

**TABLE OF UTAH PETROLEUM STORAGE TANK TRUST FUND
TIME AND MATERIAL REIMBURSEMENT STANDARDS
November 14, 2002**

- I. Costs of preparation of work plans and budgets for eligible work are reimbursable from the Fund if the costs and associated work are determined to be reasonable, customary, and legitimate.

- II. The following additional charges are eligible for reimbursement unless otherwise disallowed. All charges must be accompanied by invoices, receipts or billing unless specified otherwise.
 - A. Long distance and cellular telephone charges specific to the project when accompanied by a billing showing site specific usage and itemized cost.
 - B. Supplies and materials directly associated with the project (e.g., equipment purchased or withdrawn from inventory specifically for the corrective action, sample charges, or well supplies). Prices must be verified by the original vendor's receipt or invoice.
 - C. Outside copying.
 - D. Postage for commercial services where a receipt is provided.
 - E. In house color copies used in reports at the rate established by the Executive Secretary.
 - F. Mileage at the rates allowed by the IRS for cars and light trucks. For heavier vehicles with special equipment, such as drill rigs, actual expenses can be used. These include depreciation, garage rent, gas, insurance, lease fees, licenses, oil, parking fees, rental fees, repairs, tires and tolls. Documentation for these expenses is required.
 - G. Lodging at actual cost unless clearly excessive under the circumstances.
 - H. Meals at a per diem rate not to exceed that allowed by the State for State employees. Documentation of employee name, dates and times claiming the per diem must be included. Receipts not required.

- III. The following costs or activities are not customary, reasonable, or legitimate, and are therefore ineligible for payment under the Petroleum Storage Tank Trust Fund:
 - A. Work performed or expenses to achieve compliance or used for system upgrading;
 - B. All work and expenses related to an UST closure other than product removal from within the UST associated with emergency abatement actions;
 - C. Any costs assessed by the consultant as a percentage for coordination and handling fees for work performed by subcontractors or expenses associated with other direct costs which are in excess of the actual amount expended on other direct costs, unless documented as an expense associated with project or contract management;
 - D. Travel to and from the state and lodging and meals along the Wasatch Front for consultants not based in Utah unless the skill or knowledge required is not available in the state and prior approval is obtained from the Executive Secretary;
 - E. Rental vehicles except at the established IRS mileage rate.

- F. Legal fees and expenses.
 - G. Loss of Business Revenues (Business interruption).
 - H. Airfare.
 - I. Rental costs that exceed the purchase cost of the equipments, and
 - J. Other costs or activities as determined by the Executive Secretary on a site specific basis.
- IV. The following costs are not eligible fro reimbursement because of excessive administrative workload and related processing expenses for both the state and responsible parties. These costs, however, may be added into a firm’s general overhead and recovered through basic labor rates.
- A. Postage.
 - B. Computer charges including drafting, modeling and RBCA software purchase costs.
 - C. In-house copying.
 - D. Standard office supplies.
 - E. Basic telephone service
 - F. Interest.
 - G. Any type of reference book, technical book or guideline.
- V. **Documentation** for costs used to meet the deductible should have the same level of detail and meet the same standards as those for which reimbursement is expected.
- VI. **Film and developing** for site photographs will be reimbursed when accompanied by receipts or invoices. They need not be included in reports. However, especially significant or descriptive photos are encouraged to be included in reports. Disposable cameras are reimbursable but should be designated as “disposable” and not just as “camera”. Purchase costs, total or pro-rated, for re-usable cameras and video recorders are not reimbursable.
- VII. **Original aerial photos and plat maps** will be reimbursed if they are included in the report submitted to the Executive Secretary. These are considered site specific. The use of aerial photos is encouraged.
- VIII. **USGS topographic maps** will not be reimbursed. These are considered general maps that a consultant would or should have on file. An exception may be made if the original map is included in a report submitted to the Executive Secretary.
- IX. **Re-usable small hand or power tools** such as wrenches, tape measures, screwdrivers, drills, saws, tool boxes, measuring wheels and Level D personal protective equipment will not be reimbursed. Associated items such as saw blades and drill bits are considered disposables and are not reimbursed individually.
- X. **Work performed by an owner** may be reimbursed if the work constitutes actual physical benefit to the investigation or remediation. Examples of this might be operating a backhoe to excavate contaminated soil or bailing free product from wells.

