
Introduction

The purpose of this guide is to explain the Petrofund's process for reviewing consultant cost proposals when active remediation work is being required at a leaksite by the Minnesota Pollution Control Agency (MPCA). The ultimate goal of the proposal review process is to provide applicants and Petrofund staff a measure of confidence that the active remediation costs that are being incurred and submitted to the Petrofund for reimbursement are eligible and reasonable.

Proposal Requirement

After an investigation has been conducted to determine the extent and magnitude of the contamination that resulted from the leaking petroleum storage tank(s), there are generally three courses of action that can be taken at a leaksite, depending on to what extent the contamination poses a threat to public health and welfare and/or the environment:

- site closure;
- ongoing monitoring of the contamination at the leaksite;
- and/or active remediation of the contamination.

When active remediation is necessary, the administrative rules that govern the Petrofund reimbursement program require applicants to obtain a written proposal from a consultant prior to each step of the active remediation process, and to submit those written proposals to Petrofund staff for review prior to the work being performed.

This requirement is intended to assist applicants in better understanding what work will be performed at their site and what types of costs will be incurred. By reviewing the costs in a consultant's proposal in advance, Petrofund staff can better assist applicants in managing those costs.

Getting Started

The various steps of the active remediation process have been established by the MPCA. Each step has a corresponding Petrofund proposal form that must be completed by the consultant, reviewed by Petrofund staff, and accepted by the applicant before the proposed work can commence. It is important to note that because each Petrofund proposal form represents a separate step in the active remediation process, the applicant needs to obtain a new proposal from their consultant prior to each step of work.

Active Remediation Steps

Active remediation at a leaksite includes, but is not limited to, the performance of one or more of the following activities: free product removal (including passive bailing); soil vapor extraction (SVE); air sparging; soil excavation and disposal; replacement of impacted drinking water wells; groundwater pumpouts; and oxygen releasing compounds. Please note that not all of the steps listed below are performed at every site. The actual steps necessary for a project are determined by the MPCA and the applicant's consultant and depend on the remediation method to be employed and the site-specific characteristics of the leaksite.

Step A (Part 1) Focused Investigation Work Plan and Bid Specifications and Solicitation	The proposal for this step should include the costs to perform the following tasks: <ul style="list-style-type: none">• the preparation of the focused investigation work plan;• the preparation of subcontractor bid specifications; and• the solicitation of subcontractor bids. This proposal form corresponds with MPCA Guidance Document 7-03 Focused Investigation Work Plan.
Step A (Part 2) Focused Investigation Implementation and Reporting	The proposal for this step should include the costs to perform the following tasks: <ul style="list-style-type: none">• the implementation of the focused investigation; and• the preparation of the focused investigation report. This proposal form corresponds with MPCA Guidance Document 7-04 Focused Investigation Report.
Step B (Part 1) Pilot Test Work Plan and Bid Specifications and Solicitation	The proposal for this step should include the costs to perform the following tasks: <ul style="list-style-type: none">• the preparation of the pilot test work plan;• the preparation of subcontractor bid specifications; and• the solicitation of subcontractor bids. This proposal form corresponds with MPCA Guidance Document 7-05 Pilot Test Work Plan.
Step B (Part 2) Pilot Test Implementation and Reporting	The proposal for this step should include the costs to perform the following tasks: <ul style="list-style-type: none">• the implementation of the pilot test; and• the preparation of the pilot test report. This proposal form corresponds with MPCA Guidance Document 7-06 Pilot Test Report.

**Step C (Part 1)
Remediation System *or*
Excavation Detailed
Corrective Action Design
and Bid Specifications
and Solicitation**

The proposal for this step should include the costs to perform the following tasks:

- the preparation of the system detailed corrective action design report or the excavation detailed corrective action design report;
- the preparation of subcontractor bid specifications; and
- the solicitation of subcontractor bids.

This proposal form corresponds with MPCA Guidance Documents 7-07a System Detailed Corrective Action Design Report (SDCAD) and 7-07b Excavation Detailed Corrective Action Design Report (EDCAD).

**Step C (Part 2)
Remediation System
Installation, Start-up and
Initial Operation and
Maintenance *or*
Excavation Oversight**

The proposal for this step should include the costs to perform the following tasks when a remediation system is being installed:

- the installation and start-up of the remediation system;
- the preparation of the initial remediation system operation monitoring report;
- the first year of remediation system operation and maintenance; and
- the preparation of any additional remediation system operation monitoring reports required by the MPCA during the first year of operation.

The proposal for this step should include the costs to perform the following tasks when excavation is being performed:

- the consultant oversight of the excavation and disposal of the contaminated soil; and
- the preparation of the corrective action excavation report.

This proposal form corresponds with MPCA Guidance Documents 7-08 Remediation System Operation Monitoring Report (RSOM) and 3-02a Corrective Action Excavation Report.

**Step C (Part 3)
Ongoing Remediation
System Operation and
Maintenance**

The proposal for this step should include the costs to perform the following tasks:

- the ongoing operation and maintenance of the remediation system (please note that the time period covered by this proposal may not exceed one year); and
- the preparation of any remediation system operation monitoring reports required by the MPCA after the first year of operation.

This proposal form corresponds with MPCA Guidance Document 7-08 Remediation System Operation Monitoring Report (RSOM).

**Step D (Part 1)
Remediation System
Decommissioning Bid
Specifications and
Solicitation**

The proposal for this step should include the costs to perform the following tasks:

- the preparation of subcontractor bid specifications; and
- the solicitation of subcontractor bids.

If remediation system decommissioning is not being subcontracted by the consultant, a proposal is not necessary for this step of work.

**Step D (Part 2)
Remediation System
Decommissioning
Implementation**

The proposal for this step should include the costs to decommission the remediation system and perform any other site closure-related activities.

Change Orders

In some cases, the actual costs charged by consultants or contractors may be higher than the amounts that were proposed for those tasks, or may be for tasks that are different from or in addition to the tasks that were included in an active remediation step proposal. In these situations, the higher and/or additional costs must be documented on the Consultant and Contractor Change Order Form for the Active Remediation Steps.

Questions

If you have questions about this guide or the active remediation proposal process, additional information can be obtained by contacting the Petrofund staff at the Minnesota Department of Commerce.

- 651-539-1515 or 800-638-0418 (phone)
- petrofund.commerce@state.mn.us (email)
- www.commerce.state.mn.us (web)