

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: PST Reimbursement Section- Standard Operating Procedures File **Date:** 12/29/2004

From: Frederick Meyers, Manager, PST Reimbursement Section

Subject: Implementation of new Reimbursement Rules

Objective: To establish a uniform evaluation for reimbursing the costs associated with the approval of corrective action activities conducted at leaking petroleum storage tank (LPST) sites before and after new rules became effective on November 18, 2004.

REIMBURSEMENT POLICY:

Implementation of the new rules will be as follows and will be based upon the date a Corrective Action Response Form (CARF) has been issued:

- 1) That any corrective action activity eligible for reimbursement which was or is issued a CARF dated on or after November 18, 2004 will be subject to the new (current) rules, including the new RCSs, and;
- 2) that any eligible activity which was issued a CARF prior to November 18, 2004, will be subject to the old (immediately previous) rules and the old RCGs.

FREQUENTLY ASKED QUESTIONS:

I. If the consultant proposes work using the RCS's (on or after November 18th) and RPR pre-approves the work using RCG's, which one will the Reimbursement Section use to review the claim?

The RCSs would be used as per the approved (on or after Nov. 18, 2004) and completed scope of work , irregardless of what dollar amount was pre-approved.

II. If the Reimbursement Section is going to use the new RCS's, how are they going to calculate scope changes if the spreadsheets are not available at this time? .

We anticipate the new spreadsheets to be completed in the next few weeks. If the spreadsheets are not available, then hand calculations using the RCSs would be performed until spreadsheets are available.

III. If the Reimbursement Section's policy is to review claims as they are pre-approved, will the old RCG's be used against claims with CARFs pre-approved on or after November 18th?

No. The Reimbursement Section will use the RCSs to calculate a reimbursable amount for all claims containing CARFs that have been issued on or after Nov. 18, 2004.

EFFECTIVE DATE OF IMPLEMENTATION:

This Standard Operating Procedure (SOP) will be effective for all active protests and claims at the date of this SOP.

