

Colorado Petroleum Storage Tank Fund



Today's Topics

- Who the Fund is and what we do
- Reimbursement Process
- Updates to the Reasonable Cost Guidelines
- New Policies



Fund Staff Contact Information

Susan DeMeules	Operations Manager	susan.demeules@state.co.us
Jenna Petropulos	Fund Supervisor	jennifer. petropulos@state.co.us
Johnny Bonifacic	Fund Analyst	john.bonifacic@state.co.us
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Christa Sanchez	Fund Administrative Support	christa.sanchez@state.co.us
Application Email	cdle_pstreimbursementapps@state.co.us	
General Email	cdle_fund@state.co.us	

Petroleum Storage Tank Committee

Member Name	Member Type
Bruno Busnardo	Underground Tank Installer
Anthony Congram	Private Citizen
Renee Shellhorse	Owner / Operator
Steve Callahan	Refiner and Retailer
Scott Paulson	Independent Retailer Outlets
Mahesh Albuquerque	Division Director
Jane Bral	Designee of CDLE Executive Director



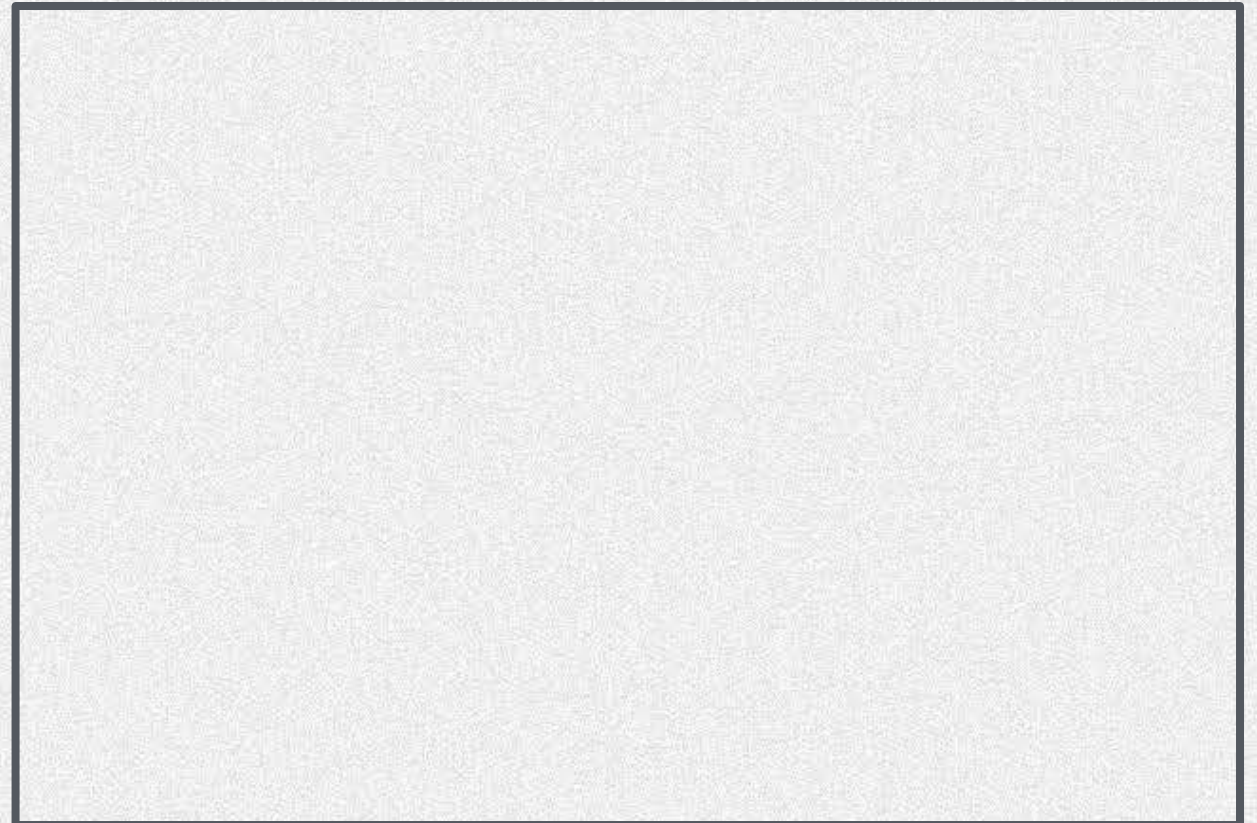
Tools to Help You Succeed

- Fund Website
- Application Forms
- Task and Labor Rates
- Contact Us



Keys to a Successful Reimbursement

Who can apply
How to apply
What is a complete
application



What is my Eligibility Category?

- Responsible Tank Owner/Operator
- Non-Responsible Parties
 - Abandoned Tank Owner
 - Orphan Tank Owner
 - Property Owner
 - Lender
- Submit an Original application



Definitions

- Abandoned tank – an underground or aboveground petroleum storage tank that the current tank owner or operator or current property owner did not install, has never operated or leased to another for operation, and had no reason to know was present on the site at the time of site acquisition.
- Orphaned tank – an underground storage tank which is owned or operated by an unidentified owner or no longer in use and was not closed and the property has changed ownership prior to December 22, 1988, and such property is no longer used to dispense fuels.



Definitions

Property owner – has never owned, operated, leased or managed petroleum underground storage tanks at the property where the release occurred, provided such property was acquired on or before June 3, 1992, and in the case of a preexisting release, the property owner had no reason to know that a release had occurred prior to acquiring the property.



