perform installation, start-up and calibration of a soil and/or groundwater remediation system. **This assumes that system installation activities are conducted by a CEM who possesses an appropriate contractor's license.** Since the time necessary to perform this task will vary for each project due to site-specific parameters, costs will be recommended for reimbursement on a justified time and materials basis. Proposed costs must be presented on a Guideline Task Table and will be evaluated at the time of NTEP review.

Activities Necessary to Include in Proposed Task:

- Soliciting and evaluating bids
- Coordination with contractors/subcontractors
- Regulatory agency liaison
- Travel time
- Start-up & calibration of remediation system to meet performance specifications
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Note:

Refer to Task D.5 for “As Built” construction drawings.



**TASK D.4: CEM OVERSIGHT OF REMEDIATION SYSTEM INSTALLATION, START-UP & CALIBRATION**

**Scope of Work:** The scope of work for this task consists of all personnel time to coordinate and oversee the installation, start-up and calibration of a soil and/or groundwater remediation system. **This assumes that the CEM is supervising an outside (non-CEM) contractor who is performing system installation activities.**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Project management, regulatory liaison, final inspection	26
Staff Engineer/ Geologist	Project coordination, onsite inspections, system start-up	20
<b>TOTAL HOURS FOR TASK</b>		<b>46</b>

Activities included in total hours for above task:

- Soliciting and evaluating bids
- Coordination with contractors/subcontractors
- Regulatory agency liaison
- Inspections/observations during selective phases of remediation system construction
- Start-up and calibration of remediation system to meet performance specifications
- Travel time

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside the metropolitan area of the consultant
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time for CEM-conducted system installation tasks

Note:

Refer to Task D.5 for “As Built” construction drawings.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK D.5: REMEDIATION SYSTEM AS-BUILT AND START-UP REPORT

**Scope of Work:** This task consists of all personnel time to produce an “As-built & Start-up Report” for submittal to the NDEP. The As-built & Start-up Report is to reflect the “as-built” configuration of the remediation system(s) and document baseline and start-up conditions. Baseline conditions (e.g., groundwater quality) and start-up conditions (e.g., influent & effluent vapor concentrations, influent & effluent mass removed/destroyed, and influent & effluent water quality, air flow rates, etc.) are to be monitored and documented to enable comparison to future monitoring data and evaluation of overall remediation system performance. The submitted drawings, plans, and specifications are to be an updated version of those used to solicit bids and construct the system if “As-built” conditions vary from “As-planned.”

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review, regulatory liaison	4
Project Manager/Senior Engineer/ Senior Geologist	Project Management, supervise revision of construction drawings and specifications*, regulatory liaison	10
Staff Engineer/Staff Geologist	Revision of construction drawings and specifications	8
Administration/Clerical	Word processing, administrative support	4
Drafter	Revise/prepare figures/schematics	8
<b>TOTAL HOURS FOR TASK</b>		<b>34</b>

\* Revise construction (“As Planned”) drawings to “As Built” drawings

Activities included in total hours for above task:

- Discussion of Remediation System installation and any deviation from “As-planned” design
- Discussion of Remediation System(s) start-up
- Inclusion of scaled drawings & figures that represent the “As-built” configuration for the remediation system (up-dated as needed from construction drawings)
- Provide listing of RAOs, performance measures, and remediation system metrics along with any calculations (equations) to be used to demonstrate remediation system performance
- Data assimilation and maintenance
- Drafting
- Administrative support
- Coordination with regulatory agencies
- Senior Review
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK D.6: OVERSIGHT OF CONTAMINATED SOIL EXCAVATION

**Scope of Work:** This task consists of all personnel time to coordinate and oversee the excavation and treatment of impacted soils. NDEP understands that all excavation projects vary due to site-specific conditions. The following cost table, therefore, is presented as a general guideline for excavation activities that encompass one field day only. If it is anticipated that excavation activities will exceed one field day, additional hours should be proposed and justified. Conversely, if it is anticipated that excavation activities will be completed in less than one field day, fewer hours should be proposed.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/Senior Geologist	Project management, regulatory liaison	2
Staff Engineer/ Staff Geologist	Prepare bids (if necessary), coordinate and oversee field activities and disposal of contaminated soil	12
<b>TOTAL HOURS FOR TASK</b>		<b>14</b>

Activities included in total hours for above task:

- Soliciting/evaluating bids if soil excavation, loading, hauling, and/or disposal costs will meet or exceed \$6,000
- Coordinating field activities
- Onsite observations
- Collection of soil samples
- Transport samples to laboratory for analyses or prepare shipping package
- Coordinate disposal/treatment of contaminated soils
- Coordination/oversight of backfill operations
- Coordination/oversight of site restoration activities
- Regulatory agency liaison
- Travel time if site is located within metropolitan area of consultant

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time if excavation activities exceed one day
- Additional time to prepare excavation report, if requested by regulatory case officer

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK D.7: INJECTION OF IN-SITU CHEMICAL OXIDATION SOLUTIONS**

**Scope of Work:** This task consists of all personnel time to procure, prepare and deploy in-situ chemical oxidation solutions (solutions) into the subsurface utilizing existing injection wells and/or trenches to enhance contaminant degradation. This task is arranged into two sub-tasks. Levels of effort for project management and field preparation activities are tabulated below. NDEP understands that levels of effort for actual field activities will vary from site to site pursuant to subsurface conditions and actual injection methodology. Levels of effort for field activities, therefore, must be proposed based on the results of the first injection event (deployment of solution into all injection wells and/or trenches at the site).

SKILL LEVEL	ACTIVITIES	TOTAL HOURS
Project Manager	Project management	1 hour per injection event
Technician/ Staff Engineer/ Staff Geologist	Injection event preparation: solution procurement and mixing, make ready for field activities, mobilize to site	4 hours per injection event
<b>TOTAL HOURS OF SET-UP TIME PER INJECTION EVENT</b>		<b>5</b>
Technician/ Staff Engineer/ Staff Geologist	Deployment of solution into all injection wells and/or trenches at the site	Proposed Hours (see note below)
<b>TOTAL PROPOSED HOURS PER INJECTION EVENT</b>		Total Proposed Hours

Activities included in total hours for above task:

- Solution procurement
- Solution dilution & mixing if necessary
- Preparation for field activities
- Travel time if site is located within the CEM’s metropolitan area

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel

Note:

Levels of effort for subsequent solution injection events should be proposed at the same levels of effort established pursuant to the first event. If justified, a Change Order may be submitted to request an increase of hours for the initial injection for the regulatory case officer’s review.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

## E. PERMIT APPLICATIONS

The following tasks consist of all personnel time to prepare and submit permit applications required to perform assessment and remediation activities. Guideline Task Tables summarize typical application preparation efforts for specific types of permits. NDEP understands that the level of effort for application preparation varies, dependent upon type of permit and implementing regulatory agency. Applicants and CEMs should recognize that the levels of effort summarized for the following permit applications do not include permit fees, report preparation costs, or permit renewal fees.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

Air quality permitting for remediation systems operating in Clark County is performed by Clark County, Department of Air Quality (CCDAQ). Washoe County air permitting is performed by the Washoe County Health District (WCHD). Permitting for the remaining portions of the state is performed by NDEP's Bureau of Air Pollution Control.

**TASK E.1: AIR QUALITY PERMITS**

<b>NDEP: CLASS III OPERATING PERMIT NOT MORE THAN 5 TONS OF EMISSIONS PER YEAR</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/ Senior Geologist	Senior review, regulatory liaison, project management	2
Staff Engineer/Geologist	Prepare permit application	8
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>10</b>

<b>NDEP: CLASS II OPERATING PERMIT GREATER THAN 5 TONS, NOT MORE THAN 25 TONS OF EMISSIONS PER YEAR</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/Senior Geologist	Senior review, regulatory liaison, project management	4
Staff Engineer/Staff Geologist	Prepare permit application	18
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>22</b>

<b>CLARK COUNTY: DEPARTMENT OF AIR QUALITY MINOR STATIONARY SOURCE PERMIT</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/Senior Geologist	Senior review, regulatory liaison, project management	4
Staff Engineer/Staff Geologist	Prepare permit application	18
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>22</b>

<b>WASHOE COUNTY HEALTH DISTRICT AUTHORITY TO CONSTRUCT PERMIT</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/Senior Geologist	Senior review, regulatory liaison, project management	6
Staff Engineer/Staff Geologist	Prepare permit application	6
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>12</b>

**TASK E.2: WATER DISCHARGE (NPDES) PERMITS**

**Note:** All National Pollutant Discharge Elimination System (NPDES) Permits in the State of Nevada are processed by NDEP, Bureau of Water Pollution Control, Carson City, Nevada.

<b>5-YEAR NPDES PERMIT</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/Senior Geologist	Senior review, regulatory liaison, project management	12
Staff Engineer/Staff Geologist	Prepare permit application	20
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>32</b>



**TASK E.3: UNDERGROUND INJECTION CONTROL (UIC) PERMITS**

**Note:** All UIC permits in the state of Nevada are processed by NDEP, Bureau of Water Pollution Control, Carson City, Nevada.

<b>INDIVIDUAL PERMIT (UNEV)</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/ Senior Geologist	Senior review, regulatory liaison, project management	2
Staff Engineer/ Staff Geologist	Prepare permit application	16
Drafting	Prepare graphics	4
Administration/ Clerical	Administrative support	2
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>24</b>

<b>GENERAL PERMIT</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/ Senior Geologist	Senior review, regulatory liaison, project management	2
Staff Engineer/ Staff Geologist	Prepare permit application	8
Drafting	Prepare graphics	2
Administration/ Clerical	Administrative support	2
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>14</b>

**TASK E.4: PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF NEVADA (ENVIRONMENTAL APPROPRIATIONS PERMIT)**

**Note:** All Appropriation Permits in the state of Nevada are processed by the Division of Water Resources, Carson City, Nevada. All Water Rights Maps must be prepared by a State of Nevada Water Rights Surveyor. Additional time may be requested for CEM staff Water Rights Surveyor activities.

<b>ENVIRONMENTAL APPROPRIATION'S PERMIT</b>		
<b>SKILL LEVEL</b>	<b>ACTIVITIES</b>	<b>TOTAL HRS</b>
Project Manager/ Senior Engineer/Senior Geologist	Senior review, regulatory liaison, project management	2
Staff Engineer/Staff Geologist	Prepare permit application, coordinate map surveying	8
<b>TOTAL HOURS FOR EACH PERMIT APPLICATION</b>		<b>10</b>

**TASK E.5: MISCELLANEOUS PERMITS**

NDEP understands that the level of effort to prepare permits not summarized above varies depending upon permit type (building, encroachment, etc.) and the requiring agency (NDOT, city, etc.). Costs for preparing these miscellaneous permits should be proposed on a Task Summary Sheet, providing full justification of all efforts.

