


Alabama Department of Environmental Management  
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January 6, 2016

MEMORANDUM

TO: Alabama Tank Trust Fund Approved Response Action Contractors

FROM: Dorothy S. Malaier, Chief   
UST Corrective Action Section

RE: **Current and Future Revisions to Trust Fund Guidance, CP & PR Forms  
ADEM/Alabama Tank Trust Fund Contractor Workgroup**

The Department is currently revising the Alabama Underground and Aboveground Storage Tank Trust Fund Reimbursement and Reasonable Rate Guidance and associated cost proposal and payment request forms. These changes will be implemented into “draft” forms in the near future. In the meantime, the Department is notifying all response action contractors of the changes below, and how to apply the changes to the current unit rate forms.

By memorandum dated July 16, 2015, the Department notified Alabama Tank Trust Fund Contractors of changes that were made at that time to the cost proposal and payment request process. If you need a copy of that memorandum, you may download the memorandum from our website at [www.adem.state.al.us](http://www.adem.state.al.us), ADEM Programs, Water Division, Groundwater, Tank Trust Information, Current and Future Revisions to Trust Fund Guidance – memo.

Also, the Department is conducting workgroup meetings between the Department and Alabama Tank Trust Fund Contractors to discuss issues or questions that may arise periodically. All consultants may participate in these “workgroup” meetings, the next of which is to be held **January 27, 2016, at 8:30 am**, in the Hearing Room at the ADEM building located at 1400 Coliseum Boulevard, Montgomery, AL.

The procedural changes to the current Unit Rate process are as follows:

**1) Drilling Rates for Type III wells:**

- The Department has increased the maximum allowable rate per foot for the drilling and installation of Type III wells. The maximum allowable rate is \$95/ft. The drilling rate change is effective for Type III wells drilled on or after December 1, 2015.



**2) Labor Rates for ADEM Declared Emergency Response Activities:**

- For emergency response to releases which have been designated in writing as an emergency by the Department's Groundwater Branch Chief or UST Corrective Action supervisor(s), a new maximum allowable rate for on-site field personnel (Trust Fund Contractor field personnel) has been developed.
- The use of the emergency labor rates is limited to a maximum of 3 days.
- The new rates are 1.5 times the current maximum allowable rate for Trust Fund Contractor field personnel.
- The application of the emergency rates must be approved by the Department in writing prior to submitting a payment request. Until the revised unit rates are available, Form D will need to be used to input the emergency response labor charges. A written description of the emergency response conducted and field personnel utilized should accompany each payment request and be included in the initial abatement report. The new unit rate forms will include a specific section for the use of emergency labor rates.

**3) Clarification of "Guidance for Proper Management and Disposal of Well Development and Purge Water from Petroleum UST and AST Release Sites":**

- The Department will allow the transportation of well development and purge water by Trust Fund Contractor personnel to final disposal facilities in accordance with any applicable local, state or federal requirements. This serves to clarify the existing language which was interpreted by some contractors to limit the hauling of well development and purge water to only licensed/permitted water/waste haulers.

**4) Draft Cost Proposal and Payment Request Forms:**

- Revised cost proposal and payment request forms will be emailed to Alabama Tank Trust Fund Contractors in a few days for public review and comment.

This memorandum is also being placed on the ADEM website. It is anticipated that the changes outlined in this memorandum will be incorporated into new "Draft" Unit Rate Cost Proposal and Payment Request forms that will be available on the ADEM website in the future. You will be notified by email once these changes are made, and the new "Draft" forms are available.

If there are any questions or concerns regarding these changes, please contact John Dean at (334)271-7846 or Dorothy Malaier at (334)270-5613 for further clarification.

DSM/qv