State Controller W-9



IMPORTANT!

**The State Controller W-9 form required
cannot be found on our website.**

If you need one, you must contact the Fund.



OPS Review:

Accurate and Complete Application

- Current Application Form
- Appropriate Signature Authority
- State Controllers W-9
- Operational Compliance
- Affidavits Notarized
- Listing of Costs/Invoices/Backup Documentation
- Avoid Duplicate Costs
- Ensure costs are reasonable
- Costs are within the EFS Budget



Fund Payment Report



COLORADO
Department of
Labor and Employment

Division of Oil and Public Safety - Petroleum Storage Tank Committee
633 17th Street, Suite 500
Denver, CO 80202-3610
303-318-8525 | www.colorado.gov/ops

EXHIBIT B FUND PAYMENT REPORT

Date: June 7, 2019

State Fiscal Year: 2019

Facility# 12345

TO: Oil Company, Inc, John Doe, 123 Main St., Denver, CO 80202

FEIN# 12-3456789

SUBJECT: RAP# 33333 / Event# 1212 / Location: Gas Station #12, 456 Gas Station Dr., Durango, CO

In accordance with Paragraphs 13 & 17 of the Original Reimbursement Application and any Supplemental Reimbursement Application, between the Petroleum Storage Tank Committee and Oil Company, Inc., covering the period of «Date Start» through «Date End», the undersigned commits the following funds for reimbursement: **\$10,631.80**

This Fund Payment Report does not constitute an order for services under the Reimbursement Application.

Costs Submitted:	\$10,848.78
Less 4z.15 costs	(50.00)
Unallowable or not eligible costs pursuant to statute, regulation, or policy: Not Eligible - Unallowed -	(50.00)
Subtotal of Allowable Reimbursement:	\$10,848.78
Reduction for non-compliance with tank operating regulations, CRS 58-20.5-104(4)(d){2%}	(216.97)
Net Allowable Reimbursement:	\$10,631.80
Deductible, CRS 58-20.5-206	(50.00)
Plus 1% for application preparation	50.00
TOTAL REIMBURSEMENT AWARD:	\$10,631.80

Total reimbursement paid to date towards cleanup of this Event with this approved payment: \$20,540.35

Corrective action costs considered out of scope, or exceeding phase of work budget of an approved corrective action plan or modification, and the associated economic feasibility summary, are **not eligible** for reimbursement pursuant to 7 CCR 1101-14 58-2(c). Protests cannot be accepted for not eligible costs.