## **F. CORRECTIVE ACTIONS MONITORING & MAINTENANCE**

**TASK F.1: REMEDIATION SYSTEM OPERATIONS AND MONITORING**

**Scope of Work:** This task consists of all personnel time for the operation and monitoring of a soil and/or groundwater remediation system. This task assumes multiple remediation systems are not being utilized at the site.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/Senior Geologist	Project management, regulatory liaison	1/month
Staff Engineer/ Staff Geologist	Monitor system operations, evaluate system, make adjustments to system	4/month
Technician	Monitor system operations, record operating parameters, inspect system, collect influent/effluent vapor and water samples	10/month
<b>TOTAL HOURS PER MONTH</b>		<b>15</b>

Activities included in total hours for above task:

- Site visits
- Inspect remediation system
- Monitor remediation system operations
- Make adjustments to remediation system to optimize performance
- Maintain onsite log for operating parameters (flow rates, pressures, vacuum, etc.)
- Coordinate activated carbon change-outs
- Troubleshoot system to correct any problems
- Oversight of maintenance contractor
- Collecting samples of remediation system influent/effluent vapor and groundwater, and delivery to laboratory
- Travel time if site is located within the CEM’s metropolitan area

Potential activities or items that should be added to above table, as necessary:

- Additional time for O&M of multiple remediation systems located at the same site
- Travel if located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Time to deploy and/or change out oxygen release compounds
- Additional time for maintenance contractor oversight due to complex remediation systems (e.g. systems extending off-site)

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

## TASK F.2: CEM-CONDUCTED MONTHLY REMEDIATION SYSTEM MAINTENANCE

**Scope of Work:** This task consists of all personnel time to perform monthly maintenance procedures of a soil and/or groundwater remediation/~~LNAPL recovery~~ system, **including active onsite LNAPL recovery systems (e.g. automated skimmers)**. **This task assumes that the CEM is conducting all maintenance activities on a single remediation system.**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/Senior Geologist	Project management, regulatory liaison	1/month
Staff Engineer/ Staff Geologist/Technician	Perform onsite remediation system maintenance/repairs, coordinate with repair vendor when appropriate	10/month
<b>TOTAL HOURS PER MONTH</b>		<b>11</b>

NDEP understands that the level of effort to complete this task will vary, depending upon remediation system and site characteristics. The hours summarized in the above Task Table should be considered rudimentary, or minimal. Some months, a CEM may be able to perform these activities in less time, while other months additional hours may be required for remediation system repairs. NDEP urges the CEM to propose the above hours, and keep in mind that a Change Order may be submitted if additional levels of effort are justified.

Activities included in total hours for above task:

- Site visits
- Remediation system maintenance, modifications and repair procedures in accordance with manufacturer's guidelines
- Coordinate equipment repairs with sub-contractor as necessary
- Change out oxygen release compounds, remove/replace oxygen bottles for diffusion systems, etc.
- **Maintenance to LNAPL recovery filters, emptying LNAPL collection vessels, etc.**
- Travel time if site is located within the CEM's metropolitan area

Potential activities or items that should be added to above table, as necessary:

- Additional time required for maintaining multiple remediation systems at the same site
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Travel if located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK F.3: REMEDIATION SYSTEM PERMIT REPORT PREPARATION**

**Scope of Work:** This task consists of all personnel time to produce a permit report as stipulated in applicable permits (Air Quality, NPDES, UIC, Environmental Appropriations permit etc.). **This Task should not be proposed if copies of quarterly Status Reports are being submitted to permitting agencies to provide this information.**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal/Project Manager/ Senior Engineer/ Senior Geologist	Senior review, regulatory liaison, project management	1/report
Staff Engineer/Staff Geologist	Prepare report	4/report
Administration/Clerical	Administrative support	1/report
<b>TOTAL HOURS PER REPORT</b>		<b>6</b>

Activities included in total hours for above task:

- Data assimilation
- Regulatory agency liaison
- Administrative support

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Assumes:

- Quarterly Status Reports are not being submitted to fulfill permit reporting requirements

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

#### TASK F.4: GROUNDWATER MONITORING WELL SAMPLING\*

**Scope of Work:** This task consists of all personnel time to purge and sample one or more groundwater monitoring wells for analyses of dissolved petroleum hydrocarbon constituents and in-situ oxidation and bioremediation parameters. **This task also applies to wells in which LNAPL is present and recovery is being performed by technical staff (e.g. hand bailing, change out of passive product absorbent socks/skimbers, etc.).** The number of wells sampled, **the number of wells where LNAPL is recovered**, and average depth of **the** wells should be provided.

SKILL LEVEL	ACTIVITIES	HOURS FOR FIRST OR ONLY WELL	HOURS FOR EACH ADDITIONAL WELL
Project Manager	Project set-up & supervision	1	-
Technician/Staff Engineer/Staff Geologist	Purge & sample well(s), <b>perform LNAPL recovery</b> , deliver samples to lab, coordinate purge water/ <b>free product</b> disposal	45	1.5
<b>TOTAL HOURS</b>		<b>56 for first or only well</b>	<b>1.5 for each additional well</b>

\* Assumes: Wells have been properly developed

Activities included in total hours for above task:

- Prepare and decontaminate equipment
- Travel time if site is located within metropolitan area of consultant
- Purge groundwater monitoring well(s) **and/or removal of free product**
- Recovery of groundwater stabilization data during well purging
- Recovery of groundwater samples for chemical analyses
- Recovery of groundwater oxidation and bioremediation parameter data using CEM equipment and meters in the field
- Recovery of groundwater samples for oxidation and bioremediation parameter analyses to be performed by an analytical laboratory
- Time to transport samples to lab, or prepare shipment package
- Coordinate disposal of purge water
- Coordination of traffic plan and placement of traffic barriers

Potential activities or items that should be added to above table, as necessary:

- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Additional time for specialized sampling methodologies, as necessary



The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK F.5: GROUNDWATER MONITORING / REMEDIATION STATUS REPORT PREPARATION\***

**Scope of Work:** This task consists of all personnel time to produce a status report summarizing all groundwater monitoring & sampling results and remediation activities as required by the regulatory case officer. Such reports are commonly prepared on a quarterly basis.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	12
Project Manager/ Senior Engineer/ Senior Geologist	Report preparation	45
Staff Engineer/Staff Geologist	Report Preparation	47
Administration/Clerical	Administrative support	12
Drafter	Drafting	23
<b>TOTAL HOURS FOR TASK</b>		<b>1219</b>

\*The above task table assumes a site has up to 12 monitoring wells and an active remediation system.

Activities included in total hours for above task:

- Summary of all site activities during reporting period (commonly quarterly)
- Data assimilation
- Regulatory agency liaison
- Administrative support
- Preparation and updating of contaminant plume maps and other figures as required by the regulatory case officer
- Discussion of remediation system performance
- Request for site closure, if appropriate
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- ~~Vehicle mileage, CEM in-house supplies, per diem & markup~~
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency
- Additional time to provide discussions regarding the results of limited assessment or remedial activities such as the installation of ~~one~~ wells, ~~or~~ the excavation of contaminated soil, **or monitoring system changes to optimize mass removal** (if not discussed in a separate stand-alone report).

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table (i.e. **site has only a few monitoring wells or no active remediation system**), the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task (i.e.**

| **more monitoring wells and large active remediation project), justification must be provided.**

**TASK F.6: REMEDIATION EQUIPMENT STATUS FORM PREPARATION**

**Scope of Work:** This task consists of all personnel time to complete a Remediation Equipment Status Form. **If requested by NDEP, this form is to be completed and submitted to Fund staff.** NDEP may request submittal of the form pursuant to the following circumstances:

- To provide a listing and status of all existing Fund-reimbursed remediation equipment at a site (packaged remediation systems, blowers, carbon canisters, etc.).
- Following the purchase of Fund-reimbursed remediation equipment.
- Following modification of an existing Fund-reimbursed remediation system.
- Following change in operator (claimant) of Fund-reimbursed remediation system.
- Following removal/decommissioning of Fund-reimbursed remediation equipment.

The Remediation Equipment Status Form is available at our website at:

<https://ndep.nv.gov/environmental-cleanup/petroleum-fund>

This task should be completed during a previously scheduled site visit.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Status Form preparation/review	0.5
Staff Engineer/ Staff Geologist	Status Form preparation	1
Administration/ Clerical	Word processing/administrative support	0.5
<b>TOTAL HOURS FOR TASK</b>		<b>2</b>

Activities included in total hours for above task:

- Photos of remediation equipment
- Complete descriptions and specifications of equipment
- Runtime and operational data assimilation
- Presentation of background information

Potential activities or items that should be added to above table, as necessary:

- In-house equipment usage (camera)

Assumes:

- Field activities are performed during a previously scheduled site visit.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK F.7: MEETINGS WITH REGULATORY AGENCY STAFF**

**Scope of Work:** This task consists of all personnel time to prepare for an NDEP requested meeting. Meetings may include project status meetings, remediation system optimization meetings, or other meetings requested by the NDEP and deemed appropriate to help move the project along towards closure. Meetings for these purposes may occur from project inception until a “No Further Action” is issued by NDEP. This task is not for use when meetings are not requested/required by NDEP staff or are required due to Facility operator noncompliance or recalcitrance.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review; project planning and coordination	1
Project Manager/ Senior Engineer/ Senior Geologist	Senior review; presentation development	6
Staff Engineer/Staff Geologist	Meeting management; coordination, NDEP communications; data assimilation and review	4
Administration/Clerical	Word processing, administrative support	1
Drafting	Drafting	2
<b>TOTAL HOURS FOR TASK</b>		<b>14</b>

Activities included in total hours for above task:

- Planning and coordination
- Data assimilation
- Regulatory agency liaison
- Administrative support
- Drafting support
- Coordination with other affected parties
- Presentation of electronic data (e.g., PowerPoint or other)
- Copies for handouts during meeting

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, travel time and meeting attendance
- For more complex sites, multiple sites with comingled plumes, or larger scale meetings provide justification for additional hours

