

Successful Petroleum Release Management

Navigating MT DEQ Regulations, Guidance, and PTRCF Reimbursement



Roadmap for Success

- **Understanding the process**
- **Getting started on the right track**
- **Communication is Key**
- **Integrating project work and PTRCF reimbursement**
- **Focus on release closure**

Understanding the Process

- **Release Discovery & Reporting**
- **Immediate & Initial Actions**
- **PTRCF Eligibility Application**
- **Investigation & Corrective Actions**
- **Subsequent Work Plans & Progression Towards Closure**

- **Gathering Information From Your Client**
 - Is this an emergency?
 - Who has been notified?
 - Location and time of release?
 - How was the release discovered?
 - Type & quantity?
 - Impacted areas?
 - Contact information for those involved?

Release Discovery & Reporting

Reference DEQ 24-Hour & 30-Day Reports

Montana Department of Environmental Quality
Contaminated Site Cleanup Bureau
Helena, MT 59620-0901
(406) 444-6444

24 - Hour Initial Release Response Report

This form will permanently lock for editing when form is signed.

Notification Date: Time: Event ID: PENDING Confirmed Date:

Contact Information for Person and Organization Reporting the Petroleum Release to DEQ

Reported By: Title: Phone:
Company: Email:
Address: City: State: ZIP:

ALL INFORMATION MUST BE REPORTED WITHIN 24 HOURS OF RELEASE DISCOVERY

Facility Name: Facility ID: Release ID: PENDING
Facility Type: Federally Regulated Tanks?:
Release Location Address: Found contamination (possibly historical?):
Release Location Description:
City: County: ZIP:
Latitude: Longitude:
Required (Decimal Degrees)
LL Method (choose one of the following):
 Map Interpolation Navigation - Quality GPS Map Interpolation - High Quality

Name of Facility Owner/Operator:
Name of Contact Person: Phone:
Mailing Address (if different from above):
City: State: ZIP: Email:
Property Owner (if different from facility owner): Phone:
Mailing Address (if different from above):
City: State: ZIP: Email:
Has the owner/operator notified their insurance company? Yes: No: Unknown:

PETROLEUM RELEASE NOTIFICATION - 30 DAY FORM

**FOR STATE USE ONLY RID# <u>32-06684</u> Release# <u>5320</u> Doc ID: <input type="text"/> Facility Name <u>Holiday Stationstore 283</u> Facility City <u>Missoula</u> Project Manager <u>Reed Miner</u> PM Email <u>RMiner@mt.gov</u> PM Phone Number <u>(406) 756-8982</u>	MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY CONTAMINATED SITE CLEANUP BUREAU P O BOX 200901 HELENA, MT 59620-0901 (406) 444-6444
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Completion of this form is required under authority of the Administrative Rules of Montana 17.56.601 and 40 CFR 280.62-63. Failure to provide complete and accurate information by the date below is considered a violation of law and may result in enforcement action.

This completed form must be returned to the project manager (postmarked or submitted electronically) by: **May 18, 2019** Use "Save As..." Filename:

A. PERSON COMPLETING FORM

Name: Date of Form Completion:
Position/Title: Phone Number:
Email:
 By checking this box, I affirm that the information provided herein is accurate to the best of my knowledge.

B. FACILITY INFORMATION

Facility Name:
Previous Facility Name: Date Name was Changed:
Street Address (No P.O. Box Numbers):
City: County: ZIP: Phone:
Latitude / Longitude of Point of Release or Location of Encountered Contamination:
Latitude: Longitude:
(Use World Geodetic System 1984 (WGS84) and decimal degrees)

C. OWNERSHIP INFORMATION

Contact Person: Check if correspondence should be copied electronically:
Mailing Address:
Contact Person Email (optional): Phone: Business:
UST System Operator: Copy Correspondence? No: Electronic: Print:
Mailing Address (if different):
UST System Operator Email (optional): Phone: Business:
UST System Owner: Copy Correspondence? No: Electronic: Print:
Mailing Address (if different):
UST System Owner Email (optional): Phone: Business:
Property Owner: Copy Correspondence? No: Electronic: Print:
Mailing Address (if different):
Property Owner Email (optional): Phone: Business:
Immediately Previous Property Owner:
Mailing Address:

If you have difficulty understanding or gathering any part of the information requested on this form, contact the DEQ at (406) 444-6444.