If Applicant disagrees with the reimbursement paid pursuant to the Original or Supplemental Reimbursement Application, or the **unallowed** costs, Applicant may file a written Protest with the Petroleum Storage Tank Committee within 60 days of the date of the Fund Payment Report, pursuant to 7 CCR 1101-14, 58-6. Send your Protest to the Petroleum Storage Tank Committee, at the letterhead address. **Applicant shall use the Protest of Fund Payment Report form provided by the Division of Oil and Public Safety of the Colorado Department of Labor and Employment.** This form can be obtained from the OPS website, www.colorado.gov/ops or by calling 303-318-8510. Failure to file a Protest within 60 days shall waive Applicant's right to contest the Fund Payment Report.

Approvals for RAP# 33333

eRAP Supplemental

State of Colorado:

By: _____
for Petroleum Storage Tank Committee
JG/TF

Date: _____

To be completed by CDLE Finance Office, Accounts Payable:

PV NUMBER _____ PV APPROVAL DATE _____

80%

cc: Environmental Company via email: enviro@environmenalcompany.com

cc: Oil Company, Inc. via email: johndoe@oilcomp.com

Payment

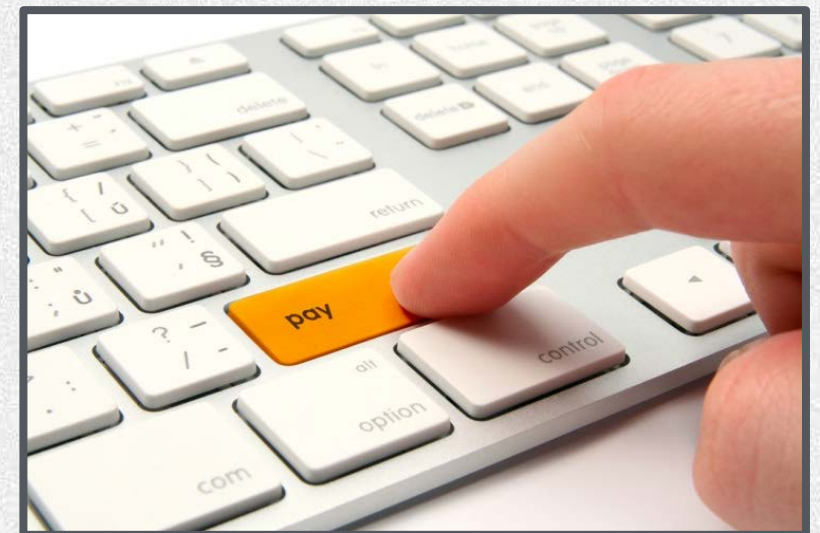
- Methods of Payment
- Vendor Offsets

Department of Revenue

303-205-8291

DOR_collections@state.co.us

- Protests



What does the acronym “RAP#” stand for?

- A. Reimbursement Application
- B. Reimbursement Application Processing #
- C. Reimbursement Application Payment #
- D. Reimbursement Application Package #
- E. **B & D**



Reasonable Cost Guidelines and Policies



Updates to RCGs

- Effective July 1, 2019
- Labor Rate increase of 13%
- Reporting labor component also increased 13%
- Specific activities in direct push and drilling increased 28% on average
- Groundwater sampling increased 15%-21%



Excavation and Disposal

- No change to RCG for projects below \$50,000
- More than \$50k - require 3 competitive bids and the same markup structure based on the number of bids would apply (3 bids – 15% markup; 2 bids – 8% markup; and 1 bid – 0% markup)
- If it is demonstrated that there is only one local service provider within 60 miles so there is only one bid available, the full markup of 15% would apply