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

## **G. SITE CLOSURE ACTIVITIES**

**TASK G.1: NO FURTHER ACTION REQUEST  
NO CONTAMINATION EXCEEDING STATE ACTION LEVELS**

**Scope of Work:** This task consists of all personnel time to produce a stand-alone report requesting a regulatory determination of no further action (NFA) with no known soil and/or groundwater contamination meeting or exceeding state action levels left in place. **This task will only be concurred with if documentation is provided that verifies the regulatory case officer has requested this information be provided in a stand-alone report as opposed to within another document (status report, site characterization report, etc.).**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Data compilation, report preparation	2
Staff Engineer/ Staff Geologist	Data compilation, report preparation	8
Drafter	Drafting	2
Administration/Clerical	Word processing/administrative support	2
<b>TOTAL HOURS FOR TASK</b>		<b>14</b>

Activities included in total hours for above task:

- Compiled data supporting NFA request
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Vehicle Mileage, CEM in-house supplies, per diem & vendor markup
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK G.2: NO FURTHER ACTION REQUEST  
CONTAMINATION EXCEEDING STATE ACTION LEVELS**

**Scope of Work:** This task consists of all personnel time to produce a stand-alone report requesting a regulatory determination of no further action (NFA) with known soil and/or groundwater contamination meeting or exceeding state action levels left in place. The report must present data pursuant to calculations and modeling that verify the groundwater contaminant plume will be remediated by natural attenuation before it migrates offsite or impacts sensitive receptors and/or known soil contamination will not impact groundwater or other sensitive receptors. See Task A.15 for modeling activities. **This task will only be concurred with if documentation is provided that verifies the regulatory case officer has requested this information be provided in a stand-alone report as opposed to within another document (status report, site characterization report, etc.).**

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Performing calculations, report preparation	7
Staff Engineer/ Staff Geologist	Performing calculations, report preparation	9
Drafter	Drafting	2
Administration/Clerical	Word processing/administrative support	2
<b>TOTAL HOURS FOR TASK</b>		<b>20</b>

Activities included in total hours for above task:

- Calculations and modeling results
- Compiled data supporting NFA request
- Revision to submittal if determined to be deficient by case regulatory officer

Potential activities or items that should be added to above table, as necessary:

- Vehicle Mileage, CEM in-house supplies, per diem & vendor markup
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**



### TASK G.3: SITE CLOSURE PRESENTATION PREPARATION Typical Site

**Scope of Work:** This task consists of all personnel time to produce a Site Closure Presentation summarizing all historic assessment, remediation and sampling activities into a package that requests an exemption from corrective actions for contaminated groundwater per NAC 445A.22725(2). The closure presentation is an interactive presentation between the CEM for the facility operator and NDEP Staff considering the request for a no further action determination. The presentation may be requested by NDEP following submittal and review of other site closure-related documents (see Task G.2). It is to be provided in a forum that allows discussion of how this site meets the exemption criterion.

SKILL LEVEL	ACTIVITIES	TOTAL HOURS
Principal	Senior Review	1
Project Manager	Project management, presentation package / report review	2
Staff Engineer/ Staff Geologist	Presentation Preparation	24
Clerical	Presentation preparation support, administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>28</b>

Activities included in total hours for above task:

- Data assimilation
- Regulatory agency liaison
- Preparation and updating of contaminant plume maps and other figures as required by the regulatory case officer
- Summary of all site activities during life of the project to include:
  - Site history;
  - Corrective action and remediation history;
  - Magnitude and extent of contamination;
  - Hydrogeologic setting and conditions;
  - Groundwater contaminant plume stability;
  - Amount of contaminant mass and concentration reduction;
  - Current contaminant concentrations and distribution; and
  - Potential receptors in the site vicinity and possible contaminant transport pathways.
- Request for NFA, if appropriate
- Preparation of an electronic deliverable (PowerPoint or similar technology) for presentation
- Administrative support
- Senior review
- Revision to submittal if determined to be deficient by regulatory case officer

Potential activities or items that should be added to above table, as necessary:

- Vehicle mileage, CEM in-house supplies, per diem & markup
- Revision of submittal if requested by regulatory agencies, including conditions unknown to CEM, or extenuating conditions requiring consideration as requested by the agency

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

### TASK G.4: COORDINATION OF PERMANENT WELL CLOSURE

**Scope of Work:** This task consists of all personnel time to coordinate the permanent closure of groundwater monitoring and/or remediation wells following receipt of a No Further Action determination from the implementing regulatory agency. This task is arranged into ~~two~~**three** sub-tasks. Project management, ~~set-up activities~~ **coordination of contractors and deliverables, and oversight of field activities** are summarized on an hourly basis in the table below.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Project management, regulatory liaison	2
Staff Engineer/ Staff Geologist	Coordinate field activities, <del>submit closure letter to Division of Water Resources</del> , submit & evaluate bids (if necessary), coordinate sub-contractors, coordinate waste disposal, <b>and submit well abandonment logs and closure letter to Division of Water Resources and NDEP</b>	<del>6</del> <b>10</b>
<b>Technician</b>	<b>Oversite of well abandonment activities*</b>	<b>8</b>
<b>TOTAL HOURS FOR TASK</b>		<b>820</b>

\* Field time for oversight of abandonment activities should be discussed with the regulatory case officer to determine whether or not a technician must be present for all or part of the well abandonment.

Activities included in total hours for above task:

- Soliciting and evaluating bids if contracted costs will meet or exceed \$6,000
- Coordinating field activities
- Coordinating site restoration (as result of well abandonment only - if necessary)
- Coordination/liaison with regulatory agencies
- Submittal of **well abandonment logs and** closure letter to Division of Water Resources **and NDEP**
- Travel time if site is located within metropolitan area of consultant
- Coordination of waste disposal
- Field oversight of well abandonment activities

Potential activities or items that should be added to above table, as necessary:

- Additional onsite observation activities if required by regulatory case officer
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup

Assumes:

- Wells abandoned in accordance with Nevada Administrative Code 534.420

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose**

~~Rev.: September 2017 — modification of Task J.1 and FFY18 travel and per diem rates~~ **Rev.: December 2018**

**additional time to perform this Task, justification must be provided.**

### TASK G.5: REMEDIATION SYSTEM DECOMMISSIONING AND SITE RESTORATION

**Scope of Work:** This task consists of all personnel time to coordinate the decommissioning/removal of project remediation system(s) and all associated equipment, and perform site restoration activities. This task assumes that field work will be performed by a sub-contractor **with oversight by the consulting company.**

REMEDICATION SYSTEM DECOMMISSIONING		
SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Regulatory liaison, project management	2
Staff Engineer/ Staff Geologist	Prepare, submit and evaluate bid packages (if necessary), coordinate equipment and waste disposal	6
<b>Technician</b>	<b>Oversight of remediation system decommissioning*</b>	<b>8</b>
<b>TOTAL HOURS FOR TASK</b>		<b>816</b>

\* Field time for oversight of decommissioning activities should be discussed with the regulatory case officer to determine whether or not a technician must be present for all or part of the remediation system removal.

Activities included in total hours for above task:

- Soliciting and evaluating bids if contractor costs will meet or exceed \$6,000
- Coordinating field activities
- Coordination/liaison with regulatory agencies
- Travel time if site is located within metropolitan area of consultant
- Coordination of equipment and waste disposal
- Field oversight of decommissioning activities

Potential activities or items that should be added to above table, as necessary:

- Additional onsite observation activities if required by regulatory case officer
- Additional time for system decommissioning/site restoration activities conducted by the CEM.
- Vehicle mileage, CEM in-house supplies, per diem & vendor markup
- Travel time if site is located outside metropolitan area of consultant: refer to Appendix B for discussion regarding reimbursable travel

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK G.6: SHAPEFILE PREPARATION**

**Scope of Work:** This task consists of all personnel time to prepare a shapefile. Shapefiles are required when groundwater contamination is left in place at the time of site closure.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Principal	Senior review	1
Project Manager/ Senior Engineer/ Senior Geologist	Data evaluation, senior review, regulatory liaison	2
Staff Engineer/Staff Geologist	Data evaluation, shapefile attribute table development, plume contour generation	3
Drafter	Shapefile development, GIS formatting, drafting	3
Administration	Administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>10</b>

Activities included in total hours for above task:

- Shapefile attribute table development
- Plume contour generation
- GIS formatting

Potential activities or items that should be added to above table, as necessary:

- If monitoring well coordinates consistent with the State of Nevada mandated NAD83 UTM Zone 11 North projection have not been collected, additional hours may be necessary to accomplish the task.

The NDEP requires only that the shapefile be compatible with ESRI ArcMAP. The shapefile can be developed and formatted using readily available freeware.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

## **H. NOT-TO-EXCEED PROPOSAL (NTEP) OR CHANGE ORDER PREPARATION**

**TASK H.1: NTEP PREPARATION**

**Scope of Work:** This task consists of all personnel time to produce an NTEP.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	NTEP preparation/review	1
Staff Engineer/Staff Geologist	NTEP preparation	2
Administration/Clerical	Word processing/administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>4</b>

Activities included in total hours for above task:

- Submittal of additional information if requested by NDEP

Potential activities or items that should be added to above table, as necessary:

- Additional time to prepare large-scope NTEPs. Examples include, but are not limited to, long-term (annual) NTEPs which propose sampling and monitoring tasks along with additional assessment activities, well installation, remediation system design/installation, etc.
- Time spent for preparation of “after the fact” NTEPs will not be recommended for payment unless concurred with by NDEP.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**



## TASK H.2: CHANGE ORDER PREPARATION

**Scope of Work:** This task consists of all personnel time to produce a Change Order summarizing and requesting additional work not discussed in an existing NTEP. A Change Order is prepared using NTEP task forms and is accompanied by a cover letter discussing the necessity for the additional work and any other pertinent information. The Change Order must clearly identify the existing NTEP it is associated with. Please see the discussion regarding Change Orders in Section 2.2 of this document.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Change Order preparation/review	1
Staff Engineer/Staff Geologist	Change Order preparation	2
Administration/Clerical	Word processing/administrative support	1
<b>TOTAL HOURS FOR TASK</b>		<b>4</b>

Activities included in total hours for above task:

- Submittal of additional information if requested by NDEP

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

## **I. PREPARATION OF APPLICATION FOR PETROLEUM FUND COVERAGE AND REIMBURSEMENT CLAIMS**

### TASK I.1: PREPARATION OF APPLICATION FOR PETROLEUM FUND COVERAGE

**Scope of Work:** This task consists of all personnel time for the preparation and submittal of an Application for Petroleum Fund coverage.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/Senior Geologist	Senior review	1
Staff Engineer/ Staff Geologist	Prepare Application for Petroleum Fund coverage	<del>35</del>
Administration/Clerical	Administrative/clerical support	<del>12</del>
<b>TOTAL HOURS PER SUBMITTAL</b>		<b><del>58</del></b>

Activities included in total hours for above task:

- Completion and submittal of all necessary forms, signatures and any other pertinent information
- Regulatory liaison
- Submittal of additional information if submittal is deficient

Potential activities or items that should be added to above table, as necessary:

- Additional time to prepare figures for large-scale releases
- Additional time to provide information to initially establish the claimant as a vendor to the State of Nevada
- Time to assemble additional information to support the application such as UST system leak detection or inventory data, copies of invoices/receipts from UST system maintenance/repair vendors, etc.