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- **Immediate Action Plan**
 - Mitigate release source
 - Control migration to limit impacts
 - Notify DEQ

Release Discovery & Reporting

- **Reporting Requirements**
 - DEQ Spill Management & Reporting Policy
- **Do Your Homework**
 - Site history and current operations
- **Initial Reporting**
 - Discuss the details
 - Discuss the game plan
 - Get it in writing



SPILL MANAGEMENT AND REPORTING POLICY

I. CONTAINMENT AND CLEANUP

All releases or spills of hazardous or deleterious substances or other wastes, regardless of size, must be properly and expeditiously managed, contained, and removed to protect public health and the environment. This policy is written to provide guidance on when and how to report spills. This policy is intended to assist in the implementation of the following Montana laws and the administrative rules adopted thereunder: Comprehensive Environmental Cleanup and Responsibility Act (§75-10-701, *et seq.*, MCA); Hazardous Waste Act (§75-10-401, *et seq.*, MCA); Solid Waste Management Act (§75-10-201, *et seq.*, MCA); Underground Storage Tank Act (§75-11-501, *et seq.*, MCA); and the Water Quality Act (§75-5-101, *et seq.*, MCA).

II. NOTIFICATION REQUIREMENTS

Petroleum releases from regulated aboveground storage tanks (AST), underground storage tanks (UST) or petroleum storage tanks (PST) must be reported to DEQ within 24 hours of being detected as required by ARM 17.56, Subchapter 5. DEQ must be notified of releases of greater than 25 gallons of petroleum from an AST, UST or PST. Petroleum releases less than 25 gallons in volume must be contained and cleaned up within 24 hours. If cleanup cannot be completed within 24 hours, owners and operators must report the release to DEQ. DEQ maintains a leak line for reporting releases from an AST, UST or PST at 800-457-0568. Outside normal business hours, releases must be reported to the DES 24-hour phone number at (406) 324-4777. Releases must be reported to a live person - voice mails are not adequate notification.

All other releases and spills should be reported immediately to the state's Disaster and Emergency Services (DES) 24-hour phone number: (406) 324-4777. In addition to the following reporting requirements, notification(s) may be required by permits issued by state, federal or local government agencies. Notification to the National Response Center (NRC) may also be required. NRC can be reached at 800-424-8802. DES or DEQ are not responsible for notifying the NRC.

A. The following types of spills must be reported:

- Releases or spills of hazardous substances in amounts that meet or exceed the reportable quantities in *40 CFR Part 302*.
- Spills, overfills, and suspected releases from underground storage tanks and petroleum storage tanks. *ARM 17.56.501, et seq.*
- Releases or spills of any materials that would lower the quality of groundwater below water quality standards. *ARM 17.30.1045.*

B. The following types of spills should be reported:

- Spills that enter or may enter state water or a drainage that leads directly to surface water;
- Spills that cause sludge or emulsion beneath the surface of the water, stream banks or shorelines;
- Spills that cause a film, "sheen," or change the color of the water, stream banks or shorelines; or
- Spills of twenty-five (25) gallons or more of any petroleum product such as: crude oil, gasoline, diesel fuel, aviation fuel, asphalt, road oil, kerosene, fuel oil; produced water, injection water, salt water or combination thereof; and derivatives of mineral, animal, or vegetable oils.