Drilling Rates

		OPS	OPS	Percent
		<u>Old Rate</u>	<u>New Rate</u>	<u>Change</u>
Drilling				
2.1	Drilling - hollow stem auger	\$ 18.00	\$ 22.00	22%
2.2	Mob/demob	\$ 4.00	\$ 4.50	13%
2.4	Complete 2" well/ft	\$ 18.00	\$ 22.00	22%
2.4	Complete 4" well/ft	\$ 27.00	\$ 29.00	7%
2.5	2" Well abandonment/ft	\$ 7.85	\$ 9.50	21%
2.5	4" Well abandonment/ft	\$ 11.75	\$ 14.00	19%
2.7	Soil vapor implant materials	\$ 125.00	\$ 150.00	20%
2.8	Decontamination	\$ 100.00	\$ 150.00	50%

Direct Push Rates

		OPS	OPS	Percent
		<u>Old Rate</u>	<u>New Rate</u>	<u>Change</u>
Direct Push				
1.1	Direct push (ft)	\$ 10.00	\$ 15.00	50%
1.1	Direct push (minimum-day rate)	\$ 400.00	\$ 600.00	50%
1.2	Mileage	\$ 2.75	\$ 3.30	20%
1.3	Temp well install/ft -1"		discontinue	
1.3	Wells	\$ 25.00	discontinue	
1.4	Well install/foot - 1"	\$ 9.50	\$ 13.00	37%
1.4	Well install/foot - 2"		\$ 20.00	new
1.5	Well abandonment	\$ 50.00	\$ 65.00	30%
1.6	Soil vapor implant materials	\$ 125.00	\$ 150.00	20%
1.7	Decontamination	\$ 100.00	\$ 150.00	50%

Clarification on Meals

- No meals without allowable overnight stay
- 3 meals reimbursed for each allowable overnight stay

EXCEPTION TO THE RULE

Person works past 6pm on second day to avoid additional night stay
- dinner would be allowable

*Exceptions are at the discretion of the technical reviewer.



Current Incentives- Policy 29 (Tank Removal)

- \$1 per gallon tank capacity - max reimbursement \$30k
- UST(s) installed prior to Aug. 2008
- Entire UST system was removed on or after Jan. 1, 2019
- Compliant with permanent tank closure requirements
- Not contingent with a release
- Applications submitted within 90 days of tank closure



Allowable Tank Removal Costs

- Everything below grade is allowable:
 - Tanks, lines, and under dispenser containment
- Backfill – to grade, not finished grade
- Asphalt or concrete removal to access tank pit
- Dispensers



Unallowable Tank Removal Costs

- Asphalt or concrete replacement
- Canopy removal
- Sampling



Current Incentives- 2019 Incentive (Waives \$10,000 Deductible)

- If contamination is found during tank removal
- Entire UST or AST system is being closed and **not** replaced
- Work must be done by December 31, 2019 and application received by March 31, 2020



Summary

- For a successful application, have all required signatures and documents to avoid delays in processing and payment
- Policy 29 – Reimbursement for Tank Removal Costs
- 2019 Incentive – Deductible waived
- Updates to Reasonable Costs Guidelines (RCGs)

REMINDER

Please remember that as of January 1, 2020 all costs must be submitted within two years of when they were incurred



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KEYS TO COMPLIANCE
COLORADO DIVISION OF OIL & PUBLIC SAFETY

Petroleum Cleanup and Redevelopment Fund



Jane Bral, Jennifer Strauss,
Tim Kelley & Michelle Howard



Answers to the Questions

- What is a petroleum brownfield?
- What is the PCRFB?
- Why was it created?
- Where does the funding come from?
- Who is eligible?
- How to apply and the process?
- Any success and benefits?