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

**TASK I.2: PREPARATION OF PETROLEUM FUND REIMBURSEMENT CLAIM**

**Scope of Work:** This task consists of all personnel time for the preparation and submittal of a reimbursement claim to the State of Nevada Petroleum Fund. **Reimbursement claims are commonly submitted on a quarterly basis to coincide with scheduled Board meetings.** If a claim is to be processed for a specific Board meeting, the claim must be complete, including all required signatures and supplemental documentation. The initial claim must be received by NDEP no later than 12 months following release discovery (see Board Policy Resolution #96-003, Amended). The final claim of the project must be received by NDEP no later than 12 months following the date of the regulatory agency-issued “No Further Action” letter.

SKILL LEVEL	ACTIVITIES	TOTAL HRS
Project Manager/ Senior Engineer/Senior Geologist	Senior review	1.5
Staff Engineer/Staff Geologist	Prepare Reimbursement Claim	3
Administration/Clerical	Administrative/clerical support	±3
<b>TOTAL HOURS PER SUBMITTAL</b>		<b>57.5</b>

Activities included in total hours for above task:

- Completion and submittal of all necessary forms,
- Regulatory liaison
- Submittal of additional information if requested by NDEP
- **Submittal of proof of payment documentation (e.g. vendor/contractor receipts, affidavits signed by the vendor/contractor, or credit card statements)**

Potential activities or items that should be added to above table, as necessary:

- Additional time to prepare claims requesting reimbursement for more than one quarter (three months) of activities

The CEM must propose the level of effort that will accomplish this Task. If this Task can be performed in less time than summarized in the above table, the reduced level of effort must be proposed. **If it is necessary to propose additional time to perform this Task, justification must be provided.**

## **J. INITIAL ABATEMENT ACTIVITIES**

**TASK J.1: INITIAL ABATEMENT FOR HEATING OIL TANK CLEANUP ACTIVITY**  
*Fund Coverage provided ONLY if a LUST/Corrective Action Case Number is Assigned*

**Scope of Work:** This task consists of all personnel time and maximum allowable contractor costs to conduct initial abatement work on heating oil tank removal and cleanup projects prior to engaging in standard cost controls established through NTEPs and bids. Because the CEM provides direct oversight of the contractor during this phase, it is the CEM’s responsibility to ensure the CEM costs and contractor costs are consistent with this task table. Detailed non-CEM invoices must be provided to NDEP in the reimbursement claim to support initial abatement costs. Details include, but are not limited to, contractor’s timesheets, daily activity logs and any transportation, lodging, equipment and/or rental costs. The soil disposal invoice must also be included.

To minimize safety concerns with having an open excavation and facilitate rapid initial abatement activities, the Fund will reimburse rapid turnaround results for laboratory analyses for soils that have apparent petroleum impacts. Rapid turnaround times should not be pursued if there are not obvious signs of a discharge to the environment. The initial abatement period ends once equipment used to remove the tank system(s) is demobilized from the site and/or the excavation is backfilled. If additional assessment and remediation work is required for the site, those activities must be requested through an NTEP and performed under regulatory case officer concurrence (refer to Appendix F).

SKILL LEVEL/ACTIVITY	ACTIVITY/COSTS	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Coordination Activities and Project Management	2
Staff Engineer/ Staff Geologist	Oversight of Excavation Activities and Generation of Required Reports	<del>17</del> 24
Technician or Staff Geologist	Prepare field equipment, recover samples from pit(s), decontaminate equipment, deliver or ship samples for analyses	24
Administration/Clerical	Word processing and administrative support	24
<b>Drafter</b>	<b>Drafting</b>	<b>2</b>
All Non-CEM Activities* (Not to include Tank Removal or Laboratory Analyses Costs)	[Soil Removed (tons)] x [Disposal Cost per ton**] x [3.75***] = <b>\$\$ Maximum Allowable Non-CEM Cost</b>  <b>Maximum Allowable Soil Removal = 48 tons (approximately 32 yards<sup>3</sup>)</b>	N/A
Tank Removal	\$2,000 maximum to defray removal costs (Applies only if a LUST/Corrective Action Case Number is Assigned to Project)	N/A
<b>TOTAL HOURS FOR TASK</b>		<b>2336</b>

\* Activities include, but are not limited to, excavating, transporting and disposal of impacted soil, importing and placement of backfill, site restoration and ALL supplemental charges

\*\* Actual Disposal Cost (no mark-up)

**\*\*\* Multiplier is the average contractor costs for Nevada heating oil projects based upon the amount of soil disposed from 2013 – 2015**

Typical activities included in total hours for above task:

- Coordination and oversight of excavation and backfilling of tank pit
- Collection of soil samples for analyses
- Time to deliver samples to laboratory or prepare shipping package
- Project management
- Travel time if site is located within metropolitan area of consultant
- Coordination of disposal of contaminated soils
- Consultant coordination of traffic control plan and placement of traffic barriers (if necessary)
- Vehicle mileage, CEM in-house supplies, per diem and vendor markup may be added to above table as necessary

#### **Additional considerations for the above task:**

- **Drafting hours in the task table above should be reserved for large heating oil tank system removal projects (e.g. schools, hospitals, casinos) that require detailed drawings to make informed decisions about closure or further remediation beyond the scope of this task. Drawings must be in a scaled electronic format and display the following: former tank and piping locations, sample locations and depth, surrounding structures, sensitive receptors where appropriate, and off-property impacts. These types of drawings are not typically associated nor required for small residential heating oil tanks (<1,100 gallon).**
- ~~If excavation beyond 32 cubic yards is required, the CEM must contact NDEP.~~ If the CEM believes the site can be closed by excavating a small amount beyond the **“maximum allowable soil removal” referenced in the J.1 table above** ~~allowable 32 cubic yards~~, he/she ~~may~~ **must** request written approval for a specific **tonnage**/volume of additional excavation from the regulatory case officer. Any additional excavation approved by the regulatory case officer, as part of initial abatement, must be invoiced using the same formula for Maximum Allowable Non-CEM Costs. If the regulatory case officer does not provide approval for the additional excavation, any further excavation is considered beyond the scope of initial abatement. As a result, the CEM must contact the regulatory case officer to initiate the required cost control measures established through a NTEP and bids, when the cost meets the bid criteria. Work beyond the scope of initial abatement must be conducted in accordance with a corrective action plan approved by the NDEP.
- In addition, if the volume of excavated soil is relatively small, forcing the maximum allowable Non-CEM costs down to a value that does not cover the actual Non-CEM expenses, the CEM may request that the regulatory case officer increase the maximum allowable cost to cover the actual expenses incurred.
- **If the site is located outside of the metropolitan area of the consultant, additional hours for consultant travel time (billed at technician rate), mileage, and per diem may be included with an initial abatement claim submittal. State mileage and per diem rates apply (Appendix B).**

**If this Task can be performed in less time than summarized in the above table, the reduced level of effort/hours must be applied. If it is necessary to propose additional time to perform this Task, justification must be provided and concurred with by the case officer.**





## TASK J.2: INITIAL ABATEMENT FOR REGULATED UNDERGROUND STORAGE TANK CLEANUP ACTIVITIES

**Scope of Work:** This task consists of all personnel time and maximum allowable contractor costs to conduct initial abatement work on discharges from regulated underground storage tank (UST) systems prior to engaging in standard cost controls established through NTEPs and bids. Initial abatement specifically includes the following: initial assessment immediately after UST removal (i.e. UST closure sampling required by the implementing agency); initial excavation of soils that have been confirmed by laboratory analysis to be above 100 mg/Kg for TPH and total greater than 3 cubic yards; further excavation of soils with apparent petroleum impacts caused by the removed USTs; and confirmation sampling following the removal of impacted soils. “Soils that have apparent petroleum impacts” must be evident by soils saturated with petroleum product, have elevated volatile organic compounds identified via field equipment (e.g. PID), or obvious petroleum staining with strong odor. Costs associated with excavation/disposal of soils and confirmation sampling will not be reimbursed if the initial UST closure samples are below NDEP action levels (i.e. petroleum contamination must be confirmed by laboratory analysis of the UST closure samples prior to excavation activities).

To expedite the UST closure sampling and post-excavation confirmation sampling, the Petroleum Fund (Fund) will reimburse rapid turnaround results for laboratory analyses for soils that have apparent petroleum impacts. Rapid turnaround times should not be pursued if there are not obvious signs of a discharge to the environment. The initial abatement period ends once equipment used to remove the tank system(s) is demobilized from the site and/or the excavation is backfilled. If additional assessment and remediation work is required for the site, those activities must be requested through an NTEP and performed under regulatory case officer concurrence (refer to Appendix F).

Because the CEM provides direct oversight of the contractor(s) during this phase, it is the CEM’s responsibility to ensure the CEM costs and contractor costs are consistent with the below task table. Detailed non-CEM invoices must be provided to NDEP in the reimbursement claim to support initial abatement costs. Details include, but are not limited to, contractor’s timesheets, daily activity logs and any transportation, lodging, equipment and/or rental costs. Invoices, manifests, and soil profile analyses required for soil disposal must also be included with the reimbursement claim(s). Note: A reimbursement claim for initial abatement costs associated with a regulated UST system cannot be submitted until a leaking underground storage tank (LUST) case officer/case number has been assigned and the Fund has approved coverage for the UST(s) that caused the discharge to the environment.