For additional information:
Montana Department of Environmental Quality
Enforcement Division
Phone (406) 444-0379 Fax (406) 444-1923

Release Discovery & Reporting

■ Initial Actions

- Authorized by DEQ outside of a formal Work Plan
- Emergency response
- Communicate with DEQ as conditions change
- Understand the limits of work for PTRCF reimbursement



- **DEQ 30-Day Report**
 - Will be requested by DEQ
 - Form fillable PDF & E-Submit
 - Assist client in completion
 - Not eligible for PTRCF reimbursement
- **Certificate of Financial Responsibility**
 - Typically sent with 30-Day Report request
 - Discuss funding sources with RP, DEQ, and PTRCF

Petroleum Release Compensation Fund (PTRCF)

■ **Eligibility Requirements (§75-11-308(1), MCA)**

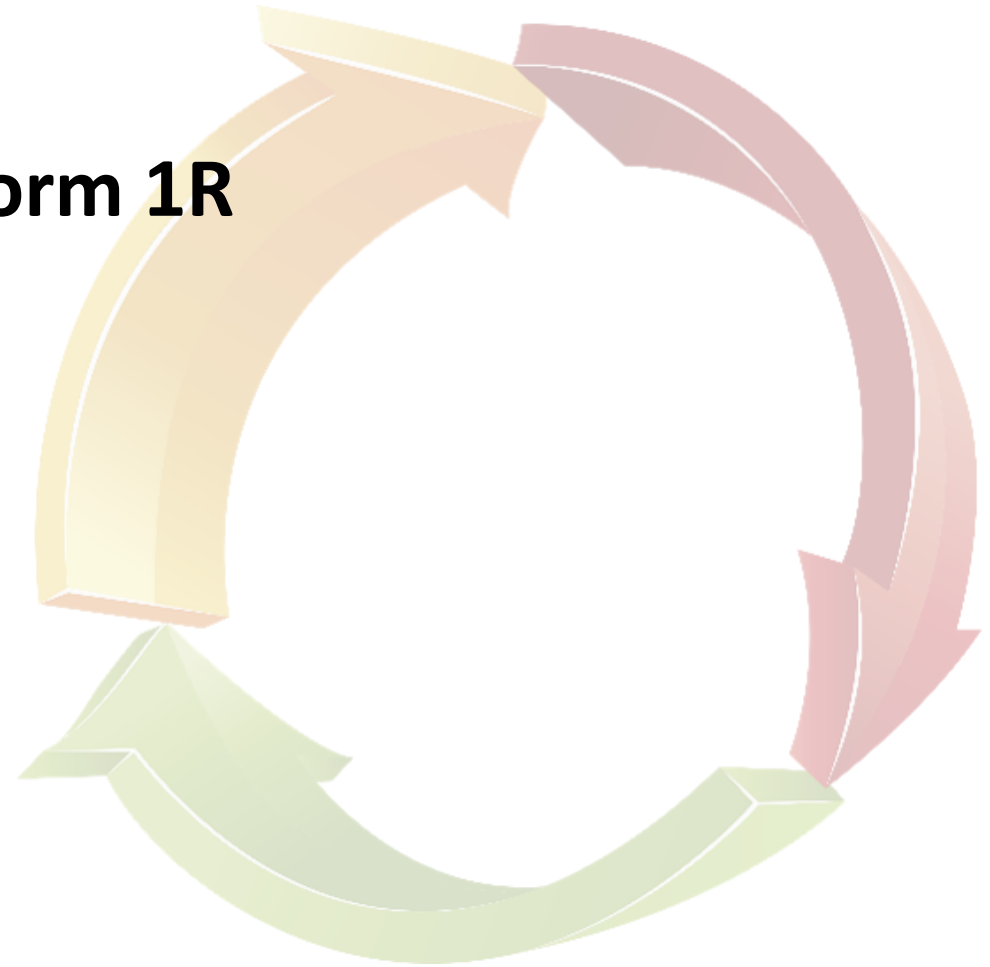
- The release was discovered on or after April 13, 1989;
- From an underground storage tank that was in compliance with the operating permit requirements (§75-11-509, MCA) at the time that the release was discovered, or
- From a petroleum storage tank that was in compliance with the applicable laws and rules that the Board determines pertain to the prevention and mitigation of a petroleum release at the time that the release was discovered, or
- From an underground storage tank that the Board determines was unknown to both the owner and the Department of Environmental Quality and if the owner applies for a closure permit (§75-11-212, MCA) within 30 days of the date the owner first knew of the tank and closes the tank before the permit expires, and
- The release was an accidental release.