Reimbursement will be made at the consultants labor rate for the category of work performed for the number of hours approved in the work plan. Administrative and project management work, including but not limited to, obtaining or monitoring consultants, reviewing corrective action plans, meeting with the Executive Secretary, applying for reimbursement and paying bills are not reimbursable.

XI. **Sales tax** is reimbursable when paid on the original purchase of materials or equipment and documented by sales receipts or invoices. Proof of payment to the Utah State Tax commission may be required. Sales tax is only reimbursed on items or commodities required to pay sales tax by Utah State Law. For questions on individual situations contact the Utah State Tax Commission. Sales tax for items contained in the “Maximum Allowable Rate List For Equipment and Supplies” are included in the allowable rate and not separately reimbursable.

XII. **Overtime** at greater than straight time rates is not reimbursable unless extenuating circumstances (technical or logistical) of the project necessitated working extended hours. The Executive Secretary will determine if the overtime was justified. In no case shall the overtime charged be paid if the approved budget is exceeded, unless a change order is approved by the Executive Secretary prior to the overtime work being conducted. Paying overtime early in a project could result in the budget being exceeded later and deductions made at the end of the project.

A. Examples of reimbursable overtime may include:

1. Permitting requirements which specify project completion time or non-standard work schedules,
2. Emergency abatement actions which require immediate and extended attention,
3. Excessive travel requirements of a project such as five days of scheduled work in a south eastern community with a day of travel each way.
4. Short extension of a work day to complete a project and avoid re-mobilization.
5. Overtime pre-approved by the Executive Secretary in a work plan or change order.
6. Other circumstances the Executive Secretary determines are appropriate, based on project needs and conditions.

B. Examples of non-reimbursable overtime pay may include:

1. Any non pre-approved overtime which exceeds project budgets
2. Failure to properly prepare for site conditions,
3. Equipment breakdowns or unavailability.
4. Other circumstances determined inappropriate by the Executive Secretary.

XIII.

Purchase and Retained Interest of Equipment – Time and Material Reimbursement

All equipment, supplies and appurtenances, including but not limited to motors, blowers, compressors, instrumentation, sheds, electrical supply, piping, off gas treatment, knockout tanks, storage tanks, controls, diffusers, trailers and metering devices, installed in a semi-permanent remediation system in accordance with an approved corrective action plan will be paid for by the PST Fund at the documented purchase price of the item. Documentation shall conform to the requirements of the appropriate rule. The PST Fund has an interest in the equipment, supplies and appurtenances purchased with Fund money. Title in these items vests in the responsible party but the PST Fund retains the right to take possession and to transfer title to the State or to a third party within 120 calendar days after the release receives a no further action letter or at the time of disposal. When no longer needed in the remediation system, the item will be removed and transported by the consultant to a location designated by the Executive Secretary if the Executive Secretary determines that the item may have a residual fair market value or other value to the PST Fund that exceeds the costs of its removal and transportation. The items will be reused on other PST Fund sites whenever possible. Items that are not reusable will be disposed of by the PST Fund in accordance with state surplus property procedures. All recovered monies received from reuse or disposal will be deposited back into the PST Fund and may be credited to the release upon written request by the responsible party. The responsible party may retain title and possession of the equipment or item by reimbursing the PST Fund for its fair market value or other value to the PST Fund as determined by the Executive Secretary.

Very expensive equipment such as those used for off gas treatment may be leased if it can be demonstrated to the satisfaction of the Executive Secretary that the overall cost to the PST Fund will be less than if purchased.