NDEP strongly recommends the CEM contact a LUST case officer/supervisor or Fund staff at the time the discharge is observed, and after the UST closure sample analytical results are received, to obtain verbal concurrence for initial abatement activities. If initial abatement activities need to occur during hours that NDEP offices are closed (weekends, holidays, etc.), the CEM should use their judgment to implement methods to expedite cleanup and minimize project costs. The above activities may be performed prior to Fund coverage being established for the facility; however, the CEM must understand and inform the operator that any costs incurred under this task shall be borne by the operator if reimbursement coverage is denied. Additionally, if coverage is granted with a reduction, reimbursement by the Fund for these initial abatement activities will be reduced. For additional information on reductions or potential denial of Fund coverage, please review **Fund Policy Resolution #94-023** at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-policy-resolutions>

SKILL LEVEL/ACTIVITY	ACTIVITY/COSTS	TOTAL HRS
Project Manager/ Senior Engineer/ Senior Geologist	Coordination Activities and Project Management	2
Staff Engineer/ Staff Geologist	Oversight of Excavation Activities and Generation of Required Reports	24
Technician or Staff Geologist	Prepare field equipment, recover samples from beneath tank system(s), decontaminate equipment, deliver or ship samples for analyses	6
Administration/Clerical	Word processing and administrative support	2
<u>All Non-CEM Activities*</u> (Not to include Laboratory Analyses Costs)	[Soil Removed (tons)] x [Disposal Cost per ton**] x [3.75***] = <u>\$\$ Maximum Allowable Non-CEM Cost</u>  Maximum Allowable Soil Removal = 210 tons (approximately 140 yards <sup>3</sup> )	N/A
<b>TOTAL HOURS FOR TASK</b>		<b>34</b>

\* Activities include, but are not limited to, additional excavation following initial UST closure sampling; transport and disposal of impacted soil; import and replacement backfill for excavated petroleum impacted soils; and ALL supplemental charges

\*\* Actual Disposal Cost (no mark-up)

\*\*\* Multiplier is for contractor costs for removal, transport, and disposal of petroleum impacted soils

**Typical activities included in total hours for above task:**

- Coordination and oversight of excavation and sampling activities
- Coordination and oversight for backfill activities
- Coordination and oversight of disposal/treatment of contaminated soils
- Collection of all soil samples for analyses
- Time to deliver samples to laboratory and/or prepare shipping package
- Project management
- Travel time if site is located within metropolitan area of consultant
- Consultant coordination of traffic control plan and placement of traffic barriers (if necessary)
- A description and incorporation of initial abatement activities within the UST closure report

**Additional considerations for the above task:**

- If the CEM believes the site can be closed by excavating an small amount beyond the “maximum allowable soil removal” referenced in the J.2 table above, he/she must request written approval for a specific tonnage/volume of additional excavation from the regulatory case officer or supervisor. Any additional excavation approved by a regulatory case officer/supervisor or Fund staff, as part of initial abatement, must be invoiced using the same formula for Maximum Allowable Non-CEM Costs. If regulatory approval for the additional

excavation is not provided, any further excavation is considered beyond the scope of initial abatement and the CEM must contact the regulatory case officer to initiate the required cost control measures established through a NTEP and bids. Work beyond the scope of initial abatement must be conducted in accordance with a corrective action plan approved by the NDEP.

- If the volume of excavated soil is relatively small, forcing the maximum allowable Non-CEM costs down to a value that does not cover the actual Non-CEM expenses, the CEM may request that NDEP increase the maximum allowable cost to cover the actual expenses incurred.
- If the site is located outside of the metropolitan area of the consultant, additional hours for consultant travel time (billed at technician rate), mileage, and per diem may be included with an initial abatement claim submittal. State mileage and per diem rates apply (Appendix B).
- CEM in-house supplies necessary for field sample screening (e.g. PID) may be claimed under this task in accordance with rates provided in Appendix A

If this Task can be performed in less time than summarized in the above table, the reduced level of effort/hours must be applied.

**APPENDIX A**  
**CEM IN-HOUSE CHARGES**

NDEP will recommend reimbursement for the following CEM-owned in-house materials and rental equipment, not to exceed the below summarized costs, only. Proposed costs for items that do not appear in the tables should be calculated using the CEM Equipment Usage Rate Calculation provided in Appendix C. A CEM usage log must accompany each claim requesting reimbursement for all in-house equipment rental and materials costs. **Because allowable state rates are subject to change, NDEP urges the CEM to contact Fund staff at (775) 687-9368 or check our website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> for the latest information regarding allowable rates.**

CEM IN-HOUSE EQUIPMENT RENTAL	
EQUIPMENT	RATE/DAY
PID - OVM	\$100
Sampling Pump (Including Decon Materials)	\$25
Variable-Flow Purge Pump (Including Decon Materials)	\$95
pH/Conductivity/Temp Meter	\$25
Dissolved Oxygen Meter	\$25
Water Level Meter	\$25
Anemometer	\$25
Redox Meter	\$25
Air Sample Pump	\$25
Air Sample Bag	\$10
Oil/Water Interface Probe	\$50
Data Logger (Including Transducers)	\$125
Portable Generator	\$50
Purge Bailer	\$10
Hand Auger	\$10
Digital Camera	\$10
Hydrogen Peroxide Injection Wagon	\$110

Note:

NDEP has not established usage rates for specialized equipment (e.g. “multi meters”, “flow through cells”, etc.) due to their variable natures and costs. If this type of equipment will be used, please refer to Appendix C to establish a usage rate.

CEM IN-HOUSE MATERIALS	
MATERIALS	COST
Disposable Bailer (Each)	\$9
55-Gallon Drum (Each)	\$50
Tyvek Coveralls (Each)	\$9
<b>Disposable Sampling Tubing (Per foot)</b>	<b>\$0.33</b>

**APPENDIX B**  
**CEM TRAVEL AND PER DIEM RATES**

### CEM TRAVEL AND PER DIEM RATES

Meal, lodging, CEM vehicle mileage, and travel expenses will be recommended for reimbursement pursuant to allowable state rates only. To request these expenses for reimbursement, the claim must include information specifying the following:

- Number of CEM staff associated with each individual per diem request per day (e.g., two people for one night lodging @ \$94/night; dinner for two people @ \$23/dinner, etc.)
- Number and type (i.e. breakfast, lunch, dinner) of meal(s)
- Number of nights claimed for lodging, with associated receipts.

For rental vehicles, NDEP will reimburse for either vehicle mileage (as summarized below) or the actual cost of the rental. Actual vehicle rental fees must be requested as non-CEM costs. Additionally, justification for the usage of a rental vehicle rather than a CEM-owned vehicle must be provided. ~~The following tabulated amounts are pursuant to allowable state rates as of January 1, 2011. Because allowable state rates are subject to change, NDEP urges the CEM to contact this office at (775) 687-9368 or check our website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund> for the latest information regarding allowable rates.~~

<b>CEM TRAVEL/PER-DIEM RATES</b>		
<b>ITEM</b>	<b>RATE AS OF OCTOBER 1, 2017</b>	<b>ACTUAL RATE</b>
<del>Lodging (standard rate – excluding room tax &amp; fees)</del>	<del>\$93 per night</del>	<del>Visit Website for Current Rate</del>
<del>Breakfast</del>	<del>\$11</del>	<del>Visit Website for Current Rate</del>
<del>Lunch</del>	<del>\$12</del>	<del>Visit Website for Current Rate</del>
<del>Dinner</del>	<del>\$23</del>	<del>Visit Website for Current Rate</del>
<del>Incidentals (tips)</del>	<del>\$5</del>	<del>Visit Website for Current Rate</del>
<del>Mileage (personal, rental or company vehicle)</del>	<del>\$0.54 per mile</del>	<del>Visit Website for Current Rate</del>

~~Because allowable state rates are subject to change, NDEP urges the CEM to contact Fund staff at (775) 687-9368 or check our website at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates> for the latest information regarding allowable rates.~~

#### PER DIEM REIMBURSEMENT:

- Receipts are not necessary for meals.
- **Receipts are necessary for lodging.**
- Lodging room tax and misc. fees are reimbursable.

**LODGING:** NDEP's reimbursement recommendation policy for CEM lodging expenses is as follows:

- **Nevada-Based CEMs:** NDEP will recommend reimbursement for lodging associated with

~~Rev.: September 2017 – modification of Task J.1 and FFY18 travel and per diem rates~~ Rev.: December 2018

sites located 50 miles or more from the CEM's office, unless the site is located in the Las Vegas, or Reno-Carson City areas.

- **Out-of-State CEMs:** NDEP will recommend reimbursement for lodging associated with sites located 50 miles or more from the Las Vegas or Reno-Carson City areas only.

**MEALS:** NDEP's reimbursement recommendation policy for CEM meal expenses is as follows:

- **Nevada-Based CEMs:** NDEP will recommend reimbursement for meals associated with sites located 50 miles or more from the CEM's office, unless the site is located in the Las Vegas, or Reno-Carson City areas.
- **Out-of-State CEMs:** NDEP will recommend reimbursement for meal costs associated with sites located 50 miles or more from the Las Vegas or Reno-Carson City areas only.

**TRAVEL:** NDEP's reimbursement recommendation policy for CEM vehicle mileage and travel costs is as follows:

**Nevada-Based CEMs:** Vehicle mileage costs will be recommended for reimbursement for project-related travel, with the following exceptions/specifications:

- If an operator with a project site located within the Las Vegas or Reno-Carson City metropolitan areas elects to contract a non-local CEM, the CEM's vehicle mileage costs accrued from their out-of-town office to the project site will not be recommended for reimbursement.
- Air travel and vehicle rental costs associated with sites located outside the metropolitan area of the CEM will be recommended for reimbursement. Justification for renting a vehicle or traveling by air must be provided with each claim. Please note that air fare and rental car fees must be requested as non-CEM costs.

#### **Out-of-State CEMs:**

- Costs associated with out-of-state travel (from a CEM office located outside the state to a site in Nevada) are not reimbursable.
- Vehicle mileage or airline ticket costs associated with traveling to a site located in the Las Vegas or Reno-Carson City areas will not be recommended for reimbursement.
- Vehicle mileage costs associated with traveling to a rural Nevada site (outside the Las Vegas or Reno-Carson City metropolitan areas) will be recommended for reimbursement, beginning from the closest metropolitan area to the site.
- Project-related vehicle mileage costs within the area of the site will be recommended for reimbursement.
- Rental vehicle costs for work performed in the Las Vegas or Reno-Carson City areas will **not** be recommended for reimbursement.
- Rental vehicle costs for work performed in rural Nevada sites will be recommended for reimbursement, beginning from the closest metropolitan area to the site. Justification for using a rental vehicle must be provided with any reimbursement claim.