Petroleum Release Compensation Fund (PTRCF)

- **Ineligible Tanks** (§75-11-302(21), MCA, §75-11-308(2), MCA)
 - Aboveground petroleum storage tanks with capacities of 30,000 gallons or greater;
 - Tanks located at a refinery or a terminal of a refiner;
 - Tanks located at an oil and gas production facility;
 - Tanks that are, or were, previously under ownership or control of a railroad, except for a tank that was operated by a lessee of a railroad in the course of non-railroad operations;
 - Tanks belonging to the federal government;
 - Tanks owned or operated by a person who has been convicted of a substantial violation of state or federal law or rule that related to the installation, operation or management of petroleum storage tanks;
 - Mobile storage tanks used to transport petroleum or petroleum products from one location to another.

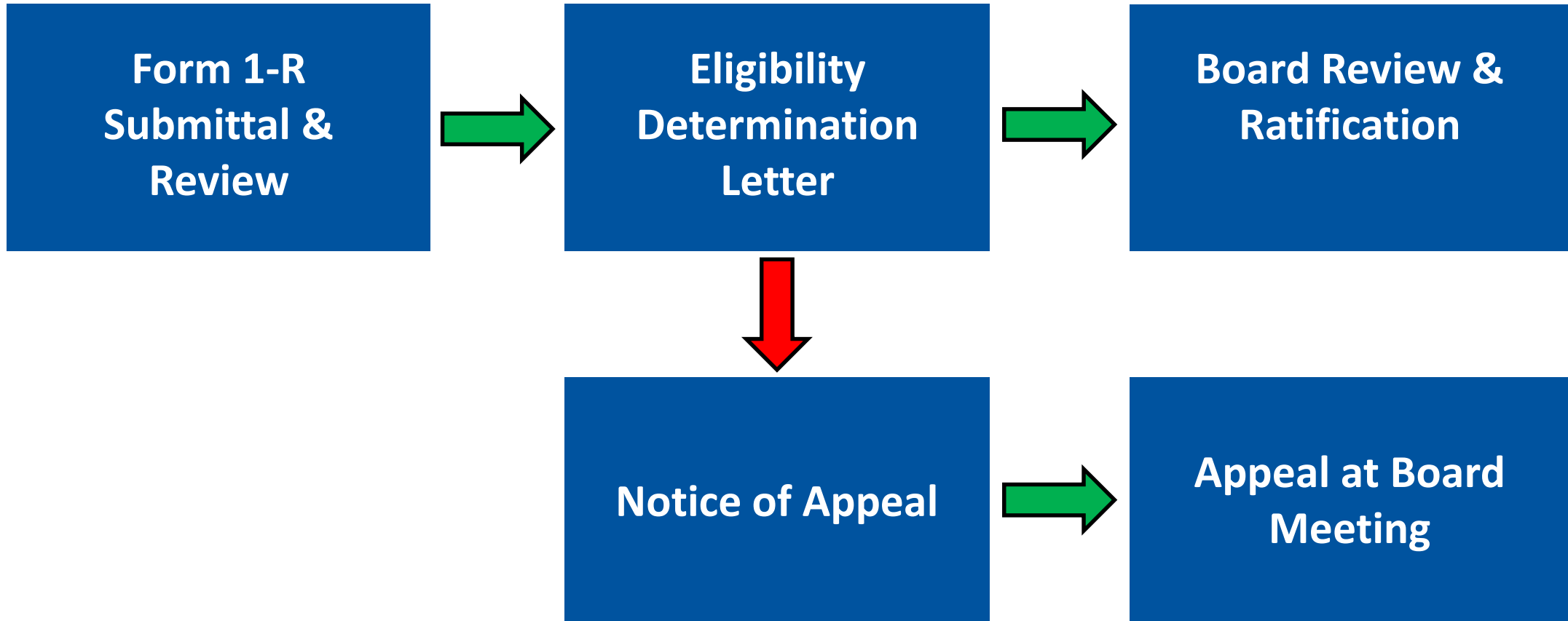
■ Application for Release Eligibility – Form 1R