Petroleum Cleanup Funding Sources

Petroleum
Storage Tank
Fund

Petroleum
Cleanup and
Redevelopment
Fund



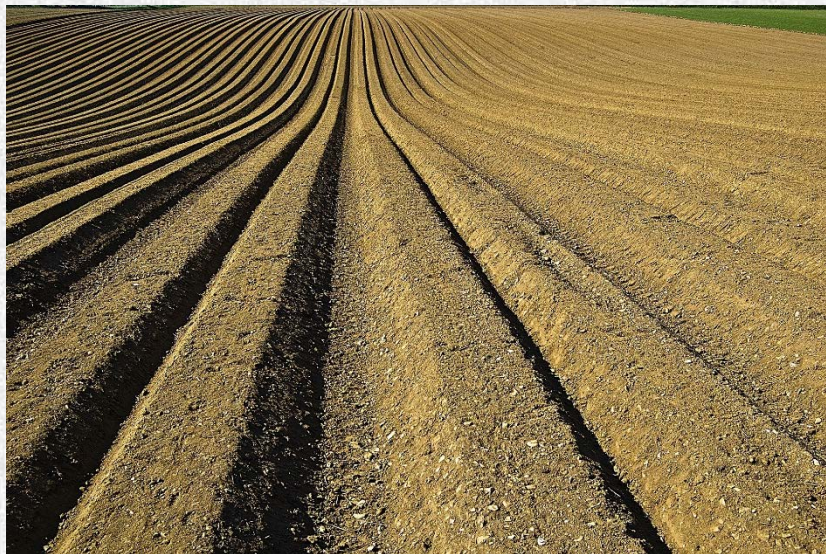


Which picture best explains a Petroleum Brownfield?

A.



B.



C.



D.



Flourishing Gas Stations to Meet Consumer Demand



Colorado's Corners

Remnants of the Changing Industry



Redevelopment Fund Established 2014



Who is Eligible to Participate?

- Property owners with petroleum storage tanks currently or formerly on the property
- Sites that are not eligible to the Petroleum Storage Tank Fund
- Applicant must have a plan for site redevelopment or reuse