Note: For all projects receiving reimbursement from the State of Nevada Petroleum Fund, the CEM must analyze cost efficiency regarding field work performed at remote sites. The efficiency of costs associated with per diem (lodging and meals in the project town, or the town located closest to the project site) must be evaluated against costs



which will be accrued traveling to and from the site on a daily basis, and staff overtime hours. Analyses and justification of such costs must appear in the NTEP.

**APPENDIX C**  
**CEM EQUIPMENT USAGE RATE CALCULATION**

### CEM EQUIPMENT USAGE RATE CALCULATION

NDEP will not recommend reimbursement for the purchase of CEM in-house equipment. The below calculation is provided to facilitate the reimbursable usage rate for CEM equipment that is not listed in Appendix A. Examples may include low-flow groundwater sampling equipment, multi-meters, etc.

- Cost of equipment X 1.5 (to allow for overhead and maintenance) = adjusted cost
- Adjusted cost/500 hours = hourly rate
- Hourly rate X 8 hours = daily rate
- Hourly rate X 35 hours = weekly rate
- Hourly rate X 100 hours = monthly rate

#### **Example:**

- \$1,000 piece of equipment
- \$1,000 X 1.5 = \$1,500
- \$1,500/500 hours = \$3/hour; \$3 X 8 hours = \$24/day
- \$3 X 35 hours = \$105/week; \$3 X 100 hours = \$300/month

The CEM must ~~provide NDEP with a written~~ **submit an equipment usage** request **via the online database** to establish the usage rate for the equipment. The request must include the type of equipment, a description, **a serial number, the cost, the original invoice number, the original invoice date, and** applicable invoice(s) or receipt(s). **The database will show** proposed rates pursuant to the above calculations. ~~NDEP's written concurrence with the~~ **will concur electronically. The** newly established rates must be ~~provided~~ **selected for use** with each NTEP and ~~reimbursement claim~~ **displayed on each invoice** on which the equipment is listed.

The above method is only to be used for equipment owned and operated by CEMs. NDEP urges CEMs to purchase the equipment necessary to conduct business. **If a CEM consistently rents commonly-used equipment from a rental company, NDEP will recommend reimbursement for no more than the rates listed in Appendix A.**

**APPENDIX D**

**NTEP SUBMITTAL ~~FORMS &~~ INSTRUCTIONS**

## NTEP SUBMITTAL ~~FORMS &~~ INSTRUCTIONS

NTEPs must be submitted **online, using** the ~~forms supplied on pages D-4 (Nevada Environmental Activities system. This will automatically produce electronic versions of the NTEP Cover Sheet and NTEP Task Submittal Form or representative reproductions thereof.~~ Each proposed task will be summarized in a separate NTEP Task ~~Submittal Form~~ table. The NTEP Cover Sheet form will summarize the total proposed NTEP amount. Please refer to Section 2 of this document for NTEP filing instructions.

### NTEP TASK SUBMITTAL ~~FORM~~

#### Petroleum Fund Case ID Number:

Select the case number assigned by the Petroleum Fund staff.

#### Petroleum Fund Cost Guidelines Task Number:

~~Provide~~Select the Task Number of the proposed task (A.6, E.2, etc.). ~~If the~~ proposed task does not correlate to a Cost Guidelines Task, ~~indicate a~~select "Misc." and provide a complete description of the proposed activities.

#### ~~Petroleum Fund Case ID Number:~~

~~Provide the case number assigned by Petroleum Fund staff pursuant to an Application for Coverage.~~

#### Facility ID Number:

Provide the NDEP-assigned State Facility identification number.

#### CEM-Assigned NTEP Tracking Number:

CEM-assigned tracking numbers provide a direct link between each NTEP and its associated claim(s). Provide a unique CEM-assigned tracking number for each NTEP. **If a unique identifier is not chosen by the CEM, the system will automatically assign a number.** Each **CEM cost requested for** reimbursement must ~~refer to only one~~reference a specific NTEP by ~~providing~~selecting the NTEP tracking number ~~on the CEM Costs Invoice Itemization Sheet(s) during claim input.~~

#### Task Description:

**Each task description is auto-populated with the standardized text from this guidelines document. If specific detail is required, or if the CEM is utilizing a miscellaneous task, a detailed description of the proposed task can be entered.** If the NTEP is provided for tasks scheduled pursuant to a timeline or schedule, provide start and end dates (e.g. quarterly groundwater sampling for calendar year 2019, etc.).

#### CEM Skill Level, In-House Equipment, Vehicle Mileage, Per Diem, or Outside Contractor Markup:

- CEM activities: ~~Enter~~Select the staff level (Project Manager, Staff Geologist, etc.)

~~Rev.: September 2017 modification of Task J.1 and FFY18 travel and per diem rates~~Rev.: December 2018

- In-house equipment: Identify proposed equipment to be used (sampling pump, disposable bailers, pH meter, etc.)
- CEM vehicle mileage: ~~Enter “vehicle”~~ Select “mileage”
- Per Diem: Enter type of per diem (meals, lodging, etc.)
- Outside contractor markup: Identify type/name of outside services (markup on soil disposal, etc.)

Refer to Appendix A for acceptable CEM in-house equipment rates. If CEM in-house equipment is to be used that is not listed in Appendix A, refer to Appendix C for usage rate calculation instructions. Refer to ~~Appendix B for State~~ <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates> for State approved per diem/vehicle mileage rates and **Appendix B for State** travel policies.

### **Rate:**

List the appropriate rates, as follows:

- Hourly rate (cost) for CEM staff
- Cost of in-house equipment per proposed unit (hour, day, etc.)
  - ~~NTEPs which propose equipment~~ **Equipment** rates calculated pursuant to Appendix C must be ~~accompanied with NDEP’s written concurrence for~~ **submitted and approved by Fund staff via the ~~rate~~online system prior to submittal of the NTEP.**
- Cost per mile for vehicle mileage
- Cost for meal(s) or lodging per proposed unit (meal, day, etc.)
- Percentage of markup requested, up to 15%

### **Total Units:**

List the number of proposed units as follows:

- Hours of proposed CEM staff time
- Units of in-house equipment usage (hours, days, etc.)
- Number of proposed vehicle miles
- Meal (breakfast, lunch, dinner), day(s) (lodging), etc.
- Cost of non-CEM invoice being requested for markup

### **Description of Activities:**

Present descriptions as follows:

- CEM staff: Activities proposed to be conducted (report preparation, permit application submittal, remediation system maintenance, etc.)
- Reason for usage of in-house equipment: Groundwater sampling, etc.
- Estimation and justification of vehicle mileage: Round-trip to site for groundwater sampling, etc.
- Quantification of per diem: 2 dinners for 1 staff, two days, etc.
- Service provided by vendor that is marked up

**Proposed Cost:**

~~List the~~**The** total cost of each proposed line item ~~(rate x units)~~**will be listed on the database output forms**

**Total Proposed Task Amount:**

Total proposed cost of task (sum of Proposed Cost column) **will be produced on the database output forms.**

**Justification for Task Cost Overage or Non-Usage of Cost Guidelines Task:**

Complete justification must be provided if the proposed task hours exceed those summarized in the appropriate task table in the Cost Guidelines document. Complete justification must also be supplied if the CEM is proposing a task that does not appear in the Cost Guidelines document.

**If a CEM anticipates any task will be completed in less time than summarized in a Guideline Task Table in this document, NDEP requires that the reduced level of effort is proposed.**

**NTEP COVER SHEET**

**Petroleum Fund Case ID Number:** \_\_\_\_\_

**Facility ID Number:** \_\_\_\_\_

**CEM Assigned NTEP Tracking Number:** \_\_\_\_\_

<b>PETROLEUM FUND TASK NO.</b> (Attach each appropriate NTEP Task Submittal form)	<b>PROPOSED TASK AMOUNT</b>
<b>TOTAL PROPOSED NTEP AMOUNT:</b>	

~~I have reviewed and understand the proposed costs summarized in this proposal. I understand that I am responsible for any proposed costs not recommended for reimbursement by the State of Nevada Petroleum Fund staff, and which I have agreed with the CEM are appropriate to incur, and/or have directed to incur such costs on the subject project.~~

\_\_\_\_\_  
 Claimant Signature and Date

~~I hereby attest that the above tasks are associated with the above-referenced Petroleum Fund Case and that the attached NTEP Task Submittal Forms were prepared using the State of Nevada Petroleum Fund CEM Cost Guidelines.~~

\_\_\_\_\_  
 CEM Signature and Date



**Petroleum Fund Case ID:** \_\_\_\_\_ **Facility ID:** \_\_\_\_\_

**CEM NTEP Tracking:** \_\_\_\_\_ **Guidelines**

Task No.	Description	Quantity	Proposed Amount
A.1	A.1 - ASSESSMENT OF SITE CONDITIONS PURSUANT TO RELEASE DISCOVERY	1	\$1,855.00
A.2	A.2 - WORK PLAN PREPARATION SITE CHARACTERIZATION (SMALL)	1	\$1,250.00
A.5	A.5 - HEALTH AND SAFETY PLAN PREPARATION	1	\$725.00
H.1	H.1 - NTEP PREPARATION	1	\$390.00
L.2	L.2 - PREPARATION OF PETROLEUM FUND REIMBURSEMENT CLAIM	1	\$435.00
<b>Total Proposed NTEP Amount:</b>			<b>\$4,655.00</b>

I have reviewed and understand the proposed costs summarized in this proposal. I understand that I am responsible for any proposed costs not recommended for reimbursement by the State of Nevada Petroleum fund staff which I have agreed with the CEM are appropriate to incur, and/or have directed to incur such costs on the subject project.

\_\_\_\_\_  
Owner/Operator (Claimant) Signature and Date

I hereby attest that the above tasks are associated with the noted Petroleum Fund Case ID cleanup project and that the attached NTEP Task Submittal Forms were prepared using the State of Nevada Petroleum Fund CEM Cost Guidelines.