- Assist RP in completion & submittal
- Use information from 30-Day Report
- Retain information for RI Report
- Communication with PTRCF Staff



Petroleum Release Compensation Fund (PTRCF)

■ Release Eligibility Process



- **Third Party Liability Form – Form 7**
 - Submitted prior to first claim for reimbursement
 - Identify and leverage insurance coverage ***before*** submitting first claim

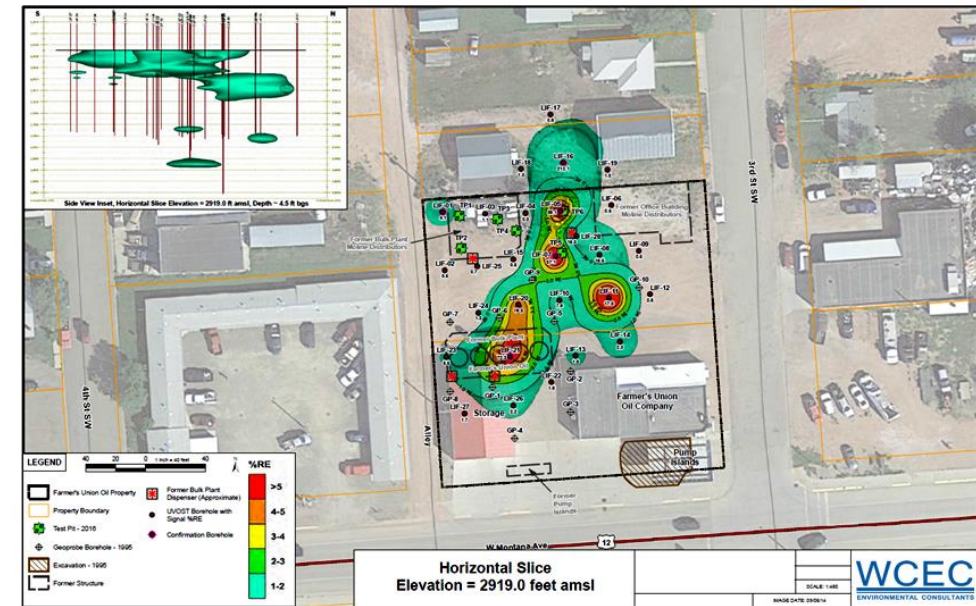
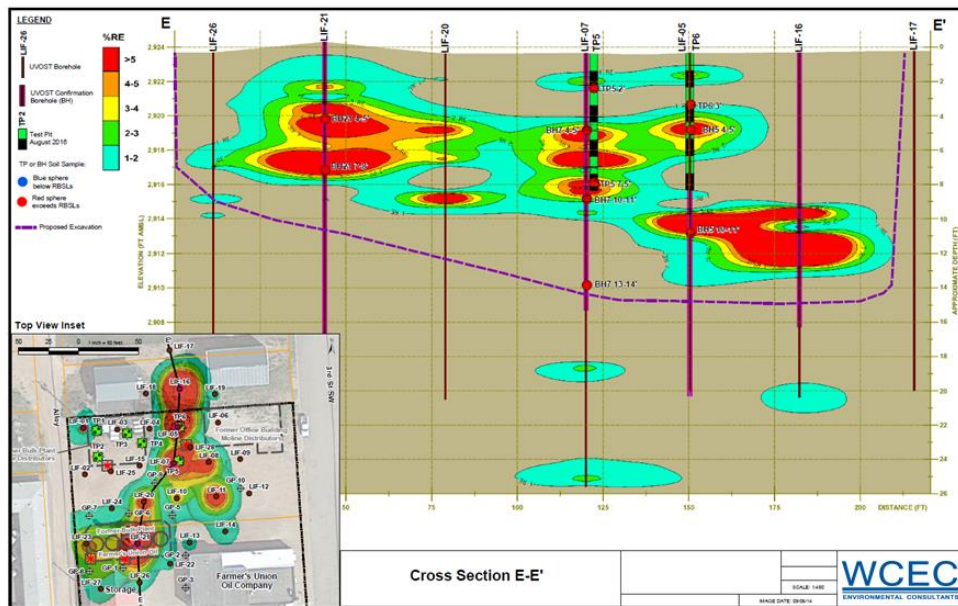
- **Preparation & Submittal of Initial Claims**
 - Communicate details with your client
 - How the Co-Pay process functions
 - Designation of Representative