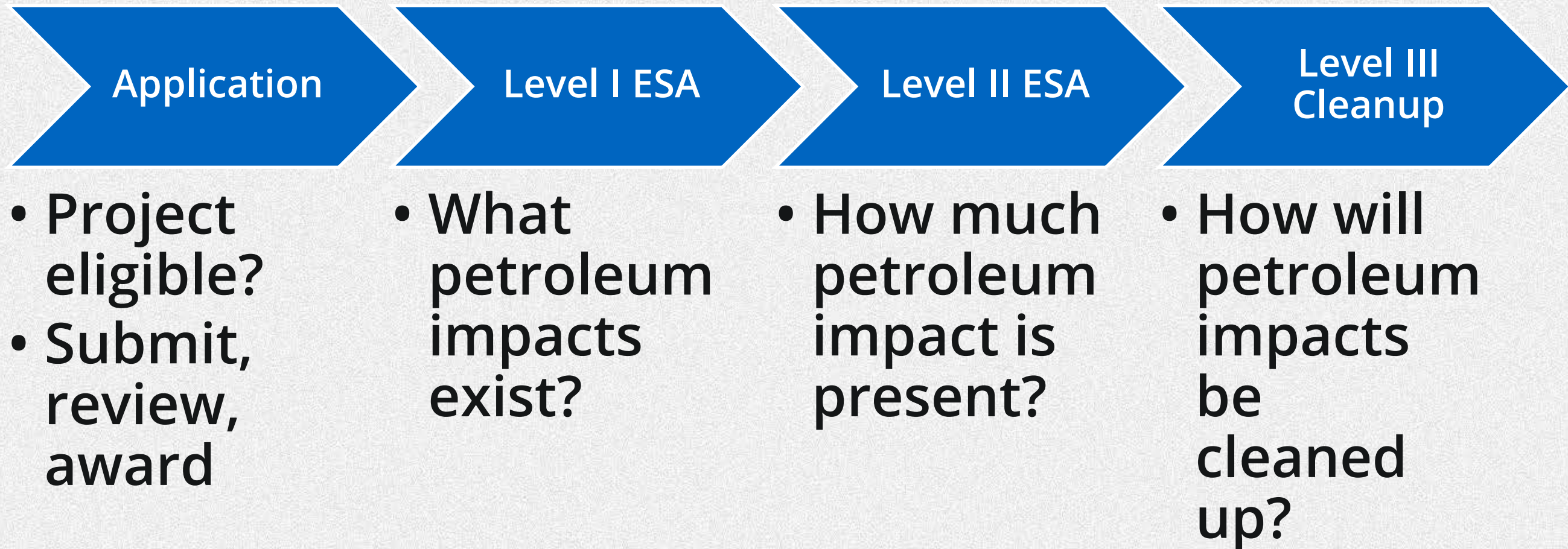


Application

		Colorado Department of Labor and Employment Division of Oil and Public Safety Petroleum Cleanup and Redevelopment Fund 633 17 th Street, Suite 500 Denver, CO 80202-3610		Phone: 303-318-8525 Fax: 303-318-8546 Email: cdle_brownfields@state.co.us Web: www.colorado.gov/ops	
ELIGIBILITY APPLICATION					
This form is to be used to apply for eligibility to the Redevelopment Fund Levels I, II and III. Please submit complete applications to cdle_brownfields@state.co.us . More information is available on the Brownfields Program webpage.					
(Office Use Only)		Facility #:		Event #:	
Property Owner Information					
Property Owner Name:					
Contact Name:					
Email Address:				Phone #:	
Mailing Address:					
City:		State:		ZIP:	
Property Information					
Please attach evidence of property ownership, such as a copy of a deed of trust or warranty deed, to this application.					
Property Address:					
City:		State:		ZIP:	
Property Acquisition Date:					
Eligibility Questions					
1. Is the property owner eligible to the Petroleum Storage Tank Fund? <i>Refer to Article 8, Section 8.1 of the Petroleum Storage Tank Regulations.</i>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. How was it determined that petroleum storage tanks are present or existed on the property (e.g., Phase I Environmental Site Assessment, Visual/Physical Detection, Real Estate Screening/Property Historical Records, Environmental Database)? Please be prepared to provide pertinent documentation upon request.					
3. Has any environmental site assessment work been completed on the property?				<input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Which project level(s) are you applying for?		<input type="checkbox"/> Tank Removal <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III			
Estimated Project Start Date:					

- Simple
- Four pages
- Property & owner
- Tanks?
- Current & future use
- How it will help
- Community involved
- No cost

Redevelopment Fund Process



Application Evaluation

- Staff review
- Site Selection Group
- OPS
- External Stakeholders



Redevelopment Fund \$\$\$

Level I

- Up to \$20,000 for site assessment
- 10% from owner
- \$10,000 per site for tank removal

Level II

- Up to \$30,000 to characterize
- 10% from owner

Level III

- 50% of cleanup costs up to \$500,000

Leverage Resources

- OPS Petroleum Storage Tank Fund
- Brownfields Tax Credits – through VCUP
- Colorado Brownfields Revolving Loan Fund
- Targeted Brownfields Assessments-EPA
- Detailed list on our website