\_\_\_\_\_  
CEM Signature and Date

**NTEP TASK SUBMITTAL FORM**  
**Petroleum Fund Cost Guidelines Task Number:** \_\_\_\_\_

**Petroleum Fund Case ID Number:** \_\_\_\_\_ **Facility ID Number:** \_\_\_\_\_

**CEM Assigned NTEP Tracking Number:** \_\_\_\_\_

**Task Description (Including Start Date & End Date):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<b>CEM SKILL LEVEL, IN-HOUSE EQUIP, VEHICLE MILEAGE, PER-DIEM, OR OUTSIDE CONTRACTOR MARKUP</b>	<b>RATE</b>	<b>TOTAL UNITS</b>	<b>DESCRIPTION OF ACTIVITIES</b>	<b>PROPOSED COST</b>

<b>TOTAL PROPOSED TASK AMOUNT</b>					

**Justification for Task Cost Overage or Non-Usage of Cost Guidelines Task:**

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<b>Petroleum Fund Cost Guidelines Task Number: A.1</b>					
<b>Petroleum Fund Case ID Number:</b>			<b>Facility ID:</b>		
<b>CEM NTEP Tracking:</b> Guidelines					
<b>Task Description:</b> A.1 - ASSESSMENT OF SITE CONDITIONS PURSUANT TO RELEASE DISCOVERY					
Cost Item	Rate	Units	Unit Type	Duties	Proposed Cost
Administrative Assistant	\$25.00	2.0000	Total Hours	Administrative support	\$50.00
Project Manager	\$95.00	10.0000	Total Hours	Regulatory liaison, information compilation & submittal	\$950.00
Senior Manager	\$105.00	1.0000	Total Hours	Senior Review	\$105.00
Staff Geologist	\$75.00	10.0000	Total Hours	Information compilation & submittal	\$750.00
<b>Quantity:</b>					<b>1</b>
<b>Total:</b>					<b>\$1,855.00</b>

**APPENDIX E**  
**REIMBURSABLE VERSUS NON-REIMBURSABLE COSTS**

## **REIMBURSABLE VERSUS NON-REIMBURSABLE COSTS\***

\*All information previously included in Board Resolution #96-004 has been included in this appendix.

Costs that are eligible for reimbursement are referred to as “eligible costs”, which are costs that are directly associated with assessment and remediation activities that are authorized or concurred with by the regulatory case officer. With the exception of initial abatement or emergency abatement, activities directly associated with regulatory agency required work are to be proposed in Work Plans and/or NTEPs, and concurred with by the regulatory case officer. Therefore, this document provides examples of common tasks directly associated with assessment and remediation. CEM equipment (meters, pumps, etc.), materials (disposable bailers, 55-gallon drums, etc.), and travel costs (vehicle mileage, meal and lodging per diem) are reimbursable at the rates listed in Appendices A and B.

Ineligible costs are not reimbursable, and are associated with activities not specifically concurred with by the regulatory case officer. Examples of ineligible costs include additional activities required by the claimant to be conducted for their convenience but not directly associated with assessment or remediation (e.g., rush turn-around fees on laboratory analyses **not specifically allowed by a Task Table**, the rental of bins to store excavated soil instead of staging it onsite, hiring an out-of-state consultant, using a non-local “preferred contractor” for waste disposal which charges more than known local vendors, etc.).

**Assessment and remediation costs that will be recommended for reimbursement include but are not limited to:**

1. The cost of a specific item or service **for which a regulatory case officer has provided concurrence**, plus eligible markup. Please refer to Appendix H for a discussion regarding reimbursable markup.
2. State reimbursement rates for CEM equipment and materials usage, vehicle mileage and per diem, as summarized in Appendix B.
3. Usage rates for CEM equipment that is not listed in Appendix A, which have been calculated pursuant to Appendix C. Please note that Fund staff must review and approve all usage rates calculated pursuant to Appendix C.
4. Shipping costs for laboratory samples and remediation equipment.
5. Up to 15% markup on the first \$3,000 in cumulative laboratory analytical costs.
6. Claimant-provided goods and services at cost. A claimant cannot profit from providing goods and services.
7. Well vault replacement will be considered if it can be verified that the damage is from normal wear and tear.

**Costs associated with the following services will not be recommended for reimbursement:**

### **Ineligible Costs:**

1. Supplies that the CEM requires to perform daily business such as office equipment (computers, software, copiers, etc.), purchase of in-house field equipment which is subsequently invoiced based on a usage rate, work clothing, fuel for company vehicles, tools necessary to maintain and repair remediation systems (wrenches, saws, etc.).

2. CEM or claimant attendance at training classes, workshops or seminars.
3. CEM usage fees for office equipment such as computers and copiers.
4. Phase I **and II** Environmental Site Assessments for real estate transactions.
5. Confirmation of a UST system release, such as the performance of voluntary assessment activities, release confirmation lab analyses, voluntary UST system removal, etc.
6. Relocation of inhabitants (may be reimbursable if third party claimant).
7. Site restoration due to issues not associated with remediation, unless concurrence is provided by the Fund.
8. UST system repairs or upgrades.
9. Assessment and/or remediation activities that have not been authorized by the regulatory case officer **(excludes initial/emergency abatement)**.
10. Activities, equipment or materials which are solely for the convenience of the claimant, such as additional fees attributed to using an out-of-state CEM, non-regulatory required rush lab turn around fees, replacement of wells due to site improvements (construction, site facility demolition and re-building, etc.).
11. Demolition or replacement of site structures or appurtenances unless concurred with by the regulatory case officer to facilitate efficient and less costly remediation methods (e.g., removing an abandoned structure to allow contaminated soil excavation, etc.).
12. Non-justified initial/emergency abatement as discussed in Appendix F, and as determined by the regulatory case officer.
13. UST system removal costs unless required by the regulatory case officer to facilitate site remediation.
14. Remediation equipment or well damage caused by weather unless concurred with by Fund staff.
15. Release source identification.
16. The additional costs associated with goods or services provided by out-of-state suppliers when similar goods or services are available locally, including non-local CEM costs (claimant's convenience).
17. Activities, equipment, and materials necessary to maintain compliance with UST operating regulations such as precision tightness testing, the purchase and maintenance of leak detection equipment, etc.
18. Well vault replacement for reasons other than normal wear and tear.
19. Costs attributable to a non-justifiable delay in clean-up.
20. Activities that pre-date the discharge discovery date.
21. Deposits or payments subject to a refund (e.g., drums used to contain hydrogen peroxide)
22. Insurance (equipment insurance, etc.).
23. Refundable fees, including those to carry bonds.
24. Laboratory analyses that are not required by the regulatory case officer (TPH analysis of groundwater samples, etc.).
25. Petroleum Fund Board meeting attendance, unless directed by the Board or the regulatory case officer.
26. Excavation/transportation of material that is not associated with assessment and remediation activities.
27. Rush laboratory turnaround fees, which have not been authorized by the regulatory case officer **or specified within a Task Table**.

**Non-Reimbursable Expenditures:**

1. Absence of 3 bids or usage of a vendor who was not the lowest bidder in a situation where bidding was required pursuant to NAC ~~590.760~~ **445C.270.4(e)**, unless good cause is provided and concurred with by the regulatory case officer.
2. Additional costs associated with contracting a vendor who was not the lowest bidder with no justification provided.
3. Repeating a previously contracted service where the original service was done incorrectly (e.g. **remediation system pilot tests**, replacement of a groundwater monitoring well initially installed with the screened interval above the water table including associated CEM oversight costs).
4. CEM equipment usage and travel rates which exceed those listed in Appendices A & B. Because these rates are commonly adjusted, it is important to check the Fund web page for updates at <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/cost-guidelines-rates> on a regular basis.
5. Alcoholic beverage purchases.
6. Costs for which the claimant was not actually charged.
7. Costs which exceed 5% or \$3,000, whichever is less, of the concurred upon NTEP.
8. Duplication or overlap of CEM efforts, including getting new CEM “up to speed”
9. Rental of land or storage space unless approved by Fund staff.
10. Recurring charges not justified (remediation equipment that is repeatedly serviced for the same problem and charged, but not corrected, etc.).
11. Rental of remediation system and associated equipment, if the system is not running, unless concurred with by the regulatory case officer.
12. Operations and monitoring of a non-operating remediation system.
13. Operating costs of a remediation system not installed as per the approved work plan unless concurred with by the regulatory case officer.
14. Assessment and remediation of contamination due to product delivery overfill or spill events.
15. Document shipping.
16. Activities, equipment, or materials necessary to repair or replace remediation equipment or wells which have failed or become damaged due to faulty installation or construction, faulty operation, vandalism, theft, auto wrecks, etc.
17. Repair or replacement of equipment that is covered by a warranty.
18. Costs for the purchase or rental of remediation equipment that has been previously paid for under another Petroleum Fund case. (NDEP will not pay for equipment more than once).
19. Monthly utility costs and fees other than that used for remediation system operation or system downtime unless concurred with by the case officer.
20. Costs for removing imported backfill material which is determined to be contaminated.
21. Costs for the replacement or retrofitting of a water supply well due to contamination caused by the release or due to remediation activities, unless concurred with by NDEP.

**Reimbursement Claim Deficiencies:**

1. Documentation (invoices, receipts, usage logs, etc.) that does not substantiate the requested

- reimbursement amount.
- 2. Duplicate charges.
- 3. Unclear or unreadable backup documentation (invoices, receipts, usage logs, etc.).

**Travel Costs:**

- 1. Usage of a rental vehicle, unless justification is provided.
- 2. CEM per-diem expenses for travel of less than 50 miles from their office.
- 3. Use of personal or company vehicle charged on a basis other than mileage. CEM costs for vehicle usage on an hourly or daily basis are not reimbursable.
- 4. Fuel for CEM vehicles.

**Non-Fund Eligible Petroleum Tank Release Sources:**

Costs to assess and clean up petroleum tank releases pursuant to the following are not qualified for Fund coverage, and therefore not reimbursable:

- 1. Releases resulting from a lack of spill prevention equipment.
- 2. Releases resulting from the known operation of a petroleum storage tank system with faulty spill prevention equipment if not repaired or replaced pursuant to regulatory agency directives.
- 3. Releases resulting from a lack of overfill prevention equipment.
- 4. Releases resulting from the known operation of a petroleum storage tank system with faulty overfill protection equipment, if not repaired or replaced pursuant to regulatory agency directives.
- 5. Product dispenser releases which emanate from above the shear valve (NAC ~~590.710~~**445C.210.1**(g)).
- 6. Releases which emanate from petroleum storage tank systems which are not enrolled in the Fund at the time of release discovery (NAC ~~590.730~~**(445C.240.4)**).
- 7. Petroleum storage tank system releases which were discovered prior to the establishment of the Fund.
- 8. Releases caused from petroleum storage tank system, operator, or vendor neglect.
- 9. Releases caused by vandalism.
- 10. Releases from failed petroleum storage tank components which are covered under a manufacturer or vendor warranty.
- 11. Releases from heating oil tanks in which the release was discovered after the tank was filled with slurry or grout.
- 12. Releases from subsidiary “day tanks” attached to a regulated UST system, unless the “day tanks” are enrolled separately.
- 13. Releases in which the source has not been repaired, replaced, or permanently removed from service.
- 14. Releases in which the tank system was enrolled at the time when the site was under investigation or was required to be investigated
- 15. Releases in which noncompliance was the proximate cause of the release. (Board Resolution No. 94-023).