Initial Corrective Action Plan & Investigation

- **DEQ & PTRCF Work Plan Process**
 - DEQ Work Plan request letter
 - Work Plan & budget submittal
 - DEQ Work Plan review
 - DEQ Work Plan approval letter
 - PTRCF cost review
 - PTRCF Obligation Letter & Form 3
 - Completion of Work Plan scope, reporting, invoicing, and submission of claims

Initial Corrective Action Plan & Investigation

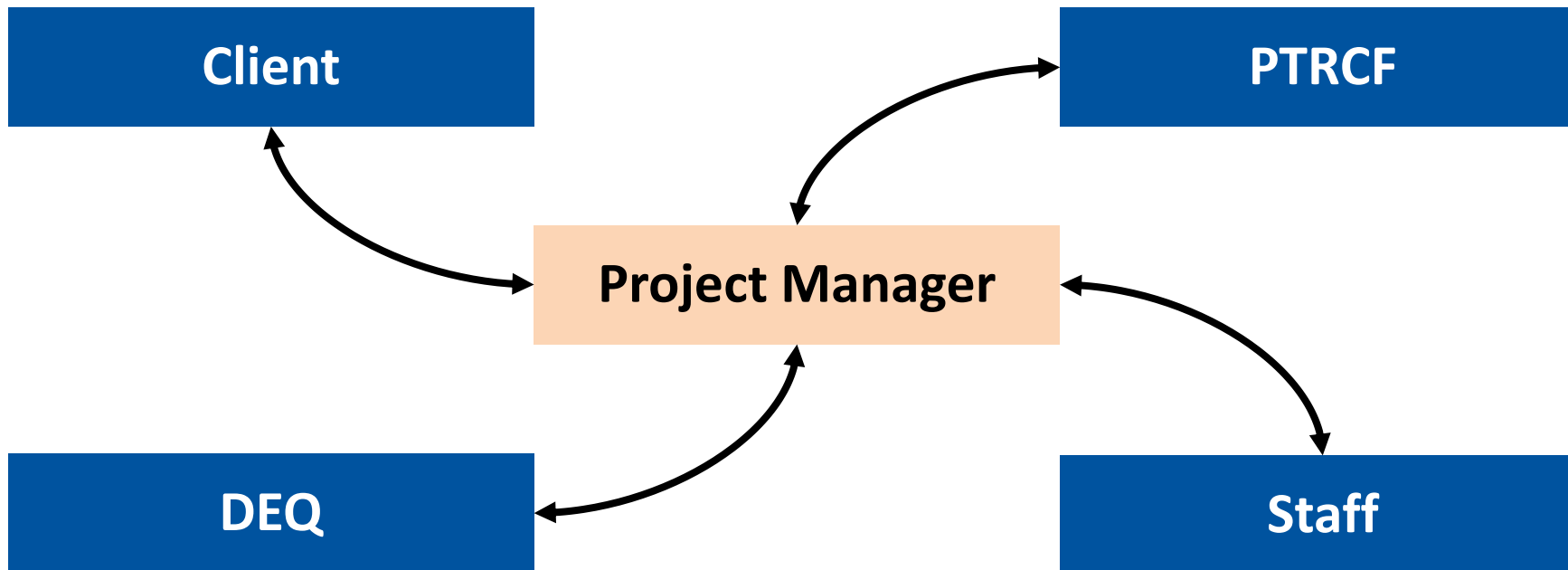
- **Plan A Thorough Investigation**
 - DEQ RI Guidance
 - “Return on Investigation”
 - Stakeholder buy-in