**Petroleum
Cleanup and
Redevelopment
FUND**

Division of Oil and Public Safety

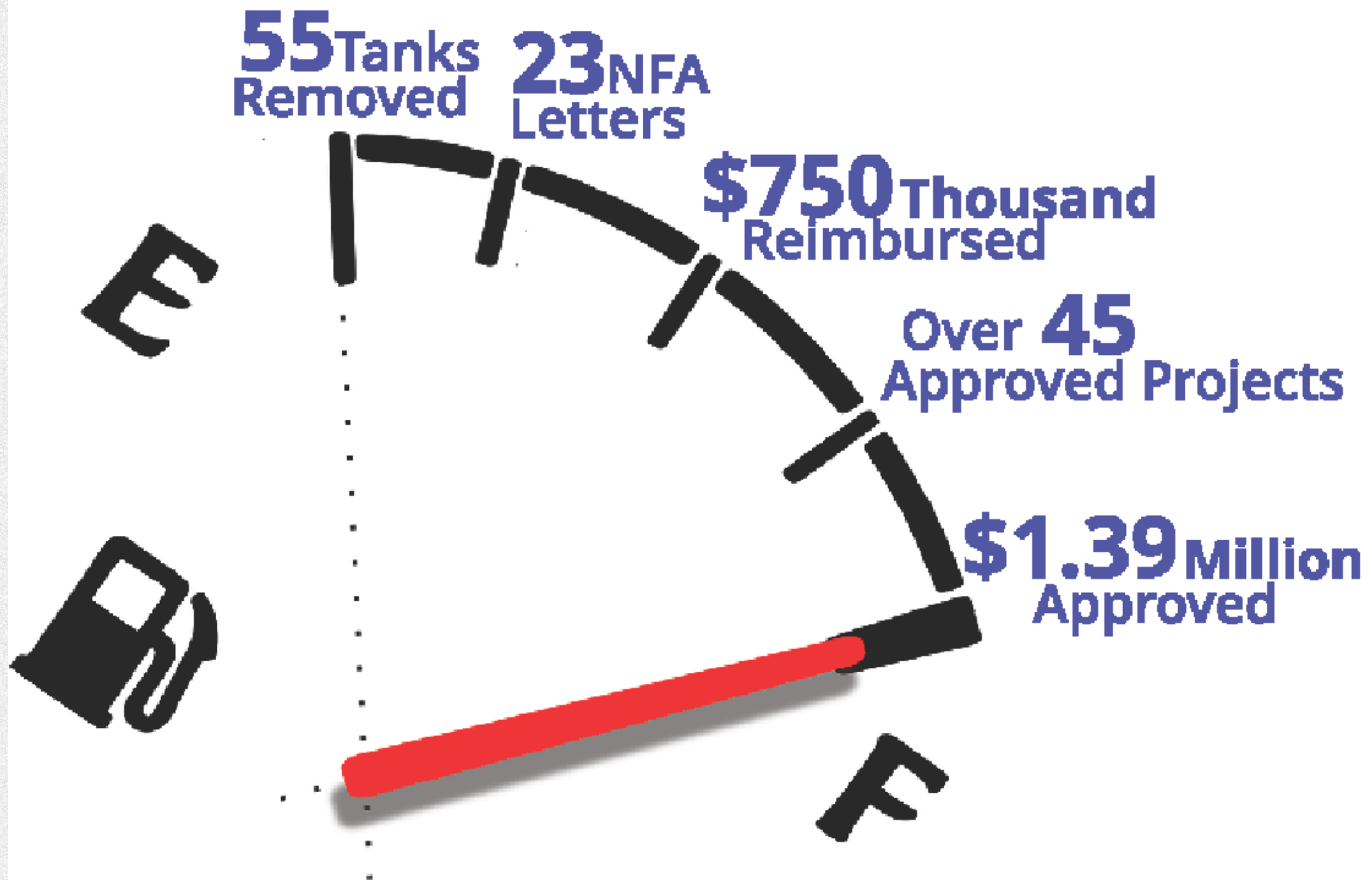
Charge Ahead Colorado Grants

- Level 2 Dual Port Station = \$9,000
- Level 3 Multiple Connection DC Fast Charge Station = \$30,000



<https://cleanairfleets.org>

PCRF Outcomes



REDEVELOPMENT SUCCESS STORY

3100 Gilpin Partners, LLC

3100 Gilpin Street, Denver, CO 80205 — (OPS Event ID 12586)



SITE SUMMARY

Application Received: 7/29/16

Remediation Status: Closed

Number of Petroleum Underground Storage Tanks: Four

NFA letter issued: 1/5/17

Current Land Use: Commercial

REDEVELOPMENT PROCESS

An UST was discovered at the property during a Phase I and II Environmental Site Assessment. The UST was removed on 8/30/16 and a Level I and II assessment were completed at that time. Soil impacts were detected during the assessment. The contaminated soil was excavated and disposed of properly. Today, this former brownfield is for lease as a commercial building.



COLORADO
Department of
Labor and Employment
Division of Oil and Public Safety

To learn more, please visit: www.colorado.gov/ops



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08/28/2012









PCRFB Now Accepting Applications!

colorado.gov/OPS/BrownfieldsProgram



KEYS TO COMPLIANCE
COLORADO DIVISION OF OIL & PUBLIC SAFETY