



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

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Secretary

**UNDERGROUND STORAGE TANK SECTION**

September 25, 2014

Memorandum

To: Environmental Service Providers and Other Interest Parties

From: Z. Vance Jackson, Jr., PG, CPM  
Head, Trust Fund Branch 

Subject: Claim Forms for Notices of Residual Petroleum during the Limited Site Assessment

This memorandum is to inform you of updated Trust Fund Claim Package Forms (Secondary Form C.1 and C.3) that have been made available on the UST Section Reasonable Rate Document portal under the 2010 Reasonable Rate Document header at: <http://portal.ncdenr.org/web/wm/ust/rrd>.

These forms incorporate the efforts associated with risk-based site closure directly into the applicable Trust Fund Limited Site Assessment (LSA) tasks (Tasks 2.600 & 2.610) if performed concurrent with the completion of the risk classification. These costs have long been reimbursable as Directed Costs where included within the closure requirements outlined in a Regional Offices' 'No Further Action' letters issued following their review of the LSA. However, this previously required that authorization be obtained from the Department on a written preapproval form.

Under a set of specific conditions outlined in Section 4 of Secondary Form C.1 and C.3, these efforts are now claimable as part of the completion of the LSA risk assessment effort itself, without the need for written preapproval forms from the Department. Those conditions are as follows:

- **During the LSA process**, all findings **must be** discussed with the Incident Manager (IM), and the IM must determine that the site's risk assessment would warrant No Further Action with a Deed Recordation / Notice of Residual Petroleum (+/- Land Use Restriction) (NRP/LUR) and/or Public Notice.
- The NRP/LUR and/or Public Notice **must be** prepared and submitted for approval by the Regional Office **at the time of the LSA Report submittal**.
- All necessary monitoring well abandonment efforts **must be** completed **no later than 60 days** from the date of the site's No Further Action determination.

If **all** of the above conditions are met, (and recorded as such on the Claim Secondary Forms,) the completion of those efforts may be claimed within the scope of the LSA itself. If any of those conditions are not met in full to the Incident Manager's satisfaction, these costs must be formally authorized prior to the work being conducted as they would fall outside of the LSA / risk assessment scope. If you have any questions, please contact me at (919) 707-8262 or Jared Edwards at (919) 707-8153.