- **Focus On Closure**
 - What is the best path for your client?
 - Using the Release Closure Plan (RCP)
 - What will it take to get there?
 - Stakeholder buy-in

Progression of Work Towards Closure

- **Active Project Management & Work-Flow**
 - Effective Communication with Stakeholders



- **Stay On Schedule & Work Within the Framework**
 - Work Plan & Report deadlines
 - Communicate developments & necessary changes
 - Obtain approvals before proceeding

Progression of Work Towards Closure

COMPLETED TASKS SUBMITTED FOR REIMBURSEMENT

Task Number	Task Name	Budget	Amount Claimed	Invoice Numbers
1	Work Plan (CAP_AC-07)	\$1,040.00		
2	Project Management	\$2,080.00	\$130.00	87220
3	Mobilization	\$3,641.40	\$520.20	87220
4	Remediation System O & M	\$5,340.00	\$660.00	87220
5	Monitoring (Groundwater)	\$2,089.00	\$659.00	87220
6	Monitoring (Tap Water Sampling)	\$89.00		
7	Survey Replacement Well System	\$651.00		
8	Equipment (Remediation System O & M)	\$2,658.30	\$396.35	87220
9	Laboratory Analysis w/fee	\$3,540.00	\$30.00	87220
10	Miscellaneous (Utilities)	\$3,300.00		
11	Lodging/Per Diem	\$161.00	\$23.00	87220
12	Report (AR-07)	\$4,060.00		
13	Report (RCP)	\$1,040.00		
14	Remediation System Modification/Repair	\$840.00		
15	Remediation System Modification/Repair (Equipment)	\$1,000.00		
16	Well Abandonment	\$405.00	\$405.00	87220
Total		\$31,934.70	\$2,823.55	

- **Invoicing, PTRCF Claims & Budget Tracking**
- Implement a system that facilitates the process
- Invoices organized by PTRCF Work Plan Tasks

Progression of Work Towards Closure

■ Invoicing

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Total		\$31,934.70	\$2,823.55	

Monthly finance charges will accrue at 1% after 30 days

Job # 14-10392-70
Site located at 6799 MT Highway 83, Condon, MT
Designation of Representative site

Description	Current Billed
Task 3 - Mobilization	520.20
04/25/19 Mobilization - 170 @ \$3.06	
Task 5 - Monitoring (Groundwater)	659.00
4/25/19 Well Sampling - 2 @ \$186.00	
4/25/19 Water Level Measurements - 7 @ \$41	
Task 16 - Well Abandonment	405.00
Monitoring Well Abandonment - 1 @ \$405	
Total	1,584.20

Professional Services

Task 2 - Project Management

Hours	Rate	Billed Amount			
04/23/2019	James E. Rolle	A01015 Project - Engineer, Scientist, Geologist, Manager	1.00	130.00	130.00
<i>Project management & coordination; SA GWM; SVE/AS repairs; MW abandonment</i>					

Task 4 - System Operation & Maintenance

Hours	Rate	Billed Amount			
04/25/2019	Sarah E. Kuhn	Staff Engineer	6.00	110.00	660.00
<i>System O&M</i>					
Professional Services subtotal					790.00