**APPENDIX F**  
**REMEDICATION PURSUANT TO INITIAL/EMERGENCY ABATEMENT**



**REMEDICATION PURSUANT TO INITIAL/EMERGENCY ABATEMENT:**

In many cases, assessment and remediation of contamination **associated with a leaking storage tank system is accessible and** may be conducted immediately following release discovery (i.e. tank system removal). **If a CEM can make the determination that a confirmed release has occurred as evidenced by laboratory analytical results (i.e. TPH greater than 100 mg/Kg) and greater than 3 cubic yards of soil is impacted,** the CEM should request authorization from the NDEP to excavate and dispose of contaminated soil in accordance with **Task Tables J.1 and J.2,** using equipment already located onsite. **The CEM must also report the confirmed release to NDEP within 24 hours through the spill/complaint hotline at 1-888-331-NDEP / 775-687-9485 or an electronic spill report may be filed on our website at: <https://nevadaenvironmentalactivities.ndep.nv.gov/Default.aspx> (click the “Report a Spill” link on top of the page).**

**Following excavation of soils with apparent petroleum impacts, soil confirmation samples must be recovered from the excavation. Samples must be analyzed for TPH and other constituents appropriate for the substance(s) stored in the leaking tank system (BTEX, Naphthalene, etc.). Rapid laboratory turnaround results may be reimbursed to facilitate backfill of the excavation when safety concerns are evident.** Pursuant to site specific constraints and analytical results of the confirmation samples, the **above activities** may **allow the CEM** to request a no further action determination.

**If initial/emergency abatement activities need to occur during hours that NDEP offices are closed (weekends, holidays, etc.), the CEM should use their judgment to implement methods to expedite cleanup and minimize project costs. The initial/emergency abatement period ends once equipment is demobilized from the site and/or the excavation is backfilled. If additional assessment and remediation work is required for the site, those activities must be requested through an NTEP and performed under regulatory case officer concurrence.**

**Because initial/emergency abatement occurs prior to a LUST case (and possibly Fund coverage) being established, an NTEP is not necessary.** Please refer to Guidelines Section 1.7.6.

~~In many cases, assessment and remediation of contamination which has emanated from heating oil or waste oil storage tank systems may be conducted immediately following release discovery (most commonly, tank removal). Because of the thick, viscous nature of heating and waste oils, contamination very rarely migrates far from the tank system or contaminates groundwater.~~

~~Immediately following release discovery, if it can be determined that a Confirmed Release has occurred or a reportable quantity of soil with contaminant concentrations exceeding State action levels exists, the CEM should immediately contact the implementing regulatory agency and NDEP Spill line. The CEM should request authorization from the implementing regulatory agency to excavate and dispose of contaminated soil in accordance with regulatory directives using equipment already located onsite. Soil confirmation samples can then be recovered from the excavation. Pursuant to site specific constraints and analytical results of the confirmation samples, the CEM may be able to request a no further action determination. If such activities need to occur during hours that implementing regulatory offices are closed (weekends, holidays, etc.), the CEM should use their judgment to implement methods to expedite cleanup and minimize project costs.~~

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~~In this case, because remediation was performed as “initial/emergency abatement”, no NTEP is necessary. Please refer to Guidelines Section 1.7.6.~~

~~For Heating Oil tank initial abatement, Please refer to Task Table J.1.~~

### **NTEPs for Assessment and Remediation Activities:**

If the regulatory case officer requests that assessment and/or remediation activities occur following the above scenario, NTEPs must be prepared and submitted. Commonly used Task Tables may include:

- Work Plan Preparation: Tasks A.2 & A.3
- Site Characterization Report Preparation: Tasks A.13 & A.14
- Corrective Action Plan Preparation: Tasks C.1 & C.2
- Field Activities: Please refer to the appropriate field activity Guidelines Tasks.

**APPENDIX G**  
**REMEDATION EQUIPMENT PURCHASE VERSUS RENTAL EVALUATION**

## **REMEDIATION EQUIPMENT PURCHASE VERSUS RENTAL EVALUATION:**

### **Purchase:**

The purchase of remediation equipment is a major cost associated with remediation of a leaking petroleum storage tank site. Such equipment (packaged or site-constructed air sparge systems, soil vapor extraction systems, dual-phase extraction systems, etc.) commonly costs tens of thousands of dollars. The regulatory case officer must formally provide concurrence to the type of proposed remedial methodology and the associated remediation system that will be utilized at a site. A minimum of three bids must be evaluated prior to the acquisition of such equipment, if the equipment costs \$6,000 or more. NDEP's policy regarding the reimbursement of such equipment is as follows:

- NDEP will recommend reimbursement for the purchase of the equipment if the regulatory case officer has concurred with the remedial methodology and a minimum of three valid bids (if necessary) are provided.

### **Rental:**

If a claimant proposes to rent remediation equipment from a vendor, Fund staff must approve a proposed rental rate schedule that verifies the ultimate cost of renting versus purchasing the equipment. If the cumulative rental costs exceed \$6,000, bids will need to be obtained for the rental cost per unit time. **NDEP will recommend reimbursement for accrued remediation equipment rental costs up to the purchase price only.** Some examples:

- A remediation system is priced at \$50,000, including tax, excluding shipping. A claimant proposes to rent the equipment from a vendor, which will cost \$2,500/month. At this rate, it will take 20 months for the rental rate to equal the purchase cost, at which time reimbursement for rental of the equipment will cease. In this case, if the equipment is still needed on the site, additional rental costs will be the full responsibility of the claimant.
- The same \$50,000 remediation system is rented to the claimant at \$2,500/month, and the regulatory case officer allows removal of the system following 12 months of usage. The resulting accrued rental costs of \$30,000 will be recommended for reimbursement. The claimant has saved both himself and the Fund costs associated with the difference between the purchase price and the resulting rental cost (\$20,000).

A Rental Rate Schedule must be **proposed through the online database system and** established with Fund Staff prior to requesting remediation equipment rental costs for reimbursement. Each proposed remediation equipment Rental Rate Schedule must include:

- **Equipment name**
- **Description of equipment**
- **Bid price including taxes**
- **Expected monthly rental cost**
- Copies of invoices/receipts **and bids** for equipment, including applicable taxes

~~Calculations demonstrating how many months of accrued rental equipment costs~~**The online system will be necessary to equal calculate and display the total number of months the piece of**

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equipment **may be rented, given the expected** purchase price.

**Summary:**

Pursuant to an established Rental Rate Schedule, NDEP will recommend reimbursement for remediation equipment rental fees up to the point where the total accrued rental costs equal the purchase price only. The above-referenced cost analysis will include the projected time that the equipment will be needed on the site. NDEP urges claimants to rent such equipment if they are sure the total rental fees will be less than the purchase price. Conversely, if it is believed that the equipment may be used on the site for a prolonged period of time, purchasing the equipment will be more cost effective.

**APPENDIX H**  
**REIMBURSABLE CEM MARKUP**

### **REIMBURSABLE CEM MARKUP**

NDEP will recommend reimbursement for up to 15% CEM markup on some non-CEM services and items, as follows:

#### **Services and Items Qualified for Reimbursement of CEM Markup**

- The first \$3,000 in invoiced laboratory analytical fees for a project.
- Select non-CEM invoices that sum to less than \$3,000. For example, if an invoice from a drilling company sums to less than \$3,000, CEM markup is qualified for reimbursement. If the invoice is for \$3,000 or more, no CEM markup is qualified for reimbursement. The claimant will not be reimbursed for CEM markup for the first \$2,999.99 of an invoice that sums to \$3,000 or more.

#### **Services and Items not Qualified for Reimbursement of CEM Markup**

- Laboratory analytical fees which exceed the first accrued \$3,000 invoiced for the project.
- Non-CEM invoices equaling or exceeding \$3,000
- Shipping costs.
- Rental costs.
- Any non-CEM invoices not recommended for reimbursement.
- Utilities
- Fuel costs
- Subcontracted work typically conducted as CEM activities (e.g., groundwater sampling)
- Permit fees
- Lodging, per diem, and mileage expenses

\*For activities conducted by a company affiliated with a CEM, markup by the affiliated vendor/contractor will only be allowed in accordance with the Guidelines (at a maximum of 15% and only for invoices less than \$3,000). A copy of the vendor invoice (in addition to the invoice of the CEM-affiliated company) are required in order to document that markup meets the requirements of the Guidelines.

**APPENDIX I**

**ACRONYMS/DEFINITIONS**



**ACRONYMS/DEFINITIONS**

<b>BS</b>	Bachelor of Science
<b>Board</b>	Board to Review Claims (Petroleum Board)
<b>CAP</b>	Corrective Action Plan
<b>CEM</b>	Certified Environmental Manager
<b>CFR</b>	Code of Federal Regulations
<b>COPC</b>	Contaminant of Potential Concern
<b>HRS</b>	Hours
<b>LNAPL</b>	Light Non-Aqueous Phase Liquid
<b>LUST</b>	Leaking Underground Storage Tank
<b>MS</b>	Master of Science
<b>NAC</b>	Nevada Administrative Code
<b>NDEP</b>	Nevada Division of Environmental Protection
<b>NFA</b>	No Further Action
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>NRS</b>	Nevada Revised Statute
<b>NTEP</b>	Not-to-Exceed Cost Proposal
<b>OSHA</b>	Occupational Safety and Health Administration
<b>OVM</b>	Organic Vapor Meter
<b>PE</b>	Professional Engineer
<b>PID</b>	Photo Ionization Detector
<b>RAO</b>	Remedial Action Objectives
<b>ROI</b>	Radius of Influence
<b>SNHD</b>	Southern Nevada Health District
<b>UST</b>	Underground Storage Tank
<b>WCHD</b>	Washoe County Health District