Expenses

Task 8 - Equipment (Remediation System O&M)

Units	Rate	Billed Amount		
04/25/2019	MT Analyzer (PID, OVA, Hnu, etc)	1.00	99.00	99.00
04/25/2019	MT Magneheic gauge	1.00	56.10	56.10
04/25/2019	MT Air Velocity Meter	1.00	52.80	52.80
04/25/2019	MT Analyzer - Landfill Gases	1.00	105.60	105.60
04/25/2019	MT Pump - Sensidyne Air Sampling	1.00	80.85	80.85
04/25/2019	MT Gloves - disposable	2.00	1.00	2.00

Progression of Work Towards Closure

- Invoicing, PTRCF Claims & Budget Tracking
 - Create a budget tracking tool

Task #	Task Name	State	State App														Total	PTRCB	Remaining	Amount	State				
		Approved	11/8/2018																			Invoiced	Adj.	Budget	Claimed
		Budget	March 2018	May 2018	July 2018	Aug 2018	Sept 2018	Oct 2018	Nov 2018	Dec 2018	Jan 2019	Form 8	March 2019	April 2019	May 2019	June 2019	July 2019	Aug 2019				To Date			
1	Work Plan Prep (CAP_AC-07)	1,040.00	1,160.00																		1,160.00		-120.00	1,040.00	1,040.00
2	Project Management	1,820.00		195.00	65.00	130.00		520.00	455.00	260.00	65.00	260.00	65.00	130.00			195.00							2,080.00	2,080.00
3	Mobilization	3,641.40		520.20	520.20	520.20		520.20		520.20			520.20	520.20										3,641.40	3,641.40
4	Remediation System O & M	5,340.00		630.00	630.00	735.00		630.00		630.00			660.00	660.00		880.00								5,455.00	5,455.00
5	Monitoring (Groundwater)	2,089.00						1,397.00						659.00										2,056.00	2,056.00
6	Monitoring (Tap Water Sampling)	89.00						89.00																89.00	89.00
7	Survey (Replacement Well System)	651.00						441.00																441.00	441.00
8	Equipment (Remediation System O & M)	2,658.30		459.00	369.95	369.95		369.95		369.95			396.35	396.35										2,731.50	2,731.50
9	Laboratory Analysis w/fee	3,540.00		10.00				110.00						30.00										150.00	150.00
10	Miscellaneous (Utilities)	3,300.00		90.45	31.78	150.28	223.34	431.34	234.54		440.29		421.32		234.32	64.51	87.19	49.46						2,458.82	2,409.36
11	Lodging and Per Diem	161.00		23.00	23.00	23.00		46.00		23.00			23.00	23.00										184.00	184.00
12	Report (AR-07)	4,060.00						90.00							2,907.50	440.00	617.50							4,055.00	4,055.00
13	Report Prep (RCP)	1,040.00															1,040.00							1,040.00	1,040.00
14	Remediation System Modification/Repair	0.00									840.00				880.00									880.00	880.00
15	Remediation System Modificiation/Repair (Equipment)	0.00									1,000.00				278.88									278.88	278.88
16	Well Adandonment	0.00									405.00			405.00										405.00	405.00
BUDGET TOTAL		\$29,429.70	\$1,160.00	\$1,927.65	\$1,639.93	\$1,928.43	\$223.34	\$4,644.49	\$689.54	\$1,803.15	\$505.29	\$2,505.00	\$2,085.87	\$2,823.55	\$3,141.82	\$2,543.39	\$1,939.69	\$49.46	\$0.00	\$27,105.60	\$0.00	\$4,829.10	\$26,936.14 *	\$26,936.14	
WP10207		\$240.28	\$245.74																						
		\$1,400.28	\$2,173.39																						

Progression of Work Towards Closure

- **Keep After It**
 - Be proactive in communication with stakeholders
 - Continuously advance the CSM
 - Update the RCP
 - Change approaches when necessary to achieve closure

Questions?

- **Questions?**